

NOTES IN SUPPORT OF APPLICATION FOR CERTIFICATE OF LAWFULNESS IN RESPECT OF INTERNAL ALTERATIONS AT 3 PERCY MEWS, LONDON, W1T 1EX

s.57(1) of the Town & Country Planning Act 1990 (As amended), sets out the meaning of development as follows;

'Subject to the following provisions of this section, planning permission is required for the carrying out of any development of land'.

s.55(1) of the Town & Country Planning Act 1990 (As amended), sets out the meaning of development as follows;

"development means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land".

s.55(2) of the Town & Country Planning Act 1990 (As amended), sets out the meaning of development as follows;

'The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land—'

- (i) *affect only the interior of the building, or*
 - (ii) *do not materially affect the external appearance of the building,*
-

THE EXISTING BUILDING

The existing building forms a ground floor flat accommodation with storage space within an existing basement level.

The application site is located within the Fitzrovia Conservation Area. It is not however a listed building.

THE PROPOSED DEVELOPMENT

The applicant proposes the improvement of the existing building by means of undertaking internal alterations only in order to create additional living accommodation within the basement area.

Development not included within the proposals;

- The proposals do not allow for any external alterations.
- The proposals will not create any separate living units.

REASONS THAT THE DEVELOPMENT IS CONSIDERED LAWFUL

The works constitute internal alterations only and as such are exempt from the 'section 57' requirement for planning permission pursuant to *section 55(2)* of the 'Town & Country Planning Act 1990'.

END

Mike Harry
(Agent)

