



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

Planning Service

E-mail: planningcustomer@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

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

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

Easting (x)

Northing (y)

Description

Iceland store and carpark

Applicant Details

Name/Company

Title

Mr

First name

Yousuf Ayyub

Surname

Bux

Company Name

Austringer Capital Limited

Address

Address line 1

Land off Brook Road and Mayes Road

Address line 2

Wood Green

Address line 3

Town/City

London

County

Country

Postcode

N22 6TN

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Contact Details

Primary number

02030369822

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

02030369822

Secondary number

Fax number

Email address

nwalker@wfw.com

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

The demolition and breaking up of the surface structure of the paviors, digging of a 5 metre trench and laying of a foul drainage pipe, pursuant to planning permission ref: HGY/2017/2886 (as amended by s.96A non-material amendment ref: HGY/2022/1076), and as evidenced by enclosed photographs and letter from PSA Design dated 16 February 2023.

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

The Applicant is applying for a certificate of lawfulness of development under s.191 of the TCPA 1990 to certify that the planning permission ref: HGY/2017/2886 (as amended by s.96A non-material amendment ref: HGY/2022/1076), was lawfully implemented on 11 February 2023. The works carried out under planning permission comprised the demolition & breaking up of the surface structure of the car park pavers pursuant to s56(4)(aa) of the TCPA 1990 as evidenced by enclosed photographs & letter from PSA Design dated 16 February 2023.

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

The Applicant lawfully implemented planning permission ref: HGY/2017/2886, by undertaking a material operation pursuant to s56(4)(aa) of the TCPA 1990 on 11 February 2023. The material operation comprised the demolition & and breaking up of the surface structure of the car park pavers, evidenced by the enclosed photographs & letter from PSA Design dated 16 February 2023. In addition, we attach Counsel's Opinion confirming that the planning permission was "lawfully begun on 11 February 2023" (please see paragraph 26 of Counsel's Opinion).

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)?

11-02-2023

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: AGL151338
Title Number: AGL151337

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)

0430-0835-8119-7006-7006

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?

0.00	square metres
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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

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

Mr

First Name

Samuel

Surname

Uff

Reference

Unknown

Date (must be pre-application submission)

19/09/2022

Details of the pre-application advice received

Whilst no pre-application advice has been received for this application, there has been ongoing correspondence between the Applicant's planning consultant, Luke Challenger, at Black Box Planning Limited, and LPA since September 2022 regarding the discharge of planning conditions. Please see emails enclosed as part of this application.

Interest in the Land

Please state the applicant's interest in the land

- ☐ Owner
☒ Lessee
☐ Occupier
☐ Other

If Lessee or Occupier, please give details of the owner and state whether they have been informed in writing of this application

The Applicant, Austringer Capital Limited (number 11182462) is the leaseholder of the land under titles EGL152281and EGL152280.

The London Borough of Haringey, Civic Centre, High Road, Wood Green London N22 4LE is the freeholder of titles MX137826 and NGL318855. The London Borough of Haringey have been informed of this application.

Bejam Group Limited (company number 00917174), Second Avenue, Deeside Industrial Park, Deeside, Flintshire CH5 2NW is the leaseholder of titles AGL151338 and AGL151337. Bejam Group Limited has not been notified because the works which are the subject of this application do not affect the party's land, albeit the planning permission that these have implemented do.

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 options 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

Hamish Ungless

Date

16/05/2023