

6 Grange Road
Highgate
London N6 4AP

Mark Chan
Senior Planning Officer
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London Borough of Haringey
London N22 8HQ

By email

17th August 2026

Dear Mark,

HGY/2026/1858 – 6A Grange Road, Highgate - BASEMENT CONDITIONS

1. Our position

Our position is that for the reasons given in the letters dated 10 August 2026 from Alan Baxter Associates Limited (**ABA**) and 10 August 2026 from Professor Kelvin Higgins, and as further expanded on below, the documents submitted in support of Mr and Mrs Amlani's application to discharge conditions 8 -12 contained in the 13 January 2026 planning decision do not contain the necessary information that would allow the Council to discharge those conditions.

We make the following comments.

2. The Conditions

Conditions 8 to 12 of the 13 January 2026 planning permission are clearly worded. The explicit reasons for Conditions 8 to 12 are to provide a mechanism for evaluating the proposal to ensure that Mr and Mrs Amlani's development works do not cause structural or other damage to neighbouring buildings or harm to their stability (consistent with the Council's policies) . As stated in *Newey v South Hams (2018)* one reason for reasons to be given is so that persons affected by the decision can determine if their rights have been breached.

Further, paragraphs 8.93 and 8.94 of the Officer's Report concerning the HGY/2024/1676 decision expand on the reasoning as follows:

"8.93 [...] To ensure that the findings of the independent audit remain unchanged through the detailed design stage, and to provide further assurance to those who have made technical representations, additional precautionary measures are secured through pre-commencement conditions. These require the submission of

a site-specific hydrogeological investigation, updated ground-movement modelling appropriate to the sloping site, coordinated drainage and piling design, and the appointment of a supervising chartered engineer, together with real-time monitoring.

8.94 Such details will be developed further as part of the detailed design of the project and will in turn be subject to formal submission and approval by the Council. In line with normal practice, any such submissions will be publicly available and consulted on, providing adjoining owners and other interested parties with the opportunity to comment before the conditions are discharged."

The gaps identified by ABA and Professor Higgins demonstrate that the substantive work required for these conditions to be discharged has simply not been done.

Despite all the time that has passed (and been wasted) and all that has happened, the Applicants continue not to do the work necessary to ensure that the Council is in a position to see whether the details of the development, which are required under the discharge process for these conditions, will have an adverse effect on our property and accordingly whether the works comply with the Council's policies.

3. Major Issues resulting from Engineering drawing

In support of the above, we refer you to the new engineering drawing 2630-HRW-ZZ-ZZ-DR-S-0200 Rev:P2 by Engineers HRW (**2630-HRW**) which is the main new drawing submitted in purported satisfaction of conditions 8, 9, 10 and 11.

The approved BIA contained a basement engineering drawing for the No 8 side of the development site (Figure 7.1 in Volume 1) but there was no equivalent for the No 6 side.

Section 1 - 1 on 2630-HRW closely follows Figure 7.1 of the BIA but Section 2 - 2, which deals with the boundary with No 6, is new. It shows an "Assumed" concrete block foundation of some 635mm side to side and 1000mm deep, a foundation level of 110.50 aOD (and top at 111.50 aOD).

There was an engineering drawing for the No 6 side in Rev H of the BIA (Figure 4b in Appendix D (Ground Movement Calculation Sheets and WALLAP Analysis) in Volume 1) which showed the No 6 foundation level (base of the foundations) as 48.43 aOD (which equates to 110.90 aOD according to the revised topographical plan in the BIA Rev K) and a corbelled foundation extending 350mm (presumably 1000mm side to side). For ease of reference, the BIA Rev H drawing is included as Annex B.

It is now apparent that ***no proper investigation of the No 6 foundations has been conducted***, since why else would the drawing now use an "assumed" foundation reference? And further, that ***both of the No 6-side drawings*** referred to above (2630-HRW and Figure 4b in Appendix D in BIA Rev H) ***are materially wrong, as outlined below***.

