

Appendix D

Planning information

TO: HARVEY CHAPPELL - Borough Solicitor - Council Ombudsman

FROM: LINDA AITKEN - Principal Planning Officer

DATE: 5.9.94

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
COMPLAINT TO LOCAL OMBUDSMAN BY RESIDENTS ACTION GROUP C/O
42 HOMECROFT ROAD, LONDON N22 IN RESPECT OF PLANNING APPLICATION
MADE BY DIAL - A - RIDE FOR USE OF BRANTA HOUSE, HOMECROFT ROAD,

Further to the letter dated 21.7.94 from the "Residents Action Group" and your memo of 29.7.94 seeking information on the situation, I see two issues of complaint.

Firstly, residents do not believe Members are taking the views of residents into consideration and secondly "only a few" residents were notified about the application.

I do not consider it the role of the Planning Service to comment on whether or not Members are treating peoples claims with "contempt" or ignoring them. I do feel it is important to demonstrate that residents were adequately informed and that there their views were correctly presented to Members in order for them to reach a decision.

Therefore I shall detail the method and reporting of the consultation with local residents.

The application was received on 13.6.94 and on this day letters of consultation were sent out to those properties immediately backing onto the site. (Refer Doc 1) This involved 45 properties which were:

- 2 - 40 Holmcroft Road
- 2 - 38 Sandford Ave
- 86 - 98 Eldon Road

As with all standard consultation letters, residents are given a 14 day period within which to respond.

The properties consulted were specified because they directly backed onto the site. In specifying those houses, consideration was also taken into the type of site and the consent that was being sought. This is an industrial site with an unlimited/unfettered B8 (Storage/Depot) Use.

Planning Permission was granted in 1991 for a B1 (Office/Light Industrial) use. This was a conditional consent whereby a condition was placed restricting the hours of operation from 0800 - 1800, Monday to Friday.

This B1 Use had never been implemented. Dial - a - Ride, who I classified as being a B1 Use on the information provided, could therefore lawfully move into the premises and operate between the approved B1 Hours of operation. However, they sought to be able to operate up until midnight 7 days a week. The supporting information showed a light evening and weekend use with a maximum a six vehicles being operated after 6, and this only to return to the base.

Weekend operation was also lighter than weekly use - 30 vehicles during week days and only 15 in operation in the weekends.

Bearing in mind the site can lawfully be operated 7 days a week, 24 hours a day under its B8 Use, as well as the relatively low intensity use required for evening and weekend use, it was recommended to Members that an extension to the hours of operation be approved but made personal to Dial - a - Ride.

The original report that went before members to the Planning Committee on the night of 28.6.94 stated that consultation would be reported verbally. I have enclosed my hand written notes which were read out pretty well verbatim to Members when introducing the application. Due to the hand written nature of the notes I shall include the relevant passage: