

Application No:	Consultees Name:	Received:	Comment:	Response:
2023/2262/P	Aiysha Somani	11/07/2023 13:09:27	COMMNT	I own a flat in 521 Finchley Road (next door) and wish to object to the proposed development on the basis that it will have an overall negative impact including overlooking, overshadowing and loss of privacy.
2023/2262/P	Robert Dallal	11/07/2023 11:55:18	OBJ	<p>I am the owner of Flat 9, Kings Court. I strongly object to the approval of application 2023/2262/P on the following grounds:</p> <ol style="list-style-type: none"> 1) NO STRUCTURAL ASSESSMENTS. The building was not designed for additional floors. The building was only constructed in 2010. If the developers had the ability to construct additional storeys they would have done so at the time. Absolutely no structural engineering work has been advanced by the current or previous freehold owners to evidence that the building can accept the load of an additional one, let alone two storeys. 2) AESTHETICS. I object to the proposed two-storey addition to the building, as the aesthetic mismatch between the existing structure and the prefabricated extension would compromise the overall visual harmony and cohesiveness of the property and the surrounding area. Once again the building was custom designed and constructed only in 2010. Its height is generally in keeping with the surrounding structures. Having been constructed so recently and indeed with pitched/triangular pointed windows for the top floor it was clearly not contemplated that the building should have additional floors added above. 3) NO CAPACITY FOR ADDITIONAL REFUSE MANAGEMENT. I object on the grounds that the building simply cannot accommodate a further 5 units. The building currently contains just 11 units and the proposal is to increase this by a further 5, i.e. adding 45% to the number of households living in the property. The capacity of the common elements, including but not limited to storage for dry recycling, food waste and residual waste, is already struggling to meet the needs of the existing 11 units and this has been a consistent issue over the years. There is absolutely no spare or additional capacity to accommodate the proposed units. By approving such plans the Council will be supporting profiteering at the expense of both existing and new flat owners' rights to proper amenities within the building. 4) LOSS OF LIGHT AND PRIVACY OF NEIGHBOURS. I object to the loss of light and loss of privacy imposed to the neighboring properties (521 and 525 Finchley Road). <p>For reference the previous freehold owners Elmdon Real Estate LLP – who secured the original approval from the Council for a one-storey extension (application 2020/3511/P) without any notice to, or consultation of the leaseholders in the building, then took that approval and used it to sell a synthetic freehold to the current freehold owners (essentially they sold only a roofspace development right). By approving these applications the Council is merely enabling profiteering by one bad actor after another at the expense of leaseholders. May I remind that each of those "leaseholders" in fact pays a full price to "own" their flats only to find they have no rights to prevent this sort of profiteering at their expense. The system is broken and the Council enables this sorry state of affairs to continue in the name of a housing shortage that no longer exists, as evidenced by the fact that values of flats like ours have already been driven down to below 2012 levels.</p> <p>Overall I strongly believe the Council should NOT be approving planning applications for which there is no detailed structural engineering work, which isn't in keeping with existing aesthetics of the building or those of the surrounding area, where building amenities cannot accommodate the sought-after expansions and where neighbours will suffer loss of light and privacy. Thank you.</p>

