

35 REDINGTON ROAD, HAMPSTEAD, LONDON NW3 7QY

BY E-MAIL AND 1ST CLASS POST

Mr Raymond Yeung
Planning Officer
Regeneration and Planning
Development Management
London Borough of Camden
Town Hall Judd Street
London WC1H 8ND

21st December 2015

by email & post

Dear Mr Yeung

Re: Application 2015/6155/P – Errection of rear conservatory to the ground floor flat Garden Flat 33 Redington Road NW3 7QY (33RR).

We acknowledge receipt of Mr. Sussman's planning application 2015/6155/P dated 1.12.2015 which was delivered on Friday 4.12.2015, a copy of which is hereby enclosed for ease of reference.

In order to avoid any misunderstanding or ambiguity please be advised as follows :-

Camden's PLANNING APPLICATION CONSULTATION Form dated 01.12.2015 is incorrect, and incomplete.

Mr & Mrs Sussman, the applicants, are owners of the garden flat at 33RR and not the ground floor flat, nor the lower ground floor flat. The Land Registry enters

Mr & Mrs Sussman's flat as garden flat.

Mr & Mrs Phillips are the owners of Flat A the ground floor flat. This is not Mr & Mrs Phillips' application.

An incorrect reference to the ground floor flat (Mr & Mrs Phillips flat) is entered under The Proposed Work and in the various drawings.

The correct reference to Mr Sussman's application should be as follows:-

Erection of single storey rear conservatory to the garden floor flat, AND NOT TO the ground floor flat nor lower ground floor flat belonging to Mr & Mrs Phillips as erroneously entered.

The large white empty oblongs shown in both drawings, "Existing part Ground Floor Plan" and "Existing and Proposed Lower Ground Floor" copies of which are hereby enclosed, are incorrect as they show Mr Sussman's kitchen and proposed conservatory in the garden flat. Both omits the existence of the basement, the stairs, and two basement bedrooms which are an integral part of Mr Sussman's garden flat.

The Owner Certificate Form, (Development Management Procedure) (England) Order 2015 Certificate under Article 14 dated 27.11.2015, a copy of which is hereby enclosed, omits entered information under two blackened oblongs. The Certificate omits the entry of service dates as well as confirmation that the requisite notice has been served on Ledgerite Limited (Co. Regn.No 3564420) of 16 Finchley Road, St John's Wood London NW8 6EB, the owner / leaseholder of Flat B 33RR.

We are surprised that Camden considered Mr Sussman application accurate and suitable for circulation. We therefore hereby request that Camden Regeneration and Planning Development Management kindly submit a new, correct, and complete PLANNING APPLICATION CONSULTATION FORM.

Doubling the size of Mr Sussman's kitchen conservatory application is phase 2 of a substantial development of the garden / basement flat at 33RR. Phase 1 of the development is the on-going excavations, digging of Mr Sussman's basement, and 16 metre deep underpinning foundations of the four storey building. Although the overall increase in size and value of the flat is clear development, a planning application has not been submitted to Camden.

As entered above the drawings provided with this application are incomplete and omit the existence of the basement, stairs, and two bedrooms, which are all an integral part of the garden flat. Also omitted is any mention of the substantial structural work undertaken there.

Enclosed please find M & D Foundation and Building Services Ltd proposed foundation / underpinning drawing for the basement of the four storey building. We are told that the 12.5 metre deep underpinning excavations have been increased to a 16 metre depth. This development is wrongly implied to be a case of underpinning to remedy subsidence damage allegedly caused by trees at 35RR.

It stretches credulity to its limit to ignore the effect of the original steep layout of the garden at 33RR, and historic building schemes which have caused self-inflicted damage there. The excavations and construction of the sun-loggia next to the building in the 1970s, the movement, cracking, subsidence insurance claim(s) and demolition of the sun loggia in the 1980s, and weight and pressure of tons of earth piled against the building to facilitate access from Flat A in the floor above to a raised topography changed garden and terrace in 1997 – 1998 are all responsible for self inflicted damage at 33RR.

Camden granted retrospective planning permission in 1999 to the scheme devised by Mr & Mrs Phillips the owners of Flat A against strong opposition from The Heath and Hampstead Society, Hampstead Conservation Area, Camden environment Department Development Control, chartered surveyors, an architect, and immediate neighbours. A copy of planning application PW9702742, planning application PW9802856 case file E5/14/02 dated 20.11.1998, planning application PW9902265 case file E5/14/02 dated 12.4.1998, and planning permission PW9802856 dated 11.3.1999 are hereby enclosed. Planning Permission PW9802856 was granted subject to 3 conditions to retain and protect our trees from damage. Messrs Sussman and Phillips ignore Camden's conditions, spuriously claim subsidence damage by the very same trees, and under threat of litigation demand that they be felled.

The present development should be seen for what it is - development under the guise of damage allegedly caused at 33RR by trees at 35RR, digging up the basement under the guise of subsidence, and underpinning the basement of the large four storey building under the guise of an insurance claim.

The extension of the kitchen will give rise to further future development above the conservatory. A construction of a large new balcony for Flat A which it sought to construct in 2012 when Camden refused Mr & Mrs Phillips planning application ref:2011/3315/P associated ref:2011/4546/P dated 9.5.2012. A copy of application ref:2011/3315/P to replace their small balcony and create a much larger one is hereby enclosed. Camden's reference to Mr & Mrs Phillips ground floor flat in its ambiguous Planning Application Consultation, and Mr. Sussman's references in drawings to ground floor and lower ground floor flats are indications of things to come.

In view of the above phase one of this development should be subject to a proper retrospective planning application. We are looking to Camden to forward a new correct Planning Application Consultation.

We most strongly object to Mr Sussman's application and development at 33RR which is the precursor of further development, and a large balcony in Mr & Mrs Phillips flat.

Yours sincerely,



Dr. E. D Lehmann

Mrs. T. Lehman

List of Enclosed Documents:-

1. Planning application 2015/6155/P dated 1.12.2015 & drawing.
2. Certificate Form, (Development Management Procedure) (England) Order 2015 Certificate under Article 14 dated 27.11.2015
3. M & D Foundation and Building Services Ltd - drawing proposed foundation and underpinning the basement garden flat.
4. Planning application PW9702742, planning application PW9802856 case file E5/14/02 dated 20.11.1998.
5. Planning application PW9902265 case file E5/14/02 dated 12.4.1998.
6. Planning permission PW9802856 dated 11.3.1999.
7. Planning application ref:2011/3315/P associated ref:2011/4546/P dated 9.5.2012.

