

Application No:	Consultees Name:	Received:	Comment:	Response:
2022/2995/P	Chantal	03/12/2022 15:33:19	OBJNOT	<p>In the 40+ years that I have owned and lived in my property I've never experienced such nuisance as generated by 89 Messina Avenue. Even the squatters in 72 Messina Avenue who one winter set fire to the place when they burned pallets for heat did not cause the same degree of nuisance. Subsequently the Council rapidly managed to remove the squatters.</p> <p>For over 3 years 89 Messina has been causing significant pollution and nuisance. The excessive rubbish, stinking, blocking and fowling the pavement. The parties, the loud music, the guests leaning out of windows smoking, the food and other deliveries. Guests accosting me to ask how to get into 89, some guests even broke a ground floor window of 89 to get in. In a street where parking space already is at a premium, guests ask where to park and how safe it is. The sewer pipes burst several times, flooding the basement of 87 Messina, downhill from 89. On each occasion a noisy pump operated non-stop for days (and nights) to empty 87's basement. The stench was unbearable.</p> <p>The application is for 'Change of use from single family dwelling to provide a house in multiple occupation HMO for 6 bedsits'. A single family dwelling? What single family dwelling has emergency exit signage? What single family dwelling offers rooms to book for up to a year ahead on websites such as hotels.com and AirBNB? What single family dwelling needs the use of commercial linen hire and laundry services? Why are there 9 buzzers at the entrance? It must be an awfully large family, hundreds of different family members coming and going with their luggage.</p> <p>Do the pre existing plans submitted with the present planning application match the reality? When was the last time you made a site visit? Have you seen the place for yourselves? Is Messina Studios, or 'Aparthotel' as it is referred to on the booking sites, really residential and a single family dwelling?</p> <p>The applicant states that the current use of the house is residential. This is a lie. So is their assertion that the work or change of use has not already started. A photo of the ground floor front room taken on 3rd December 2022 shows that this does not match the Living Room as per the pre existing plans submitted but does match Room 1 of the proposed plans submitted. The work has already been carried out and the use has already changed from a single family dwelling to a hotel, without your permission. Messina Studios has been registered to take bookings since 10th July 2019, without permission nor license. The owners of 89 Messina are trying to make fools of you and all the Messina Avenue residents. The owners show total disrespect for the planners, the planning system and the street's residents.</p> <p>In a residential street such as Messina Avenue there is no place for a hotel, an AirB&B or any other kind of short-term accommodation property like 89 Messina. By running the site as a hotel, the current owners reduce the availability of precious residential housing in Camden.</p> <p>A previous application, 2018/5812/P, to convert this single family dwelling house to form 1 x 3 bedroom and 2 x 1 bedroom self-contained flats was refused.</p>

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				<p>The current owner has ignored the Council's decision and is operating the single family dwelling house as an illegal hotel/HMO. Please do not approve the current application 2022/2995/P.</p> <p>Yours faithfully.</p>

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2022/2995/P	P Louwes	02/12/2022 20:34:11	OBJ	<p>The application 'Change of use from single family dwelling to provide a house in multiple occupation HMO for 6 bedsits' is incomplete and misleading: pre-existing and proposed plans (2 rooms have ensuite facilities) are submitted but THE EXISTING PLANS ARE MISSING. This leads to the following inaccuracies and outright lies.</p> <p>The more obvious ones:</p> <ul style="list-style-type: none"> - Page 5: Q. Has the work or change of use already started? A. No. The answer should be YES as most rooms have ensuite shower and toilet. - Page 7 Q. Please describe the current use of the site. A. Residential <p>The reality is that No 89 Messina Avenue aka 'Messina Studios', rather than a family dwelling is a hotel. It is advertised as an 'Aparthotel' on several hotel booking websites (airbnb, booking.com, hotels.com) and has reviews on Tripadvisor. At least four different rooms are distinguishable on the various booking sites. The entrance sports nine bells and a digital entry code lock. Nine bells for a family dwelling? Nine and more alarm bells should be ringing.</p> <p>No 89 is clearly being run as an unlicensed Hotel/ HMO. Angela Ryan, the Principal Planning Officer, who visited at the beginning of February 2022 noticed a 'Hybrid use' (short term letting + hostel). Please ask Ms Ryan to describe the layout on the date of her visit. If an official survey might take too long to organize and carry out may we suggest a quick photographic/ smartphone video tour to establish the current layout (existing plans).</p> <p>Licensed or not the place has been and continues to be a source of huge nuisance. The sewage system in this residential street is not able to cope with hotel volume sewage leading on several occasions to sewage flooding the cellar of No 87, the adjoining property. In addition to the stench we were all treated, days and nights on end, to the noise and vibrations from a pump used to suck up the sewage. Clients/Guests inconvenience us ringing our bells, late at night, asking for help because they can't get into No 89 or don't know where they can park their cars.</p> <p>There is noise from parties and food and other deliveries.</p> <p>There is the stench of unsightly rubbish piled high in bin bags which block and leak stains onto the pavement week after week.</p> <p>If one residential property produces this much rubbish what amount will six bedsits produce?</p> <p>If it currently takes two minutes for the bin men to collect the current heap of No89 rubbish how long will it take them to collect the rubbish of six bedsits?</p> <p>Please don't fall for this garbage of a planning application.</p> <p>Messina Studios has no business being in our residential street. This hotel is usurping valuable Camden housing stock.</p> <p>The application 2022/2995/P has no merit and is misleading. Approval will mean a reward for No89's abuse of council resources and its nuisance to neighbours.</p>

