

**From:** p Verlaan  
**Sent:** 24 August 2022 11:17  
**To:** Planning Planning  
**Cc:** Matthew Dempsey; meena shaikh; Robert Cohen; Julian Loher  
**Subject:** Re: 2022/2623/P: objection to planning application - attention Mr. Matthew Dempsey  
**Attachments:** Planning Application 2022-2623\_supplementary objections\_24082022.pdf

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious. Please take extra care with any links, attachments, requests to take action or for you to verify your password etc. Please note there have been reports of emails purporting to be about Covid 19 being used as cover for scams so extra vigilance is required.

**Re: 2022/2623/P: objection to planning application - attention Mr. Matthew Dempsey  
Planning Portal Reference Number 10541519**

**24 August 2022**

Dear Mr. Dempsey,

Further to our objections filed online via the Camden Council planning portal on 12 August 2022, we herewith supplement those objections with the following additional points for your consideration.

1. P. 11 of the application filed by the applicant, under category Assessment of Flood Risk, answers “**no**” to the question: “*Is your proposal within 20 metres of a watercourse (e.g., river, stream or beck)?*”

**Our Comments:** The river Fleet runs under or very near the subject building. In her objections filed with Camden Council on 12 August 2022, our planning consultant has pointed out: “The underground line from Farringdon to King’s Cross runs under the application site and there may be foundation problems with an extra floor as a result.” We suggest the need to determine the exact course of the river Fleet in relation to the subject building and to assess whether it could be a potential or actual source of further structural issues.

We also note that this site has a high risk of surface water flooding according to [gov.uk](https://gov.uk). We request that the applicant provide a flood risk assessment as per <https://check-long-term-flood-risk.service.gov.uk/risk>. This request is also relevant to our comment in point 2 immediately following below.

2. P. 12 of the application filed by the applicant, under category Foul Sewage, states that is unknown how foul sewage will be disposed of and that it is unknown whether it is proposed to connect to the existing drainage system.

**Our Comments:** This admitted lack of knowledge by the applicant about an essential sanitary provision relevant to the proposal for a new residential property surely cannot be acceptable. We assume that this must be a required item of information, otherwise it would not be in the Council's list of questions. Sustainable provision of sanitary disposal facilities for a residential property is essential on public health grounds. This is even more important given the increasingly torrential rains likely to occur for the foreseeable future and the already parlous state of our drains in this neighbourhood, and there are already three fully occupied flats underneath this proposed new flat. Surely this application cannot be considered complete until this information is both provided and the proposed foul sewage disposal arrangements are shown to be compliant with applicable regulations to the satisfaction of the relevant officials. Please see also in this context our request for a flood risk assessment in P. 1 above.

3. P. 13 of the application, under category Waste and Recycling, the applicant answers "yes" to the question: *"Does every unit in this proposal (residential and non-residential) have dedicated internal and external storage space for dry recycling, food waste and residual waste?"*

**Our Comments:**

This answer does not adequately represent the actual waste storage situation of the subject building. Please note that there is no dedicated storage space for these forms of waste (indeed not for any waste), either internally in the common spaces of the subject building or externally, i.e., outside the subject building, for the three flats in the subject building. All waste must be kept *inside* the flats until the designated waste collection day, when the waste must be placed outside the subject building on the kerb by the road.

4. P. 14 of the application answers "no" to three compliance questions:

- Compliant with M4(2) of Approved Document M Volume 1 of the Building Regulations:
- Compliant with M4(3)(2a) of Approved Document M Volume 1 of the Building Regulations:
- Compliant with M4(3)(2b) of Approved Document M Volume 1 of the Building Regulations:

**Our Comments:**

Given that the question asks whether these regulations are being complied with, we assume compliance is a requirement, otherwise it would not be in the Council's list of questions. As the applicant's answer is no, the applicant is stating that it is not complying with the specified regulations. Surely this application cannot be considered acceptable when it is admitting non-compliance with applicable regulations.

5. Finally, we expand upon the inaccuracy first pointed out by the leasehold-owner of Flat C, 1A Frederick Street (the correct actual physical and postal address for the **leasehold-owners and residents** in the application submitted for 103 King's Cross Road) in the objections by the owner of Flat C filed on 12 August 2022, re the notice allegedly given by the applicant to the three leasehold-owners.

On page 18 of the planning application filed by the applicant, the applicant claims the requisite notice to three leasehold-owners was given on 17.06.2022, the day *after* the date of the declaration (16.06.2022). Not only did that notice not occur, but it is difficult to see how the applicant could assert that notice *had* been given when the event itself had not even yet taken place. None of the three leasehold-owners in the subject building itself received this requisite notice from the applicant, and neither did the owner of the listed Cubitt house on 1 Frederick Street immediately adjacent to the subject building, nor the owner of the Racketeers, a popular

public house at 105 King's Cross Road, nor the leaseholder at 101B King's Cross Rd, opposite and adjoining the subject building, respectively.

Furthermore, it is *required* in the Council's planning application document itself that the requisite notice be served on the relevant persons **21 days before** the date of the application, i.e., on or about 26-28 May 2022, depending on how the days are calculated, but in any event certainly not after the date of the application itself. In addition, the three addresses to the three individual leasehold-owners in the subject building to whom the notice was allegedly sent are all **incorrect**. The postal address for all three flats is 1A Frederick Street WC1X 0NG, with the relevant flat number (A, B, or C).

Therefore the claims made by the applicant with regard to the required notice given as set above are at the very least inaccurate and internally inconsistent, as well as appearing to contradict at least in this respect the declaration signed by the applicant that "*/ We confirm that, to the best of my/our knowledge, any facts stated are true and accurate ...*"

We are your disposal for any further information you may need.

We note and much appreciate that even after the closure of the online submission portal, Camden Council will accept comments on this application via email, and we reserve the right to make further comments accordingly. Please note the absence of objections and/or comments to any statements/claims made in the planning application that have not been objected to and/or commented on by us does not constitute our agreement with any such claims and/or statements.

We urge you to reject this application.

Please acknowledge safe receipt of this email with its attachment, a pdf consisting of three numbered pages, and please add these additional comments and objections to the responses on the website for this application 2022/2623/P. We reiterate our request to be informed in good time, at the very least by email *and* text message to our telephone numbers given with our original objections, of any meetings that will be held about this application, as well as of the outcome.

Thank you for your attention. We look forward to hearing from you.