



PARKSIDE MALVERN RESIDENTS ASSOCIATION

Alexandra Road, Hornsey Park Road, Malvern Road, Park Ridings, Ravenstone Road
and The Avenue, N8 - www.PMRA.co.uk

(Reply by email to parksidemalvernra@googlemail.com or by post c/o 137 Hornsey Park Road, N8)

Head of Development Management and Planning Enforcement
Haringey Council
6th Floor, River Park House
225 High Road
Wood Green
London, N22 8HQ

Attn. of Samuel Uff

Our reference: consultation letter 1

14th September 2023

Dear Sir/Madam,

Re: Lawful Development Certificate to confirm compliance with Condition 1 (Commencement) of planning permission ref: HGY/2017/2886 (as amended by s.96A non-material amendment ref: HGY/2022/1076)

I write on behalf of Parkside Malvern Residents Association (PMRA), the registered residents association covering Hornsey Park Road, Park Ridings, Malvern Road, Ravenstone Road and The Avenue, N8 in response to the Council's consultation. The views expressed in this letter are those of the Committee and the membership.

We object to the application and in particular the contention that Planning Permission was lawfully begun on the 11th February 2023 in consequence of the undertaking of the 'works' cited in the application.

1. Referring to document '(f) Details and photographs of works to Dig a 5 metre trench – reduced', we see no evidence of 'demolition' in the accepted sense of 'knocking down/pulling down'. Instead, in addition to drainage work, the only other 'works' that have been carried out involve excavation not demolition.
2. Referring to document '(c) Counsel Opinion',
 - a) it is questionable whether a pattern of unconnected (adjoining) pavements (being the car park surface) is a structure, each being an individual unit transferring load to the soil below via a loose bed of sand.
 - b) the contention that the lifting of the car park surface for any purpose should involve 'destruction' cannot be correct when the constituents parts are lying in a pile in their original and intact parts, albeit jumbled up, but this was the applicants profligate decision.
 - c) we see no evidence that a single pipe and plastic manhole unrelated to any other development in progress or evidenced by a plan consented to by law can possibly be construed as "the laying of any underground main or pipe to the foundations, or part of the foundations, of a building".

Cont'd..../2



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3. Referring to document '(g) Letter from PSA Design dated 16 February 2023 and technical drawing ref D4002-D-01 Rev',
 - a) the 'works' in question, being a drain and manhole in the photographs and hastily installed in isolation, are clearly not part of the 'development' subject to the time limit as they have been installed to be coterminous with and therefore in the way of the foundations still to be constructed for the proposed development. It is reasonable to say that these works are ephemeral and nothing to do with the 'development' in question and will need to be removed before the new foundations of the development can be constructed.
 - b) the manhole, being of the cheap plastic variety is not as shown on the plan: the plan shows a manhole of pre-cast concrete rings with a concrete cap.
4. Notwithstanding the above, we believe it reasonable that if development were to have lawfully commenced, the site location would not remain a 'pay and display car park'. The trench has been dug to cause the least obstruction to allow this use as a car park to continue. Were lawful development (and works relating to the development) to have commenced, we believe that Notice to the HSE (F10) would have been served and the site would be properly secured and being managed.
5. We do not accept that the 'works' can be considered part of the development unless and until the applicant provides evidence that they are part of a 'full plans approval' submission approved by the local authority under the Building Regulation (or approved inspector). Further, we would expect the applicant to have provided evidence of a commencement notice under the Building Regulations and, of course evidence of the payment of all fees in this connection.
6. We believe that for the 'works' can be considered part of the development, all conditions pertaining to Condition 15 of the planning permission must be demonstrated to have been complied with. There is no such reference by the applicant. Liaising with local businesses and residents in the terms provided for under the Planning Permission is essential if the planning process is to have integrity. The absence of any attempt to respect this condition is evidence that whatever happened on 11th February 2023, it was not 'works' connected with the development.
7. We believe that the applicant's failure to observe Condition 13 is evidence that there was no genuine intention to commence works.

In conclusion, on the balance of evidence in the application and our assessment above, we believe that planning permission has lapsed and the application must be rejected.

Yours faithfully

Polly de Boer

Polly de Boer – Association Secretary,

For and on behalf of Parkside Malvern Residents Association

Cc Ryan Burton King and Marcus Ballard - Co Chairs, PMRA