

## Appendix 2 – Representations from Responsible Authorities

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Your Ref:

Our Ref: Licensing

Date: 9<sup>th</sup> August 2021

## REPRESENTATION LETTER

Dear Sir/Madam,

**LICENSING ACT 2003 – Application for a Premises Licence- Divina Kitchen Ltd,  
256 Archway Road, London N6 5AX**

I have considered the application and feel that the conditions offered do not fully address the licensing objectives adequately, the applicant is seeking the following hours:

**Regulated Entertainment: Live Music**

Monday to Wednesday 5pm to 8pm  
Thursday to Saturday 5pm to 11pm  
Sunday 5pm to 9pm

**Recorded Music**

Monday to Thursday 10am to 12 midnight  
Friday to Saturday 10am to 1am  
Sunday 10am to 11pm

**Late Night Refreshment**

Monday to Thursday 11pm to 12 midnight  
Friday to Saturday 11pm to 1am

**Supply of Alcohol**

Monday to Thursday 10am to 12 midnight  
Friday to Saturday 10am to 1am  
Sunday 10am to 11pm  
Supply of alcohol **on** the premises

**Hours open to Public**

Monday to Thursday 10am to 12 midnight  
Friday to Saturday 10am to 1am  
Sunday 10am to 11pm

The hours being applied for are excessive for the location and locality of the venue which is surrounded by residential properties. The applicants have been operating from the premises as a restaurant in the past 2 months and over this period residents have raised concerns and complaints relating to noise nuisance arising from the premises.

The premises have also been warned on a number of occasions to not supply or offer alcohol for sale but continued to do so after being warned.

There has been some events take place at the restaurant and the general customer use of the premises which has led to the many noise complaints received and engagement from the Ward Councillor on residents behalf.

Having considered the application we take that the view that the hours be reduced as follows:

**Regulated Entertainment: Live Music – indoors only**

Sunday to Thursday 5pm to 8pm

Friday to Saturday 5pm to 10pm

**Recorded Music – indoors only**

Sunday to Thursday 10am to 10.00pm –

Friday to Saturday 10am to 11pm

**Late Night Refreshment**

Friday to Saturday 11pm to 11.30

**Supply of Alcohol**

Sunday to Thursday 10am to 10.00pm

Friday to Saturday 10am to 11pm

Supply of alcohol on the premises

**Hours open to Public**

Sunday to Thursday 10am to 10.30

Friday to Saturday 10am to midnight

The rear garden area was never intended to be used as an extension of restaurant area under the Planning permission issued. The changes made to the rear garden has been a creeping effect over the years to the level to which it now exists as an extensive part of the restaurant. We understand that there is Planning enforcement action outstanding with regard to the issues of the rear garden area and its use.

It is fair to say that the use of this area has contributed to complaints of noise nuisance which has been disturbing residents as well as some residents finding it intrusive for the customers to be seeing into their properties.

Whilst we draw the LSC attention to the rear area and the fact that Planning Enforcement action is being taken. We also are aware that businesses are being asked to make the most of using outside spaces during this Coronavirus pandemic. If the LSC is minded to allow the use of the rear garden we feel stringent hours should be applied to minimise any disruption to residents. The rear area to be closed to the public by 9pm each day of the week. Adequate notices shall be displayed to inform patrons of this requirement.

**Prevention of Public Nuisance**

- Unless specifically applied for (Pavement License), no consumption of food or alcohol shall take place outside of the front of the premises.
- The premises licence holder shall take appropriate measures to ensure that patrons using any outside areas do so in a quiet and orderly fashion.
- No music shall be played in the outside area at any time.

Smoking Area: If patrons are to be allowed to use an outside area for smoking then:

- The area must be adequately monitored by door staff and CCTV to ensure that patrons do not cause a nuisance, patrons do not obstruct access to adjoining premises and risk of crime and disorder in this area is adequately controlled.
- Patrons must not be allowed to take drinks to the smoking area. Any patrons wishing to smoke must do so at the front of the premises, once the garden is closed. No drinks at front either.
- The area must be provided with suitable ashtrays/bins.

- The area must be regularly swept to remove cigarette ends
- Adequate arrangements must be made to prevent overcrowding or disorder in the area

#### **Prevention of Crime and Disorder**

- The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police and Local Authority Licensing Teams. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.

The premises has shown a level of non compliance with warnings issued to them to not sell or offer alcohol without a licence. The operators were warned on a number of occasions to comply to not sell alcohol but the Council received pictures from residents and also photos from the business own website where they continued to offer alcohol for sale even after being warned of the penalties in doing so. The Council has not been able to witness this activity in order to instigate a prosecution at this time.

If you have any further questions, please do not hesitate to contact me

Yours sincerely

Phil Cone

**Licensing Enforcement Office**



## Building Control

Robert McIver Head of Building Control



Haringey Licensing  
River Park House  
High Road  
London  
N22 8HQ

**Your ref:**  
**Our ref:** M500/LL/0000/1075/  
**Contact No.** 020 8489 5504  
**Date:** 28 July 2021  
**Email:** [building.control@haringey.gov.uk](mailto:building.control@haringey.gov.uk)

Dear Sir/Madam

**BUILDING ACT 1984 (as amended)**  
**BUILDING REGULATIONS 2010 (as amended)**  
**Location: DIVINA KITCHEN LTD 256 Archway Road London N6**  
**Proposal: APPLICATION FOR A PREMISES LICENCE**

I refer to the above application for a premises License.

