

RECONSULTATION REVIEW OF ADDITIONAL INFORMATION

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CONTENTS

1.	INTRODUCTION.....	1
2.	SUMMARY.....	2
3.	BASEMENT IMPACT ASSESSMENT.....	2
3.1	TRACKER 4.7.....	2
3.2	TRACKER 4.8.....	4
4.	CAMPBELL REITH BIA AUDIT.....	8
5.	THAMES WATER CONSULTATION.	8
6.	CONCLUSION	13
6.1	INCREASED OFF-SITE FLOOD RISK	13
6.2	SEVERED SEWAGE SERVICES TO NEIGHBOURING PROPERTY	13

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1. INTRODUCTION

It is proposed to construct a deep basement extending rearwards from the existing house to house a private underground gym and swimming pool.

LBHGEO have been previously commissioned to provide an independent assessment of the Basement Impact Assessment (BIA) information submitted for this application. (Ref: HGY/2023/0850)

This document provides a response to a 14 day re-consultation issued by the Haringey Development Management Team on 17th April 2024 to allow review of additional information submitted.

The following new information has been referred to:

- Basement Impact Assessment by Symmetrys, Ref: 21066-SYM-XX-XX-RP-S-0001-Rev F, dated 8th February 2024

RECONSULTATION REVIEW OF ADDITIONAL INFORMATION

5. Addendum to the Basement Impact Assessment by Symmetrys Ref: 21066-SYM-XX-XX-RP-S-0002-Rev B , Addendum dated 19th February 2024
6. Appendix D - Ground Movement Assessment (including revision No. 2 from GEA).
7. Campbell Reith BIA Review P1 (November 2023)
8. Campbell Reith BIA Review P2.(March 2024)

IMPORTANT: It is noted that the FRA and SuDS assessments studied in September 2023 did not properly identify and address the flooding and drainage impacts associated with the development proposal. The Cambell Reith BIA Review (document 8) refers to the applicant having submitted additional information to answer queries including a Flood Risk Assessment & SuDS Report by Symmetrys Ltd, ref.: 21066-SYM-XX-XX-RP-C-0001-Rev B, dated February 2024. However, this report does not appear to have been uploaded to the planning website and does not appear to have been circulated for review/consultation.

2. SUMMARY

We have now studied the additional information provided and can see that there are two primary reasons why the development should not be permitted.

- A. It would obstruct an overland flood route and increase flooding at the Park Road / Priory Road junction, undermining recent efforts to alleviate this.**
- B. The public sewerage services to the adjoining property at No 137 would be cut by the development, with no prospect of a diversion.**

