


Dear Mr Freeney

Here is the Schedule of photos, in both odt and pdf format (Item 3 in letter).

The photos follow under separate cover.

Yours sincerely



Schedule of Photos, taken from adjoining property No. 99 Constantine Rd showing the adjoining alleys of Nos. 99 and 101. The rear widows are north facing and the photos were taken around mid-day.

1. View from Northernmost corner of back addition down alley showing original sash window of 99's study/dining room; boundary wall; top of 101's present French window; length of alley; and ambient light.
2. From same position, view showing boundary wall seen from 99. Planning App. 6391 proposes building an extension on the 101 side of the boundary wall occupying the entire length and breadth with a slate roof sloping from the boundary wall up to the height of the first floor windows.
3. From a similar position, this photo demonstrates that even at mid-day the present owner/occupiers of 101 consider that the ambient light in the alley and to the rear room (equivalent to my study/dining room) is very limited, so they keep a floodlight on all the time. If planning permission is granted for 6391 the entire view above the wall would be obliterated and replaced with a mono-pitched slate roof.
4. This view is taken half-way down the alley. If Application 6394 is allowed, the entire left half of the photo would be taken up with a solid vertical wall rising to a height the same as the top of the sash window of No. 99.
5. This shows the original window of the laundry room of No.99. It abuts the study/dining room and faces the boundary wall and No. 101. This laundry room retains the original (1896) glazed partition which give on to the corridor from the front rooms to the kitchen in the back addition. The light thus transmitted is at present quite adequate to go back and forth safely along the corridor during daylight hours, without having to put on electric lighting.
6. Shows the present outlook from the laundry room window. Apart from showing the flood light at 101 above their French window, it also demonstrates how dark and claustrophobic this area already is. Were application 6391 granted and implemented, there would be a mono-pitch slate roof rising above the wall almost to the top of the photo. Were application 6394 allowed, the boundary wall would rise vertically to the top of the photo and above what is shown of the adjoining study window.
7. This is taken just outside the study/dining room window. Were 6391 granted the space above the boundary wall would show only a mono-pitch slate roof. Were 6394 be allowed the wall would extend upwards above the top of the picture.
8. This is from the same position, but vertically. It shows how claustrophobic the area round the two windows (study and laundry) is. If 6391 were granted, the top of the mono-pitch roof would be just below the first floor window of 101. If 6394 is allowed, the additional height of the wall would bring is above the top of the picture. The impact on the lighting of my study/dining room and laundry would be severe and would inhibit their status as habitable rooms.
9. The study/dining room of 99 showing the currently available light. Though north-facing and at the bottom of the alley, it presently benefits from the ambient light as originally designed, with neither alley built in.
10. Photo taken in the middle of the study, showing its lighting and also, through the window, the present height of the boundary wall. Application 6394, if allowed, will raise that wall to the height of the top of the sash window.
11. View looking north down the alley from the study/dining room window. It shows the boundary wall

(seen through the bottom right pane) and, to the left of the central glazing upright, the boundary wall stepping up and, farther along, a small horizontal wall whether the alley ends and the bak garden begins. The extension proposed in 6391 will extend out from the 101 house wall to the boundary wall along that wall and past the rise in the wall and stop just short of the main garden.

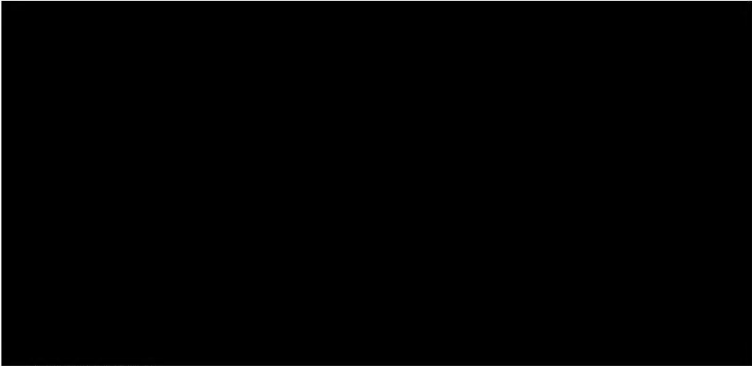
12. Compass set on the outside window sill of the study, confirming that the room looks north down the alley. Hence, the light available is ambient, reflected light, not direct light.












