

**3 Hilltop Road
London NW6 2QA**



Ms Jenna Litherland
Camden Regeneration and Planning Department
Town Hall
Judd Street
WC1H 8ND

7 March 2015

Dear Ms Litherland,

The Further Revisions of the Applications for Certificates of Permitted Development at Nos 5 and 7 Hilltop Road by Mr N. Golesorkhi:

Applications Nos 2013/7792/P and 2013/7801/P

I wish to object to the revised applications submitted by Mr Golesorkhi and which have just been notified.

Please note that, so far as I am aware and notwithstanding the letters sent out to those who have previously objected to the original applications, there is no statutory period which applies to objections in relation to revisions to Applications, which have been revised because of valid objections first time around.

These revised applications should be refused by Camden Council.

As a preliminary, there must, surely, come a time when the Council refuses any longer to accept applications by Mr Golesorkhi for extensions at Nos 5 and 7 Hilltop Road. The point has been repeatedly made by me and by a number of our neighbours. Over the last several years, we and all our neighbours, who overlook the large 19th century garden enclave at the rear of our homes, have had to face a stream of applications by Mr Golesorkhi, all of which have been refused and one of which led to enforcement action against him requiring him to demolish his half-built extensions which breached numerous of the Conditions for permitted development under Schedule 2 (as substituted by the 2008 Order).

The revisions to Mr Golesorkhi's 2013 Applications should also now be refused and Camden should refuse to accept any more such applications from him.

The new revised Applications and plans do not comply with the statutory conditions for Permitted Development in relation to Nos. 5 and 7 Hilltop Road.

No. 5 Hilltop Road:

Mr Golesorkhi is a very experienced property developer. He has, however, chosen apparently not to alert your department to the fact that **as of 5 June 2014** he has converted No. 5 into 2 flats:

- (I) a ground and 1st floor maisonette and
- (II) a 2nd floor flat

(Camden Council tax reference nos 5174006 and 5174065).

That means that any proposed development at No. 5 cannot, as a matter of law, now be a permitted development under Schedule 2 of the relevant statutory order. The 1995 Order and the amending 2008 Order exclude from the definition of "dwellinghouse" any building which contains one of more flats (para 1 (definitions) of the 1995 Order).

In addition, the newly revised plans show that the extension at No. 5 is supposedly being added onto the rear of an existing, shallow extension. But I believe that the plans, which have been submitted, may exaggerate how deep that existing extension really is : the only people who can - and should - check are Camden's Planning Department. (The depth of the existing shallow extension is shown as being 2.0 metres, so far as I can judge from the small scale drawings which have been submitted.) If the position of the rear wall has been exaggerated, the effect is, of course, to propose a new extension which would be deeper than the permitted depth of 4 metres from the existing (actual) rear wall.

Furthermore, the revised plans do not properly show what is to happen to the remainder of the existing shallow extension and how they are to be joined together. This is an important set of details to be notified by an applicant for such a Certificate before the planning authority could properly consider any such application for a certificate of permitted development.

Further, the revised drawings still do not show where relevant chimneys, pipes and flues are for the purpose of complying with Condition A1(i)(i). Again, these details are self-evidently relevant before any Certificate could properly be issued by a planning authority.

No 7 Hilltop Road:

Mr Golesorkhi is applying for two side and rear extensions, one seemingly of each side of the existing shallow extension at the rear of No. 7.

Once again, I am very concerned that the applicant may be exaggerating the depth of the existing shallow rear extension (the revised application plans, which are very small scale, show a purported depth of some 2.75 metres). If so, then what is really going on will be:

- a. The construction of a new rear extension built on to the back of the existing shallow rear extension;
- b. The construction of 2 X rear and side extensions, one on either side of the new rear extension;
- c. The effect is to create a large new rear extension running right across the full width of the house, when the maximum permitted width of any such extension must not exceed half of the width of the house (Condition A.1(h)).