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2022/2995/P	Dr David Tucker	03/12/2022 10:03:52	OBJ	<p>Further to my previous...</p> <p>I've had a further look at the documentation and would like to make the following points.</p> <p>Application Form Redacted. Description of the Proposal They say: "Change of use to provide a HMO for up to 6 people (C4 Use)</p> <p>I addressed this in my previous but it bears repeating. It is not "up to 6 people". It is up to and more than 18 people.</p> <p>The illegal conversion into a hotel means it is up to 18 people. Actually, more than 20 because on the hotel booking sites for "Messina Studios" it clearly states that for some of the rooms it is possible to request an extra bed if, for example, the hotel guests are a party of three rather than two.</p> <p>In answer to the question: Has the work or change of use already started? They say "No"</p> <p>That answer is misleading. The correct answer is "Yes." Except it's not a case of the work or change of use having "already started" – it has not just started, it has been carried out, completed. The change of use started and was carried out approximately three years ago.</p> <p>Vacant building credit? They say the proposed development qualifies for it.</p> <p>Does it? The building is certainly not "vacant." Hasn't been since the illegal conversion was carried out.</p> <p>Existing Use Please describe the current use of the site They say "Residential"</p> <p>In what sense is it "residential?" It is certainly not residential in the sense of long-term or permanent occupancy. It is a hotel. The "residency" is extremely transient. Hotel guests are almost never long-term stays. They come for one night. Or two or three or at the most (in most cases) a week. They are temporary, they come and go.</p> <p>Under the heading Employment The question is: Are there any existing employees on the site? They answer "No"</p> <p>That answer, strictly speaking, is another falsehood. There is a cleaning lady who is "on the site" for a couple of hours every day. She is presumably an "employee" – or at least in the employment of the owner. On the staff or not on the staff she is paid to clean the premises, do the laundry, etc. That surely is "in the employment" of the Messina Studios hotel operation.</p>

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The applicant has submitted a document headed “Pre Existing Ground Floor Plan.” Under Camden’s rubric Document Type the applicant titles that document “Plans”

The “Pre Existing Plan” states that the front room is a living room, the room behind it a dining room. Then at the far end (from the front entrance) a kitchen. And beyond the kitchen a WC/Utility Room.

Pre Existing First Floor Plan

Pre Existing Second Floor Plan

This is the most important part of this, our follow-up objection to this planning application.

The front room was a living room, the room behind it was a dining room. Then at the far end (from the front entrance) there was a kitchen. And beyond the kitchen there was a WC/Utility Room.

Those rooms do not exist anymore. Yes, they were there in yesteryear – the Pre Existing Plan accurately describes what was there several years ago.

But they are not there today. The Existing Plan – which the owner is at pains not to provide – would show that those four rooms are now, all of them, self-contained hotel rooms, each with its own toilet, shower, basin, mini-kitchen, etc.

Why have they submitted a “Pre Existing Plan?” Why not – like every other planning application – an “Existing Plan?”

“Pre Existing” could be the 1880s when the house was built. Or 1910. Or 1950. Or 2010. “Pre Existing” has no relevance whatsoever to the matter at hand.

A “Pre Existing Plan” is of no help whatsoever to Camden’s Planning Application team. They do not need to see what was there in the past. They need to see what is there now. They need to see the “Existing Plan.” The applicant needs to supply what every other planning applicant provides: “an Existing Plan.”

How can Camden Council make an informed decision on the merits of this planning application if they do not have, to hand, an “Existing Plan?” So they can compare what is there now with what will be there if they green light the proposal.

