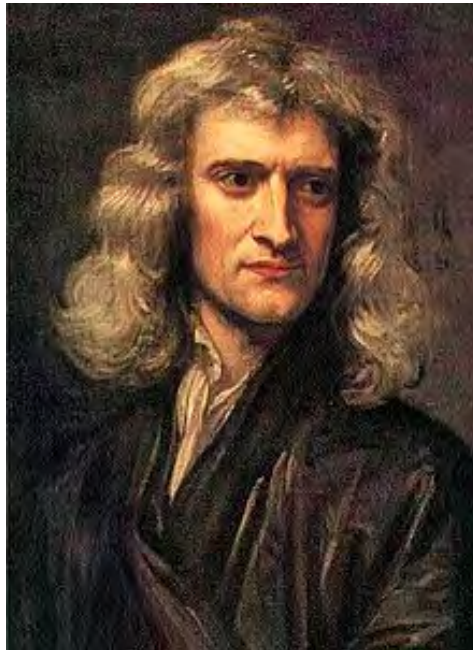


Can the Laws of Nature and the Land co-exist in a Basement?



Can the Laws of Nature and the Land co-exist in a Basement?

1. We are dealing with DOUBLE STANDARDS (1).

Criminal & Civil LAW Recognises DOUBT
BUT

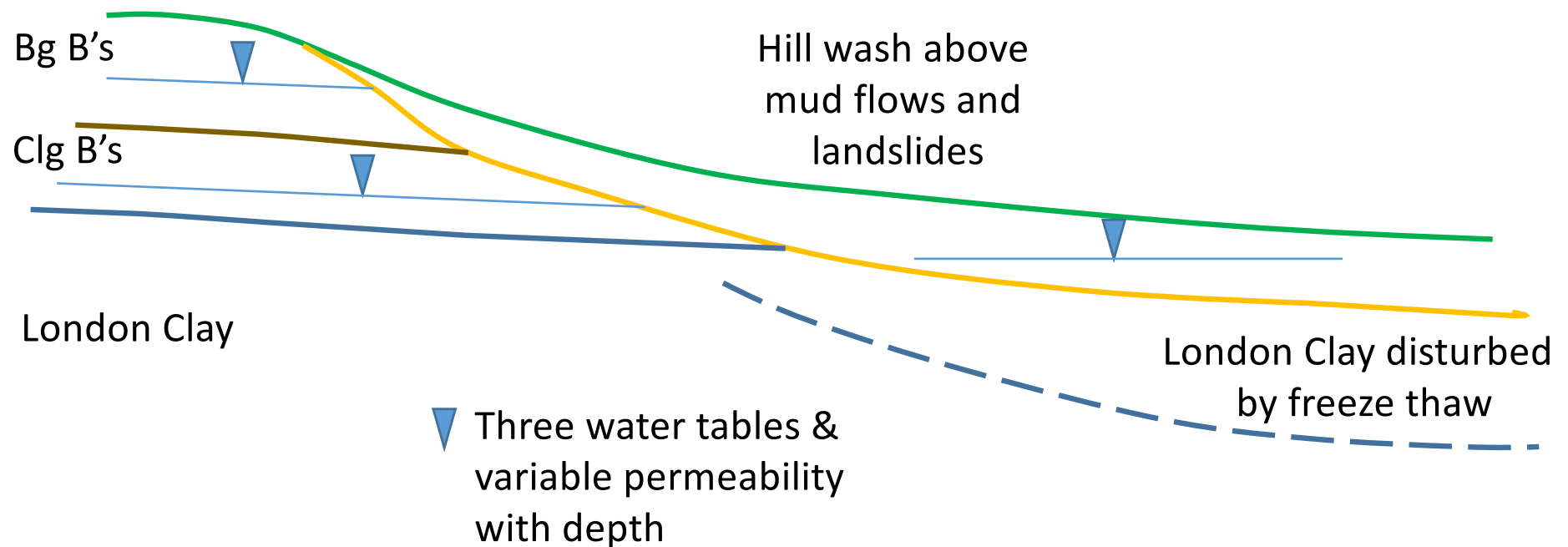
When applied to Planning doubt about the ground is

- either dismissed
- or “resolved” by a “3rd” party *paid for by the Owner*
- or relegated to an unpoliced S106.

Can the Laws of Nature and the Land co-exist in a Basement?

