From: [redacted]
Sent: 05 February 2020 14:24
To: Planning; Hope, Obote
Subject: Re: Objection To Planning Application Notice 2019/6125/P. 385 Kentish Town Road, London NW5 2TJ
Attachments: Objection to 385 KTR Planning ApplicationFinal.docx

[redacted]

Thank you for your email.

Please find below my Objection to The Planning Application.

You have my permission to publish/upload my Objection to the Planning Web Site as it appears below.

Thank you too for re-publishing the site notice.

Kind Regards

[redacted]

Objection to Planning Application 2019/6125/P

385 Kentish Town Road, London NW5 2TJ

February 3 2020

We, the family living at [redacted]Kentish Town Road, strongly object to this application.

We would like it noted that the proposals for the first-floor impact directly on our resting and living area where my elderly mother spends most of her day and where my sister and I care for her.

1-Objection Summary.

We believe this Planning Application, if approved, will have a major adverse effect on the fabric of a residential building and establishes an unacceptable precedent.

We believe the proposals, if granted, will be a gross and adverse incursion into our privacy and living space.

We believe if permission is granted, the ongoing and accompanying noise from ground level and first-floor level will have a detrimental effect on our mental health and well-being.

We believe the extended licensing and trading hours will have a detrimental effect on our mental health and well-being.

We believe the Planning Application to be inaccurate and misleading.

We believe the close proximity and height extension to the first-floor extension will result in an unacceptable loss of privacy and a greater sense of enclosure.

We believe the Planning Application is short on specific detail on the proposed structural works and the materials to be used.

We believe the Planning Application pays no attention to likely fire hazards and fire prevention.

We believe the Planning Application pays no attention to sound proofing.

We believe the Planning Application will have an adverse impact on biodiversity.

We believe the applicant's recently rejected application: PREM-LIC\3067 APP\PREMISES-VARY\100331 was a Priority A planning breach. The demolition to the ground-floor premises caused severe disturbance to neighbours, and causing danger on highways.

We believe the applicant's recently rejected application: PREM-LIC\3067 APP\PREMISES-VARY\100331 was an attempt to mislead Camden Council in order to secure a new premises licence without public scrutiny.

2-Objection to Proposal.

We believe the Proposal will affect major material change to a residential building and establish an unacceptable precedent.

We believe the section of the proposal which states: **"change of use of part of first floor from residential (C3) to kitchen and WCs ancillary to ground floor restaurant"** to be inaccurate and misleading.

The first floor has, for the last fifty years, been wholly residential. Families and tenants have occupied the entire floor. **The "erection of a single-story rear first floor extension"** introduces for the first time a commercial/retail element into the main fabric of the upper residential- part of the building.

According to the proposed drawing to the first floor, the applicant plans to install a lift, public/staff toilet facilities, a kitchen preparation area and a kitchen. The proposed plans will run the full length of the first floor and eliminate all previous residential use

3-Objection to Design, Access and Planning Statement.

We believe the Design, Access and Planning Statement to be misleading and inaccurate.

The photograph on page one and reference to a **"ground floor fish and chips (A5) shop"** gives the impression of a fully functioning business. Between October 2019 and December 2019, the fabric of the ground floor shop premises was demolished, alongside the removal of the dividing wall with 387 Kentish Town Road. The concrete floor, which was at least six inches thick, was also demolished. A visit to the site today will reveal several steel poles propping up the first- floor ceiling. We believe the demolition has rendered the building unsafe.

The applicant does not mention his recently rejected application: **PREM-LIC\3067 APP\PREMISES-VARY\100331.** We believe this was an attempt to by-pass the scrutiny of a full planning application in order to establish a new Change of Use Premises Licence without Change of Use consent.

The Planning Application 2014/3286/P does not mention that permission was granted "subject to a section 106 Legal Agreement and warning of enforcement action"

Reference to Planning Application 2015/5850/P (withdrawn) and Planning Application 2017/6051/P (under consideration) we believe to be misleading. It is our understanding the former three-bedroom maisonette has already been converted into a House in Multiple Occupation without a licence and that a flat already exists at roof level.

No details are given to the size of the **proposed wooden pergola.** How high off the ground will it be?

What sort of covering/roof will it have? How will it be secured? Will smoking, tobacco or otherwise, be allowed? If smoking is allowed has the applicant provided a fire risk assessment? Are there any plans for a fire prevention and an emergency escape? Will alcohol be served?

The applicant's proposed extended licensing and trading hours will, we believe, dramatically increase noise and severely impact our privacy. The pergola will adjoin residential properties with trees that host nesting birds. Has the applicant provided a noise impact assessment?

The applicant states the **"proposed first-floor rear extension will be 2.5 metres deep with a flat roof. As it would have lower eaves, there would be no harm to the adjoining neighbour's amenities"** If permission is granted, the existing dividing wall will grow by almost 9 feet, overshadowing my kitchen, blocking natural light and providing a useful, level platform to anyone wishing to enter our property illegally. The proposed extension will effectively increase the current dividing wall height by a factor of two.

4-Objection to Planning Application Form 2019/6125/P.

We believe four submissions on the Planning Application Form 2019/6125/P to be misleading and need correcting. They relate to questions 5, 10, 12(b), and 20.

To question 5: Has the work or change of use already started? The applicant states No.

This is incorrect. Work on the site began in early October 2019 without planning consent.

