

From: Ben J Macgregor
Sent: 22 December 2024 18:15
To: Planning
Subject: RE: Application Number: 2024/4645/P

Dear Sir/Madam,

Further to my note below I notice in the comments online from Stephen Kapos in Flat 3 that he has had a phone call with the Planning Officer Adam Afford. Given this is an open process please either a) give us access to the recording of this conversation or b) the minutes.

The reasons we ask is that, as you can probably tell from his submission, he appears to have a personal issue. During a recent RTM meeting, for example, he was insistent that planning permission wasn't required and the terraced could 'definitely' support the additional weight. Given he was incorrect on the former, he may also be incorrect in the latter.

Thanks

Ben

From: Ben J MacGregor
Sent: 22 December 2024 17:09
To: 'Planning'
Subject: Application Number: 2024/4645/P
Importance: High

Dear Sir/Madam,

I hope you are well.

I am writing to object to the above planning permission – I have added comments to the site but also wanted to send here in case there are any issues:

'I am writing in relation to the alterations to Rear Addition terrace of Flat 2), 22 Lupton Street London NW5 2HT.

I am one of the two owners of Flat 1 (the other being my wife) and would like to object to permission being granted.

There is a significant privacy issue for us (as well as our the next door neighbours and the surrounding flats). The Flat 2 residents use the terrace both in the day and often at night where they have substantial numbers of friends over utilising the terrace for socialising etc. Whilst up there they have full view directly into our garden and into our back office, essentially leaving us with no privacy when we are trying to use either. Given the height of the construct this will no doubt also provide them views directly into no 20 and other properties over the back of the garden.

Falling objects are now a concern. These have included kitchen waste, old flower pots, condoms, lanterns and beer cans/bottles. These are either left on the edge above our property, or from parties, have fallen onto our roof and into the garden inc. smashed glass which is a danger to our daughter.

No planning permission was originally asked for, so to approve this now will legitimise an unlawful structure. During their construction of the terrace we also removed our ceiling and discovered the joists below the terrace were fully rotted away. If we had not removed our ceiling there is a good chance that the structure would have come through our roof during construction which betrays a lack of appreciation for neighbours. Seeking planning permission in the first place would presumably have picked this safety issue up.

I'm not sure whether they did or did not, but I'm assuming there has been no permission from the Freeholder for the super structure.

Encroachment over our property. The planting structure juts 5 or more inches over our roofing and rises maybe 3-4 feet above the walling. At no point were we asked for permission and my presumption is that this encroachment is not allowed.

We have legitimate structural concerns as to a) whether this permanent structure can now be supported moving forward, and b) whether this will also impinge on the shared wall with no 20 which is already showing signs of stress.

Intrusion both visually and with noise disturbance is another issue that you will presumably be discussing.

Finally, although these won't be issues for this planning committee to consider, substantial leaks began to appear in Flat 1 living room and second bedroom underneath and precisely

along the party wall line, essentially below the potting structure and where the drainage comes through from the Flat 2 terrace onto Flat 1 rear roof. There is significant moulding in Flat 2 second bedroom which continually smells. Both myself, and my daughter, have contracted respiratory problems over the past 6 months which may, or may not, be connected. This is a major concern.

The potting structure is built directly on the party wall (right above the leak) and Flat 2 maintained they had it properly waterproofed but when asked to evidence this they say it's 'irrelevant' and have refused to provide any.

Ultimately this flat bedroom roof was neither designed nor intended to be used as a terrace and on that basis we feel permission should be rejected.

I am happy to provide further details on request or during a conversation. In terms of items dropped or the encroachment we can provide photos on request.'

Thank you and have a Merry Xmas & NY!

Thanks

Ben