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Development Management
Camden Town Hall Extension
Argyle Street
London WC1H 8EQ

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

58 Flat 2nd And 3rd Floor

Address Line 1

Parliament Hill

Address Line 2

Address Line 3

Camden

Town/city

London

Postcode

NW3 2TL

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

Easting (x)

527528

Northing (y)

185952

Description

Applicant Details

Name/Company

Title

Ms

First name

Danielle

Surname

Lee

Company Name

Address

Address line 1

Flat 2nd And 3rd Floor

Address line 2

58 Parliament Hill

Address line 3

Town/City

London

County

Country

Postcode

NW3 2TL

Are you an agent acting on behalf of the applicant?

☐ Yes

☒ No

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

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 building works pertain to the brickwork and fencing on the north elevation of the roof terrace (fronting Tanza Road).

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).

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

This application relates to matters on the roof level flank wall (wall along Tanza Road side of 58 Parliament Hill). Application is being made for a Certificate of Lawful Development for retention of:

- a. the raised parapet infill brickwork
- b. the rebuilt chimney stack
- c. the retention of the fences along this wall only* (See point 5 below)

The grounds are as follow:

1. Raised parapet infill brickwork and rebuilt chimney stack

These have been in place for over four years. Scaffolding was erected in April 2019 followed by removal of defective brickwork in May and subsequent construction of replacement brickwork and coping stones. These works were completed by July 2019. Photos B1-B7 evidence these works from start to end.

2. Fences on Parapet Wall

- i. Fence between rear flank wall chimney stack and rear wall of property - there has been a high fence in this location for over 20 years. The current fence is of a similar height and is therefore lawful. Refer A1-A4 for Google photos showing the fence in 2008, 2012, 2014, 2018 and A5 for statement from Joseph Velosa (A5), previous property owner confirming the existence of those fences in 2005, and his exchange with Camden Planning in 2015 about the fences (A6).
- ii. Fence between rear chimney stack and front chimney stack on flank wall - similarly a high fence has been in place in this location for over 20 years*. (Refer to A1-A6 and point 5 below).

Works covered by this application were necessitated by structural defects highlighted to me when I purchased the property in March 2016. Subsequent monitoring indicated that the lean on the rear flank wall chimney stack was getting progressively worse. Recommendations from an inspection in March 2019 indicated that the lean had progressed to such an extent that there was a real risk of it toppling over. In light of this, I immediately made arrangements for the chimney stack to be rebuilt. The bricks and brick bond used in the reconstruction were chosen to closely match the original brickwork.

3. The speed of the works was impacted by the Covid-19 pandemic as no work could be undertaken during most of the lockdown period, followed by a period where supply of labour and materials (timber) was limited. It is also the case that I worked from home and internal access to the terrace is only possible by passing through my study.

4. At no time was the need for fences on the flank wall abandoned (not least because of safety concerns) and fixings an elements of the structure remained in place throughout. The right to retain the current fences was therefore not lost as a result of the delay in reconstruction.

*5. This application is for the height of the existing fence excluding the top 3 horizontal slats of the fence between rear flank wall chimney stack and rear wall of property, as these slats were added at a later date. The top three slats will be covered in a separate planning application. Photos C1-C2 show height of subject fence, existing vs prior.

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)?

15-08-2005

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: NGL429926

Energy Performance Certificate

Do any of the buildings on the application site have an Energy Performance Certificate (EPC)?

- ☐ Yes
☒ No

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

Interest in the Land

Please state the applicant's interest in the land

- ☒ Owner
☐ Lessee
☐ Occupier
☐ Other

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 the questions answered, details provided, and the 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 opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published 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

Danielle Lee

Date

03/09/2023