

Ms Anne De Bruyker  
69 Harmer Green Lane  
Welwyn  
Hertfordshire  
AL6 0EH

For the attention of Ms E Whittredge  
Camden Council  
Development Management  
Camden Town Hall Extension  
Argyle Street  
London  
WC1H 8EQ

29<sup>th</sup> January 2018

Dear Ms Whittredge

Re: 120 Drummond Street  
Application Number: 2017/5019/P

Quite by chance, it has come to my attention that Mr Shemsi Shaqiri has made a planning application in respect of the above premises.

I note from his planning application he has certified, under section 25, certificate B, that he has notified all interested parties, freeholders and leaseholders, yet he has only listed Camden Council on his application.

I write to advise you, I am the leaseholder of 120A Drummond Street, the residential premises directly above 120, for which I hold a 125 year lease, with approximately 90 years unexpired; and accordingly should have been notified by Mr Shaqiri of his application, which he has failed to do.

Therefore, I have not been formally notified or afforded the consultation period I am fully entitled to.

Mr Shaqiri is fully aware of my interest in this property and I can only assume this omission was deliberate.

Under these circumstances, I believe this application is invalid.

I look forward to hearing from you.

Yours sincerely

Ms Anne De Bruyker

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Welwyn  
Hertfordshire  
AL6 0EH

For the attention of: Ms E Whittredge  
Camden Council  
Development Management  
Camden Town Hall Extension  
Argyle Street  
London  
WC1H 8EQ

15<sup>th</sup> February 2018

Dear Ms Whittredge

Re: 120 Drummond Street  
Planning Application Number: 2017/5019/P

I write further to my letter of 29<sup>th</sup> January 2018, regarding the above property and the planning application made by Mr Shemsi Shaqiri.

As you know, I hold a 125 year lease, with approximately 90 years unexpired, on the residential property above the sandwich bar/café at 120 Drummond Street.

Mr Shaqiri had a statutory obligation, which he failed to carry out, to advise both Camden Council as Freeholder, and myself as Leaseholder, of his planning application. He was fully aware of this obligation, having certified, under section 25, certificate B of his planning application, that he had notified all interested parties.

My agent, Antony Nagle, met with Mr Shaqiri at the premises on Tuesday 13<sup>th</sup> February 2018 to discuss his application. He confirmed to Mr Nagle that he has not notified Camden Council, as Freeholders, of his planning application. Under these circumstances, I believe this application to be invalid.

Having notified you on 29<sup>th</sup> January 2018 that I had not been served notice by Mr Shaqiri of his application, *copy letter attached*, Mr Shaqiri served me notice on 30<sup>th</sup> January 2018, *copy notice attached*. However, his notice gives an incorrect date for making representations, 02/02/2018, and does not take into account that I was not notified until 30<sup>th</sup> January 2018. Furthermore, his application does not include works detailed on the drawings accompanying his application. Therefore, the plans and application are inconsistent.

The planning application notice served on me, seeks permission for the “*installation of open steps and railings and opening up of existing covered light well.*” Whereas the application for planning permission served on Camden Council Development Management states “*open sters on front of coffee shop.*” (Obviously a spelling error).

The existing drawings, (*floor plans*) do not show the works already carried out by Mr Shaqiri to the basement rear yard, or the extension he has built at ground floor level to his restaurant, therefore the drawings do not show the existing ground floor and basement layout accurately. These works were all carried out without Planning Permission, Landlords Consent, Building Regulations or consultation with the Fire Department regarding Means of Escape and Fire Prevention. Additionally, no formal agreement has been reached with me regarding the works he has carried out, or his occupation of the rear yard, which I have a right of access to and the use of.

Mr Shaqiri has taken occupation of this area, built a spiral staircase to his unauthorised rear extension and created a store room beneath it. He has also placed a notice on the door in the hallway, leading to the basement stating, “*Private Property Authorized Personnel Only Trespassers will be prosecuted*” (photograph attached.) His actions are to deprive me of my rights of access to and use of the rear yard.

With regard to the drawings, the *existing* section A-A do show the rear extension, with a fabric awning, which is not the case; it is a corrugated plastic roof. The proposed section A-A shows “*New timber flat roof with felt layers to be re-instated. Previous flat roof destroyed by fire.*” I can confirm that there has not been a flat roof over this area since my occupation in 1994, and I have no knowledge of there ever being a flat roof covering the yard.

