

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT, 1990
(as amended by the Planning and Compensation Act, 1991)

ENFORCEMENT NOTICE **ENF/0341/20**

ISSUED BY THE Council of the London Borough of Barnet (“the Council”)

- 1. THIS NOTICE** is issued by the Council because it appears to them that there has been a breach of planning control, under Section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations. The Annex at the end of the notice and the enclosures to which it refers contain important additional information.

2. THE LAND TO WHICH THIS NOTICE RELATES

Land at 36 Sunningfields Road London NW4 4RL, shown edged and hatched black on the attached plan (hereinafter called “the Property”).

3. THE MATTERS WHICH APPEAR TO CONSTITUTE THE BREACH OF PLANNING CONTROL

Without planning permission the conversion of the dwellinghouse into three self contained units and two bed sitting rooms sharing facilities on the first floor.

4. REASONS FOR ISSUING THIS NOTICE

It appears to the Council that the above breach of planning control has occurred within the last four years.

- 1 There is no suitable provision provided for the storage of refuse and recycling facilities which leads to refuse being kept on the street, resulting in a detrimental effect on the character and appearance of the property and the general street scene contrary to policy DM01 of Barnet's Local Plan Development Management Policies DPD 2012 and Supplementary Planning Document: Residential Design Guidance 2016.
- 2 The ground floor unit in the rear extension overlooks and is overlooked by the rear garden area of 36 Sunningfields Road, detrimental to the residential amenity of the present and future occupiers of that unit and users of the rear garden area, contrary to policy DM02 of Barnet's Local Plan Development Management Policies DPD 2012 and Supplementary

Planning Document: Sustainable Design and Construction 2016.

- 3 The self-contained units fail to meet the required minimum floor space standards, to the detriment of the residential amenity of present and future occupiers of the units, contrary to policy 3.5 of The London Plan 2016, policy DM02 of the Development Management Policies DPD 2012 and Supplementary Planning Document: Sustainable Design and Construction 2016.
- 4 The units are single aspect and fail offer adequate daylight, sunlight and ventilation to provide adequate residential amenity to present and future occupiers of the units, contrary to policy DM01 of Barnet's Local Plan Development Management Policies DPD 2012 and Supplementary Planning Document: Residential Design Guidance 2016.
- 5 The conversion of this property into multiple residential units results in an over intensive use of the property with increased comings and goings, detrimental to the character and appearance of the area, contrary to policy DM01 of Barnet's Local Plan Development Management Policies DPD 2012 and Supplementary Planning Document: Residential Design Guidance 2016.
- 6 With no Building Regulations record for the conversion, there is no evidence of suitable soundproofing between the units, which may lead to unacceptable levels of noise and disturbance, detrimental to the residential amenity of present and future occupiers of the units, contrary to policy DM04 of Barnet's Local Plan Development Management Policies DPD 2012 and Supplementary Planning Document: Residential Design Guidance 2016.

5. WHAT YOU ARE REQUIRED TO DO

- 1 Cease the use of the property as self-contained units and bed sitting rooms
- 2 Remove bathroom facilities, including the removal of toilets, basins, baths and showers from all but one room.
- 3 Remove kitchen facilities, including the removal of all kitchen units, sinks, cookers and food preparation areas from all but one room.

6. TIME FOR COMPLIANCE

6 Months after this notice takes effect.

7. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 14th October 2020, unless an appeal is made against it beforehand.

DATED: 1st September 2020

Signed:

A handwritten signature in black ink, appearing to be 'F. Gaudin', written over a light blue horizontal line.

Fabien Gaudin
Service Director – Planning and Building Control
2 Bristol Avenue, Colindale, London, NW9 4EW

ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this Notice, but any appeal must be received, or posted in time to be received, by the Secretary of State **before** 14th October 2020. The enclosed information sheet from The Planning Inspectorate explains the appeal process and advises on appeal-making procedures. Read it carefully.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on 14th October 2020 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in the Notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Council.