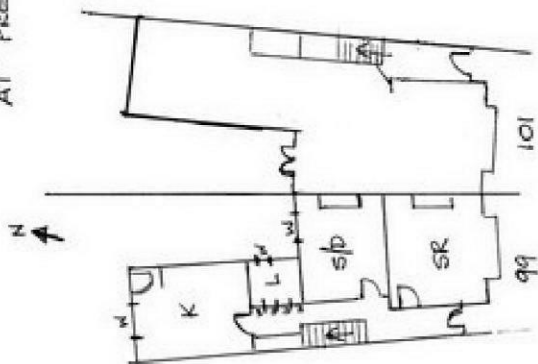
Dear Mr Freeney

Here are my sketches of the ground floor rooms and windows in relation to the two alleys between my house, No. 99, and No. 101; and the impact that the two plans previously lodged with Camden and the plan sent by the Architect to the joint surveyor as the intended plan, would have on No.99. (This is item 2 on the list in my letter to you.)

Yours sincerely

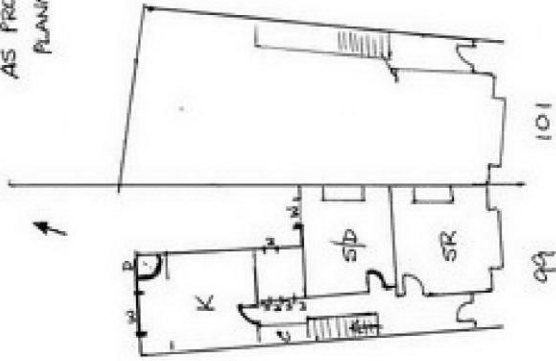


AT PRESENT

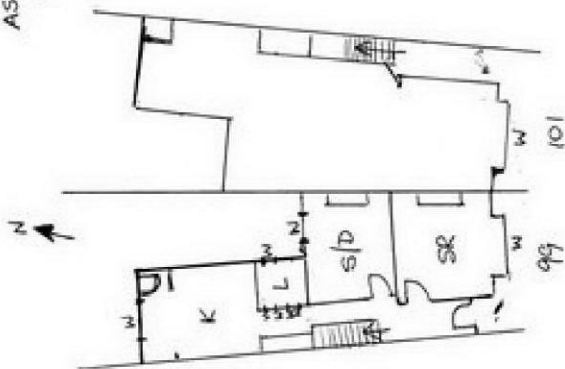




AS PROPOSED UNDER  
PLANNING APP.  
2013/6391/P

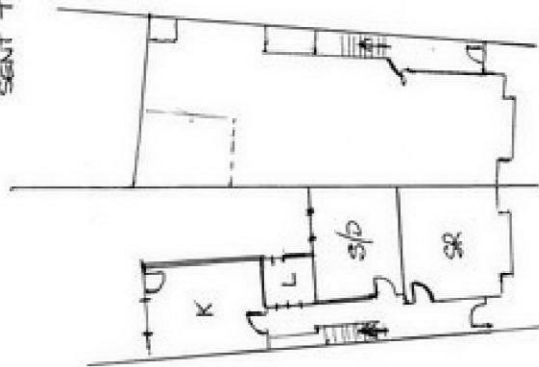


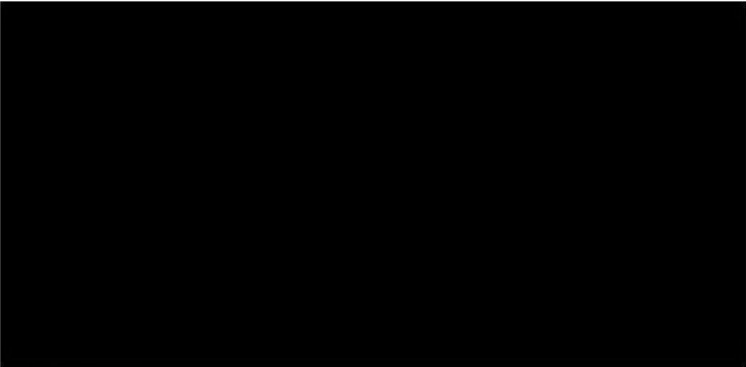
AS PROPOSED UNDER  
CERTIFICATE OF LAWFULNESS  
2013/6394/P



AS PROPOSED UNDER PLANS  
SENT TO SURVEYOR

(AMALGAMATION OF  
6391/P + 6394/P)






Dear Mr Freeney

Here are the plans sent by the Architect for 101 to the mutual party wall surveyor  
(Item 1 in the list of attachments in my letter).