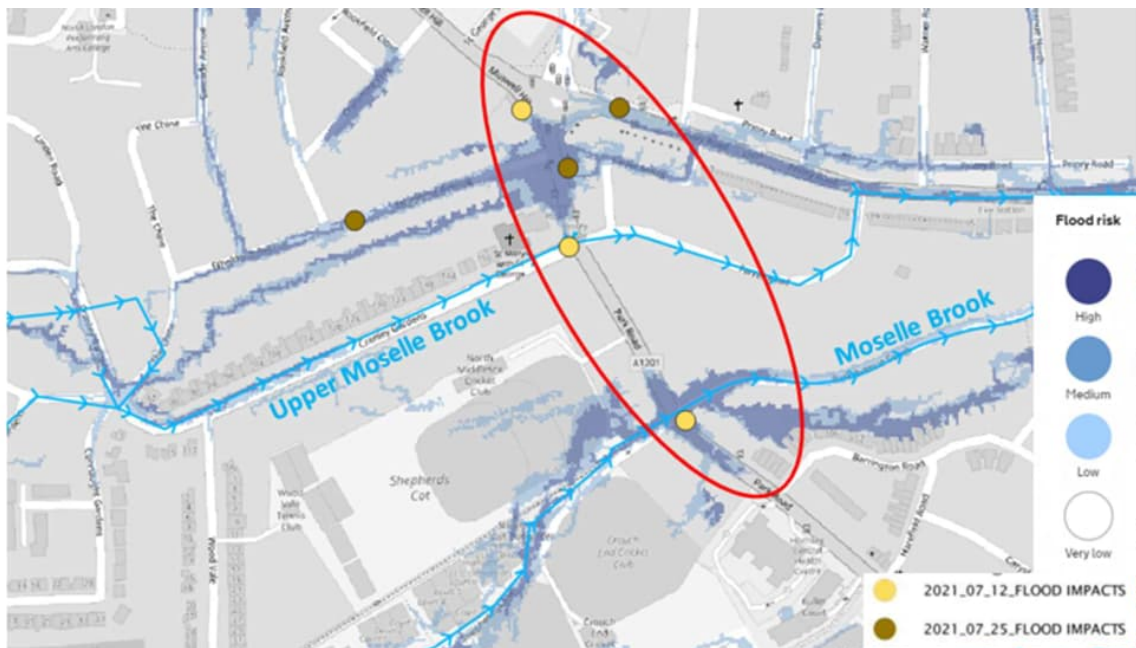
3. BASEMENT IMPACT ASSESSMENT

The Addendum to the Basement Impact Assessment (Doc 5) includes a tracker by Symmetrys that sets out their responses to various aspects of the November BIA Audit (Doc 7)

3.1 TRACKER 4.7

On issue 4.7 there is a misinterpretation of a figure the January 2022 Section 19 Flood Investigation Report for Park Road (North) by McCloy (reproduced below) and a suggestion that the Moselle Brook flowed along Cranley Gardens itself and had been culverted. This misinterpretation of the Upper Moselle Brook Flood Relief sewer flood seems to have given rise to concern by the BIA auditors about possible soft and water-bearing alluvial deposits.

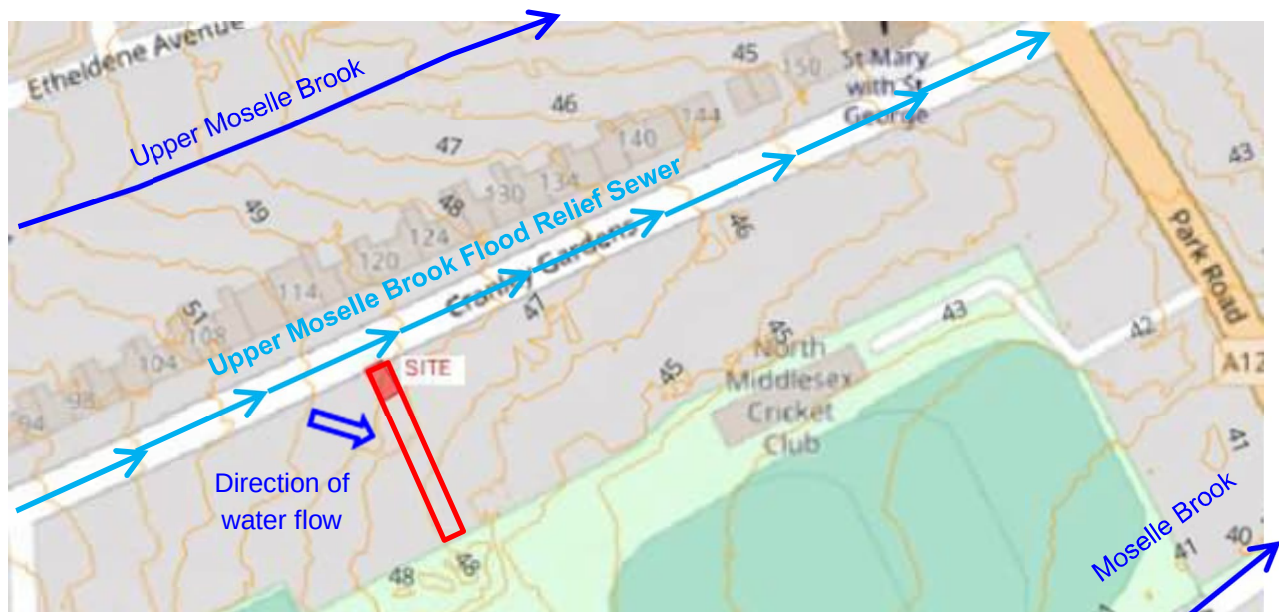
RECONSULTATION REVIEW OF ADDITIONAL INFORMATION