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2023/2262/P	Christopher Lewis	11/07/2023 18:08:31	OBJ	<p>I am the joint owner of Flat 8, Kings Court. I strongly object to the approval of application 2023/2262/P on the following grounds:</p> <ol style="list-style-type: none"> 1) NO STRUCTURAL ASSESSMENTS. The building was not designed for additional floors. The building was only constructed in 2010. If the developers had the ability to construct additional storeys they would have done so at the time. Absolutely no structural engineering work has been advanced by the current or previous freehold owners to evidence that the building can accept the load of an additional one, let alone two storeys. 2) SIZE & AESTHETICS. I object to the proposed two-storey addition to the building, as the dimension and volumetry of proposed extension will irremediably destroy the architectural aesthetics and character of the property (purpose built as a boutique development only in 2010). The proposed two-storey extension is disproportionate and overbearing compared to the three-storey above ground visibility of the existing block. The aesthetic mismatch between the existing structure and the prefabricated extension would compromise the overall visual harmony and cohesiveness of the property and the surrounding area. Once again the building was custom designed and constructed only in 2010. Its height is generally in keeping with the surrounding structures. Having been constructed so recently and indeed with pitched/triangular pointed windows for the top floor it was clearly not contemplated that the building should have additional floors added above. 3) WASTE AND RECYCLING. I object on the grounds that the building simply cannot accommodate a further 5 units. The building currently contains just 11 units and the proposal is to increase this by a further 5, i.e. adding 45% to the number of households living in the property. The capacity of the common elements, including but not limited to storage for dry recycling, food waste and residual waste, is already struggling to meet the needs of the existing 11 units and this has been a consistent issue over the years. There is absolutely no spare or additional capacity to accommodate the proposed units. By approving such plans the Council will be supporting profiteering at the expense of both existing and new flat owners' rights to proper amenities within the building. 4) LOSS OF LIGHT AND PRIVACY OF NEIGHBOURS. I object to the loss of light and loss of privacy imposed to the neighbouring properties (521 and 525 Finchley Road, Parsifal House which adjoins the car park to the back of the block) The proposal will impair daylight / sunlight rights to habitable areas and amenity space. <p>For reference the previous freehold owners Elmdon Real Estate LLP – who secured the original approval from the Council for a one-storey extension (application 2020/3511/P) without any notice to, or consultation of the leaseholders in the building, then took that approval and used it to sell a synthetic freehold to the current freehold owners (essentially they sold only a roofspace development right). By approving these applications the Council is merely enabling profiteering by one bad actor after another at the expense of leaseholders. May I remind that each of those "leaseholders" in fact pays a full price to "own" their flats only to find they have no rights to prevent this sort of profiteering at their expense. The system is broken and the Council enables this sorry state of affairs to continue in the name of a housing shortage that no longer exists, as evidenced by the fact that values of flats like ours have already been driven down to below 2012 levels.</p> <p>Overall I strongly believe the Council should NOT be approving planning applications for which there is no detailed structural engineering work, which isn't in keeping with existing aesthetics of the building or those of the surrounding area, where building amenities cannot accommodate the sought-after expansions and where neighbours will suffer loss of light and privacy. Thank you.</p>

Application No: 2023/2262/P
Consultees Name: Judith Livingstone
Received: 11/07/2023 13:23:51
Comment: COMMNT

Response:

Re: Application 2022/0138/P (Kings Court, 523 Finchley Road, NW3 7BP) Urgent Review Request

I am the owner of Flat 7, Kings Court. We have only just learned of Application Reference No. 2022/0138/P and would like to strongly object to its approval.

Total Lack of Consultation

Elmdon Real Estate LLP ("Elmdon") has not communicated at all with existing flat owners regarding this application. Therefore the lawful consultation process with those most impacted by the proposed addition has simply not taken place.

Construction Period Impact upon Resident Health, Safety, Security, and Quiet Enjoyment of their Flats

It has come to our attention that Elmdon have sold the roof space to Simon Chang, who intends to start construction imminently, causing associated dirt, dust, noise and general disruption to all those living at the property. This could affect the general health of the residents with a major addition to the building being constructed whilst they are living there, in addition to impinging upon the rights of residents to the quiet enjoyment of their units, as stipulated in our lease. I am also very concerned about the safety and security of the building and its residents during such a construction period. There was theft from communal areas some time ago. During a period of ongoing construction with contractors coming and going constantly the opportunities for thieves to enter the building will be multiplied many times over.

Construction Period Impact upon Rental Values for Tenanted Flats

In addition to breaching flat owner rights to the quiet enjoyment of our properties, the cost of the construction to myself and each of the owners could easily run into the tens of thousands over the construction period, depending on the duration of same, should tenants vacate.

Structural and Foundation Damage

We are concerned about structural and foundation damage to our property, as we are unaware of any surveys being conducted previously prior to the granting of this planning permission. Please note that there are cracks in some of the apartments in the block. Should this construction go ahead, who is responsible for possible damage to our properties?