Building Control, would like to make **Representation**, as **Responsible Authority** under the Licensing Act 2003, with reference to the **Licensing objective** for the **Protection of Public Safety**. This application is **not** shown to achieve the minimum standards required under the Technical Standards for Places of Entertainment, as set out in the attached schedule.

Should you wish to discuss this matter further please contact this office.

Yours faithfully

A handwritten signature in blue ink, appearing to be 'P Chénier', written over a light blue horizontal line.

**P Chénier**  
**Principal Building Surveyor**



M500MV1 MAY20

River Park House  
Level 6 - 225 High Road  
London N22 8HQ  
[building.control@haringey.gov.uk](mailto:building.control@haringey.gov.uk)  
T 020 8489 5504

[www.haringey.gov.uk](http://www.haringey.gov.uk)

### **Schedule for DIVINA KITCHEN LTD 256 Archway Road London N6**

1. The Plans submitted are not reflective of the premises. The main entrance arrangements and WC configuration differ from those shown on the drawings.
2. The Means of escape is unsatisfactory.
3. Full details of the exit signage proposed not provided
4. Full details of emergency lighting installation not provided
5. Full details of fire alarm system installation not provided
6. No details of wall coverings provided to shown to demonstrate a minimum class 0 surface spread of flame.
7. No details of the furnishings and their fireproof ratings provided.
8. No details provided of the floor coverings or underlays demonstrating a minimum British Standard BS5438-1989 and tested to BS 4790 or Class 0.
9. No details provided of fabrics, curtains, drapes and similar features to demonstrate that they are either be non-combustible or be of durably or inherently flame-retarded fabric. Or where used in escape routes, other than foyers, entertainment areas or function rooms, are non-combustible.
10. The Main entrance door is shown as opening in the wrong direction for escape purposes.
11. Ground floor plan shows the door to the basement stair opening in the wrong direction for escape purposes.
12. The clear width of the staircase leading to the basement has not been indicated.
13. Plans do not show the rear exits being illuminated to the public highway.
14. Plans do not show locations of;
  - a. emergency lighting points
  - b. Smoke detection
  - c. Exit signage
  - d. Seating
15. No indication of the type of door fastenings proposed on exit doors.
16. Fire resistance and signage to the store cupboards not provided.
17. Details of the electrical installation including cabling type and protection, have not been provided.
18. No management lighting details have been provided.
19. No details of input or extract ventilation provided.
20. No space heating details have been provided.
21. Disabled access statement has not been provided.
22. No disabled WC indicated.
23. Wash hand basins on plan shown outside the WC room.

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**From:** Oloyede Abiola <Abiola.Oloyede@haringey.gov.uk>

**Sent:** 21 July 2021 15:35

**To:** Licensing <Licensing.Licensing@haringey.gov.uk>

**Subject:** RE: Application for a Premises Licence- Divina Kitchen Ltd, 256 Archway Road, Hornsey, London N6 5AX (WK/507295)

Good afternoon licensing

Please note that there are outstanding planning enforcement issues associated with this unit. Mainly the removal of overhanging attachments from the rear yard and reduction of boundary fence. Also the use of the garden for seating of customers and proposed extended opening hours is not advisable given past issues with surrounding occupiers on noise and smoke. See attached ancient permission regarding condition of opening 9am – 11pm (page 22) and also enforcement notice.

Kind Regards

Abiola

**Abiola Oloyede** | Principal Planning Enforcement Officer

Planning, Regeneration and Development | Haringey Council

River Park House 225 High Road | London | N22 8HQ

Tel: 020 8489 5593 Mob: 07870 157 838

[www.haringey.gov.uk](http://www.haringey.gov.uk)

*Please note that the above is an officer's opinion only and does not prejudice any decisions that the Council may take.*

To the Borough Planning Officer

15th July 1979

- 2 -

G. Aston	55	Holmesdale Road	
L. Aston		"	
2 Reserve	54	"	"
K. & D. F. Draith	1	Florence Villas, Holmesdale Rd, N6.	
R. Dunbar	2	"	"
Sylvia Bond	31	Holmesdale Rd.	
Ralph Bond	31	Holmesdale Rd, N6	
David Morgan	29	Holmesdale Rd N6	
Johanna R. Gray	"	"	"
P. Shumton	27	Holmesdale	"
O. Ridge	27	"	"
A. Meagus	28	"	"
ad S	21A	Holmesdale Rd.	
M. C. Waman	21	"	"
M. Cooper	19	"	"
Mrs. K. Lindsay	15	"	"
M. Jackson	11	"	"
G. R. Stand	9	"	"
D. Ryan	3	"	"
A. Ryan	3	"	"
Kathie Freyhan	1	"	"
John Carrivick	1	"	"
Pete Freyhan	1	Holmesdale Road	