Extract of Fig 5-3 of January 2022 Section 19 Flood Investigation report (McCloy Consulting)

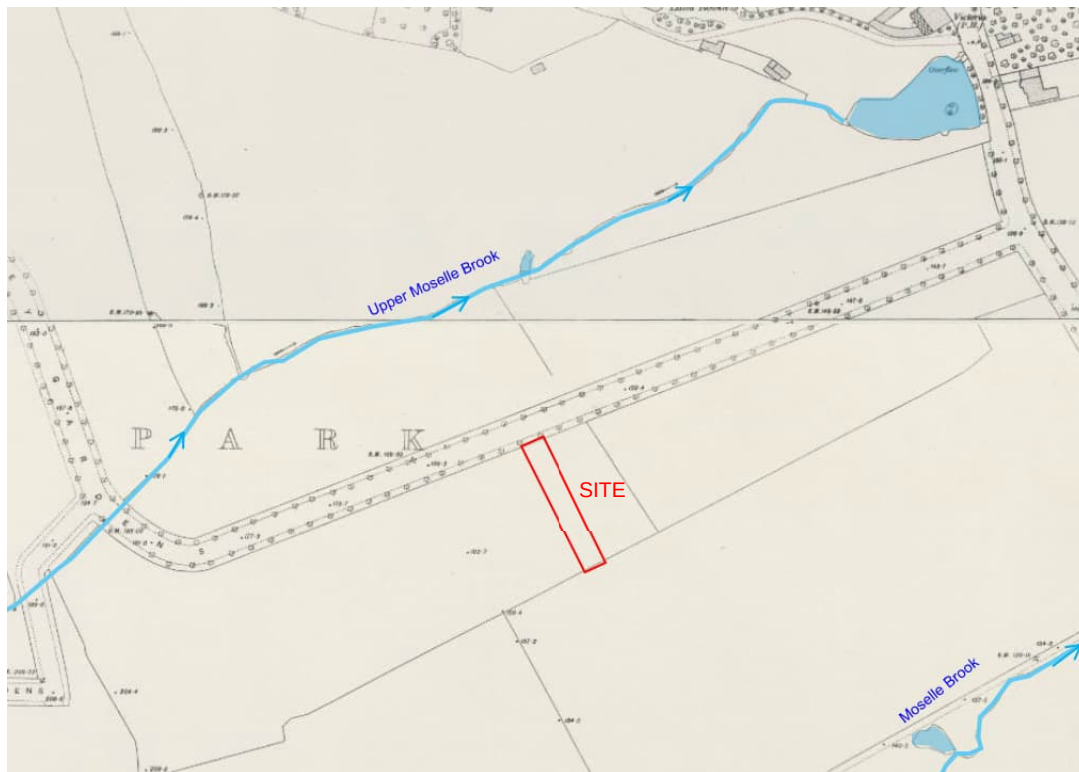
A cursory inspection of the topography of Cranley Gardens show that Cranley Gardens runs down an elevated spur that forms a watershed between two streams and it is a reflection of the quality and extent of the applicant's flood risk assessment that this has not been recognised.

Instead the applicant introduces a proposal to introduce **“ground improvement across the site”** and recommends **“trial pits to be dug across the site and logged by a geotechnical engineer prior to any construction works.”** These proposals suggest an apparent general lack of understanding of the ground at this site.



