

Addendum: **Objection** to 505-511 Archway Road Development (HGY/2025/1220)

ADDENDUM TO OBJECTION: Failure to Publish Statutory Press Notice in Local Newspaper – Evidence of Procedural Defect

Planning Details

Application Type:	Full planning permission
Address:	Depot, 505-511 Archway Road, Hornsey, London, N6 4HX
Proposal:	Redevelopment of existing car wash site to provide 16 new council homes comprising a 4-storey building fronting Archway Road and two 2-storey houses fronting Baker's Lane, with associated refuse/recycling stores, cycle stores, service space, amenity space and landscaping.
Valid Date:	07/05/2025
Residents Notification Date:	21/05/2025 (by Royal Mail)
End of Consultation Period:	13/06/2025 06/10/2025 (extended on 24/09/2025 at 16:44 by 8 business days) 04/11/2025 (extended on 24/10/2025 at 11:01 by 7 business days)
Target Decision Date:	06/08/2025

Respondent Details

Respondent Address:	106 North Hill, London N6 4RL
Respondent Name:	Mr Brendon Marczan Mr Conor de Lion
Respondent Email:	Redacted
Relationship to Property:	Owner
Document Name:	COM_01_140
Response Type:	Addendum: objection to full planning permission

Dear Ms Smyth and Mr Krzyszowski,

This addendum is submitted to formally record a material procedural defect in the publicity and consultation process for planning application HGY/2025/1220 (505–511 Archway Road). Specifically, there is clear evidence that the statutory requirement for publication of a press notice in a “local newspaper circulating in the locality,” as mandated by Article 15(4) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (“DMPD 2015”), has not been met. The Council’s documentation demonstrates that the only press notification provided was via the “Public Notice Portal”—an online platform not widely known to residents or the general public, and which is not equivalent to a newspaper as defined in statute or established case law. This is evidenced in Mr Rob Krzyszowski’s Stage 2 Complaint Response submitted to Mr Brendon Marczan by email on 12th August 2025 (Ref: COM/1130).

There is no evidence that any physical or established local newspaper, whether in print or in recognised digital form, was notified directly by the Council or published the statutory notice as required. The only related article appears to have been posted by Haringey Community Press, a digital outlet that appears to have sourced the notice from the Public Notice Portal, not from the Council or via any formal press arrangement. This approach does not satisfy the legal requirement for press notification of major developments and constitutes a substantive breach of the consultation process. The omission is not technical or trivial: it directly undermines the transparency, accessibility, and fairness of the planning process, and risks depriving a significant portion of the public—especially those not actively searching planning portals—of their statutory right to be informed and to participate.

This addendum sets out the relevant statutory requirements, summarises the council’s approach and where it falls short, and details the consequences of this omission for procedural fairness, compliance, and the lawfulness of any determination.

As this is both a major development and a council-led application, there is a heightened expectation of procedural rigour and transparency. For major schemes, the statutory requirements for public notice are especially strict, recognising the broader and more significant impacts on the community. When the council is both applicant and decision-maker, the duty to demonstrate fairness, impartiality, and substantive engagement is even greater to dispel any perception of bias or self-interest. In such cases, established legal precedent (see *R (Gavin) v Haringey LBC* [2003] EWHC 2591 (Admin)) and government guidance make clear that authorities must go “above and beyond” the bare minimum—ensuring that all potentially affected residents and stakeholders have real, practical opportunities to be informed and to participate. Failure to do so, particularly in a context of cumulative procedural failings, creates a serious risk of successful legal challenge and of the decision being quashed for want of lawful process.

This addendum is submitted to ensure a complete statutory record, to place the Council on formal notice of these deficiencies, and to support ongoing complaints and any necessary legal challenge. Further evidence and verification are available on request.

For the avoidance of doubt, this document is also submitted as an addendum to my Stage 2 complaint (Council reference: COM/00001130) and has been escalated as supporting evidence in my ongoing case with the Local Government and Social Care Ombudsman (LGSCO reference: 25006775). The material presented here constitutes new information and further detail not previously included, and should be fully considered as part of both the Council’s internal review and the Ombudsman’s investigation.

1. Statutory Requirement – Article 15(4) DMP0 2015

- 1.1. For major developments, Article 15(4) of the Town and Country Planning (Development Management Procedure)(England) Order 2015 mandates that the planning authority must publish a notice in “a local newspaper circulating in the locality in which the land to which the application relates is situated.”
- 1.2. The intention is to ensure that residents and stakeholders who may not be on digital platforms or registered mailing lists, including those less likely to view online planning portals, are given fair and timely notice via widely accessible, established print and/or digital press.

2. Inadequacy of the Public Notice Portal

- 2.1. The Council has relied on publication of the notice solely via the “Public Notice Portal” website. This is not a local newspaper as envisaged by Article 15(4) or the established planning practice, and is not known to be widely used or accessed by the local population.
- 2.2. The Public Notice Portal is not a recognised or established journal of record for the area, nor is it a substitute for a physical or widely read digital newspaper. Guidance (see PPG Paragraph 36-034-20140306 and Planning Inspectorate advice) and legal precedent make clear that statutory notice must be in a “newspaper circulating in the locality”—not a third-party website, council website, or obscure portal.

3. Lack of Evidence of Proper Newspaper Publication

- 3.1. There is no evidence on the planning portal, or in the council’s “Appendix B Site Notices Displayed and Press Notice.pdf,” that the required statutory notice appeared in any local newspaper (e.g. Ham & High, Haringey Independent, or other established press).
- 3.2. The only related article located was published by Haringey Community Press, but this was not commissioned by the council nor did it constitute a formal press notice under the statutory scheme. Rather, it appears to be a journalistic item triggered by the online portal—not an official legal notice as required.

4. Failure of Process Undermines Consultation

- 4.1. This omission deprives a significant part of the public—including digitally excluded and older residents—of their statutory right to know about the proposal and to comment.
- 4.2. The Council’s approach undermines the purpose of statutory publicity, which is to ensure notice reaches the widest relevant audience by using recognised, accessible press outlets.

5. Legal and Procedural Consequences

- 5.1. Failure to comply with the publicity requirements of Article 15(4) is a serious procedural defect, as confirmed in case law (see *R (Plantagenet Alliance) v Secretary of State for Justice* [2014] EWHC 1662 (QB); *R (Coghlan) v Rochford DC* [2012] EWHC 2542 (Admin)). It is not a technicality, but goes to the lawfulness of the consultation and any planning permission subsequently granted.
- 5.2. The omission is exacerbated by the absence of any explanation, justification, or attempt to remedy the deficiency after it was first raised in objections.

6. Impact on Myself and Other Residents

- 6.1. The lack of proper press notification has materially disadvantaged me and other residents by limiting our ability to be informed, to coordinate with neighbours, and to submit timely representations. For many in the community, press notice remains a primary or preferred means of learning about major development.

- 6.2. During my first-hand audit of the neighbourhood on 5th June 2025, several neighbours specifically challenged the legitimacy of the consultation, stating, "I haven't seen anything in the papers"—highlighting that for many, formal press notice remains the primary or trusted source of information about major planning proposals.
- 6.3. The Council's failure to publish notice in a widely read local newspaper, as required by law, further compounds the cumulative procedural unfairness already documented in earlier objections and addenda, and creates a real risk that affected parties will remain uninformed or excluded from the statutory process.

Yours sincerely,

Mr Brendon Marczan

106 North Hill, London, N6 4RL

28/10/2025

Mr Conor de Lion

106 North Hill, London, N6 4RL

28/10/2025