

EXPLANATION OF PLANNING STATUS – Prepared by Anil Shah 12 April 2024.

**19 Victoria Road, N18 2UF “Deemed Consent” of Unauthorised Conversion into 5 Flats
The house is NOT HMO as there is no sharing of basic amenities. Flats are self-contained**

1. This house was purchased in semi-derelict state in May 2003. It was initially let out to staff working at the hospital nearby, and work was started to sub-divide it into 5 flats, modelled on our other property nearby, which was also converted into 5 flats, but classified initially as an HMO, where Enfield Council had already specified Fire Safety Works in great detail.
2. In 2009 Enfield Council undertook a Planning Investigation into the conversion of the house. The house was fully rented out as 5 self-contained flats, when the investigation visit took place. We have email correspondence with the officer concerned, including the information provided about the works carried out during 2003/4/5/6. It was noted that the conversion was carried out about 4 years prior to the investigation.
3. In 2013 a similar investigation was carried out by a different officer for our other property, where Enfield Council had already been involved in the works, and was fully aware of the conversion. That investigation was quickly closed with a record of “Deemed Consent”. As a follow-up I had asked the new Officer about the **2009 investigation for 19 Victoria Road**. I was informed that that investigation had also been closed with “Deemed Consent” in 2010.
4. **Below are some important extracts from emails sent by Council Officers:**

26 November 2009 at 16:52:27 GMT

I will retrieve the planning file regarding the cross over application as this may have relevant correspondence referring to the five flats. In the meantime, if you could gather what evidence you have regarding delivery of material and works done etc this would be helpful to your position. I will let you know in the next few days whether or not the additional information will be needed. Please do not hesitate to email me if you have any other questions or other info you think i should have.

9 December 2013 at 12:04:51 GMT

I have put the case forward for closure as the proof that you have sent us and data records on the Environment database matches and dates back to the early 2000s. I will ensure that the case be reviewed immediately for closure as deemed consent. With regards to the other investigation by Mr Hillier I can confirm that this was closed in 2010 as deemed consent.

9 December 2013 at 14:49:28 GMT

Because the property has been split for over 4 years the Premises is now deemed as having consent for the usage. It will now stay on our records to say that the file was closed as having deemed consent however if you would like it formalised you would need to submit an application to the planning department for a Lawful development certificate (LDC).

07 July 2015 at 11:22 GMT

I have received the following comments from Planning Enforcement,

Clarification on the point of ‘deemed consent’

‘Deemed consent’ means that the development has been in place for over 4 years. The Local Authority has no power to take any enforcement action and the property has permission by default without submitting an application. The Council does not write to owners as way of proof for the development. If this is required, you will need to contact the Planning Department and submit a relevant planning application.