

**Application No:** 2013/5234/P  
**Site Address:** Flat A,  
44 Ferncroft Avenue  
London  
NW3 7PE  
**Case Officer:** Eimear Heavey  
**Consultees Name:** david shalson

**Received:** 12/09/2013 12:53:04  
**Comment:** OBJ

**Response:**

For the attention of Eimear Heavey

I am writing in response to the above planning application.

I am one of the 4 joint freeholders of 44 Ferncroft Avenue and wish to raise the following concerns/objections:

- A. The very real risk of damage to our properties from movement and structural change as a result of the substantial excavations underneath and to the front and rear of the building.
- B. A proposal of this scale is entirely inappropriate for a multi occupancy property where the impact on other residents will be substantial and will directly negatively impact the quality of life of the other families in the property for an unspecified and lengthy period of time.
- C. Two of the flats, including my own, are rental properties and this project would render them almost unrentable for a very lengthy period resulting in a direct and substantial financial loss to these freeholders.
- D. The Freeholders dispute that the owner of Flat A actually owns the freehold to the unexcavated land beneath the property as we are unaware of any agreement granting demise of that to the lease of Flat A. Mr Kulick has apparently had his lease altered to include the subsoil beneath his flat but we do not accept the circumstances of this alteration and our position is that it definitely requires legal evaluation.

I await your further news

David Shalson

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