


21 Menelik Road
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24th February 2025

Dear Mr Nichol,

Re Planning Application No: 2025/0316/P – 19 Menelik Road, London NW2 3RJ (the ‘Application’)

My wife and I are the owners of 21 Menelik Road, London NW2 3RJ. Our home is half of a pair of semi-detached houses, with the other half being 19 Menelik Road. We moved here on 2nd March 2005 and the previous owners of number 19 had already lived there for many years.

On Friday 14th February 2025, I received an alert from the Camden Planning Alert system concerning the Application referred to above. Although I intend to submit comments on the application via the Camden planning portal, I am writing to bring your attention to several factual inaccuracies in the application and because I believe you have been materially misled by the Application. Furthermore, Camden Council has not fulfilled its own statutory obligations in relation to publicising the Application. As a result, I believe that the current Application is invalid and needs to be cancelled. Even if the Application is allowed to continue, the consultation process needs to start again as it is currently defective.

I am copying this email to the three councillors for the fortune Green Ward, Richard Olszewski, Lorna Greenwood and Nancy Jirira. I am doing so because in the Construction Management Plan the applicant was asked whether they had consulted

with various parties, including the Ward Councillors, so it would be useful to know whether they were consulted, although the implication is that they were not. Please see below.

1. No consultation about the Application.

Your pre-planning letter dated 14th October 2024 states as follows:

“Local consultation

You are strongly encouraged to engage with the neighbouring occupiers at an early stage in the process, given the likely concerns residents will have with the comings and goings of construction / delivery vehicles. Although the Council advertises the application in the local press and displays site notices, initial consultation may help offset any concerns neighbours have before any application is submitted. You are also advised to contact any local groups.”

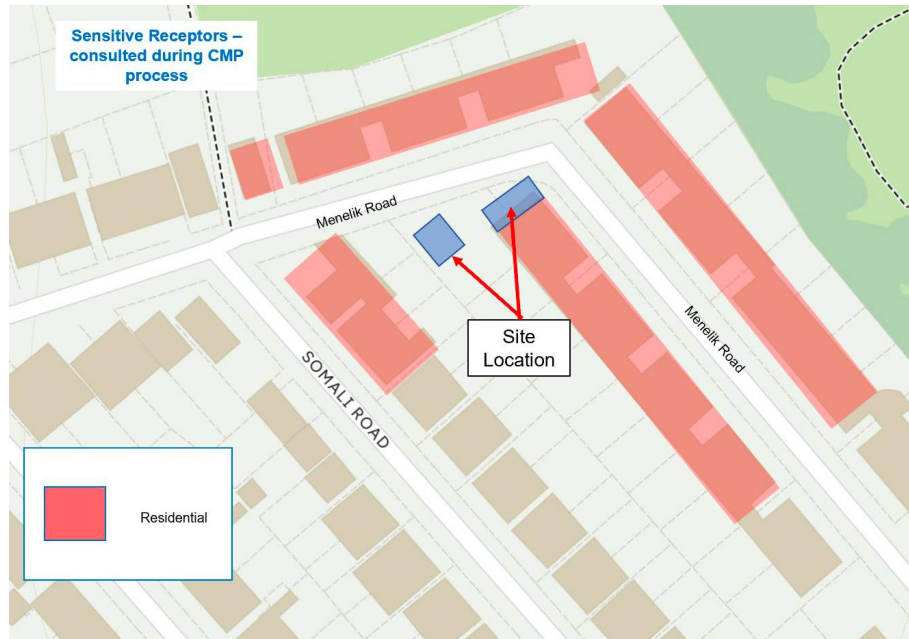
I refer you to the Construction Management Plan (**‘CMP’**) last updated on 16th December 2024 and particularly ‘Section 3 – Community Liaison’. I appreciate that the CMP concerns the process of building the two new houses covered by the Application, rather than the planning issues, but as it has been published by the Council as part of the bundle of Application Documents, it is relevant. In addition, I assume that you have read it, and your consideration of the Application will have been influenced by it.