Annotated extract of Fig 4 of Flood Risk Assessment and SuDS report (Symmetrys)

RECONSULTATION REVIEW OF ADDITIONAL INFORMATION



Annotated extract of 19th Century Ordnance Survey plan showing the two streams

3.2 TRACKER 4.8

On issue 4.8 the BIA Audit noted that there is a flood risk generated from offsite flow routes heading down the Cranley Gardens carriageway and through the site towards the Cricket Ground to the south and required clarification from the applicant on this.

The applicant's response is to suggest altering the topography of the ground in order to prevent the overland run-off from entering the site, by means of an upstand or concrete speed hump.

Attention has been drawn previously to the apparent worrying lack of understanding by the applicant of hydrological matters and here we have the proposal to stop up the overland flood route without any consideration of the effect that this would have on the local environment outside the site.

The Flood Risk Assessment and SuDS report prepared by Symmetrys¹ (para 3.3.3) quotes the Haringey Strategic Flood Risk Assessment (SFRA) as requiring development proposals to not increase the flood risk elsewhere.

As has already been pointed out in a previous consultation response, stopping up this flow would drive the flood water eastwards down Cranley Gardens towards the already high flood risk area around Park Road and will only exacerbate the flood risk in that area.

¹ Flood Risk and SuDS Assessment by Symmetrys 21066-SYM-XX-XX-RP-C-0001 Rev B 09/08/23

RECONSULTATION REVIEW OF ADDITIONAL INFORMATION

There is an obvious need to consider whether the benefits to an individual resident of the borough outweigh the risk of harm to the wider population of residents and business owners. The Haringey Development Management Policy DM24 is intended to manage and reduce flood risk through ensuring:

“A. The Council will ensure that all proposals for new development avoid and reduce the risk of flooding to future occupants and do not increase the risk of flooding.”

“b Preserve overland flood and flow routes and ensure there is no net loss of flood storage.”

The DM24 guidance states that consideration should be given to the design and layout of development as this is particularly important in managing residual flood risks, but also notes that the incorporation of special construction measures cannot amount to justification for development in inappropriate locations.

The Park Road area is reported to have regularly been the subject of historic flooding. The area flooded twice in July 2021 and there was a further event in August 2022. A major SuDS project has just been installed (2023) at the Park Road/ Priory Road Junction in an endeavour to reduce the amount of flooding here.

The Flood Water Management Investment Plan (FWMIP) presented to cabinet on 12th March 2024 notes (para 8.3) :

“Our parks and greenspaces provide the greatest opportunity for flood alleviation measures.”

The Watercourse and Flood Risk Plan, adopted as part of the Council's Parks and Greenspaces Strategy, approved by Cabinet on 11th July 2023, clarified that

“To mitigate possible flooding within Haringey, measures need to be incorporated to remove surface water faster and to redirect it away from infrastructure. When these two actions can be combined it helps to reduce pressure on the current drainage systems. In open spaces there is the opportunity for water to be directed into the natural environment where it can be utilised for a variety of purposes.”

When consulted on development planning decisions, it may reasonably be assumed that the Haringey LLFA will seek to implement the above policies and will carefully consider the possible impact of any new development proposals within the catchments contributing to the areas of worst flooding.

In this case the current overland flow routes that have been established by the Environment Agency are indicated to route across the property away from the Cranley Gardens carriageway and out of the Upper Moselle catchment and down into the green area afforded by the Cricket Club, where some natural flow attenuation can be expected before the water enters the main Moselle Brook. Any interruption of that process that will simply work towards exacerbating the Cranley Gardens and Park Road highways drainage /sewer flooding issue that have just had a lot of public money spent on mitigation.

RECONSULTATION REVIEW OF ADDITIONAL INFORMATION



Extract of Environment Agency Flood Risk Mapping showing Surface Water overland flood route across the property

The applicant's submission has focussed upon dealing with the rain falling upon the site itself, but has not addressed the overland flows entering the site.

