LIST OF RECOMMENDATIONS UNDER DELEGATED POWERS 04/01/2016

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS

1. APPLICATION DETAILS

Reference No: HGY/2015/3447 **Ward:** Tottenham Green

Date received: 19/11/2015

Drawing number of plans: OS Map; 1056/02; AST Flat 1 dated 27/07/2015; Electricity Bill Flat 1 dated 23/01/2003; AST Flat 2 dated 20/12/2015; AST Flat 2 28/08/2015; Council Tax Bill Flat 2 dated 20/02/2013; Power Bill Flat 2 dated 19/09/2011; Council Benefit Letter Flat 2 24/02/2011; Power Bill Flat 2 dated 23/01/2003; AST Flat 3 dated 10/12/2009; AST Flat 3 dated 22/06/2013; AST Flat 3 dated 14/09/2015; AST Flat 3 dated 22/12/2014; AST Flat 3 dated 23/05/2014; Council Tax Bill Flat 3 dated 08/12/2014; Council Benefits Letter Flat 3 dated 13/06/2014; Power Bill No Flat Number dated 12/09/2005; AST Flat 4 dated 21/05/2012; AST Flat 4 dated 01/06/2015; AST Flat 4 dated 02/05/2014; AST Flat 4 dated 01/09/2014; Council Tax Bill Flat 4 dated 19/05/2014; Power Bill Flat 4 dated 15/08/2014; Council Benefit Letter Flat 4 dated 28/10/2014; Powergen letter dated 31/08/2006 for all flats.

Address: 42 Beaconsfield Road N15 4SJ

Proposal: Use of property as 4 self-contained flats (Certifcate of lawfulness for an existing use)

Applicant: Mr Chris Christodoulou

Ownership: Private

Site Visit Date: 04/01/2016

Officer contact: Anthony Traub

2. RECOMMENDATION

GRANT CERTIFICATE

3. PROPOSED DEVELOPMENT AND LOCATION DETAILS

Use of property as 4 self-contained flats (Certifcate of lawfulness for an existing use)

4. RELEVANT PLANNING AND ENFORCEMENT HISTORY PLANNING APPLICATION HISTORY

None.

5 RELEVANT PLANNING LEGISLATION

The Town and Country Planning Act 1990

The application is subject to the following sections of the Act:

1. S171B - Time limits; and
2. S191(2) - Certificate of Lawfulness of Existing Use or Development

6 ANALYSIS/ASSESSMENT OF THE APPLICATION

Section 191 (2) (a) of the TCPA 1990 indicates that a use is lawful if the time limit for enforcement action has expired. The time limit for enforcement action relating to the conversion of a property into flats and the new development as set out in section 171B of the Town and Country Planning Act 1990 is four years of continuous/existing use.

This being the case, reasonable evidence must be provided by the applicant to demonstrate that on the balance of probability the flat has been in existing or in continuous use and available for occupation for at least the last four years.

Council Tax

The property does not appear on the Council Tax valuation list (www.voa.gov.uk). However, a recent letter from the Council Tax department has been submitted.

Evidence submitted

OS Map; 1056/02; AST Flat 1 dated 27/07/2015; Electricity Bill Flat 1 dated 23/01/2003; AST Flat 2 dated 20/12/2015; AST Flat 2 28/08/2015; Council Tax Bill Flat 2 dated 20/02/2013; Power Bill Flat 2 dated 19/09/2011; Council Benefit Letter Flat 2 24/02/2011; Power Bill Flat 2 dated 23/01/2003; AST Flat 3 dated 10/12/2009; AST Flat 3 dated 22/06/2013; AST Flat 3 dated 14/09/2015; AST Flat 3 dated 22/12/2014; AST Flat 3 dated 23/05/2014; Council Tax Bill Flat 3 dated 08/12/2014; Council Benefits Letter Flat 3 dated 13/06/2014; Power Bill No Flat Number dated 12/09/2005; AST Flat 4 dated 21/05/2012; AST Flat 4 dated 01/06/2015; AST Flat 4 dated 02/05/2014; AST Flat 4 dated 01/09/2014; Council Tax Bill Flat 4 dated 19/05/2014; Power Bill Flat 4 dated 15/08/2014; Council Benefit Letter Flat 4 dated 28/10/2014; Powergen letter dated 31/08/2006 for all flats.

Council Tax (VOA Website):

FLAT 1 GND FLR FRONT 42 BEACONSFIELD ROAD LONDON N15 4SJ
REF: 148301042 Band A with effect from: 21/04/2008

FLAT 2 GND FLR REAR 42 BEACONSFIELD ROAD LONDON N15 4SJ
REF: 148302042 Band A with effect from: 21/04/2008

FLAT 3 1ST FLR REAR 42 BEACONSFIELD ROAD LONDON N15 4SJ
REF: 148303042 Band A with effect from: 21/04/2008

FLAT 4 1ST FLR FRONT 42 BEACONSFIELD ROAD LONDON N15 4SJ
REF: 148304042 Band A with effect from: 21/04/2008

6.1 Conclusions

Given the above information submitted and that there is evidence that Council Tax has been paid for the flats, the Council considers that there is sufficient evidence to demonstrate that the flats have been used for residential use for the last four years;

The application proves that the four residential units, on the balance of probability, have been in continuous use and available for occupation for more than the last 4 years as set out in section 171B of the Town and Country Planning Act 1990 and it has been demonstrated to the satisfaction of the Local Planning Authority that the continued use of the 4 self-contained units at 42 Beaconsfield Road N15 4SJ is lawful within the meaning of S191(2)(a) of the Town and Country Planning Act 1990.

7. CIL APPLICABLE

There is no increase in floor area and therefore the proposal is not liable for the Mayoral or Haringey's CIL charge.

8. RECOMMENDATION

GRANT CERTIFICATE

Registered No. HGY/2015/3447

Applicant's submissions: OS Map; 1056/02; AST Flat 1 dated 27/07/2015; Electricity Bill Flat 1 dated 23/01/2003; AST Flat 2 dated 20/12/2015; AST Flat 2 28/08/2015; Council Tax Bill Flat 2 dated 20/02/2013; Power Bill Flat 2 dated 19/09/2011; Council Benefit Letter Flat 2 24/02/2011; Power Bill Flat 2 dated 23/01/2003; AST Flat 3 dated 10/12/2009; AST Flat 3 dated 22/06/2013; AST Flat 3 dated 14/09/2015; AST Flat 3 dated 22/12/2014; AST Flat 3 dated 23/05/2014; Council Tax Bill Flat 3 dated 08/12/2014; Council Benefits Letter Flat 3 dated 13/06/2014; Power Bill No Flat Number dated 12/09/2005; AST Flat 4 dated 21/05/2012; AST Flat 4 dated 01/06/2015; AST Flat 4 dated 02/05/2014; AST Flat 4 dated 01/09/2014; Council Tax Bill Flat 4 dated 19/05/2014; Power Bill Flat 4 dated 15/08/2014; Council Benefit Letter Flat 4 dated 28/10/2014; Powergen letter dated 31/08/2006 for all flats.

REASON: The application proves that the four residential units, on the balance of probability, have been in continuous use and available for occupation for more than the last 4 years as set out in section 171B of the Town and Country Planning Act 1990 and it has been demonstrated to the satisfaction of the Local Planning Authority that the continued use of the 4 self-contained units at 42 Beaconsfield Road N15 4SJ is lawful within the meaning of S191(2)(a) of the Town and Country Planning Act 1990.