Our initial concerns were expressed in an email on October 10th 2019 to Dennis Viechweg at Camden Council Licensing. In essence, and due to the constant demolition noise, we alerted him to " a major change taking place and the new owner might need planning consent". Dennis Viechweg sent us a link to Camden Planning where Enforcement Officer Jennifer Watson requested the work to stop immediately on or around November 26th 2019. The applicant ignored the request. Demolition continued until early December 2019.

On the 5th December we wrote to the applicant expressing our concerns on the demolition works and on the possible breach of the 1996 Party Wall Act. Our concerns were also expressed to Camden Council's Streetworks Operation Officer, Tracey Hogan and several members of Building Control.

Here is a copy of the letter:

I, [redacted] on behalf of my mother (name redacted), the building owner of the land and premises known as [redacted] Kentish Town Road, London [redacted] known as 385 Kentish Town Road, London NW5 2TJ, have reason to believe you may have breached the 1996 Party Wall Act by not informing my mother of your intentions for the shared structural wall or boundary wall and your intentions to demolish the neighbouring structure within three or six meters of my mother's land and premises.

Your intentions should have been made to us in writing accompanied by a building surveyor's report.

Instead you proceeded to demolish structural walls and dug deep into the foundations adjoining our land and premises without my mother' s prior knowledge and written consent.

The demolition of your premises began in early October 2019. This was based on the pretext of a "redecoration" of the previous take-away premises trading as Kentish Fish and Kebab. The notice pinned to the shop-front wall confirms this.

Since October we have had to endure endless noise, banging and drilling and the dangerous action and behaviour of lorries with rubbish skips driving onto and parking on the public footpath to remove the rubble from the take-away premises.

Please provide a written explanation and clarification of your past actions and how you intend to resolve this breach of the 1996 Party Wall Act.

[redacted]

To question 10: Are there trees or hedges on the proposed development site? The applicant states No.

There is in fact a tree located at the rear of the site on land belonging to 385 Kentish Town Road, London NW5 2TJ. Current demolition work has resulted in the roots of the tree becoming exposed.

Another tree is located a few feet away on land belonging to 387 Kentish Town Road.

The applicant needs to provide you with a full tree survey.

To question 12(b) regarding Biodiversity and Geological Conservation: The applicant states there are no biodiversity features.

The applicant is unaware of the nesting birds that use the trees mentioned above in question 10.

We hear the cherished sound of birdsong during all hours of the day. We believe the applicant's plans will

at best disturb the birds or at worst frighten them away. We believe the applicant should provide a noise, and a biodiversity impact assessment.

To question 20: Please describe the activities and processes which would be carried out on the site and the end products including plant, ventilation or air conditioning. Please include the type of machinery which may be installed on site. The applicant states: Cooking.

Cooking will not be the only activity to take place on the site. According to the proposed drawing to the first floor, the applicant plans to install a lift, public/staff toilet facilities, a kitchen preparation area and a kitchen.

The toilets are located immediately next to the kitchen preparation area. How will hygiene be dealt with. There Is a risk to public health by having the toilets immediately next to the food preparation area?

Does the applicant have any plans for ventilation? The only ventilation we can see is a balcony. We cannot believe the windows to the balcony are the only method of ventilation.

Will the balcony provide a rest and recreation area for staff? Will they be allowed to smoke on the balcony? What assessment of noise has the applicant made? The balcony is in close proximity to our resting and living area and my mother's bedroom.

How does the applicant propose to keep food fresh? Does he propose to do this without refrigeration?

Has the applicant made an assessment of the noise likely to be generated?

If cooking is the only activity to be carried out on the site how does the applicant propose to deal with any potential fire risk? Will there be an emergency fire-escape? A visit to the site will show that other the lift, the only means of escape is a narrow staircase that is already being used by tenants.

Will the kitchen require an extractor fan? How noisy is that likely to be?

Is the lift the applicant is planning to install a mechanical one? Is it likely to generate any noise?

The applicant, we believe, will need to house plant, ventilation and/or air conditioning systems in order to realise his plans.

END.

On Wednesday, February 5, 2020, 11:43:07 AM GMT, Planning <planning@camden.gov.uk> wrote:

[redacted]

[redacted]

Planning Assistant

[redacted]

[redacted]

Sent: 05 February 2020 10:33
To: Hope, Obote <Obote.Hope@camden.gov.uk>
Cc: Planning <Planning@camden.gov.uk>
Subject: Re: Objection To Planning Application Notice 2019/6125/P. 385 Kentish Town Road, London NW5 2TJ

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

2nd Floor
5 Pancras Square
London N1C 4AG
Telephone: 020 7974 2555
Web: camden.gov.uk

Please consider the environment before printing this email.
From 1 October 2016 you will not receive a letter from us if your neighbour submits a planning application. You can still find out about planning applications:

- on new improved posters on lamp posts
- by signing up to planning e-alerts
- in the planning section of the Camden Account
- through adverts in the Camden New Journal and Ham & High

You can sign up to our new and improved planning e-alerts to let you know about new planning applications, decisions and appeals.

[redacted]

[redacted]

[redacted]

To: obote.hope@camden.gov.uk <obote.hope@camden.gov.uk>
Sent: Monday, February 3, 2020, 04:11:38 PM GMT
Subject: Objection To Planning Application Notice 2019/6125/P. 385 Kentish Town Road, London NW5 2TJ
STRICTLY PRIVATE AND CONFIDENTIAL.
NOT TO BE PUBLISHED.
Dear Obote Hope
Re: Planning Application 2019/6125/P.
Please find attached our Objection to Planning Application 2019/6125P.
If you intend to upload our Objection to the Planning Application Web site, can you please redact the whole document.
Kind regards

[redacted]

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