In short, any flood flow across the property as indicated above will dissipate to some degree within the green space of the playing fields, whereas if this flow is to be diverted back onto the Cranley Gardens carriageway it will have no such opportunity and will simply add to the water that already collects at the Park Road/ Priors Road Junction.

The LLFA must therefore be re-consulted in regard to this application as it appears to be counter-productive to the efforts being made to reduce flooding in the borough.

RECONSULTATION REVIEW OF ADDITIONAL INFORMATION

Figure 5-4 Flooding on Park Road and Etheldene Avenue, 12th July 2021

Figure 5-4 of January 2022 Section 19 Flood Investigation report (McCloy Consulting)

RECONSULTATION REVIEW OF ADDITIONAL INFORMATION

4. CAMPBELL REITH BIA AUDIT

The key purpose of the audit was to ensure that the proposed basement development had properly considered all potential impacts arising from the basement development in accordance with LBH's policies and technical procedures.

It is not the intention of the audit to look further than the completeness of the information supplied. In particular, it is noted (Doc 8 para 4.10) that in regard to flood issues, the audit relies upon the development proposals requiring approval by the Local Lead Flood Authority (LLFA) and does not question the validity of the flood risk assessment itself.'

The BIA audit (Doc 8 para 4.14) also reads as follows:

"a combined drain is present at the proposed development location which affects the feasibility of the proposals."

However, the BIA auditor (Doc 8 paras 1.12 & 1.13) states that consideration of this was outside their brief.

As a result, the BIA audit does not provide reassurance as to the feasibility of the construction proposals both in regard to obstructing an overland flood route and also in regard to inhibiting a public sewer.

5. THAMES WATER CONSULTATION

Although Thames Water may have been overlooked in the original planning consultation process it is clear that they have now recently been consulted on the planning application. The TW response has been posted on the Haringey Public Register dated 27th March 2024.

It is not 100% clear what information was sent to Thames Water for comment, but it is presumed to have included the drainage details shown in the Symmetrys Flood Risk Assessment and SuDS Report, which does not make the extent of the proposed basement and public sewer clash entirely clear.

- **The proposed basement would be built straight through the public sewer** rather than over or near the sewer.

To illustrate more clearly the clash with the public sewer, we have annotated the images provided in the submitted Design & Access statement to show approximately what the development would look like if the existing public drain were simply to be retained as is currently being proposed by the applicant.