There is jiggery pokery going on here and it is obvious why it is going on. The applicant wants Camden to believe there’s a sitting room, a dining room, a kitchen, and a utilities room/WC on the ground floor. That was the plan – those four rooms – did exist before he did the illegal conversion. They do not exist any more. They were all converted, illegally, into self-contained hotel room units.

Were the applicant to provide Camden with an accurate “Existing Plan” Camden would immediately see that the proposed change for which the owner is seeking planning approval is a nonsense. A huge fib.

Providing an “existing plan” would let the cat out of the bag. The game would be up. An “Existing Plan” would make it plain as a pikestaff that the owner has already converted (illegally) the property.

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				Camden should turn this planning application down on the strength of that egregious piece of sharp practice alone.
				The owner needs to be told: "pre-existing plans are neither here nor there – this planning application will not be considered until you have provided us with an "existing plan."

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2022/2995/P	Dr David Tucker	02/12/2022 16:35:50	OBJ	<p>"Change of use from single family dwelling to provide a house in multiple occupation HMO for 6 bedsits." 89 Messina Avenue London Camden NW6 Application Number 2022/2995/P</p> <p>Dear Nora-Andreea Constantinescu,</p> <p>89 Messina Avenue is not "a single family dwelling." It has not been "a single family dwelling" for several years. It is – has been for nearly three years now – in the words of the applicant himself, "a hotel." That asseveration – that 89 Messina Avenue is "a hotel" – is all over the Internet.* It has been so for getting on for three years.</p> <p>The applicant is telling you and your office that 89 Messina Avenue is "a single family dwelling." He is telling the rest of the world that 89 Messina Avenue is "a hotel."</p> <p>*We note that there has been a drastic change in the way they have been billing the property since objections to the planning applications began to be filed. It was consistently referred to as "Apart-hotel" – that can be verified through the Internet archive, the Wayback Machine. That billing has been stripped out and it's described of late as Messina Studios and a "property".</p> <p>But see, for example, this hotel booking site. http://messina-studios.hotels-of-london.com/en/ "This London hotel offers 9 rooms with coffee/tea making facilities, and such modern conveniences as a flat-screen TV with satellite channels. Also, you will find a microwave oven, refrigerators and kitchenware provided."</p> <p>2. The local authority – Camden Council – is well aware that this is the case. In the words of Camden official Angela Ryan in the Camden Planning Department, "it is an illegal conversion – he did it without planning permission. He will in due course seek retroactive planning permission." That's what this planning application is about, that's what is going on here.</p> <p>So, an illegal conversion. Followed by an illegal planning application. (I trust I'm correct in assuming that a bent planning application – a planning application that is riddled with blatant falsehoods – is contrary to and indeed forbidden by law.)</p> <p>At no little risk of belabouring the obvious, the property described in the application is manifestly not the property under consideration.</p> <p>A ruling that accedes to this applicant's request is a ruling on a property that does not exist. We sincerely hope that your office will not allow the applicant to make a fool of it, run rings around it.</p> <p>2. The applicant is applying to make "a change of use." He has already made "the change of use." He did that three years ago. At this stage, the only possible "change of use" would be to convert the illegal conversion back to what it was before it was illegally converted. Back to what they say it is now but isn't – "a single family dwelling." Or to two or three flats. Their saying they want planning permission for "a change of use" is legerdemain. That "change of use" has already been carried out. What they want, Ms Constantinescu, is the local authority, Camden Council, specifically, your office, to turn a blind eye to and give its stamp of approval to the illegal conversion.</p> <p>3. They have applied for planning permission for a "change of use from single family dwelling to provide a house in multiple occupation HMO for 6 bedsits."</p> <p>And so we come to the third, fourth and fifth falsehoods in a single 18-word sentence. 89 Messina Avenue was not illegally converted into "a multiple occupation HMO"* – it was illegally converted</p>

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into a hotel.

An HMO has "shared toilet, bathroom or kitchen facilities." And there is a "communal aspect of living." Neither is the case at 89 Messina Avenue. Each of the nine one-room units has its own "toilet, bathroom and kitchen facilities." Each of them has its own air conditioning unit. Nor are the hotel guests "tenants." They are hotel guests. Apart from rare exceptions, "tenants" and "hotel guests" are not one and the same.

(If – God forbid – Camden were to approve this HMO application, will the owners be required to get an HMO license for their hotel? An HMO license, as you of course know, is "normally required where the HMO is at least three storeys high, where there are at least two distinct households (as described above) living there, and in total there are five or more unrelated people living in the HMO building." 89 Messina Avenue meets all of those requirements. "A landlord with a property that meets the above requirements must apply for a licence to the local authority that will look at whether they are a 'fit and proper' person to be an HMO landlord.")