We cannot determine based on what has been made available on what basis (as regards the No 6 foundations) the WALLAP analysis was conducted. However, ***if the WALLAP ground movement calculations used either 2630-HRW or the BIA Rev***

H version, the entire WALLAP analysis as regards No 6 is likely to be wrong since both drawings are defective, as set out in section 4 below.

This is a salutary reminder of the limitations of the scope of the Cambell Reith audit.

4. Proof of error concerning No 6 foundation

The applicant's topographical survey (Appendix B of the BIA Rev K) shows the level of the No 6 rear patio and back door path as being between **111.03** and **111.11** aOD. Floor levels inside the house are more or less the same throughout and are at or about 111.11 aOD, **so the top of the No 6 foundations cannot possibly be higher than 111.00**. This could have been established by little more than a proper site inspection.

The new drawing 2630-HRW shows the top of the No 6 foundations to be at 111.50 aOD (which is at least half a metre too high), and their foundation level to be 110.50. That drawing and anything that uses it as a basis for further assessment is therefore materially wrong and should not be relied on.

Further, as the top of the No 6 foundations cannot be higher than 111.00 aOD, the **foundation level in Fig 4b of Rev H of the BIA of 110.90 aOD (just 10cm below) must also be wrong.**

We can hazard a guess as to how all this this came about. In short, as a result of unlawful commencement of works under the 2018 scheme, and the removal of large amounts of earth from the site, various concrete structures were (and remain) exposed. It is possible that the Applicants' architect and engineers have assumed (erroneously) that the concrete shown near and against the No 6 boundary on the topographical survey at a level of about 111.47 aOD is part of the No 6 foundations. In fact that concrete is likely the foundations of (or remains of a raft for) the side extension of the 6A house demolished in 2019.

We attach as Annex A a photograph of the No 6 side extension (taken from No 8) which shows the concrete in question as well as giving a good indication as to the actual No 6 floor level.

In our 18 February 2025 objection letter concerning the substantive application (HGY/2024/1676) for this development (the **18/2/25 Letter**) we called the applicants' approach "**double down and plough on**". That approach continues and is as unacceptable now as it was then. Paying lip service to the Council's requirements whilst persistently avoiding the work really required has demonstrably caused not only the neighbours and other objectors, but also yourselves in the planning department (as well as in other Council departments), a significant amount of wasted time, energy and expense. With genuine sadness, we point out that this is precisely the situation that pages 2-3 of the 18/2/25 Letter predicted would come about were the application not rejected at that time.

5. Other consequential problems

Following the review of these documents more of the types of issue we objected to during the original application process have come to light. These include:

- a. there is an inconsistency between drawings P/200 and P/300 as they appear in the approved list in the permission, and as they appear in Rev K

of the BIA which is also an approved document. In the former case they are referred to as Rev C but in the latter they are Rev D and altered to show a 150mm raising of the lower GF FFL; the two approved drawings are therefore in conflict (and other drawings which would be expected to be affected (eg the rear and side elevations in P/301) in consequence, have not been updated)

- b. there is no indication as to where the new 2 - 2 section is in fact located

Issues such as b. above may have other implications for No 6.

6. Conclusion

In view of all the foregoing and the other documents referred to, this application to discharge conditions 8 - 12 should be rejected outright right now.

We think it self-evident that the Council's failure to hold firm on principles the Council itself clearly espoused in relation to the 6A site in the past - such as requiring that the gaps between buildings sufficient to see through to mature trees in the rear gardens are maintained, the strict preservation of those and other trees, restricting hard landscaping and preserving soft landscaping, appropriateness of the development to the size and nature of this plot/prevention of overdevelopment, negotiated scales and second floors permitted only as subordinate structures - has resulted in a planning blight not just on the site itself but, as a result of the uncertainty, on the surrounding sites which has now lasted more than 15 years. The belief of one owner of 6A after another that they can leverage ever more from this small, oddly-shaped infill site has been fed by the Council subsequently indicating, one way or another, that the above principles remain malleable.

For the above reasons, and to avoid another interminable period in which you and we are drip-fed the missing information, the Council should dismiss this application to discharge these conditions.

