

PLANNING STATEMENT

To support

Application for a Lawful Development Certificate for an Existing Use
to retain an existing single storey extension to an existing house

at

1 King Street, London, N2 8EA

REV2

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I. INTRODUCTION & DESCRIPTION OF THE PROPOSAL

In accordance with *Town and Country Planning Act 1995* we write on behalf of the applicant Mr Alan Warwick, to submit this application for a Lawful Development Certificate for an Existing Use, to retain an existing single storey extension at *1 King Street, London, N2 8EA*

II. RELEVANT PLANNING POLICY

- *Town and Country Planning Act 1995, Section 191 Certificate of lawfulness of existing use or development:*

(1) If any person wishes to ascertain whether—

(a) any existing use of buildings or other land is lawful;

(b) any operations which have been carried out in, on, over or under land are lawful; or (c) any other matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted is lawful, he may make an application for the purpose to the local planning authority specifying the land and describing the use, operations or other matter.

- *Town and Country Planning Act 1995, 171B Time limits:*

(3) In the case of any other breach of planning control, no enforcement action may be taken after the end of the period of ten years beginning with the date of the breach.

III. GROUNDS FOR APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE

Demolition of the existing extension to the existing house at 1 King Street was required by Condition 12 of the Appeal Ref: APP / N5090 / A / 13 / 2200572 to take place prior to the development of a new dwelling.

The appeal decision was issued on 22 January 2014 and a period of over 10 years has passed since the breach of condition. Please refer to the attached appeal decision.

Attached is also a delegated report (please see paragraphs highlighted in yellow) confirming that the previous application was refused by Mr Douglas Payne on the basis of it just missing the 10-year anniversary and the applicant was advised that a reapplication would be required after 22 January 2024.

IV) CONCLUSION

The proposed scheme is fully compliant with the relevant sections of the Town and Country Planning Act 1995, the time for taking enforcement action in respect of failure has expired (over 10 years have passed) and the proposed retention of the existing single storey extension should be found lawful.