Yours sincerely



DO NOT SCALE FROM THIS DRAWING. CHECK ALL DIMENSIONS ON SITE.  
IF INFORMATION IS NOT CLEAR OR INCONSISTANT CONSULT ARCHITECT.  
THIS DRAWING IS COPYRIGHT.



E 27.09.13 Extension revised  
D 17.04.13 Extension revised  
C 16.04.13 Gutter revised  
B 17.07.12 Extension revised  
A Mar 11 Structure Added

Client:  
R Lasserson  
Project Title:  
101 Constantine Road  
London  
NW3 2LR

Drawing Title:  
Proposed Elevations  
Drawn:  
Scale:  
Date:  
26.01.2011  
1:50 @ A1  
Orig No:  
CR.01.08 E  
HARTLEYS PROJECTS LTD  
PO BOX 43391  
London N6 1SZ 020 7704 8272

Client: R Lasserson  
Project Title: 101 Constantine Road  
Location: London  
Drawing Title: NW3 2LR  
Proposed Section A-A  
Drawing No: 26.01.2011  
Date: 26.01.2011  
Drawn: 1:20 @ A1  
Scale: CR.01.09 K  
Drawing No: HARTLEYS PROJECTS LTD  
PO BOX 43391  
London N6 1SZ 020 7704 8275

DO NOT SCALE FROM THIS DRAWING. CHECK ALL DIMENSIONS ON SITE.  
IF INFORMATION IS NOT CLEAR OR CONTRADICTORY CONSULT ARCHITECT.  
THIS DRAWING IS COPYRIGHT.

New double glazed windows/doors/roofs to have double glazed units comprising 2 panes of low 'E' safety glass with 16mm cavity. Windows to achieve a 'U' value of 1.8 W/m<sup>2</sup>K. Mastic seal around all window/door frames.

All glazing to comply with BS 6206.

Kitchen hood extract, to provide 60 litres a second ventilation, to comply with Document E. Extract to be a minimum of 300mm from any window/opening.

If new boiler is required to comply with approved document L1 and a commissioning certificate is to be provided upon completion of installation and supplied to building owner.

When installing downlights ensure that the manufacturers minimum recommended air gap is maintained around and above fittings, to avoid heat from the lamp causing a fire hazard.

Provide plasterboard surround to fitting provide silicone sealant to junction between boxing and plasterboard ceiling. Light boxing minimum 10mm either side of light fitting and 75mm above.

Interlinked Fire Alarm system to be provided to BS5833-6.

Heat detector to kitchen to be fixed temperature type.

All internal soil vent pipes to be boxed and filled with insulation.

Provide radding points at ends of drainage runs

Electric switches and sockets and socket outlets to comply with Part M2 current building regulations at appropriate heights between 450mm and 1200mm above finished floor level.

Staircase enclosure to achieve 1 hours fire resistance as sound partition, joints staggered toped and sealed.

Soil vent pipes to be boxed 900mm above any opening or window.

Fully glazed doors should be etched/marked to include new areas. The space heating is to be controlled by zoned room thermostats

Water vessels, pipes and ducts to be fully insulated to meet the requirements as stated in approved document. All radiators to have thermostatic valves.

Windows and Doors  
Any glazing to windows, rooflights or doors in critical location or located at a height of less than 800mm above finished floor level or 1500mm on doors (1500mm to windows within 1500mm) to be safety glass as specified in BS6206.  
Existing space heating system to be extended to include new areas.

New foundations to structural engineers details and to Building Control approval.

A soil analysis has not been carried out, therefore the foundation depth is subject to site confirmation of soil type and Building Control Officer approval.

Excavation to be inspected and approved by the Building Control Officer prior to any concrete pour.

Existing space heating system to be extended to include new areas. The space heating is to be controlled by zoned room thermostats

Water vessels, pipes and ducts to be fully insulated to meet the requirements as stated in approved document. All radiators to have thermostatic valves.