RECONSULTATION REVIEW OF ADDITIONAL INFORMATION

6.2 | Swimming Pool and Mezzanine Gym from Terrace



6.2 | Swimming Pool and Mezzanine Gym from Terrace



RECONSULTATION REVIEW OF ADDITIONAL INFORMATION

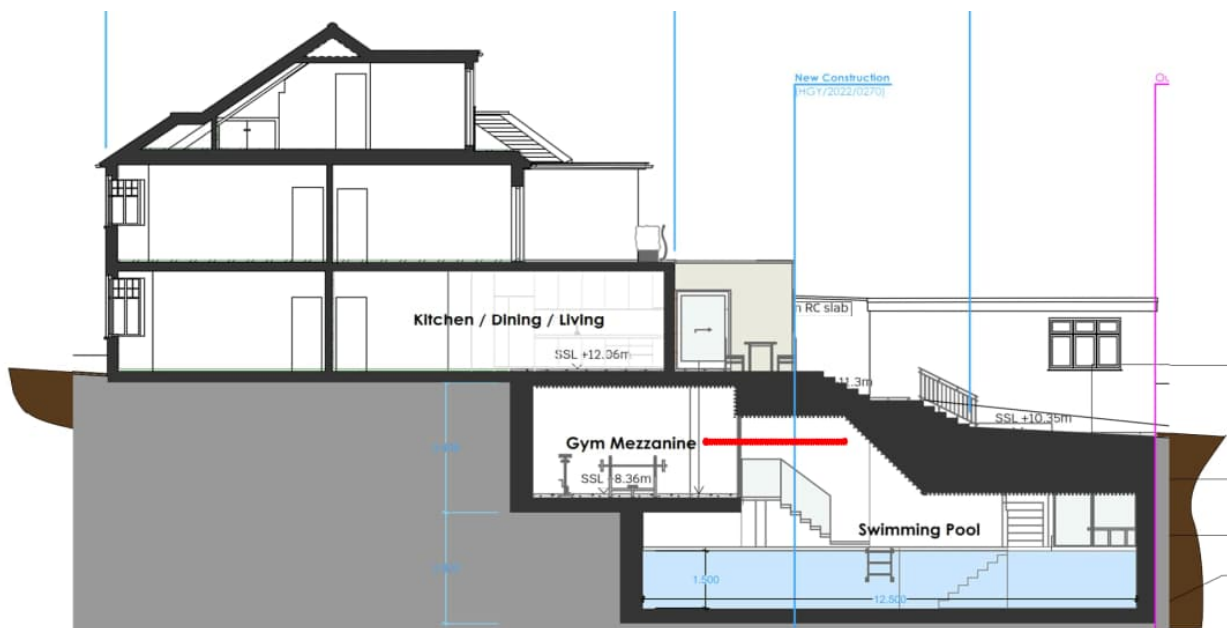
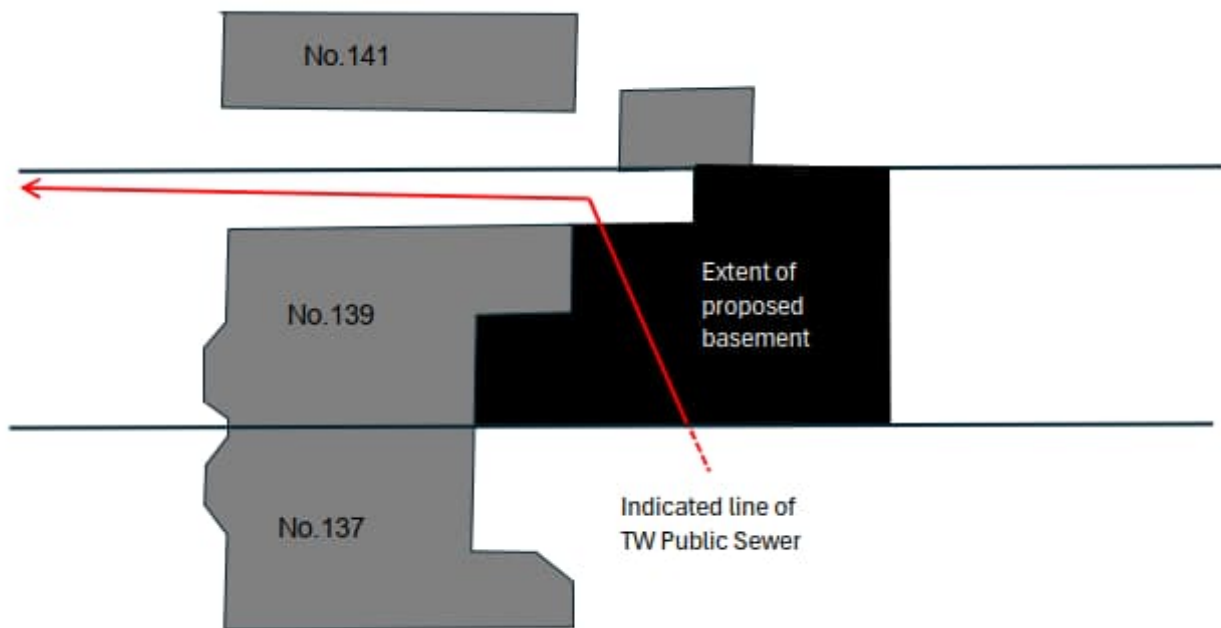
6.3 | Swimming Pool and Mezzanine Gym from Pool



6.3 | Swimming Pool and Mezzanine Gym from Pool



RECONSULTATION REVIEW OF ADDITIONAL INFORMATION



The red pipe is an existing 100mm vitrified clay shared public combined drain that is the responsibility of Thames Water to maintain.

