



6th Floor, River Park House, 225 High Road, Wood Green, London, N22 8HQ

Planning Service

E-mail: planningcustomercare@haringey.gov.ukWebsite: www.haringey.gov.uk/planning-and-building-control

Tel: 020 8489 5504

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

5

Suffix

Property Name

Address Line 1

Montague Road

Address Line 2

Hornsey

Address Line 3

Haringey

Town/city

London

Postcode

N8 9PJ

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

Easting (x)

530615

Northing (y)

188829

Description

Applicant Details

Name/Company

Title

Miss

First name

Jenny

Surname

McArdle

Company Name

Address

Address line 1

5 Montague Road

Address line 2

Address line 3

Town/City

LONDON

County

Country

United Kingdom

Postcode

N8 9PJ

Are you an agent acting on behalf of the applicant?

- ☐ Yes
- ☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

***** REDACTED *****

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.

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

We are applying for a lawful development certificate for a single storey rear extension that was built before 2010 i.e. at least 13 years before the date of this application.

The extension comprises of a rear, single storey extension, which is used as a lounge with doors opening into the garden, and connected by a door to the kitchen-diner. We assume the side of the kitchen-diner is also an extension (side return) but the shape of houses on this side of Montague Road is not uniform so it is a best guess.

The location of the works is marked on the attached documents with this application - floorplan and a copy of the site plan - and a supporting document includes photographs of the works that have been done, as they are today.

We've answered the question later in the application about increase in m2 as being 17m2 but the the site location plan from ReQuesta Plan shows the current footprint of the house, including the extension.

There is no change of use or type of dwelling. The extension creates an integrated kitchen-diner and lounge, and is part of the original terraced house used by us, as one family.

Description of the works

1. The single storey extension at the rear of the house is used as a lounge with doors opening into the garden, and it is connected to the kitchen-diner with a door. It has central heating (radiators) and hot and cold running water, both of which are connected to the main house system.

The extension is constructed of brick and wood, with wooden framed single glazed windows and doors to the garden. It has a sloping roof made of corrugated plastic. The max height of the eaves is 2.2m. The windows do not overlook the neighbouring gardens or properties at either side. There is no neighbour to the rear.

2. The side part of the single storey extension to the kitchen is constructed of brick in keeping with the original house. It runs alongside and adjoins the wall of the side-return extension of 7 Montague Road. It has a sloping roof of a wooden frame and clear glazing with one opener. The max height of the eaves is 2.48m. The one window to the rear looks into the lounge and does not overlook the neighbouring gardens or properties at either side.

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

Please state why a Lawful Development Certificate should be granted

We propose that a lawful development certificate should be granted for the following reasons.

The works to build the extension were undertaken before 2010, i.e. more than 13 years before the date of this application. This is supported by two key points of evidence:

1. The responses from the seller's solicitors when we purchased the property in June 2021 (evidence doc 1)
 - The responses stated that both the side return and rear extensions (described as a "conservatory") were already in place when the sellers purchased the property in October 2010. Furthermore, they advised that the owners before them had said the same - that these were in place at the time of their purchase.
2. The estate agent listing from May 2010 correlates with the statement from the seller's solicitor (evidence doc 2)
 - It shows on both the floorplan and photographs from the listing in 2010 that both the side return extension and rear extension were already in place and being used as kitchen and lounge at the time.
 - Website address is here <https://www.rightmove.co.uk/house-prices/details/england-28407911-13692205?s=44a990a773776fc8de5a3366d85cb754e046d6beaf2ea498892b730d0ac78db3#/>

Based on this evidence, the works were undertaken at least 13 years ago.

Our neighbour at number 3 confirms the works were done before the previous owner purchased the property (before Oct 2010) but cannot recall exactly when.

Montague Road is not in a conservation area or on designated land, and the single storey extension at number 5 is in keeping with developments for similar victorian terrace properties in the area.

A side-return extension to the kitchen has been undertaken by several properties in Montague Road, including our neighbour at number 7, and is in keeping with the look of the original property and the developments in the road. We understand that the side return extension would be permitted development today.

The rear extension is a way of making best use of what is a small garden for a family house and connecting the indoor and outdoor to give a greater sense of space

The eaves height of the extension is under 3m in height and there are no windows overlooking neighbouring properties or gardens.

We have checked with our neighbours either side and they have no issue or objection with the extension being in place. There is no neighbour at the rear; the back garden is bordered with Broad Lane, a pedestrian footpath running along the gardens on the SE side of Montague Road.

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)?

31-05-2010

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:
MX216883

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)

2158-8044-6278-6370-1230

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?

17.00

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 this form and 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 persons giving them. I / We also accept that: Once submitted, this information will be transmitted to the Local Planning Authority and, once validated by them, be made available 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

Jenny McArdle

Date

18/04/2023