



London Borough of Barnet, Planning Services  
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Application for a Lawful Development Certificate for an Existing Use or Operation or Activity,  
 including those in breach of a planning condition

Town and Country Planning Act 1990 (as amended)

**Publication of applications on planning authority websites**

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

## Site Location

**Disclaimer:** We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number	<input type="text" value="1"/>
Suffix	<input type="text"/>
Property Name	<input type="text"/>
Address Line 1	<input type="text" value="King Street"/>
Address Line 2	<input type="text" value="East Finchley"/>
Address Line 3	<input type="text" value="Barnet"/>
Town/city	<input type="text" value="London"/>
Postcode	<input type="text" value="N2 8EA"/>

Description of site location must be completed if postcode is not known:

Easting (x)	<input type="text" value="526761"/>	Northing (y)	<input type="text" value="189911"/>
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Description

## Applicant Details

### Name/Company

Title

Mr

First name

A.

Surname

Warwick

Company Name

### Address

Address line 1

44a Church Lane

Address line 2

East Finchley

Address line 3

Town/City

London

County

Country

Postcode

N2 8DS

Are you an agent acting on behalf of the applicant?

Yes

No

### Contact Details

Primary number

Secondary number

Fax number

Email address

## Agent Details

### Name/Company

Title

First name

Surname

Company Name

### Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

## Contact Details

Primary number

\*\*\*\*\* REDACTED \*\*\*\*\*

Secondary number

Fax number

Email address

\*\*\*\*\* REDACTED \*\*\*\*\*

## Reason for Lawful Development Certificate

Please indicate why you are applying for a lawful development certificate

- An existing use
- Existing building works
- An existing use, building work or activity in breach of a condition

**Being a use, building works or activity which is still going on at the date of this application.**

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please select the relevant Use Class.

C3 - Dwellinghouses

## Description of Existing Use, Building Works or Activity

Please fully describe each existing use, building works or activity for which you want the lawful development certificate. Where appropriate, show to which part of the land each use, building works or activity relates

Retention of an existing single storey rear extension to an existing house at 1 King Street , Finchley, London, N2 8EA.

## Grounds for application for a Lawful Development Certificate

Under what grounds is the certificate being sought

- The use began more than 10 years before the date of this application
- The use, building works or activity in breach of condition began more than 10 years before the date of this application
- The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years
- The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.
- The use as a single dwelling house began more than four years before the date of this application
- Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

Is the certificate being sought for a use, operation, or activity in breach of a condition or limitation?

- Yes
- No

Reference number

Appeal Ref: APP / N5090 / A / 13 / 2200572

Condition number

12

Date (must be pre-application submission)

22/01/2014

Please state why a Lawful Development Certificate should be granted

In accordance with The 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.

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.

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.

## Information in support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed (date must be pre-application submission)?

22-01-2018

In the case of an existing use or activity in breach of conditions has there been any interruption?

Yes

No

In the case of an existing use of land, has there been any material change of use of the land since the start of the use for which a certificate is sought?

Yes

No

**Residential Information**

Does the application for a certificate relate to a residential use where the number of residential units has changed?

Yes

No

## Site information

**Please note:** This question is specific to applications within the Greater London area.

The Mayor can request relevant information about spatial planning in Greater London under [Section 346 of the Greater London Authority Act 1999](#).

[View more information on the collection of this additional data and assistance with providing an accurate response.](#)

## Title number(s)

Please add the title number(s) for the existing building(s) on the site. If the site has no title numbers, please enter "Unregistered".

**Title Number:**

MX203541

## Energy Performance Certificate

Do any of the buildings on the application site have an Energy Performance Certificate (EPC)?

Yes

No

Please enter the reference number from the most recent Energy Performance Certificate (e.g. 1234-1234-1234-1234-1234)

7705-7062-0202-0095-0202

## Further information about the Proposed Development

**Please note:** This question is specific to applications within the Greater London area.

The Mayor can request relevant information about spatial planning in Greater London under [Section 346 of the Greater London Authority Act 1999](#).

[View more information on the collection of this additional data and assistance with providing an accurate response.](#)

What is the Gross Internal Area to be added to the development?

14.80

square metres

Number of additional bedrooms proposed

0

Number of additional bathrooms proposed

0

## Vehicle Parking

**Please note:** This question contains additional requirements specific to applications within Greater London.

The Mayor can request relevant information about spatial planning in Greater London under [Section 346 of the Greater London Authority Act 1999](#).

[View more information on the collection of this additional data and assistance with providing an accurate response.](#)

Does the site have any existing vehicle/cycle parking spaces or will the proposed development add/remove any parking spaces?

- Yes  
 No

## Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- Yes  
 No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- The agent  
 The applicant  
 Other person

## Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- Yes  
 No

## Interest in the Land

Please state the applicant's interest in the land

- Owner  
 Lessee  
 Occupier  
 Other

## Authority Employee/Member

**With respect to the Authority, is the applicant and/or agent one of the following:**

- (a) a member of staff**  
**(b) an elected member**  
**(c) related to a member of staff**  
**(d) related to an elected member**

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

Yes

No

## Declaration

I/We hereby apply for Lawful development: Existing use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

Michael Bukowski

Date

02/02/2024