The answer to question 10 of Section 3 reads as follows:

“The diagram below shows the neighbouring properties which will potential direct impacted during the siteworks and who have all been contacted by the Developer as part of the Communications strategy for the redevelopment of the site during the CMP process.

The areas shown on the plan in red highlight the residential properties in the proximity of the site, which could potentially be impacted by the works, for some period of the project programme.”

The following map is then inserted. The houses in red are numbers 28A to 40 Menelik Road, on the northwest side of the road (backing onto the UCS playing fields); numbers 42 to 54A Menelik Road (backing on to Hampstead Cemetery); numbers 19 to 37 Menelik Road on the southwest side of the road; and numbers 30 to 34B of Somali Road.



Under the heading ‘Consultation’, Question 11 then says, “Please provide details of consultation of the draft CMP with local residents, businesses, local groups (e.g., residents/tenants and business associations) and Ward Councillors.”

This question is answered as follows:

“The client, Marcus Zaman has been in contact with the residents of the adjacent properties highlighted in the response to Q10. via a newsletter explaining details of the proposed development inc programme and methodology to seek feedback on the proposals to ensure comments can be considered.”

This answer is simply untrue. We have received no such newsletter. I have either spoken or emailed almost all the householders identified above, and none have received any contact from Mr Zaman whatsoever, whether via a newsletter or by any other means. This could be tested by asking Mr Zaman or his representatives to provide copies of the feedback and comments that they received. There will be none because my neighbours only became aware of the Application when I informed them of it via the MARA residents’ association What’s App group last ffriday. Given that about 30 of my neighbours attended a hastily convened meeting at my house on Saturday morning, it is inconceivable that news of Mr Zaman’s plans would not have been shared by the community if he had consulted with any of them or circulated a newsletter.

I should add that Mr Zaman did not consult my wife and I, which would have been natural, as the owners of one of the houses most directly affected by the Application and despite the fact that I was in contact with Mr Zaman following my notification via the Planning Alert system that he had been granted a Certificate of Lawfulness for a loft conversion last autumn.

I wrote to Mr Zaman on 5th December, congratulating him on his purchase of the house, welcoming him to the road, and saying that I hoped that he and his family would be very happy here. At that point, I did know that he is a property developer, rather than new neighbour. I also said, “I know that you have obtained consent for a loft conversion from Camden Council, and so if that is going to proceed, can we talk about a Party Wall agreement please, as I think that is a legal requirement.” I invited him to drop round to our house that weekend and gave him my mobile phone number. Mr Zaman replied on 7th December, “Thank you for reaching out. I am travelling at the moment but if there is a convenient time over the next week or so, I would be delighted to meet you both in person and give you a bit more detail about our plans.” I have not heard from him since.

Not only has Mr Zaman not consulted with us or any of our neighbours in the way that you recommended in your letter of 14th October 2024 or as claimed in the CMP, but to the best of my knowledge, none of my neighbours have never met him or spoken to him.

2. Failure by Camden to erect site notices or consult about the Application

I understand that the Application was registered on 13th February 2025. I received the Planning Alert on 14th February 2025. According to the portal, the closing date for objections is 6th March 2025, which is 21 days from 13th February.

Your letter of 14th October states:

“We are legally required to consult on applications with individuals who may be affected by the proposals. The Council must allow 21 days from the consultation start date for responses to be received. You are strongly advised to contact surrounding occupiers as well as the Fortune Green and West Hampstead Neighbourhood Plan forum to discuss the proposals.”

As stated above, Mr Zaman has not contacted any of the “surrounding occupiers”. I have also been in touch with members of the Fortune Green and West Hampstead Neighbourhood Plan forum (the ‘NPF’) and I understand although they also received the Planning Alert about the Application, they have not had any contact from Mr Zaman.

Furthermore, the Council has not fulfilled its own legal obligation to consult, as mentioned in your letter. According to the Camden Council Statement of Community Involvement (April 2024) (the ‘SCI’), Table 5: ‘Consultation methods for planning applications’, ‘Site notices’ are a statutory method, and the table makes the following comment:

“We display site notices in a public place at or near the application site. The site notice contains details of the proposal, where plans can be viewed and how to comment on the application. One or more notices may be displayed depending on the size and location of the proposed development. The notice is displayed for 21 days.”