15th July 1979

P. Gleane	61	Holmesdale Road.
Amberich	300,	Aschway Road.
DRudin	42,	Holmesdale Rd N6.
N. Ellv	47	Holmesdale Rd N6
P. Eyles	59,	Holmesdale Rd. N.6.
C. Smith	40,	Holmesdale Rd. N6.
Joan Eagle	38	" " " "
O. M. Petwo	36 <sup>7</sup>	" " " "
a.g. adkins	32	" " " "
M. Haines	30	" " " "
P. L. Stan	18,	Holmesdale Road N.6.
M. O'Hagan	13	Holmesdale Road N.6.
H. Haier	12,	Holmesdale Rd. N6.
P. M. Forsay	14	Holmesdale Rd N6
Mr & Mrs Hammond	22,	Holmesdale Rd N.6
M. Redmond	"	" " " "
Moelunnaughton	16	Holmesdale Rd. N6
M.K. Reibel	16.	Holmesdale Rd. N.6.
A. Redmond.	10	Holmesdale Rd N.6.
Mrs P Campbell		

To the Borough Planning Officer. -4- 15th. July 1979

R. Mackay 8 Holmesdale Rd. Rd. N6.

Mauch J.F. Tettell 8, Holmesdale Rd N6.

Lynthia Allen 4 Holmesdale Rd. N6.

E. H. Johnston 5 Holmesdale Road. N6.

A.P. Rimovason 38. Southwood Ave. N6

Ray Hancock 58 Priory Rd N6

D PS PED

Your ref: JW/P. Smith

33 Holmesdale Road,  
London N6 5TH

The Borough Planning Officer,  
Borough of Haringey,  
Hornsey Town Hall,  
The Broadway,  
Crouch End,  
London N8 9JJ

HARINGEY TOWN PLANNING SERVICE			
19 JUL 1979			
DPO	DPBO	CAPO	SEC
DP/1	DP/2	DP/3	DP/4
DP/A	DS	DC/A	PERS
RES	LIB	LLC	

17th July 1979

Dear Sir,

Ref. no. HGY/1030/256/1

Thank you for your letter of 29th June concerning the proposed development for 256 Archway Road.

We wish to oppose the application on the grounds that such use of the premises would be very likely to adversely affect local residents in a number of ways.

Firstly, we feel that the noise inevitably coming from a restaurant would be unacceptable in a building which overlooks houses and gardens. In our case, we have two babies of six months who sleep at the back of our house, and who would certainly be disturbed during the evenings by the increased noise.

Secondly, the smells from cooking and the storage of waste would be extremely unpleasant, and would spoil our present enjoyment of our garden.

Thirdly, we are particularly concerned about hygiene. Restaurants are notorious as breeding grounds for flies, and frequently for mice, rats and other pests. At the moment, we suffer from no infestations of this kind, and we do not want to risk their occurrence. Again, we are particularly concerned for the health of our babies.

It may be that the applicants will offer assurance that nuisances of this sort will not occur. However, having lived in close proximity to restaurants before, we are well aware that such good intentions are not always fulfilled. Restaurants often employ transient staff who are less than scrupulous about maintaining ideal conditions.

Lastly, we seriously question the need for yet another restaurant in the area when we lack a number of services which would be far more useful to local residents. In fact, we would be grateful for confirmation that the Planning Office are entitled to consider the mix of commercial services provided in an area when looking at applications for new developments.

On all these grounds we strongly urge that the application be refused.

Yours faithfully,

*C.J. and L.R. Lamb*  
C.J. and L.R. Lamb

D 13/7

1030 | 256

Councillor A. Franchi, 20 Oakleigh Park South, N.20.  
Mrs. Sally Whitby, 21 Highgate Avenue, N6 5SB

PES/BMG

30 July 1979

Town & Country Planning Act 1971  
256 Archway Road N.6. - Ref: HGY/1030/256/1

I would inform you that my Department has received an application for planning permission, dated 18 June 1979, for the change of use of the ground floor and basement at the above premises to restaurant, together with the installation of a new shop front.

This matter would normally be dealt with by delegated powers, however, the application has aroused considerable local interest especially for residents in Holmesdale Road which backs onto the above property.

I have received four letters of objection together with a further letter enclosing a petition containing 61 signatures objecting to the change of use.

In view of the interest shown I propose to report this matter to the next Development Control Sub-Committee which is to be held on 4 September 1979.

If you have any questions in connection with this matter, I would be grateful if you would contact my assistant, Mr. P.E. Smith, 340 3220, extension 231.

Yours sincerely,

Principal Planning Officer. *150*



13  
C

HARINGEY TOWN PLANNING SERVICE			
- 6 AUG 1979			
DPO	DPDO	CAFO	SEC
DP/1	DP/2	DP/3	DP/4
DP/A	DC	DC/A	PERS
RES	LIB	LLC	



**The Highgate Society**

10a South Grove Highgate N6 6BS

The Borough Planning Officer,  
Borough of Haringey,  
Hornsey Town Hall,  
Crouch End Broadway, N8 9JJ

3rd August 1979.

Dear Sir,

256 Archway Road, N.6. HGY 1030/256/1/20957

We have examined the application for internal alterations to the above premises and change of use to an Indian restaurant.

Whilst we should not object to a restaurant in these premises, providing hygienic regulations could be satisfied, we would be considerably concerned by the indirect effects which such use might have upon neighbouring residential roads in the form of extra parking, litter etc. This is a very heavily used main road, by night as well as by day, and it seems inevitable that yet another restaurant (there are already 2 restaurants, 2 take-aways and a cafe in the stretch) would add to the parking problems already complained of by residents.

