

Application No:	Consultees Name:	Consultees Addr:	Received:	Comment:	Response:
2016/0805/L	Renos Booth	20 New End London NW3 1JA	07/03/2016 19:16:29	OBJ	<p>Despite raising concerns directly with Mr Fawkes during early construction and also highlighting the fact that he needed to obtain a planning consent and listed building consent he continued to develop the existing structure and also cut in to the neighbouring property at no.5 Flask Walk. The quality of workmanship was poor and dangerous as highlighted by our surveyor. It has also resulted in water damage to the neighbouring property where who has removed the guttering. Our surveyor has also highlighted the following issues:</p> <ol style="list-style-type: none"> <li>1. The timber framed external wall structure to the construction built by the owner to No. 3 Flask Walk at first floor storey level is a trespass. This extends beyond the centre line to the party wall and further overlaps the wall surface on the No. 5 side of the party wall.</li> <li>2. The construction of a new timber framed wall above the existing party parapet required the service of Notice under Section 3 of the Party Wall Etc. Act 1996 (hereafter referred to as the "Act". I am advised that no Notice was served.</li> <li>3. The construction of a timber framed vertical extension to the party wall would not be acceptable as this prevents the owner to No. 5 Flask Walk and successors in title to the same from undertaking vertical extension to the property in the same location. Any vertical extension to the party wall should have been built from masonry for the purpose of preserving future rights to the current and future owners of No. 5 Flask Walk and for the purpose of providing adequate fire separation between the properties compliant with Building Regulation standards. The construction as built does not comply with the requirements of Building Regulations.</li> <li>4. At the base of the timber framed wall enclosing the extension to No. 3 Flask Walk, the structure above the ground floor commercial unit toilet to No. 5 Flask Walk is exposed. There is no fire stopping or fire barrier provided at this junction and accordingly there is a risk of significant fire spread between No's 3 and 5 Flask Walk. I consider this to be particularly relevant given that No. 3 Flask Walk is currently used as a second-hand book shop. The large quantity of paper to the interior of No. 3 Flask Walk is highly inflammable and constitutes a significant fire risk.</li> <li>5. The external roof finishes above the ground floor commercial unit W.C. have been damaged as a direct consequence of the works carried out to No. 3 Flask Walk.</li> <li>6. I am instructed that the works are being carried out without the benefit of either Planning Permission or Listed Building Consent and that this issue has been brought to the attention of the Camden Council Planning Department Enforcement Officer.</li> <li>7. I am instructed that during the course of the construction, the owner to No. 3 Flask Walk removed an air conditioning condenser unit serving No. 5 Flask Walk positioned on the flat roof surface to No. 3 Flask Walk by the tenant to No. 5 Flask Walk. Whilst it is understood that it is accepted that this had been incorrectly positioned, the owner to No. 3 Flask Walk severed the service connections to the air conditioning condenser and in so doing caused the release of CFC gas into the atmosphere without implementing a "de-gassing" procedure. This is unlawful and may be the subject of a statutory fine. I am unable to comment as to whether the air-conditioning condenser has been damaged by this activity.</li> </ol>

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8. The party wall has been enclosed upon by the new extension to No. 3, and entitles the owner to No. 5 to seek a contribution towards the party wall's construction under Section 11 (11) of the Act.

9. I am advised that the gulley gutter at the base of the mansard to No. 3 becomes overloaded with rainwater which floods into No. 5 during heavy rain. I consider this is consequential to the new unauthorised construction.

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