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08/04/2026

Sent via Planning Portal only

Dear Sir/Madam,

**Certificate of Lawfulness of Existing Development
Under Section 191 of the Town and Country Planning Act 1990
119 High Road, London, N22 6BB
Planning Permission HGY/2022/2793**

I write in support of an application for a Certificate of Lawfulness of Existing Development under Section 191 of the Town and Country Planning Act 1990 to confirm that the above planning permission has been lawfully implemented.

Planning permission ref. HGY/2022/2793 was granted on 05 July 2023 for the erection of a rear extension and associated alterations to facilitate the change of use from ancillary retail storage (Use Class E) to two self-contained residential flats (Use Class C3).

The permission was subject to a number of conditions, including pre-commencement requirements. In particular:

- Condition 4 (Method of Construction Statement); and
- Condition 5 (Refuse and Waste Details)

Details were submitted to discharge these conditions under application ref. HGY/2024/0988 and were formally approved by the Local Planning Authority on 27 January 2025. Accordingly, all pre-commencement conditions were satisfied prior to the carrying out of any works.

Section 56(4) of the Town and Country Planning Act 1990 confirms that development is taken to be begun on the earliest date on which a "material operation" is carried out. A material operation includes any work of construction in the course of erecting a building, as well as operations normally undertaken by a person carrying on business as a builder.

In this instance, the development has been implemented through the carrying out of building operations forming part of the approved scheme. Specifically, several courses of brickwork have been

constructed to the rear of the property in the precise location of the approved rear extension, in accordance with the approved plans.

These works form part of the external wall of the approved development and constitute genuine construction works, rather than preparatory or ancillary activity. The works were undertaken by a contractor and represent a substantive and permanent element of the approved structure.

The application is supported by photographic evidence and video footage which clearly demonstrate the extent, location and nature of the works undertaken. This evidence confirms, on the balance of probability, that a material operation has occurred.

In light of the above, it is clear that development has been lawfully begun in accordance with the planning permission and following the discharge of all relevant pre-commencement conditions. The planning permission has therefore been lawfully implemented and remains extant.

I would therefore be grateful if the Local Planning Authority could issue a Certificate of Lawfulness of Existing Development accordingly.

Should you require any further information or clarification, please do not hesitate to contact me.

Yours sincerely

Allen Sacbucker
Partner
SM Planning



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Appendix 1: Photographic Evidence as of 30.03.2026





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