



London Borough of Barnet,
2 Bristol Avenue,
Colindale,
London NW9 4EW
14 April 2021
Our ref: 7114080

Thank you for your request received on 12 March 2021, for the following information:

I am contacting you under the Freedom of Information Act (2000).

All questions refer to this address: 11 Colinpark Road, Colindale, NW96HT.

1) When the outbuilding was constructed in approx.2010, was planning permission sought and granted.

2)what restrictions on its use were in place at that time ?

3) If there were any restrictions placed on this outbuilding have these restrictions changed at any point?

3) Can you confirm that there was an enforcement notice in the period of 2016-2017 on that outbuilding?

4)Can you state whether in the period of 2016- 2017 was there any pending enforcement investigations?

5) Has there been any contact with Barnet planning in the period of 2016-2017 from any party in respect to the purchase of the named address as to any restrictions on that outbuilding?

6)Would the parties who showed interest in purchasing 11 Colin Park Road and then purchased 11 Colin Park Road in 2017 have known of any restrictions in place on the property and it's outbuilding?

7) Has there been any planning request for the change of use for that outbuilding submitted in the period of 2016-to date?

8) Has any enforcement action or notice been placed on 11 Colin Park Road, NW9 6HT?

10) Has there ever been any restrictions of use for the outbuilding put on Land Registry?

I look forward to receiving this information as soon as possible under this Freedom of Information Act (2000) .

We have processed this request under the Environmental Information Regulations 2004.

Response

The council holds the information requested and the answers to your questions are below

1) When the outbuilding was constructed in approx.2010, was planning permission sought and granted.

An outbuilding would not require planning permission from the Local Planning Authority provided that it complies with the limitations and conditions of what is known as 'permitted development'.

When the outbuilding was investigated by the Planning Enforcement Team in 2010, there was found to be a technical breach of planning control as the height of the outbuilding was found to exceed the permitted development height limitation of 2.5 metres. It was determined not expedient to take further enforcement action in that case. It was established that the outbuilding was also not used as a separate dwelling at that time.

2) What restrictions on its use were in place at that time ?

A material change of use of the outbuilding would have required planning permission from the Local Planning Authority.

3) If there were any restrictions placed on this outbuilding have these restrictions changed at any point?

No

3) Can you confirm that there was an enforcement notice in the period of 2016-2017 on that outbuilding?

In the period of 2016-2017, no enforcement notice had been served regarding the outbuilding.

4) Can you state whether in the period of 2016- 2017 was there any pending enforcement investigations?

An enforcement investigation relating to the outbuilding was pending under reference ENF/01024/10/H from 10.09.2010 until 02.06.2017

5) Has there been any contact with Barnet planning in the period of 2016-2017 from any party in respect to the purchase of the named address as to any restrictions on that outbuilding?

An enquiry was received on 02.06.2017

6) Would the parties who showed interest in purchasing 11 Colin Park Road and then purchased 11 Colin Park Road in 2017 have known of any restrictions in place on the property and it's outbuilding?

It is for the prospective purchaser to make all necessary checks before buying the property. The buyer would normally seek professional legal advice and investigate the legal title for any rights of way, covenants, legal charges and defects that may affect their use and enjoyment of the property

7) Has there been any planning request for the change of use for that outbuilding submitted in the period of 2016-to date?

No

8) Has any enforcement action or notice been placed on 11 Colin Park Road, NW9 6HT?

An planning enforcement notice was served on 11.12.2020. See attached 'Document 02 – planning enforcement notice

10) Has there ever been any restrictions of use for the outbuilding put on Land Registry?

Any restrictions on use of the land would be set out in the Land Registry Title Copy of Registry

Refusal Notice

R6(1)(b) – Material readily available

Under Regulation 6(1)(b) of EIR, we are not required to provide information in response to a request if it is already reasonably accessible to you by other means.

The information relevant to your request, a copy of the Title Deed, is available online, for a small fee, at the following link:

www.gov.uk/government/organisations/land-registry

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.