We hope that you will take these factors into account in considering this application.

Yours faithfully,

*Ian Davis*

Ian Davis,  
Chairman, Environment Committee

BOROUGH OF HARINGEY

**MEMORANDUM**

Your reference HGY/1030/256/1

My reference EH/F/NJW/DM  
NJW

FROM: CHIEF ENVIRONMENTAL HEALTH OFFICER  
This matter is being dealt with by:  
Mr. N.J. Ward.

TO: BOROUGH PLANNING OFFICER

8th August 1979

Re: 256 Archway Road, London, N.6.  
Use as a Restaurant

I am in receipt of your memorandum dated the 29th June 1979 in respect of the above mentioned planning application.

I wrote to Mr. Gulian on the 6th July 1979 requesting a copy of the plans but to date I have received no reply.

In view of this I am unable to make any specific comments concerning the application. I would point out that it will be necessary for separate sanitary accommodation to be provided for male and female customers. Such sanitary accommodation should include the provision of wash hand basins provided with supplies of hot and cold water.

Should you require any further information concerning these requirements, please do not hesitate to contact Mr. N.J. Ward who deals with these premises.

*J. A. Harris*

Chief Environmental Health Officer.

HARINGEY			
TOWN PLANNING SERVICE			
- 8 AUG 1979			
DPO	DP/1	DP/2	SEC
DP/1	DP/2	DP/3	DP/4
DP/A	DC	DC/A	PERS
RES	LIB	LLC	

Dave 256 Archway Rd Mo.

This case has already been passed forward for decision but I thought you'd better see these two letters one of which includes a petition with signatures of people in Alderslade Rd. I think this should still be approved. Thanks Paul S. 23/7/79.



29/6 BOROUGH OF HARINGEY  
TOWN PLANNING SERVICE

REGISTER NO: 20957  
GRID REF. EASTING NORTHING  
5285645 187861  
O.S. SHEET NO: 4702

STREET REF. 2045 PROPERTY NO. 1030 256 APP NO. 1

LOCATION: 25b Archway Road N6  
of ground floor & basement  
4233

PROPOSAL: Use as a Restaurant + installation of new shopfront.  
Type of Application: 03

AGENT: S. Gulial  
109 Stough Lane  
NW9  
Type of Applicant: 00

APPLICANT: M. A UOIN  
23 Carnington Ave  
Hounslow, Middlesex  
Stat. List: \* I/II A/B/C  
Local List  
Passed to D.C. 27.6.79

Council Proposals: ROAD CLASS'N: Trunk/Met A/Met B/Borough. YES/NO  
Application Dated 18.6.79 Application Received 19.6.79 T.P.O. YES/NO  
D.C. Officer: PS

CONSULTATIONS *	Date Sent	Date Reply
BE & S HIGHWAYS HCA TEAM CPHI	29/6	
BOROUGH ARCHITECT CLEANSING MANAGER PARKS PUBLIC CONTROL	29/6	
D of E HIGHWAYS ADJ. L.P.A. LVRPA TWA LONDON TRANSPORT GLC REGS WARD COUNCILLORS		
LOCAL RESIDENTS 254 and 258 Archway Road 31 and 33 Holmes Dale Road	29/6	
LOCAL ORGANISATIONS		

IDP ZONING: See Page Two 002  
TYPE OF DEVELOPMENT: PIPS CODE - 05

SITE AREA: [ NET 130 RESIDENTIAL ] m<sup>2</sup>

DENSITY: EXISTING & PROPOSED - See Page Three

PARKING: EXISTING & PROPOSED - See Page Three

OVERLAP: \* YES/NO ENFORCEMENT: \* YES/NO

PASSED TO GROUP LEADER: PS 13.7.79

DECISION MAKER: \* Minister/Council/Chief/Deputy/PO

PASSED TO BPO/DBPO: 13/7/79

PANEL DATE: DATE OF DECISION: 4.9.79 103

DECISION NOTIFIED TO CORRESPONDENTS:

CONDITIONS: \* YES/NO DISTRICT: H1

PERMISSION ENDS:

Public Advert. Necessary: Date to BS & S: \* YES/NO Date Published:

Existing Uses	1	2	3	4	5	6	
* Floor/Site Area	1 54F						m <sup>2</sup>
Proposed Uses	1 54F						m <sup>2</sup>
* Floor/Site Area							m <sup>2</sup>

EXISTING HOUSES BY NO. OF ROOMS:							EXISTING FLATS BY NO. OF ROOMS:							
3 room	4 room	5 room	6 room	7 room	Not known		1 room	2 room	3 room	4 room	5 room	6 room	7 room	Not known

PROPOSED HOUSES BY NO. OF ROOMS:							PROPOSED FLATS BY NO. OF ROOMS:							
3 room	4 room	5 room	6 room	7 room	Not known		1 room	2 room	3 room	4 room	5 room	6 room	7 room	Not known

DATE COMMENCED: DATE COMPLETED:

REPORT - \*Delete as appropriate

Proposed Use: <b>Shop &amp; premises</b>	IDP: <b>Shopping</b>
<small>*established/authorised/contravening</small>	Other Plans: <b>/</b>
Site area: <b>165</b> sq. m.	Floor space proposed: <b>/</b> sq. m.