At the time of writing this letter, on Sunday 23rd February, i.e. 10 days after the registration date of the Application, no such notice has been displayed about the Application.

According to Table 6, where the Application is on a corner, as in this instance, “1 or more notices would be placed on both streets.” As stated above, there is no site notice on display anywhere on Menelik Road.

The Application, if granted, would also have a severe adverse impact on the houses that Mr Zaman claims to have consulted in Somali Road, being numbers 30, 32, 34 and 34b. According to Table 6, where “Works relate to the rear i.e. rear extension which may affect property to rear”, this means that “1 or more notices would be placed on the street of the application address and on the street to the rear of the site.” In fact, there are no site notices in Somali Road either.

Table 6 also says “*Photos will be taken of the site notices in place to confirm they were installed. These will be available under the planning documents on the Council’s website.” I have been unable to find any such photos on the Camden website, presumably because the site notices do not exist, and therefore could not be photographed. However, if such photos do exist, please provide me with copies.

Finally, Table 7 indicates that for all types of development, even those that place the lowest level of consultation obligations on Camden, being “Planning applications (which fall outside other categories)”, the site notice is mandatory, even though the Council does not have to place a press advert or email the NDF in these circumstances.

The only other circumstances in which the Council can dispense with site notices is set out in Section 4.20 of the SCI, which states “The legal requirement for planning applications is either to display a site notice or send letters to adjoining occupiers. We consult by displaying site notices for all applications which require consultation and by the additional methods outlined above.” As we are unarguably the adjoining occupiers, we should have received a letter from Camden Council in the absence of a site notice being displayed. We have not received any such letter. The Council has therefore failed to fulfil its legal obligation for consultation about the Application.

The only reasons the community knows about this Application is because a couple of us received the Planning Alert and then contacted our neighbours through the MARA What’s App group, not because of any consultation by either Mr Zaman or Camden Council. Although the Planning Alert as a useful tool, it does not serve to discharge the Council’s legal obligations.

3. Other significantly misleading elements of the Application

As well as the false claim that the applicant has consulted with neighbours, there are other elements of the Application which mean that it should not be allowed to continue in its current form. Significant changes to the existing house have been disguised.

3.1 Loss of the unique corner door

In your letter of 14th October, you rightly refer to “the potential loss of the unique corner door of 19 Menelik Road.” I fully agree that it would be a great shame to lose that corner door. Of all the houses built in the late 1920’s in Menelik, Asmara and Somali Roads, 19 Menelik Road is the only one with a corner door. I shall refer to this when I submit my planning objections.

However, my point for the purposes of this letter is that there is a material irregularity in the drawings submitted as part of the Application. I refer you to Drawing Number P505 dated November 2024, which shows the front Elevation of the ‘Existing’ house. In this drawing, the corner front door of the ‘Existing’ house has been moved to the front of the house, which is currently a window that is shared between the entrance hall and the downstairs WC. Drawing P505 presents the front elevation of the existing house as if the front door has already been moved from the corner to the front of the house. It presents this relocation as a *fait accompli*, rather than one which is dependent upon the grant of planning permission.

For an accurate impression of the existing house in its current form, please see the drawings submitted pursuant to the application for the Lawful Development Certificate (Planning Application 2024/3233/P). This shows the existing front door in its current position.

3.2 Demolition of part of the fabric of the existing house; misdescription as an ‘annex’

Both the Planning Statement submitted by the applicant and your letter dated 14th October refer to the “demolition of side annex”. This is an extremely misleading use of the term ‘annex’ to describe part of the fabric of the existing, original house. The structure comprises the garage on the ground floor, which can be accessed through garage doors to the driveway and a side door from the rear garden, and an outside toilet that is also accessed from the rear garden. At first floor level, there is a bedroom above the garage, which can only be accessed from the first floor of the main part of the existing house. There is no other way to access the room above the garage, as you would expect for an ‘annex’. Please see the drawings submitted pursuant to Planning Application 2024/3233/P referred to above for a true impression of the layout of the existing house.