The revised plans are also unclear as to what is to happen to the existing rear extension which has 2 side wall and a rear wall. The plan shows that one side wall and the rear wall are both going to be removed. That means, I believe, that the whole of the existing rear extension is going to be demolished. It follows that anything which is added/built above, and as part of, the new extension(s) would :

- (a) create a new (impermissible) rear extension with 2 storeys;
- (b) the new rear extension would extend beyond 3 metres from the rear wall of the dwellinghouse at every point (offending against Condition A1(f)) and
- (c) the new extension involve the construction of a veranda, balcony or raised platform (offending against Condition A.1(i)(i)).

The revised drawings also, again, do not show where relevant chimneys, pipes and flues are for the purpose of satisfying Condition A1(i)(iii). These are highly relevant details for the planning authority to know before it could properly grant any Certificate.

So far as I can judge, the new extension(s) will involve the alteration or replacement of (at least) a soil and vent pipe. One cannot be certain because no chimneys, pipes and flues are shown on the revised drawings, as they ought to have been.

Finally, a proper caution, flowing from the previous history of this owner/developer at these two properties, suggests that it is imperative for Camden not to give Certificate of Permitted Development to Mr Golesorkhi in the above circumstances. Otherwise the Council is at risk of issuing a Certificate of Permitted Development to him - as it did before - for what may, in fact, turn out to be non-permitted development.

Yours sincerely,



Stephen Nathan QC.

Dike, Darlene

From: Nick Grierson [REDACTED]
Sent: 09 March 2015 09:30
To: Planning
Cc: [REDACTED]
Subject: Applications Nos 2013/7792/P and 2013/7801/P

FAO Ms Jenna Litherland

I wish to object to these applications on the following grounds:

Number 5

- i. Mr G. is applying for a certificate for a rear extension.
- ii. As of June 2014 Mr G. has converted No. 5 into 2 flats, ground and 1st floor flat and 2nd floor flat.
- iii. That means that the application for a Certificate ought to be rejected by Camden, since the Permitted Development for rear extensions does not apply in law to any building consisting of one or more flats.

In addition, the plans show that the extension is supposed to be added onto an existing fairly shallow extension, the plans may exaggerate how deep that existing extension really is: the only people who can - and should - check are Camden's Planning Department. (The existing shallow extension is shown as being 2.00 m, so far as we can judge.) If the position of the rear wall has been exaggerated, the effect is to create a new extension which would be deeper than the permitted depth of 4 metres from the existing (actual) rear wall.

No 7:

- i. The application is for two side and rear extensions, one of each side of the existing shallow extension at the rear of No. 7.
- ii. This is still a single unit house. So, the regulations for Permitted Development could apply.
- iii. But once again, there appears to be exaggeration of the depth of the existing shallow rear extension (the application plans show 2.75 metres). If so, then what the applicant is really doing will be to create:
 - a. A new rear extension onto the existing shallow one;
 - b. 2 rear and side extensions on either side of the rear extension.
 - c. The effect is to create a large new rear extension across the full width of the house, when the maximum permitted extension must not exceed ½ the width of the house (Condition A.1(h)).

iv. The proposed plan is also unclear as to what happens to the existing rear extension which has 2 side wall and a rear wall. The plan shows that one side wall and the rear wall are both being removed. That means that the whole of existing rear extension is going to be demolished. It follows that anything which is added/built above the new extensions would (a) create a rear extension with 2 storeys, and extend beyond 3 metres from the rear wall at every point (offending against Condition A1(f)) and (b) involve the construction of a veranda, balcony or raised platform (offending against Condition A.1(i)(i)).

v. In any event, the new extensions will involve the alteration or replacement of a soil and vent pipe, which are not shown on the application plans (offending against Condition A1(i)(iii)).

Yours Sincerely

R.N.Grierson

Local resident

6 Cavendish Mansions, Mill Lane, NW6 1TE