

Application No:	Consultees Name:	Received:	Comment:	Response:
2018/1262/P	Theodoros Primerakis	06/06/2018 09:53:21	OBJ	<p>This application regarding “Development type: Commercial – Minor Alterations – Relocation of plant and kitchen extract system” is deficient because it mentions only a small part of an unauthorised refurbishment project which includes:</p> <ul style="list-style-type: none"> • Change of layout of ground floor and basement, involving new electricity and plumbing installations. • The kitchen has been relocated from the ground floor to the basement. • Toilets have been relocated. • A lot of structural alterations <ul style="list-style-type: none"> o Including among others: new staircase from ground floor to basement, removal of a chimney breast in the ground floor, extended excavations in the basement, installation of new steel beams on the floor and ceiling of the ground floor, new roof light (8x2m) on the ground floor ceiling causing noise and lack of privacy. o And causing extensive damages in our flat: cracks of walls and tiles, inclination of the floors which even opened and changed in an effort to be repaired proved irreparable. • Installation of new ventilation equipment involving relocation of the extract system from a place distanced about 8m from the wall of our flat at a place distanced less than 0.5m from the wall, just below the windows of our kitchen/dining and bedroom, resulting in high levels of noise, vibration and air pollution (fume emissions) affecting our health and quality of life. In addition to that, the installation of the extract system in such a place prevents us from accessing the rear wall of our flat in order to maintenance it or to unblock the rainwater pipes when necessary. <p>This is an obvious case of Deliberate Concealment and breach of planning and building control legislation where someone purposefully failed to take actions to remedy and as the planning portal states: “Without a planning system everyone could construct buildings or use land in any way they wanted, no matter what effect this would have on other people who live and work in their area”.</p> <p>All the above unauthorised works have been carried out from Oct 2016 to Jun 2017.</p> <p>On 25th May 2017 we served to the owner of the restaurant a notice stating among others: “We have repeatedly asked you for copies of any statutory approvals for the works you carried out including Building Control approval, but until now we have not received any reply regarding this. Neither have we been notified prior to commencement of the works in accordance to the Party Wall Act 1996. We therefore deem that the works have not been carried out in accordance to current legislation.”</p> <p>The proposed (retrospective) application must be refused for the following reasons:</p> <ol style="list-style-type: none"> 1. The relevant documents supporting this application fail to describe the real situation concealing the real facts: <ul style="list-style-type: none"> • The Design and Access Statement states that: “this change was carried out following discussions with the residential neighbours in the first floor flat”, but does not state that the neighbours have ever agreed with this, thus the notice served. • The plans provided (pre-existing and existing) are insufficient and deliberately don’t include all the information about the works which have been carried out following the renovation. 2. The application fails to comply with the requirements of Camden Development Policy DP24. Securing high quality design (.....seeking to ensure that Camden’s places and buildings are attractive, safe, healthy and easy to use), stating (among others): <ul style="list-style-type: none"> • Appropriate location for building services equipment • Accessibility 3. The application fails to comply with the requirements of Camden Planning Guidance CPG6/2 in conjunction with DP28: Noise and vibration stating (among others): <ul style="list-style-type: none"> • The impact of noise and vibration can have a major affect on amenity and health and can severely affect people’s quality of life.

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- The main sources of noise and vibration in Camden are generated (among others) from: Plant and mechanical equipment.
 - Ways to minimise the impact of noise on your development (among others): Locating noise sensitive areas/rooms away from the parts of the site most exposed to noises (and vice-versa).
 - Our preference for controlling noise (among others): To separate the development (or at least the sensitive parts e.g. habitable rooms) from the source (and vice-versa)
 - Poorly designed schemes will not be acceptable.
 - Ensuring an adequate distance between source (of noise and vibration) and noise-sensitive buildings or areas.
 - If your proposal could result in noise and vibration that would cause an unacceptable impact to nearby uses or occupiers, or proposes sensitive uses near a source of noise or vibration and cannot be adequately attenuated then planning permission is likely to be refused.
4. The application fails to comply with the requirements of CPG6/2 in conjunction with DP32: Air quality , stating (among others):
- Poor air quality can harm health and the environment. The Council aims to make sure that new development does not harm air quality.
 - Developments should be designed to minimise exposure of occupants to existing poor air quality.
 - The Council will not grant planning permission for developments that could significantly harm air quality.
5. The application fails to comply with the requirements of DP26 – Managing the impact of development on occupiers and neighbours, stating that: The Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. The factors we will consider include:
- visual privacy and overlooking;
 - overshadowing and outlook;
 - sunlight, daylight and artificial light levels;
 - noise and vibration levels;
 - odour, fumes and dust;
 - microclimate;
 - inclusion of appropriate attenuation measures;
- For all the above reasons the Council is respectfully requested not to grant planning permission. All the above mentioned unauthorised works must be subject to Building Control as great concerns have arisen regarding the structural integrity of the whole building.
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