All electrical work required to meet the requirements of 'Part P' (Electrical Safety) must be designed, installed, inspected and tested by a BS5837-1:2002 registered person competent to do so. A certificate to be issued for the work by a person competent to do so.

All new radiators to have thermostatic valves to comply with approved document L1

All openings for pipes, ducts or cables, which pass through a 'fire resisting' partition, wall and floor etc, should be fire stopped in accordance with part B3 section 11 of Approved Document B.

MV Mechanical ventilation to kitchens 80 litres per second operated continuously with 4000sq mm trickle ventilation to window head.

If required new gas combi boiler with minimum SEDBUK Band A rating.

Extensions and loft to be provided with a minimum of 75% energy efficient light fittings. Therefore, loft and extensions at have at least 5 in every 4 energy efficient fittings.

MV Mechanical ventilation to bathrooms to extract 15 litres per second operated intermittently, 15 minute over run, 10mm gap under door.  
Soil vent pipe.

SS Air admittance valve.

Minimum fall to drainage pipe between joists 1:40, 110mm UPVC pipework.

FD30 d762 - EG. DOOR WIDTH 762mm ALL DOORS FD20 FIRE DOORS

WHERE INDICATED FIRE DOORS TO HAVE SMOKE SEALS.

ALL DOORS TO HAVE 3 HINGES PER DOOR EQUALLY SPACED.

Door stops to be updated to 25mm x 35mm screwed on at 225mm centres

Plumbing  
Plumbing and underground drainage works shall comply with BS5572:1978 'Sanitary Pipework', BS6469pt.1 'Sanitary Appliances' and BS6301:1985 'Building Drainage'.

SCHEDULE OF SANITARYWARE CONNECTIONS

Appliance & trap dia.	Discharge pipe mm.	Trap/seal mm.	Fall deg.
Wash basin	40	S75	1-2.5
WC	110	Integral	1+
Shower	40	S50	1-2.5
Bath	40	S50	1-2.5

Existing drainage routing & soil pipe to be inspected and found viable, then new kitchen appliances to be gravity drained in accordance with the requirements of the Building Regulations, and to the prior approval of the Building Control Officer.

New 450mm UPVC IC. Extract duct suitably banded and approved by Building Control Officer.

Add weld 8mm plates to top flanges of beams where required to match wall over

WC's to be mechanically extract vented out through rear wall to achieve vent rate of 15 litres per second 10mm gap to be provided under door to allow replacement air.

120 X 120 X 5.0 SHS Post on 1000 x 1000 x 450 Deep mass concrete

152 x 152 x 300C post

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

Drawings to be read in conjunction with Engineers Details.

New thermal elements must have a U-value as set out below.

Walls  
Pitched roof - insulation at ceiling level 0.28 W/m<sup>2</sup>K  
Pitched roof - insulation at rafter level 0.16 W/m<sup>2</sup>K  
Flat roofs or roofs with integral insulation 0.18 W/m<sup>2</sup>K  
Floors 0.22 W/m<sup>2</sup>K

New double glazed windows/doors/roofs to have double glazed units comprising 2 panes of low 'E' safety glass with 16mm cavity. Windows to achieve a 'U' value of 1.8 W/m<sup>2</sup>K. Mastic seal around all window/door frames. All glazing to comply with BS 6206.

New 450mm UPVC IC. Extract duct suitably banded and approved by Building Control Officer.

Add weld 8mm plates to top flanges of beams where required to match wall over

WC's to be mechanically extract vented out through rear wall to achieve vent rate of 15 litres per second 10mm gap to be provided under door to allow replacement air.