\*Planning Standards: Complies/Does not comply (density/daylighting/vehicle space/overlooking/nonconforming use)

\*Adjoining occupiers/owners: ~~Not consulted~~ **4** consulted, **object** consulted, **24** objections received/petition with **24** signatures objecting.

\*Take in inspection report/proposed density from next page.

RECOMMENDATION:

\*Resolve for the purposes of Regulation 11 of the Town & Country Planning General Regulations 1969 to carry out the development.

\*Pursuant to condition(s) **attached to (outtime) permission No. HGYT ~~dated~~**

\*Subject to any Direction by ~~(i) GLC under Regulation~~ ~~(ii) Secretary of State for the Environment~~

\*GRANT / ~~REFUSE~~ PERMISSION / APPROVAL / CONSENT

in accordance with drawings Regd. No.: **HGY/1030/256/1**

(Applicants Nos. **AS 37**.)

\*subject to the following condition(s)/for the following reason(s):

- ① **STD COND 49 COMMENCEE WITHIN 5 YRS + REASON.**
- ② **Hours of Working**  
**9am - 11pm**  
**Mondays - Saturdays only**  
in order to protect the amenities of adjoining residents

Informative

Planning consent will be required if it is intended to install any illuminated advertising on the premises.

RECOMMENDATION AGREED		
	BPO	DBPO
PANEL	<i>[Signature]</i>	<i>[Signature]</i>
DELEGATION	<i>[Signature]</i>	<b>10/8/75</b>

CHECK LIST - \*Delete as appropriate

IDC Floor Space IDC No.	Existing Density Proposed Density Proposed rooms/dwng.	hr/a hr/a	Parking Existing Parking Proposed Parking Standard
ODP Floor Space ODP No.	IDP Plot Ratio Proposed Plot Ratio	:1 :1	Leading Space Standard Leading Space Proposed
Cubic Content Existing Extension	Site Plan *Adequate/Inadequate		
	Daylighting *Complies/Infringes		
Appearance: Massing *Satisfactory/Unsatisfactory Elevations *Satisfactory/Unsatisfactory Materials *Satisfactory/Unsatisfactory Space about bldgs. *Satisfactory/Unsatisfactory Fencing *Satisfactory/Unsatisfactory Planting *Satisfactory/Unsatisfactory	Access *Satisfactory/Unsatisfactory		
	Overlooking *Satisfactory/Unsatisfactory		
	Refuse Collection *Satisfactory/Unsatisfactory		
	Aspect *Satisfactory/Unsatisfactory		
	Prospect *Satisfactory/Unsatisfactory		
	Childrens Playspace @ 2m <sup>2</sup> Bedspace *Adequate/Inadequate		

INSPECTION REPORT - Date inspected *9.7.79* - *poor trading position*  
*between laundrette + dress factory. Proposed*  
*shopfront would be reasonable. Residential upper part*  
*appears vacant. Separate street access.*

PROGRESS NOTES

14.  
ARCHWAY

256 ARCHWAY ROAD, N.6 (Appl. received 19.6.79)

Ref.No.1030/256/1

Proposal: Use of ground floor and basement as a restaurant and installation of new shopfront. (Full)

Present Use: Shop and Premises

I.D.P. Shopping

Site Area: 165 sq.m.

Adjoining occupiers/owners: 4 consulted, 4 objections received.

-4 SEP 1979

RECOMMENDATION:

GRANT PERMISSION in accordance with drawings Regd.No. HGY/0130/256/1 (Appl.Nos. AS 37) subject to the following conditions.

1. 49 (Commence within 5 years)
2. 34 (Hours of working...9 a.m. and 11 p.m....Mondays to Saturdays only)

Reason:

2. In order to protect the amenities of adjoining residents.

Informative:

Planning consent will be required if it is intended to install any illuminated advertising on the premises.

10  
HG/P. Smith.

1st October 1979.

15  
THE HIGHGATE SOCIETY  
Ian Davis,  
10a, South Grove,  
Highgate,  
London N6.

Dear Sir or Madam

Town & Country Planning Act 1971

Site:

Use of ground floor and basement as a restaurant and  
~~Proposed Development~~ shopfront.

1030/256/1

Ref: HGY/

---

I refer to previous correspondence concerning an application for permission under the Town and Country Planning Act 1971 in respect of the above proposed development.

In considering this application the Council had regard to your comments and decided to grant permission subject to the conditions set out on the attached schedule.

Thank you for the interest you have taken in this matter.

Yours faithfully

D W FRITH  
Borough Planning Officer

Encl:



C.J.&L.R Lamb,  
33, Holmesdale Road,  
London N6..

M/P. Frith.

Mrs Pamela Jefferys,  
37, Onslow Gardens,  
London N10. 3JY

1st October 1979.

Dear Sir or Madam

Town & Country Planning Act 1971  
Site: 256, Archway Road, N6.

Proposed Development: Use of ground floor and basement as a restaurant and installation of new shopfront.

Ref: HGY/ 1030/256/1 \

I refer to previous correspondence concerning an application for permission under the Town and Country Planning Act 1971 in respect of the above proposed development.

In considering this application the Council gave very careful consideration to your comments but nevertheless decided to grant permission subject to the conditions set out on the attached schedule.

Thank you for the interest you have taken in this matter.

