

Application ref: 2022/2744/P
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Mr Charles Rudgard
108 King Henry's Road
Camden
London
NW3 3SL

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Proposed) Granted

The Council hereby certifies that the development described in the First Schedule below, on the land specified in the Second Schedule below, would be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 as amended.

First Schedule:

Installation of electric car charging point on front elevation, air source heat pump on roof and new window to side (west) elevation at ground floor level.

Drawing Nos: Site Location Plan 87_001; Existing Ground Floor Plan 87_P002; Existing First Floor Plan 87_P003; Existing South Elevation 87_004; Existing North Elevation 87_P005; Existing West Elevation 87_006; Existing East Section 87_007; Existing Roof Plan 87_008; Proposed Ground Floor Plan 87_010_Rev_J; Proposed First Floor Plan 87_011_Rev_J; Proposed Second Floor Plan 87_012_Rev_J; Proposed Roof Plan 87_013_Rev_B; Proposed South Elevation 87_014_Rev_F; Proposed North Elevation 87_015_Rev_F; Proposed West Elevation 87_016_Rev_D; Air Source Heat Pump Specifications and Details; Car Charger Specification.

Second Schedule:

108 King Henry's Road
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Reason for the Decision:

- 1 Reasons for the decision:

The proposed new window to the side elevation is permitted under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The proposed EV charging point to the front is permitted under Class D of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The proposed air source heat pump on the roof is permitted under Class G of Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

- 2 Development is permitted by Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 subject to the following conditions:
 - (a) The materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.
- 3 Development is permitted by Class D of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 subject to the following conditions that when no longer needed as a charging point for electric vehicles:
 - (a) The development is removed as soon as reasonably practicable;
 - (b) The wall on which the development was mounted or into which the development was set is, as soon as reasonably practicable, and so far as reasonably practicable, reinstated to its condition before that development was carried out.
- 4 Development is permitted by Class G of Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 subject to the following conditions:
 - (a) The air source heat pump is used solely for heating purposes;
 - (b) The air source heat pump is, so far as practicable, sited so as to minimise its effect on the external appearance of the building
 - (c) The air source heat pump is, so far as practicable, sited so as to minimise its effect on the amenity of the area; and
 - (d) The air source heat pump is removed as soon as reasonably practicable when no longer needed.

Informative(s):

- 1 The development would only constitute permitted development if the materials used in any exterior work for the window frames subject to the grant of this certificate are of similar appearance to those used in the construction of the exterior of the existing dwelling house, in accordance with Condition A.3 of the Town and Country Planning (General Permitted Development) Order 2015.
- 2 It is noted that the proposed plans of this application show the construction of an additional storey, which is not part of this proposal. This was approved by

the granting of prior approval under application ref. 2021/4068/P for the erection of an additional storey to the existing dwellinghouse and the development has been implemented.

- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Daniel Pope
Chief Planning Officer

Notes

1. This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use*/operations*/matter* specified in the First Schedule taking place on the land described in the Second Schedule was*/would have been* lawful on the specified date and thus, was not*/would not have been* liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This Certificate applies only to the extent of the use*/operations*/matter* described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use*/operations*/matter* which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the Certificate is also qualified by the provision in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.