120 X 120 X 5.0 SHS Post on 1000 x 1000 x 450 Deep mass concrete

152 x 152 x 300C post

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC

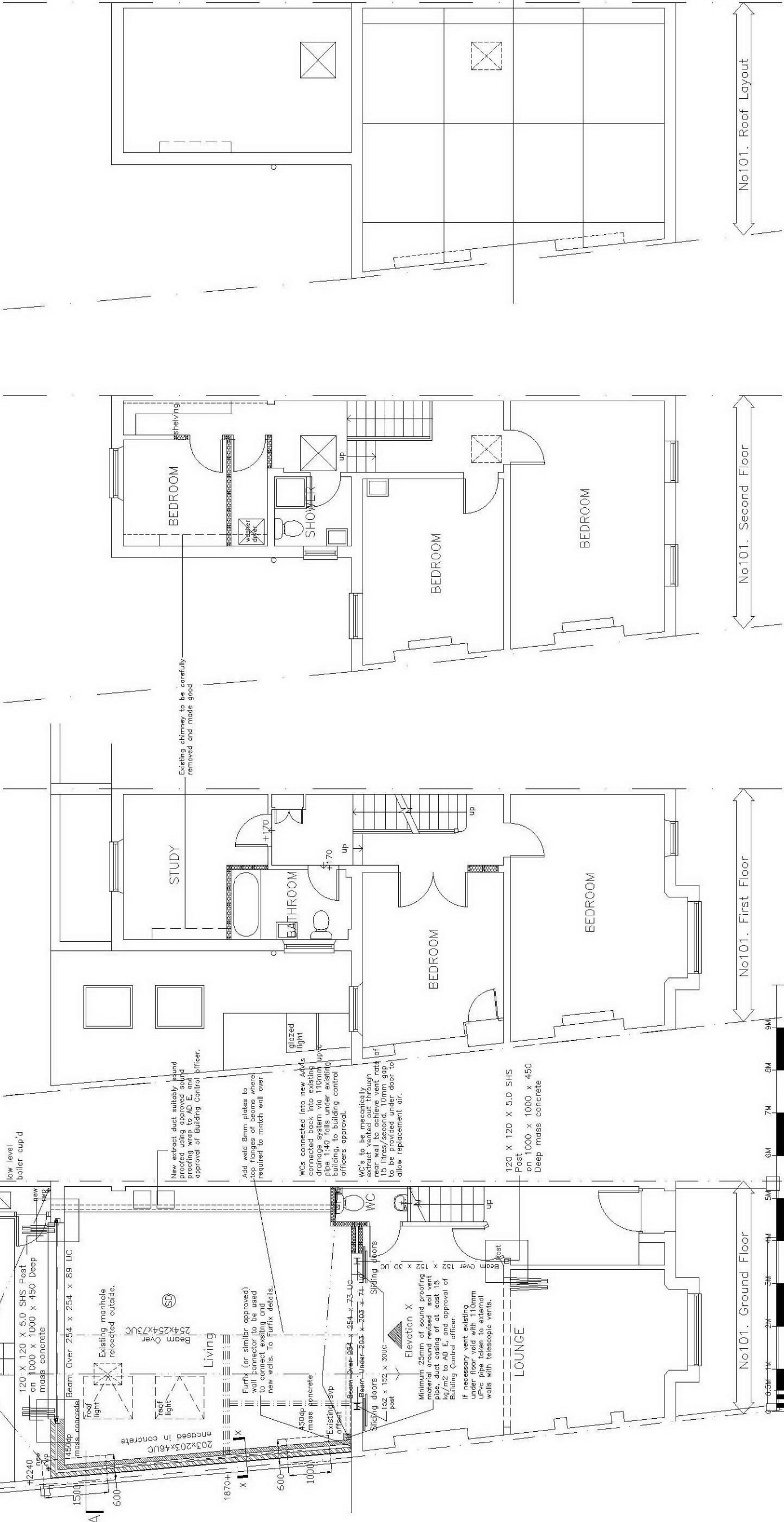
203 x 203 x 450C post

203 x 203 x 71 UC

203 x 203 x 450C post

203 x 203 x 71 UC


203 x 203 x 450C post



J 27.09.13 Extension revised  
H 17.04.13 Extension revised  
G 16.04.13 Gutter revised  
F 29.11.12 Structure updated  
E 17.07.12 Structure and layout revised  
D Oct 11 Structure revised  
C Jun 11 Notes added  
B Apr 11 Structure revised  
A Mar 11 Structure Added

Client:  
R Lasserson  
Project Title:  
101 Constantine Road  
London  
NW3 2LR

Drawing Title:  
Proposed Floor Plans  
Drawn:  
R Lasserson  
Scale:  
1:50 @ A1  
Date:  
28.01.2011  
Dwg No:  
CR.01.07 J  
HARTLEYS PROJECTS LTD  
PO BOX 43391  
London N6 1SZ 020 7704 8272



Dear Mr Freeney


Please find attached my reply, as the owner/occupier of 99 Constantine, regarding the planning applications by my neighbours at 101 Constantine Road.