7. Final note

Paragraph 8.95 of the Officer's Report might be read as suggesting that some of the Council's basement policy requirements could be satisfied by the Party Wall etc Act 1996. Whilst we assume this was not the intention, we should remind you that we do not accept that the Council can circumvent its own responsibilities in such a way, not least because the policies are clear that it is the Council that must be satisfied as to no harm etc per DM 18 and DH 7 (and one cannot be satisfied of something if it is left to be decided by someone else).

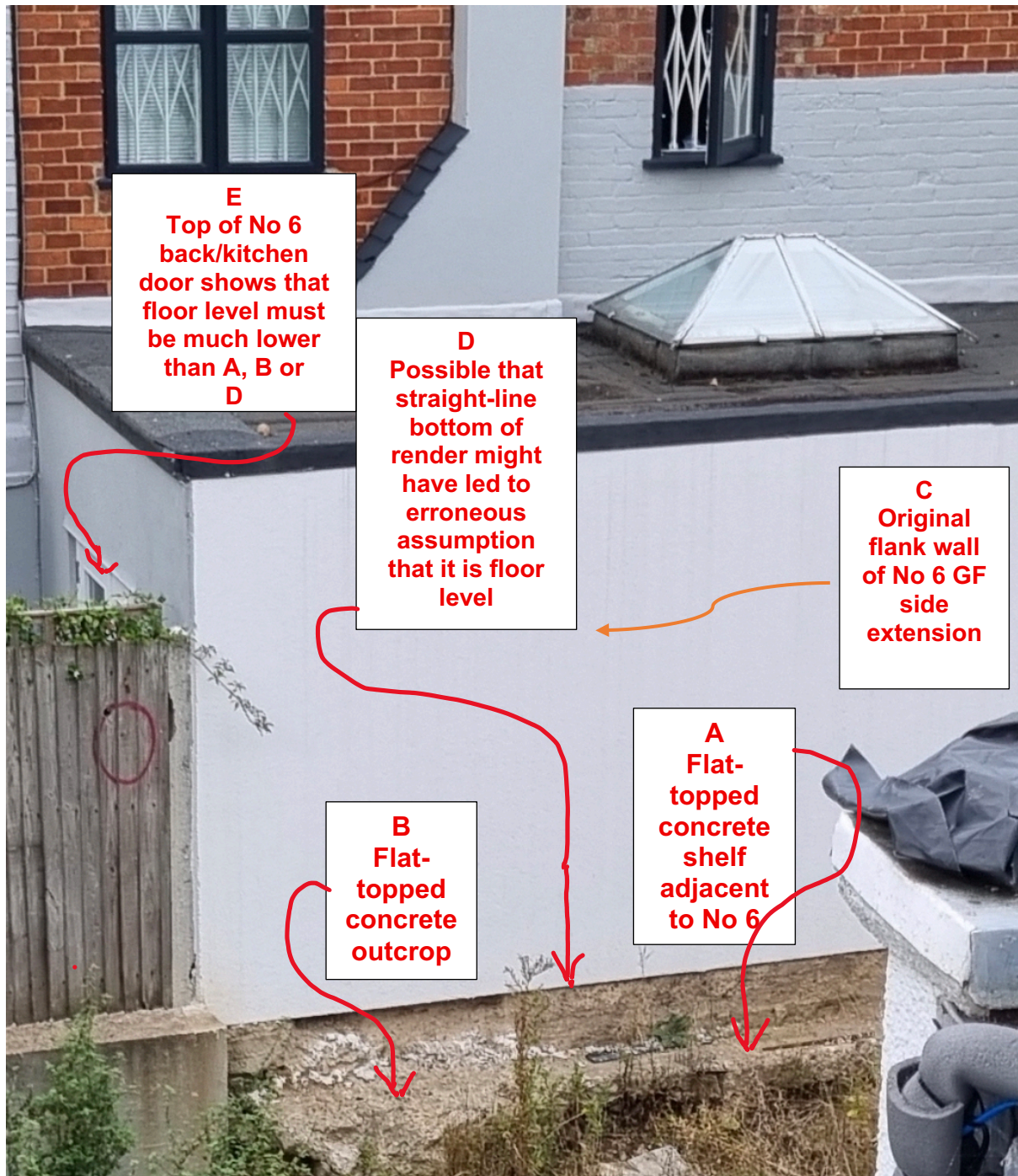
Yours sincerely,

Peter Schulz

Edwin Cossio Murillo

ANNEX A

Photograph of No 6 side extension from No 8 showing the exposed concrete assumed erroneously to form part of the No 6 foundations