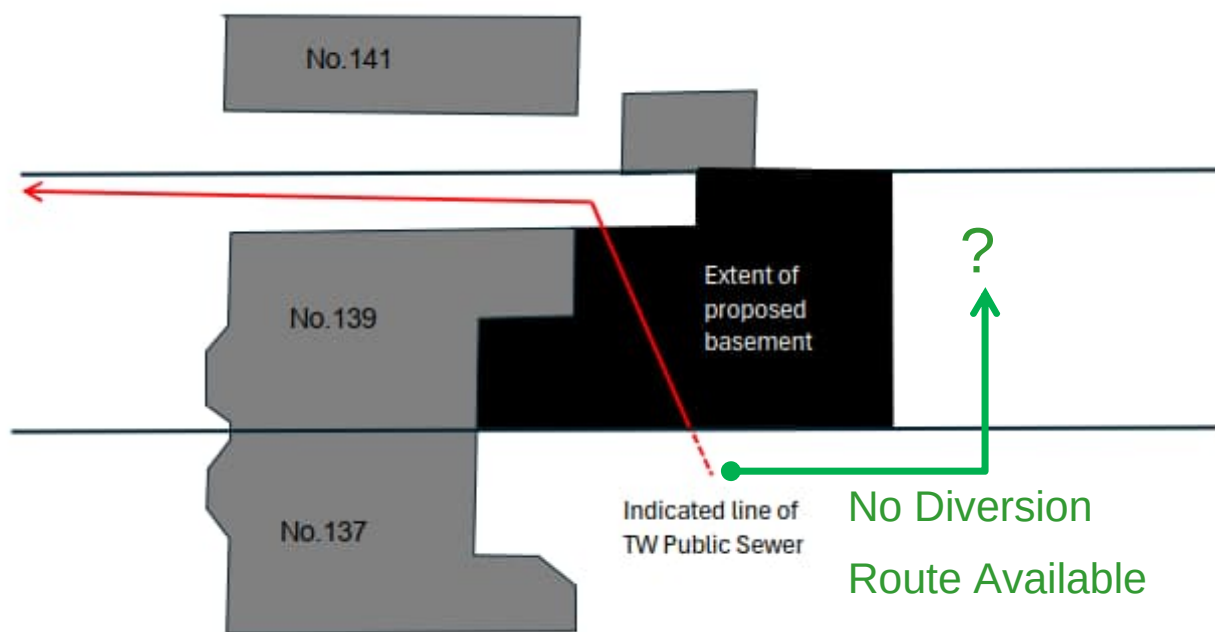
RECONSULTATION REVIEW OF ADDITIONAL INFORMATION

It is unfortunate that the attention of Thames Water was not specifically drawn to the above clash for the TW consultation response is generic, as follows:

*"There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. **We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way.** The applicant is advised to read our guide working near or diverting our pipes."*

The Thames Water response concludes that on the basis of the information provided, they would not have any objection to the planning application.

It is patently clear from the above images, plans and sections (which were not presented to Thames Water) that the present drain will need to be abandoned and diverted. It is also immediately clear from the plan above showing the extent of the proposed basement that there is no potential alternative route for the drain to follow if the proposed development is permitted.



From a technical perspective it is obviously necessary for any new drainage route to:

- maintain the required gradient for gravity flow.
- be accessible for Thames Water to maintain and repair.