In case Camden's systems cannot open an odt doc, I have also sent it in PDF format.

I am also sending in further emails the photos and other supporting evidence which I refer to in the letter.

With thanks for your attention in this matter.

Yours sincerely





Mr Fergus Freeney  
Regeneration and Planning  
Development Management  
L.B. Camden

Application ref: 2013/6391/P  
Associated ref: 2013/6304/P  
Date: 12 November 2013

Dear Mr Freeney

No.99 has two habitable rooms and a corridor wholly dependent on the ambient light from the alley. The rear study/dining room's window looks north down the alley; the laundry and ironing room (I do not have an automatic washer/drier so doing laundry means working in the room); and the laundry partition giving on to the passage to/from the kitchen retains the original glazing so that the corridor is lit during daylight hours.

This is not the first Planning Application submitted by Ms Lessiter and Mr Rossiter to build over the alley on their side of the boundary wall. Indeed, it is the 4<sup>th</sup> application and the 3<sup>rd</sup> Certificate of Lawfulness they have applied for. As a result of the "history", I have become vigilant regarding planning proposals from 101.

The first application, in 2009, was No.2009/0938/P. The officer who dealt with it, Katrina Christoforou, was able to visit No. 101 and took site and light measurements. The application was turned down on the grounds that, "The proposed ground floor rear extension, by reason of its location, height and depth, would result in a loss of daylight and outlook and increased sense of enclosure to the rear habitable room window of no.99 Constantine Road, to the detriment of the occupier's residential amenities, contrary to policy SD6 (Amenity for occupiers and neighbours) of the London Borough of Camden Replacement Unitary Development Plan".

The same plan was then submitted to Camden's Planning department for a Certificate of Lawfulness as Application No. 2009/3537/P. Planning Officer Rob Tulloch refused it.

The same plan was again submitted for a Certificate of Lawfulness as Application No. 2009/5932/P. Planning Officer Hugh Miller examined it this time, and refused it.

The second application for Planning Permission, in 2010, was No. 2010/1392/P. It seems from the record, the Planning Officer, Kristina Christoforou, was minded to grant permission.

This was overtaken by the third application, No.2010/3119/P. This was also assessed by Ms Christoforou and Planning Permission was granted. The permission was conditional on the development being carried out in accordance with the approved plans.

January to July 2011 was taken up with my neighbours' surveyor proposing a building plan which exceeded in its dimensions the plan for which planning permission had been granted. I had to keep

reiterating that I could not agree to building plans which did not conform with the Planning Permission that Camden had granted. Indeed, from January to mid-April 2011 I also had to push for agreement that I could appoint my own Party Wall Surveyor. Mid-April to mid-July 2011 was spent with my Party Wall Surveyor trying to get the Surveyor for 101 to agree plans that met Building Regulations.

By July 2011, we managed to get plans agreed which met Building Regulations. However, the new plans still exceeded the plans for which Planning Permission had been granted by Camden. I contacted Camden Planning Department and the officers advised that if what was now being proposed were proceeded with, they would take enforcement action; but that they could not act until demolition and building commenced, by which time the unwanted damage would have been done. They therefore recommended that I engage a Planning Solicitor. This I did. The resultant solicitor's letter which was sent to Mr Rossiter and Ms Lessiter, owners and occupiers of 101, was copied to Camden and should be on your files.

Following that letter, no external work was done in the alley at 101, though internal reconfiguration was carried out over several months.

In April 2013, Mr Rossiter asked my Party Wall Surveyor to act as his surveyor as they now wanted to proceed with the work permitted by Camden in 2010. The surveyor contacted me, and I agreed that he could be joint surveyor. Agreement was soon reached on the works to be done and throughout the summer and autumn I have been expecting the work to commence. In conversations over the back garden wall Mr Rossiter has repeatedly confirmed their intention to proceed. Neither he nor Ms Lessiter has ever mentioned the possibility of revised plans.

On the afternoon of Friday 18 October I received your notification of Planning Application 2013/6391/P. You confirmed in a phone call that this was a new application and that applications can now be viewed only on line.

