

From: Ian Green
Sent: 14 October 2014 10:09
To: Nelson, Olivier
Cc: Nicholls, John
Subject: Planning Application: 2014/5725/P - Extension of existing basement level (retrospective)

Dear Mr Nelson

I am writing to lodge objections in respect of the above Planning Application:

1) **My Building**

I am the owner of one of the six apartments (Apartments A to F) at 45 Maresfield Gardens.

2) **Flats 1 and 2, 45 Maresfield Gardens**

a) Immediately adjoining my building and located between my building and the Danish Hostel (43 Maresfield Gardens) is a building known as Flats 1 and 2, 45 Maresfield Gardens.

Flat 1 is the lower flat in that building ("**Flat 1**") and Flat 2 is the upper flat in that building ("**Flat 2**").

b) The current planning application relates to works being carried out at Flat 1.

3) **Original Planning Application in respect of Flats 1 and 2, 45 Maresfield Gardens**

a) Flat 1 and Flat 2 were originally under the same ownership, with the owners occupying Flat 1 themselves and letting out Flat 2.

b) The owners of Flat 1 and Flat 2 then decided that they wanted to convert the two flats into a single dwelling house for their own occupation.

c) A planning application was originally submitted (2013/1071/P in March 2013) and granted to convert these two flats into a single dwelling house and to carry out works described as "associated alterations".

This planning application *did not* include any proposal either to extend the existing basement area (which covered only part of the floor plate of the building) or to deepen the existing basement area.

d) The owners of Flat 1 and Flat 2 then decided that they wanted to move out of London and they put Flat 1 and Flat 2 on the market for sale together, with the benefit of the planning permission to convert them into a single dwelling house.

4) Sale of Flat 1

- a) At some time around the end of last year or the beginning of this year and before any works were commenced on site, Flat 1 was sold off separately to Flat 2.
- b) The original owners of Flat 1 and Flat 2 retain the ownership of Flat 2.
- c) Flat 1 and Flat 2 are, therefore, now in separate ownership and have not been, and are not to be, converted into a single dwelling house.

5) Works at Flat 1

- a) Around the beginning of February of this year building works were commenced at Flat 1 by the new owners of Flat 1.
- b) In February, the owner of Apartment C in our building spoke to someone in the Planning Department of Camden and she was told that even though Flat 1 and Flat 2 were not to be converted into a single dwelling house, the new owners of Flat 1 could implement the planning permission referred to in paragraph 3 above insofar as it related to Flat 1.
- c) It then took us some time after the start of works to learn the nature and extent of the works being carried out at Flat 1.

In particular, we discovered that the works involved amongst other things:

- i) extending the basement area to the whole of the floor plate of the building and possibly beyond; and
- ii) substantially deepening the basement area.

We had no idea that such works were contemplated, as these did not form part of the original planning application referred to in paragraph 3(c) above.

6) Accident at Flat 1

- a) On 5 July there was a serious accident on site.

Part of the concrete structure of Flat 1 collapsed onto the legs of one of the workmen – one of his legs had to be amputated on site in order that they could get him out and take him to hospital.

- b) Prior to this accident, there appeared to be little or no Health & Safety compliance on site – e.g. no wearing of hard hats, no safety barriers etc.
- c) Following the accident, there appeared to be some superficial Health & Safety compliance, but the site was not shut down and the drilling and excavation work continued as before.

7) Planning Position

- a) The accident brought to the attention of the authorities, including the planning authority, what was happening on site.
- b) In August it was finally confirmed by the planning authority that planning permission was indeed required for the works, as we had argued and as the owners of Flat 1 had denied.
- c) Following this, two recent planning applications have been submitted:
 - i) **2014/5725/P (Application Registered 23 September)** – this is the subject of this present objection.

This refers to "Extension of existing basement level (retrospective)".

This is highly misleading because, as mentioned above, the works involve not only an extension to the area of the basement, but also a substantial deepening of the basement.

- ii) **2014/5724/P (Application Registered 29 September)** – this will be the subject of a separate objection.
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This refers to "Erection of a side extension at first-floor level, including rear alterations (retrospective)".

- d) Throughout all of this, the works on site have continued – the works have, therefore, continued without stoppage from the beginning of February to the present day.

8) **My Objections**

- a) The description of the basement works is highly misleading:

- i) The planning application refers to "Extension of existing basement level".

This is highly misleading because, as mentioned above, the works involve not only an extension to the area of the basement, but also a substantial deepening of the basement.

- ii) Part of the garden area beyond the floor plate of the building has also been dug out.

Prior to one of the Planning Officer's recent inspections, this area was filled in, only to be dug out again following the inspection.

Throughout this whole episode, we have been misled as to the nature and extent of the excavation works being carried out.

- b) I am extremely concerned that these excavation works might now or in the future affect the structural stability of our own building.

My concerns have been significantly increased following the occurrence of the accident referred to in paragraph 6 above, which involved the falling away of a substantial part of the concrete structure.

- i) I do not believe that there has been any proper assessment of the impact that these excavation works might have on our building.

- ii) I have no confidence that the excavation works have been carried out in a manner so as to ensure that there will be no impact on the structural stability of our building.

Regards

Ian Green



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