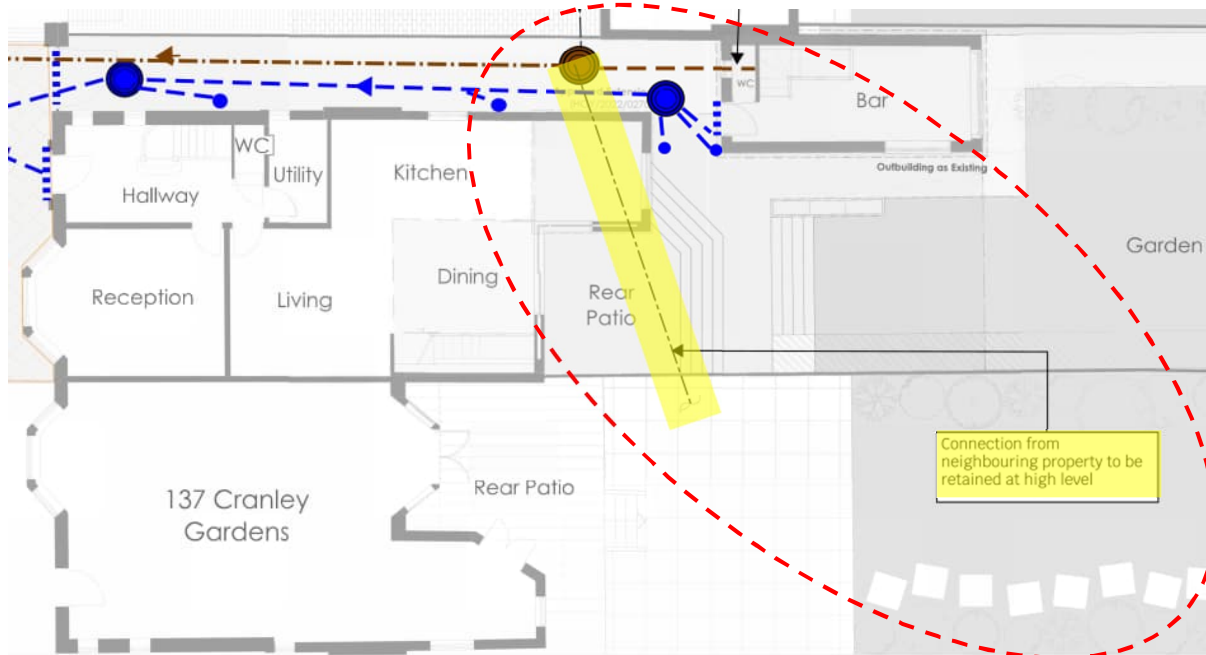
As neither of these approaches will be possible the proposed development would appear to be **unbuildable**.

The recent *Harrison v Secretary of State for Levelling Up, Housing and Communities and others* [2023] EWHC 16 has shown how important it is for all parties to ensure that planning decisions are not inadvertently made on a mistaken basis as to the correct facts. In this case it seems reasonably clear that Thames Water

RECONSULTATION REVIEW OF ADDITIONAL INFORMATION

may have been led into providing an erroneous consultation response to planning as a result of having been forwarded incomplete or misleading information.

Given the seriousness of the implications for the development, for example if Thames Water will be required to requisition a new route for the public sewer/lateral drain through nearby properties, it is a given that they would not have issued a consultation response of “No Objection” had they been made more aware of the true extent of the development proposals when they considered the applicants design shown below.



6. CONCLUSION

We have now studied the additional information provided and can see that there are two primary reasons why the development should not be permitted.

6.1 INCREASED OFF-SITE FLOOD RISK

As explained in section 3 above and in contravention of Policy DM 24 the development would obstruct an overland flood route and increase flooding at the down gradient Park Road / Priory Road junction, undermining recent efforts to alleviate this.

6.2 SEVERED SEWAGE SERVICES TO NEIGHBOURING PROPERTY

As explained in section 5, the public sewerage services to the adjoining property at No 137, upon which the latter is reliant, would be cut by the proposed development, with no prospect of a diversion. This would be a wholly unacceptable impact and must therefore be recognised as a material planning consideration.

While under Paragraph 55 of the NPPF it is recognised that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of planning conditions, no potentially viable solution to this issue has been suggested.