

Laura Dorbeck

From: Rohan Heath <[REDACTED]>
Sent: 27 July 2021 15:31
To: Laura Hazelton
Cc: Andrew Parkinson; Susanne Lawrence2; Netherhall Sheila 63; Netherhall Sheila 63; David Castle; Vicki Harding; Linda Williams; Stephen Williams; Gunter Straub; Sarah Robins; Henry Newman; Gio Spinella; Daphne; John and Gilda Riccio; [REDACTED] ANNABEL BACAL; [REDACTED] Daniel Pope; Danny Beales; Ian Centis; Gillian Brown; Bethany Cullen; Rohan Heath
Subject: Further flooding at Netherhall Gardens
Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

Dear Laura.

Further flooding (25th July, 2021 - 2nd time in two weeks) in relation to planning application 2019/3948/P - Basement development at 47D Netherhall Gardens, NW3.

Further to my email of 13th July (see below), I would like to notify you that the subterranean kitchen and downstairs WC areas of my house (47C Netherhall Gardens, NW3 5RJ) once again flooded 2 days ago, on the 25th July. Once again this was down to another downpour - the 2nd in two weeks. Several other areas of Hampstead once again flooded at the same time, with these floods in Hampstead featuring on BBC News 24, at 8.30pm yesterday evening (ie the day after the floods). Again, several houses and businesses were flooded.

Please bear the above in mind when deciding whether to grant planning permission for the basement at 47D Netherhall Gardens.

It is also interesting to note that the Corporation Of London a few years ago did substantial flood prevention works on Hampstead Heath, as they quite correctly predicted (and therefore minimised the damage from) the increased rainfall and flooding that we now are starting to see regularly in Hampstead.

I write this ongoing email to you to provide continuing evidence to Camden Council of regular flooding in Hampstead, before determination of planning application 2019/3948/P. I have been advised by my legal team that should it come to it, that such evidence will be relied upon should Camden Council be found to be in dereliction of their duties in protecting properties and their inhabitants from avoidable and clearly predictable flood damage, and any other damage associated with it.

I would be grateful if you would ensure that this email is uploaded on to Camden's planning portal.

I note that you have not acknowledged receipt of my last few emails, and seem to no longer engage with me on the status and progress of this planning application. This is a pity, as direct dialogue between us would have always been a preferable route to resolving what is becoming a very contentious situation.

Finally, I request you forward this email up to Bethany Cullen.

Kind regards

Rohan Heath (owner of 47C Netherhall Gardens, London, NW3 1NT)

From: Rohan Heath [REDACTED]
Sent: 13 July 2021 15:47
To: Laura.Hazelton@camden.gov.uk <Laura.Hazelton@camden.gov.uk>



Subject: Fw:
Dear Laura,

Re: Yesterday's flooding in relation to planning application 2019/3948/P - Basement development at 47D Netherhall Gardens, NW3.

Further to my email of 7th July (6 days ago), pointing out the continued risk of flooding to my property (47C Netherhall Gardens, NW3) and neighbouring properties from storm surges, that is precisely what happened yesterday evening during the torrential downpour. I attach two pictures of the aftermath this morning, one of the wet hall and (partially subterranean) toilet areas, and one of the kitchen, the left-hand side of which is approx 1m below ground level. Both pics were taken after the bulk of the water had been removed - the flooding was much worse before.


Despite all my drains having been recently cleared out, water entered the subterranean areas of the kitchen, hall and toilet, through the (tanked) walls and up through the floor, causing extensive damage. The back garden was also under inches of water, the latter that rushed down the steps and pooled against the house. I attach a picture of this pooled water to this email. The picture was taken this morning, the morning after the downpour. Water is now emerging from the saturated ground in the form of a small stream. Clearly the underground and historic stream is capable of reactivation in times of heavy rainfall. This problem has been raised by Sheila Jalving (previous owner of 47C Netherhall Gardens), in objection to the development proposal, and is available to view on Camden's planning portal.