Yours faithfully

D W FRITH  
Borough Planning Officer

Encl:

In pursuance of their powers under the above Acts and Orders the Council of the London Borough of Haringey as local planning authority hereby PERMIT the above development in accordance with the application dated 18 June 1979 and drawing(s) No.(s) EGY/1030/256/1 (Appl. Nos. AS 37) subject to the following conditions:

- 1) The development hereby authorised must be begun not later than the expiration of five years from the date of this permission falling which the permission shall be of no effect.  
Reason: The Condition is imposed by virtue of Section 41 of the Town and Country Planning Act 1971 and to prevent the accumulation of unimplemented planning permissions.
2. That no work shall be carried out except between the hours of 9 a.m. and 11 p.m. on Mondays to Saturdays only. Reason: In order to protect the amenities of adjoining residents.

Prickett & Ellis  
27, Highgate High Street, N.6

Mrs. Sylvia Bond,  
Mr. Ralph Bond,  
31, Holmesdale Road, N.6

J/P. Smith

12th October 1979

Johanna Morgan,  
29, Holmesdale Road,  
London,  
N.6

Lynch Hall & Hornby,  
23, Peterborough Road,  
Harrow, Middx.

Dear ~~Sir~~ Madam

Town & Country Planning Act 1971  
Site: 256, Archway Road, N.6

Proposed Development: Use of ground floor and basement as a restaurant  
and installation of new shopfront.

Ref: HGY/1030/256/1

I refer to previous correspondence concerning an application for  
permission under the Town and Country Planning Act 1971 in respect  
of the above proposed development.

In considering this application the Council gave very careful  
consideration to your comments but nevertheless decided to grant  
permission subject to the conditions set out on the attached  
schedule.

Thank you for the interest you have taken in this matter.

Yours faithfully

D W FRITH  
Borough Planning Officer

Encl:

In pursuance of their powers under the above Acts and Orders the Council of the London Borough of Haringey as local planning authority hereby PERMIT the above development in accordance with the application dated 18 June 1979 and drawing(s) No.(s) EGY/1090/256/1 (Appl. Nos. 13 37) subject to the following conditions:

- 1) The development hereby authorised must be begun not later than the expiration of five years from the date of this permission failing which the permission shall be of no effect.  
Reason: The Condition is imposed by virtue of Section 41 of the Town and Country Planning Act 1971 and to prevent the accumulation of unimplemented planning permissions.
2. That no work shall be carried out except between the hours of 9 a.m. and 11 p.m. on Mondays to Saturdays only. Reason: In order to protect the amenities of adjoining residents.

S. Galiel,  
109 Stough Lane,  
London NW9.

SC/JAN

on behalf of:

17 December 1979.

M.A. Udin,  
23, Carvington Avenue,  
Hounslow,  
Middlesex.

Dear Sir,

RE:- Town and Country Planning Act 1971.  
256, Archway Road, N6.  
Reference 1030/256/1.

I refer to your application for planning permission dated 18 June 1979 for the use of the ground floor and basement of the above premises as a restaurant and the installation of a new shop front and I enclose herewith the Council's notice of decision.

I am instructed to advise you that planning consent will be required if it is intended to install any illuminated advertising on the premises.

Yours faithfully,

D.G.W. Smith.  
Chief Administrative and Planning Officer.

37 Onslow Gardens,  
Muswell Hill,  
London N10 3JY

7th October, 1979

Your ref: MT/P.Smith

~~Mr D. V. Smith,~~  
Borough Planning Officer,  
Borough of Haringey,  
Hornsey Town Hall,  
The Broadway,  
Crouch End, N8 9JJ

HARINGEY TOWN PLANNING SERVICE			
9 OCT 1979			
DPO	DPBO	CAPO	SEC
DP/1	DP/2	DP/3	DP/4
DP/A	DC	DC.	P.S
RES	LD	LLC	

Dear Sir,

256 Archway Road, N6  
Ref: HGY/1030/256/1

Thank you for your letter of 1st October. May I have further information on the following points:

1. How would condition No 2 for the planning permission be monitored by the Council? i.e How would the closing time of 11 pm be enforced?
2. Is the Planning Office satisfied that there are adequate refuse storage facilities and sufficient collections of rubbish? (I refer to recent correspondence between Mrs Pat Gleave of 61 Holmesdale Road, N6, and the Borough Environmental Health Officer concerning refuse collection for the restaurant at No 310 Archway Road.)
3. Is there a right of appeal under the Town and Country Planning Act 1971?

Yours sincerely,

*Pamela Jefferys*  
Mrs P. Jefferys,  
Secretary,  
Archway Improvement Association

Mrs. P. Jefferys,  
Secretary,  
Archway Improvement Association,  
37 Onslow Gardens,  
London, N10 3JY

PES/TMA

12 October 1979

Dear Madam,

Town and Country Planning Act 1971  
256 Archway Road, London, N.6.  
Ref: HGY/1030/256/1

I refer to your letter of 9 October 1979.

The Council would not normally monitor the hours of opening of the restaurant premises but should it be brought to the attention of my Department that the restaurant is open beyond the hours stated, the Council would take enforcement action to keep the hours of opening within the limit set by the condition.

I have not seen the correspondence to which you refer but the matter of adequate refuse storage facilities is a matter normally dealt with by the Environmental Health Officer under the Public Health Act.

