

Carter, Richard

From: [REDACTED]
Sent: 27 February 2021 19:43
To: Feldman, Lesley
Cc: Cohen, Cllr Dean; Gaudin, Fabien
Subject: Re: 129 Hamilton Road, NW11 9EG 20/6220/191
Attachments: image003.jpg

Dear Lesley

Thank you for rectifying this.

Kind regards

[REDACTED]

On Fri, 26 Feb 2021, 19:31 Feldman, Lesley, <Lesley.Feldman@barnet.gov.uk> wrote:

Dear [REDACTED]

Further to correspondence on this matter, I can confirm that the error on the decision notice has been rectified and a new decision issued, confirming lawful use as a small HMO in class C4.

Officers considered the evidence submitted with the application and were satisfied that 4 years use had been demonstrated. Some of the evidence submitted is not 'public' on the website as it contains personal information.

I am sorry for any confusion caused.

Kind regards,

Lesley Feldman MRTPI

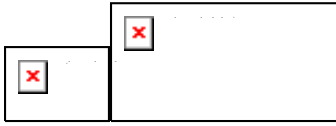
Area Planning Manager

Finchley and Golders Green Area Planning Team

London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW
Tel: 020 8359 4974 | Mobile: 07732 075854 | Web: barnet.gov.uk

My working days are Mondays, Tuesdays, Wednesdays and Fridays





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From: [REDACTED]
Sent: 25 February 2021 15:15
To: Gaudin, Fabien <fabien.gaudin@barnet.gov.uk>
Cc: Feldman, Lesley <Lesley.Feldman@barnet.gov.uk>; Cohen, Cllr Dean <Cllr.D.Cohen@barnet.gov.uk>
Subject: Re: 129 Hamilton Road, NW11 9EG

Dear Fabien

Thank you for the update. Please consider whether the evidence for C4 is sufficient. My conclusions from my review of the evidence on the portal is that the Applicant has evidenced three years C4 use followed by a substantial vacant period.

Kind regards

[REDACTED]

[REDACTED]

On Thu, 25 Feb 2021 at 13:17, Gaudin, Fabien <fabien.gaudin@barnet.gov.uk> wrote:

Dear [REDACTED],

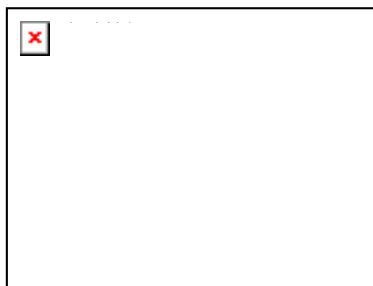
I am aware of your previous correspondence which was shared with me by Lesley. We hope to rectify the decision later today.

Kind regards,

Fabien Gaudin MRTPI
Service Director

Planning and Building Control

London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW
Tel: 020 8359 4258 | Web: barnet.gov.uk



Note that I will be on annual leave on Fridays until mid-March

From: [REDACTED]
Sent: 25 February 2021 12:09
To: Gaudin, Fabien <fabien.gaudin@barnet.gov.uk>
Cc: Feldman, Lesley <Lesley.Feldman@barnet.gov.uk>; Cohen, Cllr Dean <Cllr.D.Cohen@barnet.gov.uk>
Subject: Re: 129 Hamilton Road, NW11 9EG

Dear Fabien

I am writing about 129 Hamilton Road, NW11 9EG.

Planning consent was granted on 5 February for a change of use from C3 to Sui Generis. I believe that this consent was granted in error and that it was intended that C4 use would be granted. (I would also question whether the evidence for C4 use was sufficient given that four continuous years of use was required and the evidence shows three years followed by a long vacancy).

I have attached the delegated report which I believe shows that C4 use was intended to be granted.

I have raised this with one of your planning officers and a ward councillor but I have yet to receive a response.

Time is of the essence as I understand that the property is under offer and contracts are due to exchange imminently if they haven't already.

I look forward to a timely response.

Kind regards

[REDACTED]

[REDACTED]

On Tue, 23 Feb 2021 at 16:22, Cohen, Cllr Dean <Cllr.D.Cohen@barnet.gov.uk> wrote:

Hi [REDACTED]

I have written in and am awaiting a response

Kind regards

Dean

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From: [REDACTED]
Sent: Tuesday, February 23, 2021 4:18:31 PM
To: Cohen, Cllr Dean <Cllr.D.Cohen@barnet.gov.uk>
Cc: Feldman, Lesley <Lesley.Feldman@barnet.gov.uk>
Subject: Re: 129 Hamilton Road, NW11 9EG

Hi Dean

I have still not had any response regarding this.

It appears to me that a planning consent has been granted in error. Please can you find out what is being done to rectify this.

Thanks

[REDACTED]

[REDACTED]

On Fri, 19 Feb 2021 at 10:05, [REDACTED] wrote:

Hi Dean

I have when I said decision notice above, I meant delegated report. I have attached said document.

Kind regards

[REDACTED]

[REDACTED]

On Fri, 19 Feb 2021 at 09:27, [REDACTED] wrote:

Dear Dean

129 Hamilton Road was granted a planning permission on 5 February 2021 for Sui Generis use (as an HMO with greater than six occupants).

I believe that the decision to grant Sui Generis use was made in error and that the intended decision was to grant C4 use.

This is clear from the decision notice.

<https://publicaccess.barnet.gov.uk/online-applications/applicationDetails.do?keyVal=QLS6VNJIH3300&activeTab=summary>

This needs to be corrected as a matter of urgency as the property is under offer and contracts are due to exchange imminently (I spoke to the agent this morning and they said contracts to exchange either today or Monday).

Kind regards

[REDACTED]

[REDACTED]

On Wed, 17 Feb 2021 at 19:23, [REDACTED] wrote:

Dear Lesley

Have you had a chance to look at this since we spoke on Friday?

Kind regards

[REDACTED]

[REDACTED]

On Thu, 11 Feb 2021, 10:13 [REDACTED] wrote:

Dear Lesley

Please can you advise on the queries below.

Kind regards

[REDACTED]

[REDACTED]

On Mon, 8 Feb 2021 at 18:16, [REDACTED] wrote:

Dear Lesley

Please can you confirm which planning application you have granted for the above property, The C4 use or the Sui Generis use.

On the one hand, the application approved is titled "Change of use of single family dwellinghouse (C3) to large HMO - House in multiple occupations (Sui Generis)", however all the evidence supplied, which we have only recently been able to inspect, is for C4 use.

Furthermore, your conclusion in the decision notice states

"On the balance of probability based on the information that has been provided, the LPA consider that the property known as 129 Hamilton Road, NW11 9EG was in use as a House in Multiple Occupation (HMO) within Class C4 of the Town and Country Planning (Use Classes) Order 1987 (as amended) for the past 4 years and no subsequent reversion to a single dwellinghouse within Class C3 has occurred."

indicating that your intention is to allow the C4 use.

I would also question how you arrived at the conclusion that four years continuous use is established when evidence in the applicants own submission (attached) shows that the property is vacant and therefore, four years continuous use has been categorically disproven. I submitted comments attesting to the fact that the property has been vacant for a considerable amount of time and it seems that this too has not been addressed.

Kind regards

[REDACTED]

[REDACTED]

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