1. We are dealing with **DOUBLE STANDARDS (2).**

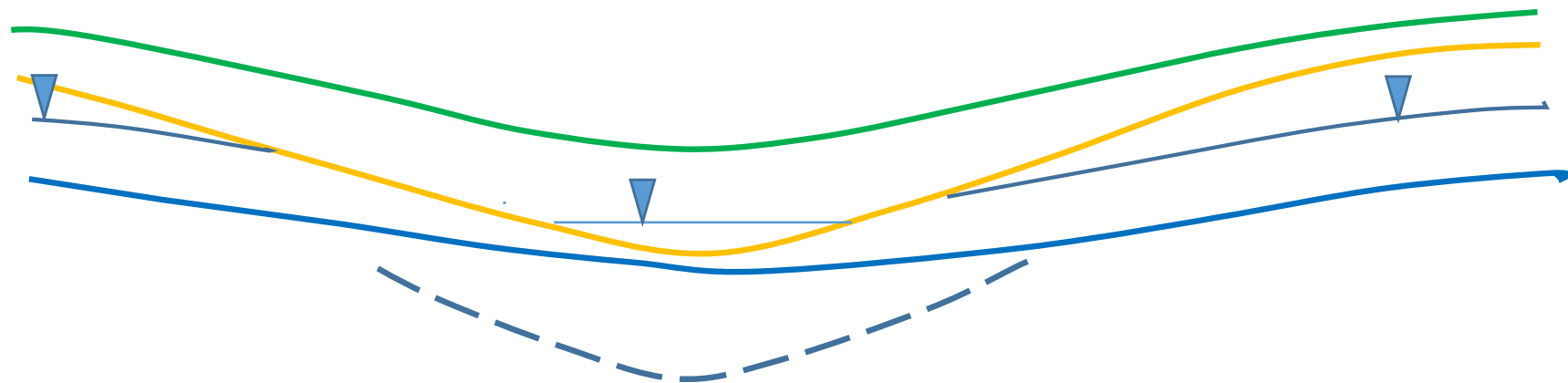
DOWN SLOPE GEOLOGY



Can the Laws of Nature and the Land co-exist in a Basement?

1. We are dealing with **DOUBLE STANDARDS (2).**

ALONG SLOPE GEOLOGY



Valleys that change
the vertical profile

Can the Laws of Nature and the Land co-exist in a Basement?

1. We are dealing with **DOUBLE STANDARDS (2)**

Criminal & Civil LAW presumes appropriately qualified staff will be used

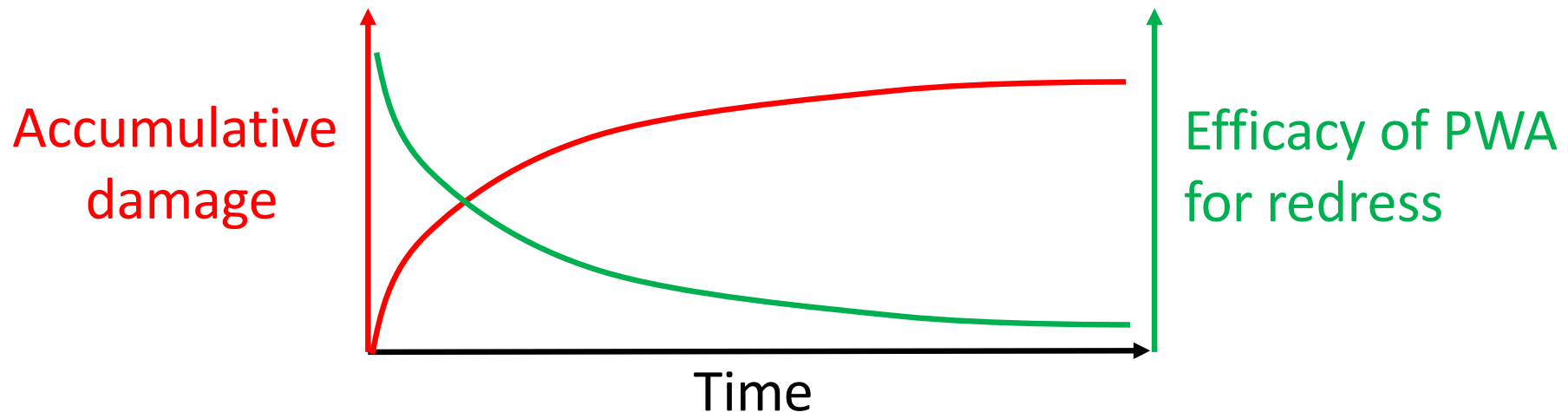
BUT

When applied to Planning, doubt about the ground is considered by Planning Officers who have no such requirement as far as ground engineering is concerned!

The Law as practiced uses double standards

Can the Laws of Nature and the Land co-exist in a Basement?