Only the applicant has a right of appeal under the above Act.

Should you have any further questions in connection with this matter, I would be grateful if you would contact my Assistant, Mr. P.E. Smith, 340 3220 Ext.232 who will be glad to assist you.

Yours faithfully,



Principal Planning Officer.

LONDON BOROUGH OF HARINGEY

TOWN AND COUNTRY PLANNING ACT 1971  
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDERS 1977

NOTICE OF PLANNING PERMISSION

<p>Name and Address of Applicant S. Galial 109 Stough Lane LONDON NW.9</p>	<p>On behalf of H.A. Udin 23 Camington Avenue Hounslow MIDDX.</p>
<p>Site 256 Archway Road, N.6</p>	
<p>Particulars of Development Use of ground floor and basement as a restaurant and installation of new shopfront.</p>	

In pursuance of their powers under the above Acts and Orders the Council of the London Borough of Haringey as local planning authority hereby PERMIT the above development in accordance with the application dated 18 June 1979 and drawing(s) No.(s) HGY/1030/256/1 (Appl. Nos. AS 37) subject to the following conditions:

- 1) The development hereby authorised must be begun not later than the expiration of five years from the date of this permission failing which the permission shall be of no effect.  
Reason: The Condition is imposed by virtue of Section 41 of the Town and Country Planning Act 1971 and to prevent the accumulation of unimplemented planning permissions.
2. That no work shall be carried out except between the hours of 9 a.m. and 11 p.m. on Mondays to Saturdays only. Reason: In order to protect the amenities of adjoining residents.

Hornsey Town Hall,  
The Broadway,  
Crouch End,  
N8 9JJ.

Dated 4 September 1979

*David Smith*

Borough Planning Officer

- NOTES** (1) Attention is particularly drawn to the Schedule on the reverse of this Notice which sets out the rights of Applicants who are aggrieved by the decisions of the Local Planning Authority.
- (2) This decision does not purport to convey any approval or consent which may be required under The Building Regulations 1976, any byelaws or any enactment other than Town and Country Planning Act 1971.





To .....

Department .....

**RECORD OF INTERVIEW/TELEPHONE CONVERSATION**

Date Monday 25-7-85 Time 9:10 AM

Caller's Name Mrs LAMB

Address 33 Holmstead Road N6

Telephone No. 345-9375

Subject 256 Melbury Road N6 opening on  
Sundays and until midnight each  
night, outside permitted hours

Signature of Officer R Stewart  
Development Control Department

Action taken Informed Rec of letter being sent  
telling them of planning consent  
required for these hours  
SD

This form to be completed, in duplicate, original to person accepting responsibility for action, copy to Section Head (or Group Leader) for progress action.



## IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

### ENFORCEMENT NOTICE

*TOWN AND COUNTRY PLANNING ACT 1990 (as amended)*

ISSUED BY: London Borough of Haringey (herein after referred to as "the Council")

1. THIS IS A FORMAL NOTICE which is issued by the Council because it appears there has been a breach of planning control, under Section 171A (1)(a) of the above Act, at the land described below. The Council considers that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations.

2. THE LAND AFFECTED

The land and building(s) known as 256 Archway Road, London N6 5AX shown edged red on the attached plan ("the premises").

3. THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission;

- I. The change of use of the ground floor and basement to a mixed use comprising of a shisha bar and restaurant
- II. The enclosure of the rear garden

4. REASONS FOR ISSUING THIS NOTICE

- I. It appears to the Council that the above breach of planning control in relation to (3)(I) above has occurred "within the last TEN years" and that steps should be taken to remedy the breach by Section 173 4(a) or to remedy any amenity or injury which has been caused by the breach.
- II. It appears to the Council that the above breach of planning control in relation to (3)(II) has occurred "within the last FOUR years" and that steps should be taken to remedy the breach by Section 173 4(a) or to remedy any amenity or injury which has been caused by the breach.
- III. The material change of use impacts adversely on the occupiers of the upper floors of the building and the adjoining occupiers, by reasons of overlooking, excessive noise nuisance, smoke and general disturbance contrary to Policies DM1 'Delivering High Quality Design', DM23 'Environmental Protection of the Development Management DPD 2017 and SP10 'Town Centres' of the Local Plan 2017 and Policy 7.15 'Reducing And Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes' of the London Plan 2016.
- IV. The unauthorised enclosing alterations and structures to the rear garden by reason of their size, design and materials do not relate positively to neighbouring structures, new or old, to create a harmonious whole and are detrimental to surrounding visual

amenity. Furthermore they do not make a positive contribution, nor improve the character and quality of the area contrary to Policy DM1 'Delivering High Quality Design' of the Development Management DPD 2017 and SP11 'Design' of the Local Plan 2017 (as amended) and policies 7.4 'Local Character', 7.6 'Architecture' of the London Plan (2016).

- V. The unauthorised enclosing alterations in the rear garden do not complement the architectural style, scale, proportions, materials and details of the host building and appear overbearing contrary to Policy DM9 'Management of the Historic Environment' of the Development Management DPD 2017 and SP12 'Conservation' of the Local Plan 2017 and Policies 7.4 'Local Character', 7.6 'Architecture' and 7.8 'Heritage Assets and Archaeology' of the London Plan (2016).