We have not been informed of any plan of works or construction and the adverse effect it might have on residents at this property, including obstruction to common areas, scaffolding / hoarding, and other issues that would affect day to day living for residents in the apartment block. There is no Party Wall Agreement in place for the most affected.

Communal Facilities and Two Tier Block Management System

As existing owners we pay for the upkeep of all communal services and facilities, which the developer intends to use for his construction - how will this work fairly? We have just completed internal decorations at great cost, only for it to be destroyed by construction traffic.

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Furthermore, in the documentation, no thought seems to have been given on how the system will work with 2 flats potentially outside our management company. There has been no communication from the new or old freeholder regarding this or any other matter, impacting current owners.

Meanwhile the communal facilities are tailored to the existing number of flats and are already at capacity (e.g. the refuse and recycling storage at the front exterior of the building) and therefore cannot accommodate the new addition.

Long-Term Destruction of Value For Existing Flat Owners Due to Addition

Having reviewed the pertinent application and decision documents it is clear that the proposed addition is not in keeping with the current exterior of the building. The block was only built in 2010 and its height is generally in keeping with the surrounding structures. Having been constructed so recently and indeed with pitched/triangular pointed windows for the top floor it was clearly not contemplated that the building should have an additional floor added above.

We have grave concerns that the mismatched addition will impair the aesthetic of the building and therefore suppress the long-term value of the existing units.

We also empathise with the top floor owners who paid a premium for this privilege only to lose it upon resale.

Overall, considering the likely significant personal and financial impacts upon existing owners' property values and rental yields during both the construction period and long-term, and the safety, security and health concerns associated with needless construction atop an existing residential building which was built for purpose just over 10 years ago, and finally in light of the total lack of consultation of the building's flat owners/residents. We strongly object to Application Reference No. 2022/0138/P. We, along with the other owners are experiencing undue stress and anxiety over this and therefore request an urgent review.

Your earliest response would be most appreciated.

Yours sincerely

Judith Livingstone (Dr) owner of Flat 7 Kings Court

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2023/2262/P	Nooshin Lewis	11/07/2023 18:05:55	OBJ	<p>I am the joint owner of Flat 8, Kings Court. I strongly object to the approval of application 2023/2262/P on the following grounds:</p> <ol style="list-style-type: none"> 1) NO STRUCTURAL ASSESSMENTS. The building was not designed for additional floors. The building was only constructed in 2010. If the developers had the ability to construct additional storeys they would have done so at the time. Absolutely no structural engineering work has been advanced by the current or previous freehold owners to evidence that the building can accept the load of an additional one, let alone two storeys. 2) SIZE & AESTHETICS. I object to the proposed two-storey addition to the building, as the dimension and volumetry of proposed extension will irremediably destroy the architectural aesthetics and character of the property (purpose built as a boutique development only in 2010). The proposed two-storey extension is disproportionate and overbearing compared to the three-storey above ground visibility of the existing block. The aesthetic mismatch between the existing structure and the prefabricated extension would compromise the overall visual harmony and cohesiveness of the property and the surrounding area. Once again the building was custom designed and constructed only in 2010. Its height is generally in keeping with the surrounding structures. Having been constructed so recently and indeed with pitched/triangular pointed windows for the top floor it was clearly not contemplated that the building should have additional floors added above. 3) WASTE AND RECYCLING. I object on the grounds that the building simply cannot accommodate a further 5 units. The building currently contains just 11 units and the proposal is to increase this by a further 5, i.e. adding 45% to the number of households living in the property. The capacity of the common elements, including but not limited to storage for dry recycling, food waste and residual waste, is already struggling to meet the needs of the existing 11 units and this has been a consistent issue over the years. There is absolutely no spare or additional capacity to accommodate the proposed units. By approving such plans the Council will be supporting profiteering at the expense of both existing and new flat owners' rights to proper amenities within the building. 4) LOSS OF LIGHT AND PRIVACY OF NEIGHBOURS. I object to the loss of light and loss of privacy imposed to the neighbouring properties (521 and 525 Finchley Road, Parsifal House which adjoins the car park to the back of the block) The proposal will impair daylight / sunlight rights to habitable areas and amenity space. <p>For reference the previous freehold owners Elmdon Real Estate LLP – who secured the original approval from the Council for a one-storey extension (application 2020/3511/P) without any notice to, or consultation of the leaseholders in the building, then took that approval and used it to sell a synthetic freehold to the current freehold owners (essentially they sold only a roofspace development right). By approving these applications the Council is merely enabling profiteering by one bad actor after another at the expense of leaseholders. May I remind that each of those "leaseholders" in fact pays a full price to "own" their flats only to find they have no rights to prevent this sort of profiteering at their expense. The system is broken and the Council enables this sorry state of affairs to continue in the name of a housing shortage that no longer exists, as evidenced by the fact that values of flats like ours have already been driven down to below 2012 levels.</p> <p>Overall I strongly believe the Council should NOT be approving planning applications for which there is no detailed structural engineering work, which isn't in keeping with existing aesthetics of the building or those of the surrounding area, where building amenities cannot accommodate the sought-after expansions and where neighbours will suffer loss of light and privacy. Thank you.</p>