**2. The Law of the Land and those of Nature
are polar opposites for ground engineering (1).**



The Law is uninformed

Can the Laws of Nature and the Land co-exist in a Basement?

2. The Law of the Land and those of Nature are polar opposites for ground engineering (2).

Ground water abstraction is governed by Victorian law
and is WRONG



*Karl Terzaghi: Founder of Modern
Geotechnology. Photo courtesy of
The MIT Museum*

$$\sigma' = (\sigma - u) \tan \varphi$$

The Law is uninformed

Can the Laws of Nature and the Land co-exist in a Basement?

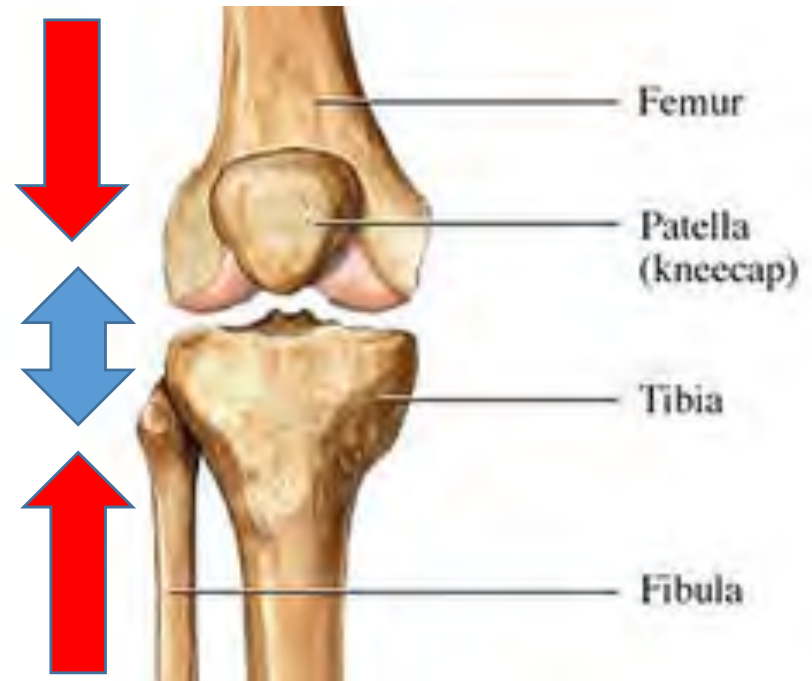
2. The Law of the Land and those of Nature
are polar opposites for ground engineering (2).

$$\sigma' = (\sigma - u) \tan \varphi$$



Karl Terzaghi: Founder of Modern Geotechnology. Photo courtesy of The MIT Museum

$$\sigma' = 0$$



The Law is uninformed

Can the Laws of Nature and the Land co-exist in a Basement?

3. The Law fails to differentiate between “Engineering” and “Building”.

Building	Essentially predictable actions and judgement within limits strictly defined by training and good practice.
Engineering	Essentially deductive actions and judgement within wide bounds defined by education and experience.

The Law is culpably ignorant

Can the Laws of Nature and the Land co-exist in a Basement?

4. The Law fails to protect the interests of an Adjoining owner

Owner	Can submit and re-submit plans as often as wanted with the assistance of the Council, and benefit from input from adjoining owner
Adjoining owner	Corrects &/or improves plans at their expense.
OUTCOME	Owner improves their estate at expense of neighbour & in connivance with the Council

The Law as used is fundamentally unjust

Can the Laws of Nature and the Land co-exist in a Basement?

5. What are the charges?

- The Law as practiced uses double standards
- The Law is uninformed
- The Law is culpably ignorant
- The Law as used is fundamentally unjust



Can the Laws of Nature and the Land co-exist in a Basement?

5. What can be done?

5.1 Planning officers should be trained so as to be acquainted with the technical problems of basements.

5.2 Planning officers should be obliged to use their discretion when owners deliberately avoid their responsibilities.

5.3 Independent auditors should be obliged to answer reasonable queries from external technical experts.

5.4 Councils should require PWA include 5 years' monitoring post construction.

5.5 All S106's should be policed independently at the expense of the Owner

Can the Laws of Nature and the Land
co-exist in a Basement?

6. Conclusion

Q: Can the Laws of Nature and the Land co-exist in a
Basement?

A: Only with correct and adequate engineering

**Don't rely on the Law; it's science, engineering
& technology (SET) that will keep you safe.**

Can the Laws of Nature and the Land co-exist in a Basement?

7. Advice

If you are going to spend money don't spend it all on legal issues – you will be protected by SET.

SET provides the ammunition the Law can use.

You need a legal framework and provision for adequate SET