Additionally, the *proposed* section A-A shows the front basement room as a bedroom, whereas the floor plans show this area as a storage room. I believe it is Mr Shaqiri’s intention to use this area for residential purposes. My agent has discussed this matter with Mr Shaqiri in the past, as we have suspected for some time that people are living in the basement, which Mr Shaqiri has denied.

We understand that Mr Shaqiri’s lease allows for the property to be used for an A1 use class, including a coffee shop/café. However it is clear that the property is being used as a restaurant, A3 use, with hot food being cooked and consumed on the premises. The cooking smells, which are not adequately ventilated, permeate throughout the building and the noise level in the rear extension is unacceptable. Thus depriving me of the quiet enjoyment I am entitled to under my lease.

Finally, the unauthorised works carried out are without regard to any fire precautions, and must therefore have an impact on the insurance, as this property in its present configuration is quite likely to be a fire hazard.

Please accept this letter as my letter of objection, to Mr Shaqiri’s application.

1. The application is invalid, as notices were not served on the interested parties in accordance with article 13 and 14, of the Town and Country Planning (Development Management) Procedure Order 2015, and in particular Section 65 (5) of the Town and Country Act 1990.
2. The application is invalid as the application and the drawings are inconsistent.
3. The property should cease trading as a restaurant, which requires an A3 Use class, and returned to its authorised use of A1.
4. The unauthorised extension to the basement and ground floor should be removed, and the property reinstated to its original layout.
5. Any planning applications should not be considered until such time as the above matters are addresses.

I look forward to hearing from you.

Yours sincerely

Ms Anne de Bruyker

Agent for Ms de Bruyker: Antony Nagle Email: [REDACTED] Mobile: [REDACTED]

PRIVATE  
PROPERTY  
AUTHORIZED  
PERSONNEL ONLY  
TRESPASSERS WILL  
BE PROSECUTED

The Town and Country Planning (Development Management Procedure) (England) Order 2015  
Notice Under Article 13

**NOTICE UNDER ARTICLE 13 OF APPLICATION FOR  
PLANNING PERMISSION FOR HOUSEHOLDER DEVELOPMENT**

**This notice is to be printed and served on individuals prior to completing Certificate B or C.**  
(to be published in a newspaper and, where relevant, on a website or to be served on  
an owner\* or a tenant\*\* in the case of an application for planning permission)

**Proposed development at:**

Property number or name	120
Street	Drummond street
Locality	
Town	Euston
County	UK
Postcode	NW1 2HN

**I give notice that:**

Applicant's name	Title	Mr	Forename	Shemsi
	Surname	Shaqiri		
		camden		
				Council

**for planning permission to:** (Description of proposed development)

Installation of open steps and railings and opening up of existing covered lightwell

**Any owner\* or tenant\*\* who wishes to make representations about this application should write to the Council at:**

(Address of the Council as appropriate)

Regeneration and Planning Supporting Communities  
London Borough of Camden  
2nd Floor  
5 Pancras Square  
SPS  
London N1C 4AG

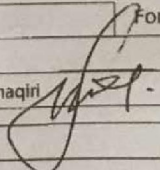
**by:** 02/02/2018 (dd-mm-yyyy) Date giving a period of 21 days beginning with the date of service, or 14 days beginning with the date of publication, of the notice (as the case may be)

In the event that an appeal is made against a decision of the Council to refuse to grant planning permission for the proposed development, and that appeal then proceeds by way of the expedited procedure under the written representations procedure, any representations made by the owner\* or tenant\*\* to the Council about this application will be passed to the Secretary of State and there will be no opportunity to make further representations. Any owner or tenant wishing to make representations should do so at the earliest opportunity.

\* "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years.

\*\* "tenant" means a tenant of an agricultural holding any part of which is comprised in the land.

**Signed:**

Title	Mr	Forename	Shemsi
Surname	Shaqiri		
Signature	shemsi shaqiri 		

**On behalf of** Cafe Nora Limited **Date (dd-mm-yyyy)** 29/01/2018  
(Delete if not applicable)

**Statement of owners' rights**

The grant of planning permission does not affect owners' rights to retain or dispose of their property unless there is some provision to the contrary in an agreement or in a lease.

**Statement of agricultural tenants' rights**

The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

"Householder development" means development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse. It does not include a change of use or a change to the number of dwellings in a building.