

**Application Number 2014/5254/P Flat C 15 West Heath Road London NW3 7UU**

(Excavation below rear garden to create new basement floor level, including installation of lightwell & glazed floor panel, and single storey glazed extension at rear ground floor level).

**Response of Robin Makin, Flat B, 15 West Heath Road, London, NW3 7SF (adjacent property) to application 2014/5254/P (Flat C 15 West Heath Road)**

(A) Overall position

1. Whilst there is no objection in principle to the development of Flat 15 C there are the following issues that need to be addressed before any grant of planning permission. A slightly revised scheme (satisfying the concerns raised) would seem to be the appropriate way forward.

(B) Curtilage

2. The ownership curtilage, shown on the drawings, shows the line of existing site features, but this does not appear to reflect the land boundaries. A plan of the original site layout as built is attached.

3. There are areas of the basement scheme that appear to encroach on the land of 15B and there is no agreement to this. Accordingly, unless and until agreement is reached with regard to the encroachment on my land (or, alternatively, the scheme is modified so as to be entirely within the curtilage of 15 C) I object to the application.

4. As far as I am aware there is no agreement to the encroachment on any common parts (of which I as the owner of 15B have an interest). The objection in point 4 is repeated *mutatis mutandis*

5. Plan 14-024-02A sheet 5 of 6 (the part roof plan) shows a different garden plan than that shown on 14-024-02A sheet 1 of 6, it is therefore unclear which scheme is intended to be implemented.

(C) Roof design

6. It is suggested that the roof design be modified and instead of the current proposal there should be a modification to a 'green roof'. This would mitigate the concern (albeit not a valid planning objection) about the view [Email from Mr Hart of 29<sup>th</sup> September 2014 21:45]

(D) Trees on 15 B

7. There are 2 mature trees at 15 B which are on the boundary with 15 C. One is a conifer and the other is a lovely apple tree. The proposed work would destroy these trees. They could not be re-instated.

8. The tree report submitted with the application does not appear to address the issue of these trees.

9. As pointed out in the response of John Weston for Redington/Frognaal CAAC (10<sup>th</sup> September 2014) the garden area of flat 15 C is already hard landscape, the proposed excavation under it any possibility of future regaining of soft landscaping. Whilst I do not object to the garden area of flat 15 C being hard

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landscaped I am concerned that the underlying basement extension will adversely impact on my soft landscaping and, in particular, my trees adjacent to the boundary. This concern will need to be addressed and resolved with my neighbour before permission is granted.

(E) Drainage issues and flooding

10. There has been some concern expressed by other owners regarding flooding and the drainage implications.

11. It is my understanding that there is no objection (from other neighbours) to the application on the basis of the drainage issues but that there needs some further or fuller consideration. I adopt this stance.

12. I have a great interest in ensuring that this issue is adequately addressed. From the response of Mr and Mrs Joseph it appears that, prior to my ownership, there was a major flooding insurance claim relating to Flat 15B.

13. It appears that Flat C has enveloped the common passageway adjacent to 17 West Heath Road [This is relevant to point 5 above] and the high level hard construction in this area may have impacted upon drainage which had previously been able to flow along the common passageway.

14. With concern about the proposed retaining wall having been expressed by Mr and Mrs Joseph in this area it may be prudent to consider the specific issue of drainage from 17 West Heath Road and formulate a solution which will allow for it along the common passageway of 15 West Heath Road adjacent to it.

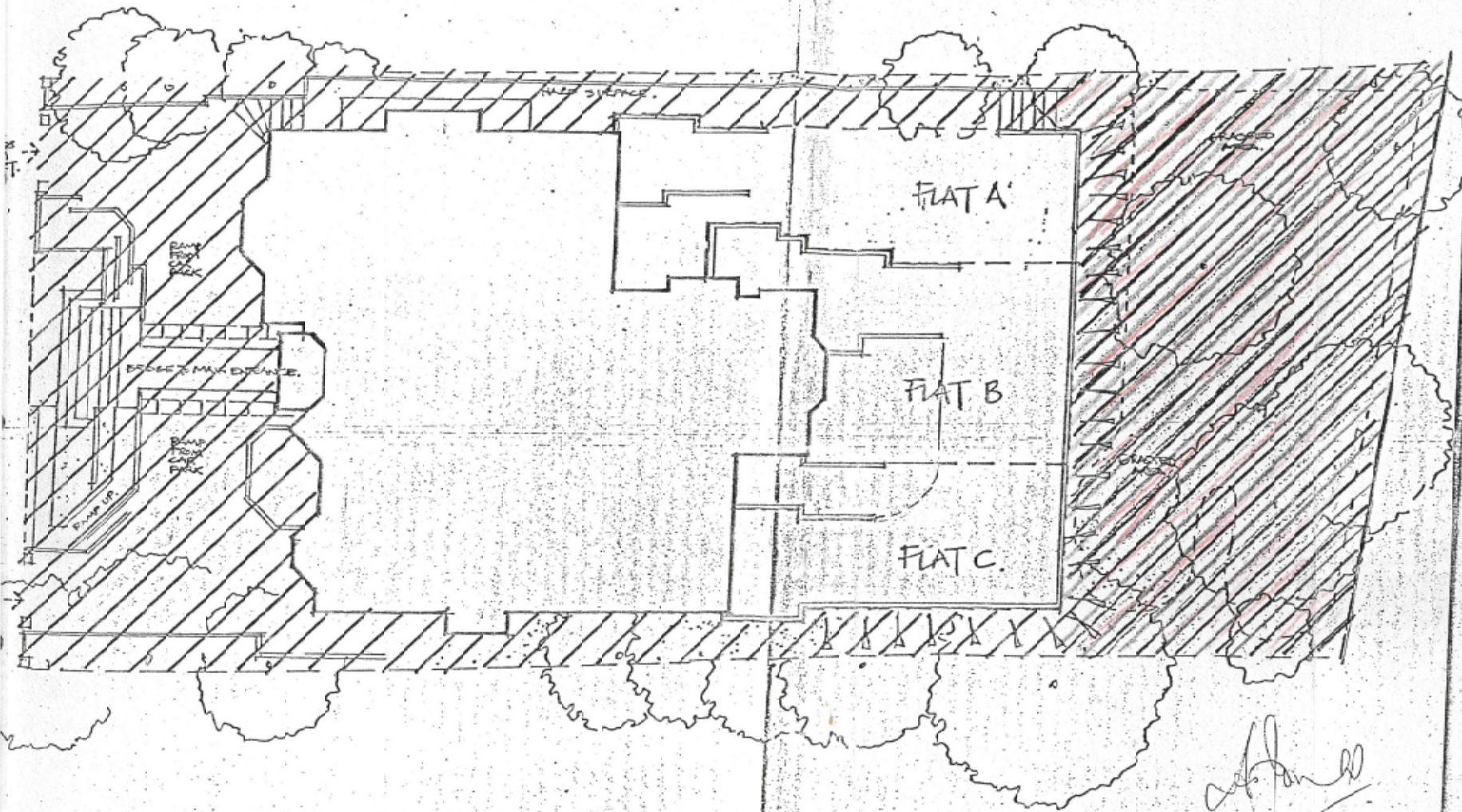
15. If suitable drainage is achieved so as to avoid flooding then I do not object.

**Robin Makin**  
**5<sup>th</sup> October 2014**

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*See and Measure*

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Project  
15. WEST HEATH. RD. NW3.

Drawing  
SITE LAYOUT AS BUILT.

Date  
NOVEMBER 1986.

**Hough + August Partnership.** Architects + Design Consultants  
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