It is extremely misleading to describe this structure as an ‘annex’, which is a term usually used to describe a self-contained part of a building. All the houses in Menelik, Minister and Somali Roads that were built around the same time have a similar arrangement, with a garage set back at the side of the house and a bedroom above, which can only be accessed from a corridor on the first floor of the house. In other words, this is not an ‘annex’, but an integral part of the fabric of the existing house.

Although several houses have changed the use of the garage into a habitable room, I am not aware of any house in Menelik, Minister and Somali Roads where the Council has permitted the demolition of the garage and the bedroom above.

3.3 Misleading drawing of the rear elevation

I refer you to Drawings P505 and P506 submitted pursuant to the Application.

In Drawing P505, the drawing of the front Elevation has a red line that allows you see the profile of the existing house, including the garage and bedroom above, and to see the combined impact of (a) the hip to gable extension; (b) the demolition of the garage and the bedroom above (being the so-called annex); and (c) the construction of House 1.

However, in the lower half of same drawing showing the Side Elevation of House 2, there is no red line showing the current roof line of the existing house, garage and bedroom above. This means that you cannot appreciate the huge loss of amenity that would be suffered by the occupants of 30, 32, 34 and 34B Somali Road. Currently, their gardens look out towards a much smaller structure (i.e. the existing house) and beyond it towards the houses at 40 and 42 Menelik Road. If the Application were to be granted, their gardens would be dominated by the side of House 2 and overlooked by the windows on the back of House 1 and the side of House 2. All they would see would be uninterrupted brickwork. You get some impression of this if you ‘read across’ from Drawing P506, but to fully appreciate the impact, the red line used to show the rear elevation of the existing house in Drawing P506 needs to be transposed to the image of the side elevation of House 2 in Drawing P505.

4. Conflict between this Application and Lawful Development Certificate

The Lawful Development Certificate granted pursuant to Planning Application 2024/3233/P was issued based on the drawings submitted with that application. All those plans and profile drawings show the existing house with the garage and the bedroom above intact. If the new Application were to be granted, with the garage and bedroom in the so-called ‘annex’ being demolished and replaced with House 1 (as per the Application), all the plans and drawings submitted to apply for the Lawful Development Certificate would now be inaccurate.

On that basis, I request that the Lawful Development Certificate referred to above is revoked forthwith and any future grant of a Certificate for a hip to gable roof extension is

made on the condition that no other alterations are made to the plan or profile of the original house. Alternatively, the applicant should be made to apply for full planning permission for a loft conversion of the existing house as part of the Application to build House 1 and House 2, so the impact of all the work to 19 Menelik Road can be considered together as a whole.

Conclusion

In the light of the contents of this letter, I hereby make the following requests:

1. Please cancel the registration of the Application on the basis that (a) you have been provided with false information about consultation with local residents; and (b) the Council has failed to fulfil its statutory obligations concerning consultation about the Application.
2. If despite the request at point 1 above, the Application is allowed to continue, please ensure that the applicant addresses the points set out in section 3 above.
3. Furthermore, if the Application is allowed to continue, please re-open the consultation period and ensure that the requisite site notices are put up in accordance with the SCI and the Council's statutory obligations. This is important, not least because not all the local residents that may wish to comment on the consultation have access to computers or are part of the MARA What's App group. Those people will not even know about the Application.
4. Please revoke the Lawful Development Certificate as it is based on plans that do not reflect how the building will look if the Application is granted.

My wife and I are very happy to invite you and/or any or all the Ward Councillors to visit our home so that you can see for yourself the impact of this Application on us and our neighbours.

I am also very happy to discuss this matter with you by phone on [REDACTED]. Please email me if it would be more convenient to schedule a time for a call.

I only ask that you respond to this letter as soon as possible, as the consultation period is currently set to expire on 6th March, and because this matter is causing considerable anxiety to us and a very large number of our neighbours.

Yours sincerely

Brinsley Dresden