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2023/2262/P	Mo Abudu	11/07/2023 16:15:55	OBJ	<p>I am the owner of Flat 3, Kings Court. I strongly object to the approval of application 2023/2262/P on the following grounds:</p> <p>1) NO STRUCTURAL ASSESSMENTS - The building was not designed for additional floors. The building was only constructed in 2010. If the developers had the ability to construct additional storeys they would have done so at the time. Absolutely no structural engineering work has been advanced by the current or previous freehold owners to evidence that the building can accept the load of an additional one, let alone two storeys.</p> <p>2) AESTHETICS - I object to the proposed two-storey addition to the building, as the aesthetic mismatch between the existing structure and the prefabricated extension would compromise the overall visual harmony and cohesiveness of the property and the surrounding area. Once again the building was custom designed and constructed only in 2010. Its height is generally in keeping with the surrounding structures. Having been constructed so recently and indeed with pitched/triangular pointed windows for the top floor it was clearly not contemplated that the building should have additional floors added above.</p> <p>3) NO CAPACITY FOR ADDITIONAL REFUSE MANAGEMENT - I object on the grounds that the building simply cannot accommodate a further 5 units. The building currently contains just 11 units and the proposal is to increase this by a further 5, i.e. adding 45% to the number of households living in the property. The capacity of the common elements, including but not limited to storage for dry recycling, food waste and residual waste, is already struggling to meet the needs of the existing 11 units and this has been a consistent issue over the years. There is absolutely no spare or additional capacity to accommodate the proposed units. By approving such plans the Council will be supporting profiteering at the expense of both existing and new flat owners' rights to proper amenities within the building.</p> <p>4) LOSS OF LIGHT AND PRIVACY OF NEIGHBOURS - I object to the loss of light and loss of privacy imposed to the neighboring properties (521 and 525 Finchley Road).</p> <p>For reference the previous freehold owners Elmdon Real Estate LLP – who secured the original approval from the Council for a one-storey extension (application 2020/3511/P) without any notice to, or consultation of the leaseholders in the building, then took that approval and used it to sell a synthetic freehold to the current freehold owners (essentially they sold only a roof space development right). By approving these applications the Council is merely enabling profiteering by one bad actor after another at the expense of leaseholders. May I remind that each of those "leaseholders" in fact pays a full price to "own" their flats only to find they have no rights to prevent this sort of profiteering at their expense. The system is broken and the Council enables this sorry state of affairs to continue in the name of a housing shortage that no longer exists, as evidenced by the fact that values of flats like ours have already been driven down to below 2012 levels.</p> <p>Overall I strongly believe the Council should NOT be approving planning applications for which there is no detailed structural engineering work, which isn't in keeping with existing aesthetics of the building or those of the surrounding area, where building amenities cannot accommodate the sought-after expansions and where neighbours will suffer loss of light and privacy.</p>

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