5. WHAT YOU ARE REQUIRED TO DO

1. Cease the use of the rear of the ground floor as a shisha bar;
2. Remove the enclosing structures along and or attached to the side and rear boundaries;
3. Remove all the enclosing structures covering over the rear garden excepting the retractable canopy.
4. Remove from the land all resultant debris as a result of carrying out the above requirements of steps 2, 3.

Time for compliance: One (1) month after this notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This notice takes effect on 19 March 2019 unless an appeal is made against it beforehand.

Dated: 13 February 2019

Signed: 

Fortune Gumbo  
Acting Team Leader Planning Enforcement and Appeals  
London Borough of Haringey  
6<sup>th</sup> Floor River Park House  
225 High Road  
London N22 8HQ

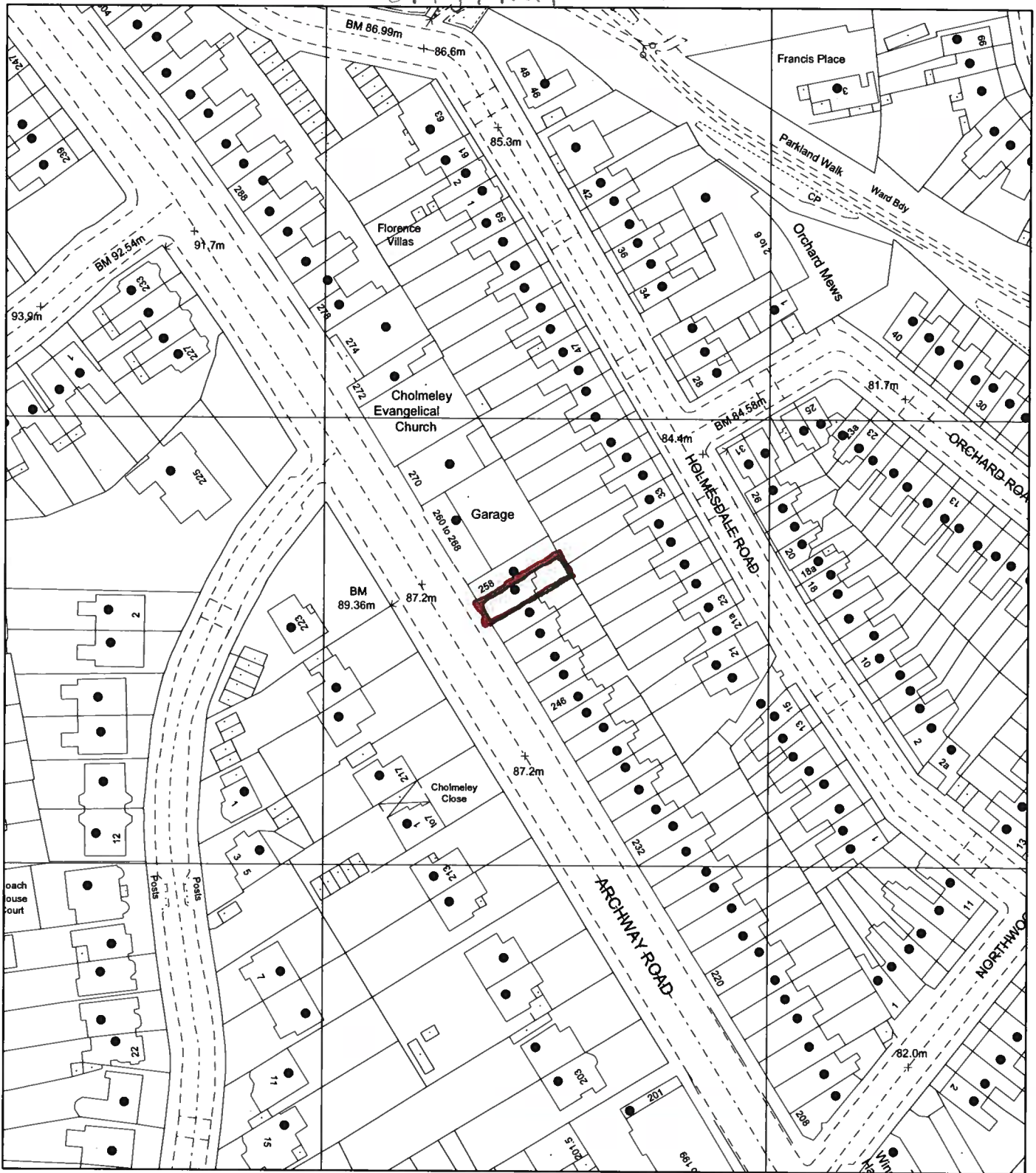


### YOUR RIGHT OF APPEAL

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 19/03/2019. The enclosed letter from the Planning Inspectorate sets out your rights and advises on the appeal procedure.

### WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this enforcement notice, it will take effect on 19/03/2019 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the periods 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.



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# Town and Country Planning Act 1990 (As amended)

## Site Location Map

### 256 Archway Road, London N6 5AX

**Directorate of  
Place and  
Sustainability**

Emma Williamson  
Assistant Director PRE  
LB Haringey 225 High Road  
London N22 8HQ

Drawn by	SG
Scale	1:1250
Date	15/02/2019
Drawing	10541