

Dear Sirs,

Re Planning Application HGY/2023/0850

We write further to the postings made on the Planning Portal dated 14th August 2024. The posting comprised two emails from June between your office and Thames Water Development. The issue was the presence of a Thames Water's sewer that runs across and under the entire width of the area to be excavated (see attached image). We wrote to Thames Water to obtain further information because those emails were two months old. They replied to the effect:

- A) That their Major Project Team has 'determined that in order to fully assess any impact additional information is required and have advised the Local Authority of this'.*
- B) This is the only information we have. Any further responses to the planning application will be publicly available once the Local Authority has uploaded them to their website.*
- C) We have no further information to add at this stage. The decision now sits with the Local Authority and any further enquiries should be directed to them.*

This application is now 18 months old. A full 12 months have passed since the Applicant and Haringey's Planning Office were made aware of existence the sewer and its ramifications.

Assuming the Council has complied in good faith with its duty to disclose, these emails suggest that, even by August 2024, a year later, no progress had been made. The process for the disposal of this application has been disrupted, solely to allow the Applicant to attempt negotiations with a third party agency over which the Council has no control.

Despite the open-ended delay, this application still fails to demonstrate compliance with the council's basement development policies DM18.

The sewer is a critical obstacle to the entire development: it is not simply a concern between the Applicant and Thames Water, it is first and foremost a planning issue.

DM 18 provides that:

'Householder extensions to existing basements, and the construction of new basements, including in existing dwellings will only be permitted where it can be demonstrated that the proposal:

- a) Will not adversely affect the structural stability of the application building, neighbouring buildings **and other infrastructure**....
- b) Does not increase flood risk to the property and nearby properties from any source (see Policy DM24);

From its inception in 2023, this application has never complied with Haringey's basement planning policies. The sewer is infrastructure as confirmed in Thames Water's comment letter posted on 24th March 2024. Destruction of the sewer by the excavations will sever sewage services and obviously cause flooding of foul water.

The condition outlined in Thames Water's letter does not address these issues. Thames Water refers to piling taking place **close to or in proximity of the sewer** and of measures required to **prevent and minimise the potential for damage to subsurface sewerage infrastructure**. Their condition assumes that the sewer will remain in place and that the aim would be to maintain and protect it in situ. Clearly, the actual building works will destroy the sewer and interrupt services. It's self-evident, therefore, that this condition cannot be met.

The stage has now been reached when the repeated delays that the Council has afforded the Applicant can no longer be justified. The Council must now perform its duty as a public decision maker. The prolonged history of this application and the above realities demand that the Council now disposes of it as it stands. It contravenes the express provisions of DM 18 and must be refused.

Jeremy Ornstin & Jeremy Brock

28th August 2024

1.3 | Swimming Pool and Mezzanine Gym from Pool

