

Planning Services
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For office use
Date
Payee
App. No. Fee

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: Section 191 as amended by section 10 of
the Planning and Compensation Act 1991.

Town and Country Planning (Development Management Procedure) (England) Order 2010

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.

1. Applicant Name, Address and Contact Details

Title:	Mr	First name:	Gary	Surname:	Hodes	
Company name						
Street address:	10A Grosvenor Gardens			Country Code	National Number	Extension Number
	London			Telephone number:		
	London			Mobile number:		
Town/City	London			Fax number:		
County:	London			Email address:		
Country:						
Postcode:	n10 3tb					

Are you an agent acting on behalf of the applicant? ☐ Yes ☒ No

2. Agent Name, Address and Contact Details

No Agent details were submitted for this application

3. Site Address Details

Full postal address of the site (including full postcode where available)	Description:
House: 1 Suffix:	This application relates to permission already granted to build a new house on land adjacent to 1 Estelle Road, NW3 2JX
House name:	
Street address: Land Adjacent To	
1 Estelle Road	
Town/City: London	
County:	
Postcode: NW3 2JX	
Description of location or a grid reference (must be completed if postcode is not known):	
Easting: 528021	
Northing: 185553	

4. Pre-application Advice

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

☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title: First name: Surname:

Reference:

Date (DD/MM/YYYY): (Must be pre-application submission)

Details of the pre-application advice received:

Mr Martin advised me to apply for this Certificate, following assertions from neighbours that the project had not commenced within three years of the date of planning permission.

5. Lawful Development Certificate - Interest in Land

Please state the applicant's interest in the land:

☒ a) Owner ☐ b) Lessee ☐ c) Occupier ☐ d) Other

6. Authority Employee/Member

With respect to the Authority, I am:

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

Do any of these statements apply to you?

☐ Yes ☒ No

7. Description of Use, Operation or Activity

Which category describes the existing use or operation or development for which the certificate is sought:

- ☐ An existing use
- ☒ An existing operation
- ☐ An existing use, operation or activity in breach of a condition

8. Description of Use, Operation or Activity

Describe the existing uses, building works or activities for which you want a lawful development certificate. Where appropriate, show to which part of the land each use building works or activity relates:

I am requesting this Cert. of Lawful Development in Connection with planning permission 2008/0582/P. This permission was granted on appeal on May 11, 2009. Work on this project started on November 1, 2011 with preliminaries including ground survey, trial holes, followed by extensive design and engineering work, and much more. Furthermore, a section of foundation was constructed on May 9, 2012 [facilitated by the need for more ground investigation).

9. 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).

If the certificate is sought on 'Other' grounds please give details:

My earlier comment refers. I am simply requesting a Certificate to show that this project has formally 'started', and that it did so not later than May 9, 2012.

If the certificate is sought for a use, operation, or activity in breach of a condition or limitation, please specify the condition or limitation that has not been complied with:

Reference number:

Condition number:

Date:

Please state why a Lawful Development Certificate should be granted:

As mentioned, work on the project started in November 2011 with the appointment of numerous professionals including Ground Surveyors, Engineers, Architects, Party Wall surveyor, Building Control company, Health & Safety consultant and Project Manager. Almost all preliminaries were complete by April 30, 2012 and General Contract was selected and about to be appointed.

To finalise plans, it was necessary to find the exact location of Services in the driveway over which the house is to be built. Since excavation was required to find these services, the opportunity was taken to construct a section of foundation, to preclude the need to dig that section of the driveway a second time later on. This took place on May 9, 2012.

10. Information in Support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed?

01/11/2011

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

☒ Yes ☐ No

If Yes, please provide details of the dates, duration and any discontinuance of the development which is the subject of this application. If your application is based on the claim that a use or activity has been ongoing for a period of years, state exactly when any interruption occurred:

The main construction of the house is delayed while I try to satisfy the requirement for a Construction Management Plan. I have made two applications so far, both unsuccessful.

The problem is that I couldn't appoint a contractor until the start date was fixed. But the start date couldn't be fixed without satisfying the CMP requirement, which can't be done without a contractor [this is a difficult house to build, in a very tight location, and every builder has a different view as to how it should be tackled].

I am now trying to find a contractor who is willing to work on the preparation of the CMP, as well as build the house.

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

10. Information in Support of a Lawful Development Certificate (cont.) - Residential / Dwelling Units

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

☐ Yes ☒ No

11. 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? (Please select only one)

☐ The agent ☒ The applicant ☐ Other person

12. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form 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.



Date:

06/11/2012

Warning:

The amended section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the authority to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.