Additionally, the street and pavement outside no 47D Netherhall Gardens was a torrent. I attach a picture of the aftermath of debris left on the street. One neighbour described the water rushing downhill as a white-water torrent. I popped my head over the front garden of 47D and it - the proposed site for the basement development - was under 3 inches of water. This water was still there half an hour later. I did not take a picture of it as I did not want to get accused of trespassing. The courtyard that is 47 Netherhall

gardens, adjacent to the development, and part of which the development includes, also had at least an inch of water streaming off it, flooding the drains.

The following link is a major article in The Ham & High, dated yesterday, the 12th July, the date you returned to start making a decision as to whether planning permission should be granted on the basement development at no 47D:

<https://www.hamhigh.co.uk/news/weather/flash-flooding-south-end-green-hampstead-8139756>



['Like the Fleet's resurfaced': Flash flooding hits South End Green](#)

www.hamhigh.co.uk

Note that in that article it mentions that the flooding caused Hampstead Tube Station (sited uphill from the proposed development site) and Finchley Road (downhill from the development site) to shut. If the proposed development site is on the hill directly between these two flooded areas, then it doesn't take a genius to conclude that the site is susceptible to flooding.

What must now be quite clear to you and your planning team is that, despite the government website deeming the area to be of low flood risk, this is clearly not so. Hampstead as a whole, including the micro area in which the basement development is proposed, *is* extremely susceptible to flooding. Yesterday's flood proved that, beyond a shadow of doubt.

Once again, I point out that at no point have Campbell Reith or Camden Council requested from the developers that (before determination) an automatic log water measuring system be left in activated boreholes over a sustained period of contrasting rain cycles. Instead Camden / Campbell Reith have accepted two one-off sets of borehole measurements, taken on a (probably favourable) date of the developer's / their engineer's choice. Had the automatic log water measuring system been in place now - as I have repeatedly requested - then it would have alerted you to the fact that yesterday's water surge throws a whole new light onto the development in relation to local hydrological conditions. There will now be a surge in groundwater and the water table will be raised at the development site for a while to come. Once again Campbell Reith (and by default, Camden's) have not shown due diligence. This is wholly unacceptable, but sadly reflects a not uncommon and unprofessional attitude to residents' local planning concerns, by Camden.

In light of this most recent flooding event, and without re-assessment of the integrity of the whole concept of a basement on this site, including an extended period (at least two years) of groundwater measurement from activated boreholes and proper surveys of neighbouring properties (including a basement at Flat 9, 47 Netherhall Gardens and my partially subterranean kitchen - both of which Campbell Reith / Camden have repeatedly ignored the existence of, and therefore the potential impact of them on the development, and vice versa), if Camden now grants planning permission for a basement at 47D Netherhall, they are choosing to ignore irrefutable evidence that the development site is susceptible to flooding, as are the neighbouring properties, and the fact that the flood risk to these sites has not been properly assessed, if assessed at all.

On a slightly different but nonetheless relevant note, I am now in contact with the RedFrog (Reddington and Frognaal Neighbourhood Plan group). They have informed me that, despite neighbourhood planning and heritage experts making deputations on their behalf, all three of the applications they objected to were consented. Crucially, they believe that all of these were unlawful decisions and are looking into raising the funds to mount a legal challenge against Camden. If planning permission is granted on 47D Netherhall Gardens for a basement, I will meet with RedFrog and see if there are any similarities in my case and theirs, with the aim of using any evidence against Camden Council for what is clearly worrying and developing trend to allow unsuitable developments to go ahead without full consideration of neighbours, their properties and the local environment. This groundswell of disapproval against Camden and its questionable approach to allowing unsuitable developments is quickly growing momentum, and will hopefully serve to focus the spotlight on the fact that Camden regularly disregard their own planning policies. As also aforementioned in my letter of 7th July, I believe it will also serve as continuing evidence upon which to challenge Camden Council by way of legal reproach.

I would be grateful if you would confirm receipt this email by return email, that you have been able to open it and its attachments, that it will be forwarded on to Bethany Cullen at Camden Development, and that it will be uploaded onto Camden's planning portal.

Kind regards

Rohan









Sent from my iPhone