

**D.J.PEDDAR**  
**CONSULTANT SURVEYOR**

**PROJECT MANAGEMENT, ARCHITECTURAL PLANS, BUILDING SURVEYING**

**22 REDFERN ROAD**  
**LONDON**  
**NW 10 9LB**  
**TEL: 07970 647449**  
**FAX: 020 8963 9991**

Planning Services  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9LP

o  


**RE: 22 BUCKLAND CRESCENT. LONDON. NW3.**

Dear Sir/ Madam,

Please find enclosed a copy of our Planning Application for the retention of Flat 9 and retention of the dormer roof alterations. To support our application I enclose three copies of our evidence bundle. This application follows an Enforcement Notice served by the London Borough of Camden and subsequent appeal refusal.

This case is somewhat complex and I will summarise;

My client purchased the leasehold to flat 9 in 2008, the property was then mortgaged by Mortgage Express following a survey and search on title. The property was first granted a lease in 2006 from the freeholder, being a Limited Company to one of the company directors.

Although not granted an initial lease until 2006 we provide evidence by way of utility bill history dated 8/6/200 and 2003, builders estimates dated Feb 2002 and

managing agents letters dated 2004 showing the existence of flat 9 and that it was occupied.

My client insists that on his purchase of the property the alterations to the roof structure were already in place. We enclose a statement to that effect. Whilst we cannot prove when the alterations were undertaken we enclose scaled drawings following a measured survey of the building. These drawings show a section of the building indicating the original position of the roof line prior to alteration. This drawing indicated that prior to alteration the roof space that now incorporates flat 9 would have an approximate ceiling height of some 1600mm at the ridge, reducing to 800mm towards the eaves. This is clearly inadequate for the purposes of habitable accommodation.

We therefore draw the conclusion that for the entire existence of flat 9 which we enclose evidence indicating an approximate date of 2000, the roof alterations were in place. It would be inconceivable to believe that the roof structure could be of a date later than the first occupation of the dwelling as the space provided would not be habitable. In support we enclose a copy of a surveyors report for mortgage purposes. The enclosed report in section 10 describes the dwelling as being of average saleability and being currently used for residential purposes, additionally the flat is described as having a floor area of 36 m<sup>2</sup>.

Whilst I appreciate that this case is somewhat complex, the evidence lengthy and we can provide no conclusive evidence of when the roof alteration were constructed, we respectfully request that a common sense approach be adopted and consideration be given to the principle question, could flat 9 have existed as a residential dwelling without the roof alterations being in existence.

Secondly we respectfully request that any Enforcement action be suspended whilst this application be considered.

Yours faithfully,

D. Peddar

ccPlanning Enforcement

## SUMMARY

### SECTION 1

Letter from Kirkwood Solicitors dated 29<sup>th</sup> June 2010

Letter from Darlington's dated 29<sup>th</sup> June 2010

Letter from Darlington's dated 29<sup>th</sup> June 2010

### SECTION 2

Copy of leasehold agreement between Ali Akabar Alavi and Reze Moien

### SECTION 3

Valuation report from Mortgage Express and report on title

### SECTION 4

Copy of leasehold agreement dated 3<sup>rd</sup> Feb 2010 with lease plan and windows arrangement

### SECTION 5

Letter from Kirkwood Solicitors dated 28<sup>th</sup> June 2010

Letter from Kirkwood Solicitors dated 15<sup>th</sup> June 2010

Copy of register of title

### SECTION 6

Copies of invoices from Hi Spec Decorating for work undertaken by freeholder and copies of payments

19<sup>th</sup> November 2002 for roofing works and scaffolding

15<sup>th</sup> December 2002 for general repairs and redecorating

2 Feb 2002 for repairs to flats 9 and flat 8

Copy of letter from EDF Energy showing date of initial electrical supply for flat 9 (8/6/2000)

Copy of letter from managing agent regarding Local Authority inspection, we have been unable to obtain a copy of this report due to confidentiality reasons, we assume that the Planning Department will be able to obtain this report which will prove the existence of flat 9.

Copy of Thames Water bill for flat 9 dated 21 April 2003

Copy of Council Tax bill showing continued use of flat 9

Copy of Enforcement Notice

#### PHOTOGRAPHS of 22 BUCKLAND CRESCENT

These satellite photographs dated 2003, 2006 and 2010 fail to show any alterations to the roof structure over the given time span. Whilst we accept that the roof structure has been altered, these photographs prove inconclusive as to when these alterations were undertaken.