

Application ref: 2023/3074/P  
Contact: Geri Gohin  
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Date: 11 October 2023

**Development Management**  
Regeneration and Planning  
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Town Hall  
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45 Welbeck Street  
London  
W1G 8DZ

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990, Section 191 and 192

### Certificate of Lawfulness (Proposed) Refused

Address:

**14 Greenaway Gardens**  
**London**  
**NW3 7DH**

Proposal:

One single storey outbuilding in rear garden (gymnasium).

Drawing Nos: 0942 0001; (0942)0012\_PL01; (0942)0015\_PL01; (0942)0112\_PL01; (0942)0414\_PL01; (0942)0415\_PL01; (0942)2112\_PL01; (0942)3213\_PL01; Cover Letter (x87 pages) dated 25th July 2023; Legal Advice (x9 pages) dated 25th July 2023; