

From: [REDACTED]
Sent: 04 September 2014 13:02
To: Planning
Subject: Application Ref: 2014/4713/P - 63 Upper Park Road, NW3 2UL
Importance: High

Please confirm receipt of our email below.

Can we also mention all the 'public posters' were removed with a few minutes of erection

Planning objection

We object to the current application on the following grounds

1. The applicant has submitted drawings and a design and access statement that do not correspond with one another, the D&A suggests the new structure will not be higher than the current fence which separates our lands; however the section drawing submitted with the application clearly shows the proposed structure considerably higher than the fence line. If this is so then this structure will have an adverse effect on our use of our dining area which we currently enjoy, further the reduction of natural light into our dining area will lead us to use more artificial lighting to return our room to the level of light we currently enjoy, which in turn will have an adverse effect on the environment.
2. We have seen no detail of the proposed structures foundation system and how those foundations will impact on our property.
3. The application suggests that the external walls of the new structure are to be brick built and finished externally with a sand and cement render, given the proposed location of the external walls, we fail to see how those walls can be built safely, and in line with good building practice without the applicant or his contractors gaining access onto our land to do so, such access is denied.
4. If the proposed development goes ahead, we can see no way the applicant can provide maintenance to his new structure without gaining access to our land, such access is denied and he would need to seek a court order to do so.

5. The position of the fencing separating our lands is currently in dispute, we believe the fence needs to be positioned further onto the applicant's land, and this would mean his proposed external wall and its foundations, may in whole or in part be built astride the legal boundary which without our consent (which will not be granted) such a structure will constitute a trespass.

6. Until we have received further clarification of 2-5 above we do not know whether the proposed works fall within the Party Wall etc Act 1996, if they do the building owner has a statutory duty to serve notices on us under the Act but he has not done so.

7. The applicant has already breached planning laws and other statutory regulations when re constructing his rear dormer window into a balcony, trespassing onto our neighbour's property at no 65 which he now retrospectively seeks approval for.

8. If the proposed development were to go ahead it would cause unnecessary inconvenience and disruption to our enjoyment of our land and property.

9. If the balcony retrospective application is approved, we would request that opaque glass balustrade is made a requirement.

Please confirm receipt of this email objection. Thanking you.

Yours faithfully

Alan Margolis - 61 Upper Park Road, NW3 2UL