So, an HMO license for a hotel.

The dissembling, the sharp practice, the contradictions, the falsehoods begin to catch up with this illegal conversion/crooked planning application subterfuge.

4th falsehood: they are not "bedsits" – they are hotel rooms.

5th falsehood, the crowning falsehood: there are not 6 "units" – there are 9.

Each with its own air conditioning unit, toilet, washroom basin, shower, and kitchen facilities. So no "communal living" there. Indeed, apart from the hallways there is no "communal space" whatsoever at 89 Messina Avenue. Furthermore, each of those 9 – 9 not 6 – units has its own buzzer/intercom for the front door.

Five flagrant falsehoods in one sentence. Five flagrant falsehoods in 18 words. It is hard to see how this planning application could be more spurious.

Furthermore, the "Pre-existing plans" that have been submitted to you bear no resemblance whatsoever to what is there now.

They describe the house before the illegal conversion.

The "pre-existing plans" aver that the front room on the ground floor is a "living room." It is not a living room. It is a hotel bedroom.

The "pre-existing plans" aver that there is a "dining room" on the ground. Said dining room does not exist. It is a hotel bedroom.

Ditto the "kitchen" on the "pre-existing plans". Said kitchen does not exist. It is a hotel bedroom.

Ditto the "WC/ Utility room" on the "pre-existing plans." Said WC/Utility room does not exist. It is a hotel bedroom.

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The "Proposed Ground Floor Plan" will necessitate three of the hotel's nine income-producing units – that were converted at considerable expense – being converted back to non-income producing rooms: dining room, kitchen and wc/utility room. Is that likely to happen? Does the farmyard animal *Sus domesticus* fly?

Finally, the planning application describes the Development Types as "Residential Minor Alterations."

More falsehoods. 1. Hotel guests are not residents. 2. The alterations that were made in the illegal conversion three years ago were "major alterations". A single family home was converted into a nine-unit hotel. And even were it to be converted to the "Proposed Ground Floor Plan" those are not "residential minor alterations". Converting three hotel bedroom units to a dining room, a kitchen and a WC-Utility room – those are not 'minor alterations.'

This Planning Application is a farrago of falsehoods and misrepresentations. It should be rejected out of hand. Both for the neighbours' sake – and for the sake of Camden's own integrity.

The property should be what it was designed to be: a single family home. Or two or three flats. Not an HMO. Not a hotel.

If property barons can tell blatant falsehoods and get the Council to give its stamp of approval to them – even though it, the Council has been fully apprised of what's going on – well, to borrow Hamlet's line, "something is rotten in the state of Denmark."

Finally, for us personally at 87 Messina Avenue, the illegal conversion has been a catastrophe. Nine toilets, nine showers, nine sinks, no end of wet wipes (which don't disintegrate, they coagulate, ball up, and before long block the dirty water pipes) – in short, the heavy use from 18 or more people of Victorian plumbing facilities designed for perhaps four or five users – that in combination with gravity meant that our basement for over a year became the cesspit for 89 Messina Avenue. We had – over the course of that year – 2/3 of an Olympic-size swimming pool of their urine and small fecal bits in our basement.

We've had to take extraordinary measures – extraordinarily expensive measures – to try to protect our property and ourselves from the urinal and fecal inundation visited upon us by that illegal conversion, by the hotel that sprang up, illegally, next door. We had to have a sump dug in our basement. It had to be fitted with an alarm and a pump. We had to have a hole drilled in our downstairs loo wall. And a hose put in place, at the ready. When the alarm went off we raced downstairs – this was sometimes at 3 am in the morning – fitted the hose to the pump, ran it up the cellar stairs, across the hall, into the downstairs loo and out the hole in the wall so we could pump their effluent, their sewage, out to the drain in our back garden and thus keep our basement from turning into a cess pit for their effluent.

We have lived here for nearly 30 years. Our basement was dry as a bone for the first 27 years. And then the "illegal hotel" came along next door, the extremely heavy use – from 18+ people – of ageing, small Victorian "dirty water", outflow pipes, and, to be fair, problems with a "lateral" – which was Thames Water's outlook – well, it was a catastrophe for us. Our house stank to high heaven. We woke up in the morning with terrible headaches. May I remind you that sewage gas renders you unconscious in a matter of seconds and can kill you in a minute or two.

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And that's without getting into all of the other ramifications, not the least of which was the value of our property. How do you sell a house whose basement is the neighbour's cess pit?
We urge you to do what's right, do your statutory duty – reject this planning application. And set in motion whatever it takes to roll back that illegal conversion.

Best regards,

Dr David Tucker
87 Messina Avenue
London NW6 4LG

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