

Application ref: 2023/0178/P  
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Date: 16 April 2023

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
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Proficiency Design & Build  
31-35 Fortune Green Road  
WEST HAMPSTEAD  
LONDON  
NW6 1DU

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:

Rear roof extension with Juliet balcony and front rooflight.

Drawing Nos: Site and location plans; (EX-)01 to 05 (inclusive); (PR-)01 rev C to 05 rev C (inclusive).

Second Schedule:

**34 Sarre Road**  
**London**  
**NW2 3SL**

Reason for the Decision:

- 1 The rear roof extension is permitted under Class B of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.
- 2 The front rooflight is permitted under Class C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.

Informative(s):

- 1 The development would only constitute permitted development if the materials used in any exterior work to the rear roof extensions, subject to the grant of this certificate, shall be of similar appearance to those used in the construction of the exterior of the existing dwelling house, in accordance with Condition B.2 of the Town & Country Planning (General Permitted Development) Order 2015 as amended.
- 2 The development subject to the grant of this certificate would only constitute permitted development if any window inserted on a wall or roof slope forming a side elevation of the dwellinghouse is obscure-glazed and non-opening, unless the openable parts of the window are more than 1.7m above the floor of the room in which the window is installed, in accordance with Condition B.2/C.2 of the Town & Country Planning (General Permitted Development) Order 2015.
- 3 The development, subject to the grant of this certificate, would only constitute permitted development where the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 centimetres from the eaves of the original roof in accordance with Condition B.2 of the Town & Country Planning (General Permitted Development) Order 2015 as amended.
- 4 The development, subject to the grant of this certificate, would only constitute permitted development where the rooflight would project no more than 0.15 metres beyond the plane of the front slope of the original roof, in accordance with Condition C.1(b) of the Town & Country Planning (General Permitted Development) Order 2015 as amended.
- 5 You are advised that in order to comply with the parameters of permitted development as set down in the Town & Country Planning (General Permitted Development) Order 2015 as amended, you must ensure that the works do not include:
  - (i) the installation, alteration or replacement of a chimney, flue or soil or vent pipe; and
  - (ii) the construction or provision of a veranda, balcony or raised platform.
- 6 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 7 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.

- 8 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](http://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)

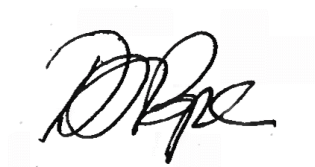
Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays 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.