I then called in on 101 Constantine saying that I had received a notification from Camden and that I thought we should talk. Ms Lessiter and Mr Rossiter said it was not convenient to them to talk then, and they have made no attempt to speak to me since.

I also contacted Stephen Stark, my/our mutually agreed surveyor to see if he was aware that a new planning application had been submitted for 101. He logged into your site, where he also found application No. 2013/6394/P. He also sent me all the email correspondence he had had with Mr Rossiter, Ms Lessiter and their Architect since he was appointed mutual party wall surveyor and agreement had, we thought, been reached in May.

Some of this correspondence is relevant to the plans.

The architect for 101, Simon, sent the surveyor on 9 October architectural drawings which were neither those which you have as 2013/6391/P nor 2013/6394/P but are a third set. I attach these to this letter.

The covering email from the architect reads: *"Further to our many emails, our clients have asked us to revise the drawings as attached. We have submitted a lawful use application for the 3.0m section near the house."*

And on 21 October our mutually agreed surveyor, Stephen Stark, emailed Mr Rossiter as follows:

*"It appears that your previous planning application 2010/3119/P has now lapsed."*

*I note that you have submitted two new planning applications 2013/6391P and 2013/6394/P. These bear no relation to the drawing which your Architect sent me on 9 October 2013 and which in respect of party wall matters you asked me to review. Please can you clarify matters to avoid my wasting time.*

Our Surveyor received an acknowledgement the same day from Mr Rossiter saying he would "find out what is going on" but has not received any further emails from him or the Architect since.

This leaves me perplexed as to how to respond to your consultation.

Application 2013/6394/P is identical in height and design, but not in length to 2009/0938/P, which was refused on grounds of loss of daylight and outlook and increased sense of enclosure to the rear habitable rooms of No.99. Likewise, it is identical in everything other than length to Applications 2009/3537/P and 2009/5932/P for Certificates of Lawfulness, which were also refused.

This application 2013/6394/P has now been submitted for a Certificate of Lawfulness to Camden as though it were the entire intended structure. As I understand it, in order to meet Lawfulness conditions, it must be the sole additional extension to the original structure. This is how it is being presented in what has been submitted to you. But it is only half of what is intended according to the plans sent to the surveyor, Stephen Stark, by the Architect, Simon. And the Architect has himself stated that this has been extracted from the total plan and submitted separately for a Certificate of Lawfulness.

I am confused as to whether this complies with the Lawfulness regulations. The Architect, Mr and Mrs Rossiter of 101, the surveyor and I as owner of 99 all know, because it has been written down, that application 2013/6394/P is an extract from a larger plan.

Separately, you have been asked to assess Application 2013/6391/P. Were this the only plan, I would regard it as a fairly satisfactory compromise. It will reduce the ambient light available to No.99 somewhat, but probably not greatly; it will reduce the outlook and increase the sense of enclosure for No.99, but again not as much as the 2009 plan; it is long but not too high. It also abuts but does not incorporate the boundary wall, which is also important. So, were this the only plan, I would probably adjudge it acceptable.

However, it is not the only plan. There is also 2013/6394/P and there is the plan sent to the surveyor, Stephen Stark, as the intended plan, which re-incorporates 2013/6394/P back into 2013/6391/P, as you will see from the plans sent to me which I am forwarding to you.

It goes without saying that if both 2013/6391/P and 2013/6394/P are both granted and then the neighbours at 101 try to build both according to their intended plan, the effect on the lighting and amenity for 99 would be considerable. I would suggest that it may be overdevelopment. The exterior facing 99 would certainly be bulky and high; it would deprive No.99 of light to the habitable rooms and the corridor; it would entail a loss of outlook; and it would considerably increase the sense of enclosure.

I am sending the following for your information along with this letter:

1. The three drawings sent by Hartleys Projects Ltd, on Mr Rossiter and Ms Lessiter's instructions, to the Party Wall Surveyor, referred to above;
2. My sketches showing the present situation for No.99, and the impact of the three schemes currently being proposed by my neighbours at 101;

3. A schedule of the photos which you requested;
4. The photos.
5. Copies of the emails.

I hope all these will be helpful in your considerations.

I appreciate your patience in reading this letter and attachments,

Yours sincerely

