

[REDACTED]

Date 16.02.2019

Comments on Planning Application no. 2018/5806/P 35 South Hill Park  
To Charles Thuaire Camden Council

We were not notified of this application and only accidentally was made aware of it a few days ago.  
We share a party wall adjoining the new proposals at the rear and would like further time to consider the revisions. The following should be considered and Certificate B signed.

1. The application does not comply with Section 66 of The Town and Country Planning Act 1990.  
Notifications of applications to owners and agriculture tenants, which says, a local planning authority shall not entertain any application for planning permission unless it is accompanied by the following certificates signed by or on behalf of the applicant etc.

**Certificate A has been signed that states that, at the beginning of the period of 21 days ending with the period of the application, no person (other than the applicant) was the owner of any of the land to which the application relates. This is not true.**

Certificate B should have been signed stating that the requisite notice had been given to everyone else who, on the day 21 days before the date of this application, were owners of any part of the land or buildings to which the application relates. It is a legal offence to serve the wrong certificate.

2. The applicants knew of the alterations they were making to the scheme well over a year ago. Therefore it did not comply with condition 3 of the planning permission dated 12 August 2015 which states **"The development hereby permitted shall be carried out in accordance with the following approved plans: AL 0.001: 100A: ect.**

3. Unauthorised works were shown in the drawings submitted for Section 106 approval in April 2018. The Rear extension was altered from three to four storeys. A glazed roof was shown at the rear.

This was accepted by Camden officers.

4. We are mentioned seven times in the section 106 agreement and requested to be notified when the approval for Section 106 was made. We were not.

Lies were also circulated that we would not allow the engineers into our building to do the "detailed structural appraisal required by the Section 106 agreement. We have had to spend many thousands of pounds protecting the stability of our building from our neighbours ambitious intentions now revised with no compensation. There are no penalties for lies told by applicant or on their behalf.

We hope you will take the above comments into account.

Alice Gailey and Shura Gailey .

Planning Objections 35 South Hill Park. Application No. 2018/5806/P

To: Charles Thuaire Planning Officer.

Comments on the current proposal.

1.The description of the development is wrong. It should read “retention of unauthorised works to include an additional basement floor in the rear extension not shown on the original permission and change design, form and roof material of rear extension elements etc and basement ground, first and second floors.

2.No mention of this additional floor has been made in the application. It would be contrary to 3 current basement policies set out in Camden Local Plan 2017 Policy A5. This hole has already been dug and the floors constructed illegally contrary to condition 3 of the current planning permission. This illicit floor has also been accepted for approval of the Section 106 Agreement, together with the glass conservatory roof, when it should not have been. It increases the floor areas of the basements. The basement construction I believe already exists, this application is to legalise it, although it is against current planning policy.

3.We have wasted many thousands of pounds to attempt to protect the stability of our building, for the first application, which was approved. Now the applicants have changed their minds and we have been forced to spend many more thousands of pounds because they did not comply with the Section 106 Agreement and our building has not been provided with the protection required in that agreement. We are not entitled to any compensation for our expense. There are no penalties for lies told by applicants.

4.Nothing can be learnt on the current public street notice which says “change design and form of rear extension elements at basement ground and first floors”. This is incorrect as another floor has been slotted in so it should include a second floor.

5.The so called “existing” sections and elevations of the rear extension are also inaccurate as the modest lean to has been demolished. It will be replaced with a higher, larger glazed roof, see photo 1. The application would be more accurate if it asked for permission to retain works, not in compliance with condition 3, i.e new floor in rear extension and change in design, form and roofing materials etc.

6.Early last year the applicant decided there should be another level in the rear extension, clearly shown in drawing submitted for the Section 106. The 3 floors were lifted and another floor slotted in, making it four floors. This meant raising the ceilings at ground, first and second levels and removing the planted flat roof, over part of one of the proposed extensions and replacing it with a higher sloping glass roof. This alteration will increase the impact of the development to our neighbouring property.

7.The proposal does not as claimed “reduce the scale of development at the rear” to No. 37.

8.The permitted green roof next to our garden is replaced in frameless structural glass with structural fins and silicone jointing utterly alien to the character of the area and the host house.

9.The proposed glass roof will create light pollution at night in our garden, to bedroom windows and living room.(Light shines through the roof lights installed about 1 year ago on the side roof hip of no. 35, into a bedroom window all night, as they are not switched off).

10.As their proposed glass roof to the rear extension faces south this will cause glare to both our windows and garden.

11.Alterations to the landscape of the rear garden remove the planter supporting our garden party fence wall and expose an area of brick work in very poor condition. The planter should be replaced and details of landscaping submitted for approval if this application is approved.

12.Although I welcome the raising of the level of the rear garden, I should like to see the planter retained against our garden wall and the permitted brick back wall replaced.

13.The glass roof could be replaced with slate to match the existing roof with one or two roof lights, as the room has two walls of south facing doors there will be plenty of light.

14.We were consulted once about the raising of the party wall on the south side of our garden and said we would object. We therefore welcome the set back.

15.I request refusal of this application

I hope the Council will take these comments into account.

Yours sincerely,

Alice Gailey.



PROPOSED CONSERVATORY ROOF AT 35 SOUTH HILL PARK  
FROM AN UPPER WINDOW AT 37 SOUTH HILL PARK

