

OBJECTION TO PLANNING APPLICATION A/105/22/HH

We own the property at 12 Merryfield Crescent which is adjacent to 14 Merryfield Crescent, and strongly object to the planned extension for the following reasons:

EFFECTS ON INDIVIDUAL BUILDINGS

1. **Noise and disturbance:** Extending/increasing the shared wall between our properties will result in an increase in noise and disturbance. The larger the shared wall, the larger the area for the transfer of noise and disturbance.
2. **Decrease in value:** Extending/increasing the shared wall between our properties will decrease the value of our property at 12 Merryfield Crescent for the reason cited above – we have confirmed this with a property developer and an estate agent. This view is purely objective. Any other view can only be subjective.

PARTY WALL

3. Per the Title Deed, the area of the wall that jointly serves any buildings on the said land with any adjoining buildings shall be regarded as a Party Wall. So in this instance, it is the portion of our boundary wall that adjoins the garage and the habitable room above the garage of 14 Merryfield Crescent that is the Party Wall. The area of our boundary wall that does not currently jointly serve any buildings with 14 Merryfield Crescent is not a Party Wall.
4. The boundary line between the properties runs along the edge of the concrete drive of 14 Merryfield Crescent, and then steps inward to run along the centre line of the Party Wall between the properties. Between the edge of the concrete drive of 14 Merryfield Crescent and our boundary wall that is not attached is an area that falls within the boundary of 12 Merryfield Crescent. In short, the area of our boundary wall that does not currently jointly serve any buildings with 14 Merryfield Crescent is not a Party Wall. As a result, the owners of 14 Merryfield Crescent could at best (subject to Planning) have the right to construct the extension up to the boundary line. In addition, no part of the extension would be able to be positioned over the boundary line (e.g., guttering, fascia, soffits, etc.).
 - We purchased 12 Merryfield Crescent in the knowledge that the shared wall could not be extended.
 - To confirm this fact regarding the boundary line, the previous owners of 12 Merryfield (who purchased the property in 1995 and do still live in Merryfield Crescent) were also informed of this boundary line, and were required to maintain this narrow strip of ground, albeit that simply meant keeping it free of weeds as requested by the then owner of 14 Merryfield Crescent.

PRECEDENT

5. We are not certain of this, but we suspect that an extension above the single storey at some point in the future (effectively becoming a double storey extension) would be a whole lot easier, which would then further devalue our property at 12 Merryfield Crescent for the reasons explained in numbers 1 and 2 above.
6. The beauty of Merryfield Crescent is that no building extensions that would change the appearance of the street have been allowed. If one property was allowed such an extension, then it is likely that others would follow, and over time, the appearance and desirability of Merryfield Crescent would suffer.

EFFECTS ON AREA

7. This proposed extension does not fit in aesthetically with the estate. I am aware of other planned extensions that have been denied by the council because such extensions would change the appearance of Merryfield Crescent.
8. Merryfield Crescent is unique in that building extensions that would have an impact on the general appearance have not been allowed. This proposed building extension would have an affect on the general appearance of the street.

TITLE DEED STIPULATION

9. Per the Title Deed, no commercial vehicles shall be allowed to stand in front of the building line of the dwellinghouse or on any garage approaches. With this planned extension, no commercial vehicle would be allowed to stand on the driveway in front of the extension (or on the area in front of the dwellinghouse) as this would be in front of the building line of the dwellinghouse, i.e., a commercial vehicle would have to stand in the street. I am not sure that the owners of 14 Merryfield Crescent are aware of this, but this is a matter that we will pursue if this planned extension is approved.