

Application No:	Consultees Name:	Received:	Comment:	Response:
2023/3644/P	stuart hull	23/12/2023 20:15:04	OBJ	62 Falkland Road Planning Objection. 2023/3644/P

As a concerned resident of Camden, for more than twenty years, I am writing in objection to the application for retrospective change of use.

I am employed at managerial level in the maintenance and repair of social housing and I strongly object to this retrospective planning application for the following reasons, firstly, the loss of affordable housing in this area: I have seen first hand day in and day out the distressing need for affordable housing within this borough. I work daily trying to help the people that are deprived by this loss of affordable housing and the overcrowding it exacerbates and therefore cannot, with a clear conscience, allow this planning application to pass without voicing my serious concerns regarding the loss of the HMO property at number 62 Falkland Road. My contextual experience of living next door to the property whilst it was used as a HMO is I observed that having a mix of younger people and students in the neighbourhood enhanced the environment, and I saw many people move from study to work aided by the opportunity that type of housing gave them. I have read the latest application for change of use, am current with some of the legislation used to support their argument, and it is applied and interpreted in many instances throughout my working day. However I believe this to be a somewhat factitious interpretation of both Camden Housing policy and the financial standing of the owners 62 Falkland Road, drawn up by the owners legal advisors.

My second objection is that the approval of these retrospective plans would have a more widespread detrimental effect on the borough, as it highlights weaknesses in the planning process, or its administration. These weaknesses could be used by bad actors for benefit, and may set a dangerous precedent.

Please find below the reasons for my concern in this matter.

The chronicle order of the planning applications made by the owners of 62 Falkland Road are as follows:
 Submission 1: Flat roof 396 cm H, with 6.15m raised extension-requiring planning permission/requesting change of use to single dwelling - Rejected
 Submission 2: Pitched roof 372cm H x 615cm extension with eaves height 260 cm (final height 273cm)- planning permission required/change of use to single dwelling requested- rejected.
 Submission 3: Pitched roof 372cm H x 550cm extension with eaves height 260 cm (final build exceeded by 13cm)- Requiring planning permission/ Change of use omitted - Accepted

It is notable that the third application was granted once the request for change of use was dropped, and also notable that this was done at the behest of the planning officer at the time, as outlined in Camden's response to an email sent requesting clarification as to the the classification of the property. This request by the planning officer makes no sense other than to progress the plans through the system by omitting information regarding the intended use.

The reason for requesting clarification of usage was due to the fact that we were witnessing daily construction taking place (in a frankly unsafe environment, no masks or dust suppression) of an extension that looked out of proportion to the plans. This ultimately turned out to be the case.

During the erection of the steel structure for the extension I noticed that the height of the roof apex would breach that of the approved plans by some 40cm once tiled. Following numerous attempts to advise the builders of the error, attempts to communicate this to the owners during their infrequent visits was met with

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aggression, leaving us no recourse other than to report this breach to the council planning department. As a builder I cannot conceive of how the steel sections could arrive on site, be erected and encased in concrete in error. That the owners chose to do nothing to resolve the situation, and continued with the construction whilst armed with the knowledge that they were constructing in breach of the approved plans until they were obliged by the council to rectify the excess in height. The planning process would appear to have, in this instance, failed and relied on a neighbouring resident to highlight when approved plans are not being adhered to.

As a concerned resident I hope that the preceding information will at least shine a light on areas of the process that I believe have failed in this case, as, were it not for my intervention, the owners of number 62 Falkland Road would be applying for retrospective planning using the same factitious arguments but for an extension built to dimensions exceeding the approved plans.

To approve these plans retrospectively would rubber stamp the process, described above, that allows for change of use to be omitted on an application in order for approval, and the ability to knowingly build to the their desired measurements as opposed to those approved, if there is not a concerned resident to highlight the abuse of regulations to the local council.

I hope my objections receive the serious attention I believe they merit, and that the process that has led to this situation be evaluated and reviewed to establish whether it is fit for purpose given the issues I have raised.

The outcome of this case will define Camden councils adherence to the obligations of the Camden Replacement Unitary Development Plan 2003:

'Development that takes place outside planning control can undermine the implementation of the Council's aims and policies and cause harm to the public interest.'