ANNEX B

Previous No 6 foundation plan from BIA Rev H

create

Calculation Sheet

Sheet 5

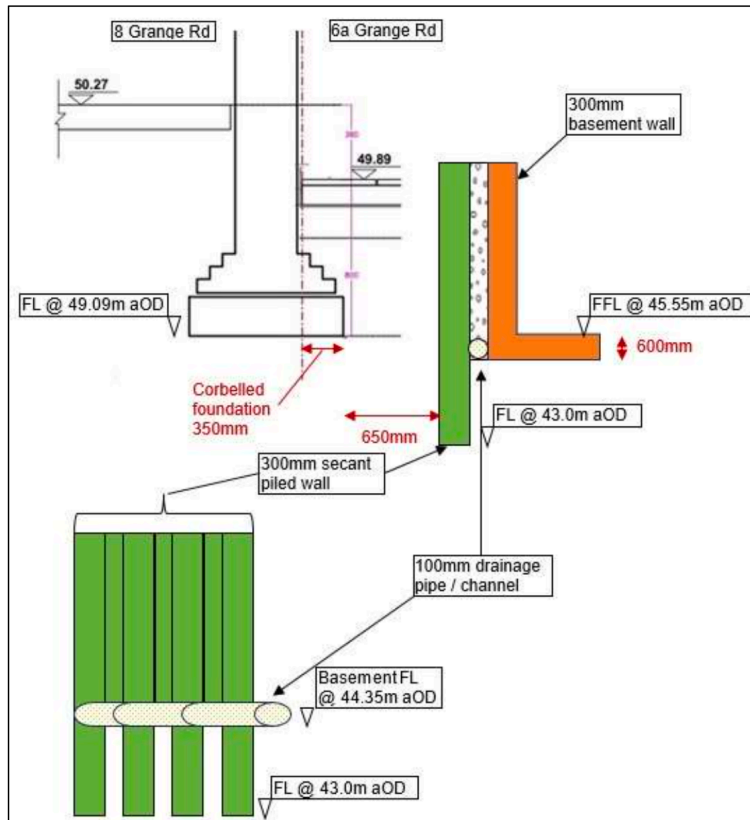


Figure 4a: Foundation levels relative to No. 8 Grange Road

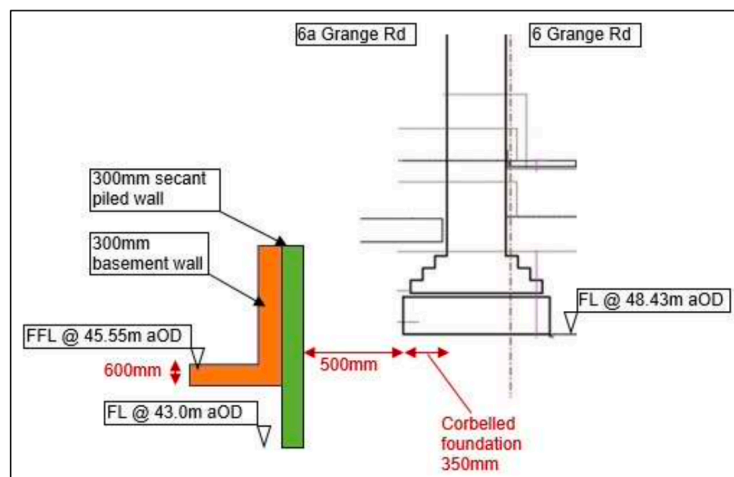


Figure 4b: Foundation levels relative to No. 6 Grange Road

Proposed basement finished floor levels (FFL) are at **44.95m aOD** (see architects plans, Appendix E if the BIA). With an allowance of **600mm** for basement slab construction, insulation, waterproofing and over dig allowance, formation level (FL) will be at **44.35m aOD**.