

Application ref: 2023/0914/P  
Contact: Duty Determination Team  
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Date: 24 April 2023

**Development Management**  
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NS Surveying and Design  
Studio 1  
Hallidays Mill  
London Road  
Chalford  
GL68NR

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:

Renewing the existing paving and alterations to boundary treatments at the front of the property.

Drawing Nos:

Site location plan; 225/P1; 225/P2; 225/P3; Application form signed 28/02/2023.

Second Schedule:

**51 Raglan Street  
London  
NW5 3BU**

Reason for the Decision:

- 1 The existing enclosure is 1m high and the proposed enclosure, adjacent to a highway, is also shown as 1m high on the proposed drawings. As such the alterations to the boundary enclosure are permitted under Part 2, Class A of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 2 The area of replacement hard paving measures 5.3sqm. The 0.3sqm exceeding the 5sqm limit is considered de minimis, especially considering it is

repaving an existing paved area. In any event, run-off will direct away from the public highway and into permeable Aco drain channel. As such the repaving is permitted under Part 1, Class F of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light blue rectangular background.

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.