

26<sup>th</sup> March 2014

Chief Planning Officer  
Royal Borough of Kensington and Chelsea  
Kensington Town Hall  
Horton Street  
London W8 7NX

Dear Sirs,

**Re: Basements Publication Planning Policy  
Alan Baxter – Basements in Gardens of Listed Buildings – February 2014**

With reference to the above we write to express our serious concerns as to the observations made within the document produced by Alan Baxter Associates in support of the Basements Publication Planning Policy.

Within the document Alan Baxter Associates suggests that it is necessary to separate a Basement that is to be constructed within the Garden of a Listed Building by a significant margin from the rear wall of the subject property. In order that potential “complications” are avoided for the host building structure – please refer to the Plan and Section AA of the document – page unnumbered.

As Alan Baxter Associates know very well, there is no such requirement for any separation between the host structure and a basement which is to be constructed in the rear garden and there is no sound engineering basis for such a blanket requirement to be applied to this type of construction.

Alan Baxter Associates appear to have shaped their report to meet the requirements of the Royal Borough of Kensington & Chelsea in attempting to restrict the construction of basements with no evidence whatsoever that there is any technical structural engineering requirement to create the separation referred to.

Alan Baxter Associates are saying one thing within their report to RBKC whilst acting in a wholly different manner when designing basements for their own Clients – we draw your specific attention to the following scheme design

Document 66	Alan Baxter Associates – Listed Building Design	40 Edgerton Crescent SW3
Document 67	Alan Baxter Associates – Listed Building Design	Park House SW3
Document 68	Alan Baxter Associates – Listed Building Design	22 Devonshire Place W1

In all 3 of the examples provided, Alan Baxter Associates have effectively designed basements which abut or underpin the existing Listed Building – there is no degree of separation and these designs directly contradict the advice being offered within the RBKC Basements in Gardens of Listed Building Publication.

Within Document 16 – Alan Baxter Associates – Basement Study Report – March 2013, Baxter makes the following statement – please refer to Page 85 Question 10:



## Question 10

*Are there particular risks associated to listed buildings, many of which are properties which have shallow foundations? If there is a greater risk to such buildings should this be mitigated by “exclusion zones” of basement development from listed structures?*

### Answer from Alan Baxter

*From a structural engineering viewpoint there is little difference in risk between a listed and unlisted building. However one difference is that some listed buildings may be more likely to have delicate or special finishes which might be more susceptible to cracking as a result of ground movements and be more difficult to repair. Structurally older buildings tend to be more able to accommodate ground movements than more modern brittle structures. The objection to basements under listed buildings primarily relates to how a building is used rather than any particular structural risk.*

What is clear from the statement made by Baxter is that in March 2013 they did not perceive any particular risk associated with Listed Buildings and this is borne out by Structural Engineering Designs which they have prepared for their own Clients.

Further we would refer you to Document 66 – Alan Baxter – Listed Building Design – 40 Edgerton Crescent SW3, within which an extract from the Planning Case Officers report to Planning Committee confirms that the underpinning of the existing Listed Building where a Basement is to be constructed in the Garden has been checked by an external independent firm of Structural Engineers acting on behalf of RBKC and found to be perfectly acceptable with no risk of damage to the Listed building. The Planning Officers Report states at Para 4.7 *“The Council’s independent Structural Engineering Consultants have considered the proposed subterranean extension and advise that the structural stability of neighbouring properties would be adequately safeguarded. They also advised that the ground water table would not be adversely affected”* – Planning Application Ref PP/08/03128/Q21.

In summary we make the following points:

- Baxter’s State within their report dated March 2013 that there are no special risk associated with underpinning Listed Buildings.
- Baxter’s state within their report dated March 2013 that in fact *“the structure in older buildings tends to be more able to accommodate ground movements than modern brittle structures”*
- Baxter’s state within their report dated March 2013 *“the objection to basements under Listed Buildings primarily relates to how a building is used rather than a particular structural risk”*
- Alan Baxter designs and constructs Basements where the existing Listed Building is either underpinned or excavation takes place immediately adjacent to the hosts structure – please see the 3 Case Studies provided.
- RBKC have confirmed in writing that there is no evidence of any damage to Listed Buildings as a consequence of basement construction – please refer to Document 1 - RBKC response to Freedom of Information request Page 3 Item 7.

In the past 10 years there have been countless examples of successfully constructed basements directly adjacent to Listed Buildings all designed and constructed by eminent Chartered Structural Engineers without damage to the hosts structure. Please refer to document 69 – Underpinning Listed Buildings Analysis with Structural Engineers Details.

The Engineers concerned have been responsible for designing and construction of some of the most ambitious and technically challenging Structural Engineering Projects in Europe over the last 30 years, a great number of which have won International Design Awards. We detail a small selection as follows:

- Michael Barclay Partnership
- Sinclair Johnson & Partners
- Cundall Johnston & Partners
- Elliott Wood Partnership
- Trigram Partnership
- Cowley Associates
- Price & Myers
- MMP Structural Design
- Richard Horwitz Structural Design
- Arup Associates
- Sinclair Knight Merz
- Haskins Robinson Waters

It is inconceivable that all of these highly experienced firms of Structural Engineers that have been designing Basements for decades, are incorrect and that Baxter is right, particularly bearing in mind Baxter's written statement in March 2013 that there were no special risks associated with the underpinning of a Listed Building.

On 4<sup>th</sup> February 2014, RBKC granted Planning Consent and Listed Building Approval for a total of 7 separate properties during one Committee Meeting, all of which were located within Ovington Street, London SW3. The addresses were as follows:

3 Ovington Street, SW3 2JA	-	LB/13/05401
5 Ovington Street, SW3 2JA	-	LB/13/05404
15 Ovington Street, SW3 2JA	-	LB/13/05419
25 Ovington Street, SW3 2JA	-	LB/13/05275

26 Ovington Street, SW3 2JA - LB/13/05421  
28 Ovington Street, SW3 2JA - LB/13/05244  
31 Ovington Street, SW3 2JA - LB/13/05215

All these properties are Listed Buildings and in all cases the rear wall of the host's structure required full underpinning to a depth of 5.1 metres.

As will be anticipated, this number of Planning Applications in a single street created significant interest and the Structural Engineer Design was subject to extremely close scrutiny and analysis.

The Structural Engineers concern, demonstrated very clearly that they would be no damage to the host structure, nor any of the internal finishes and having been completely satisfied that this would be the case, the Planning Case Officer went on to state within his Report to the Committee *"any underpinning to the building and the basement construction itself would not generate differential settlement that would have an adverse impact on the immediate Party Walls, internal fabric or the remainder of the Listed Terrace"* – please refer to Document 70 – 25 Ovington Street, London SW3 – Planning Committee Report – Para 4.7 and 4.8".

All of the Planning Applications were Approved.

It is clear that the final Technical Design of any Basement should be determined on a case by case basis and that no blanket approach should be adopted to restrict any particular technical approach and in particular that there is no requirement for separation of the basement from the hosts structure.

Yours faithfully



Kevin O'Connor  
Managing Director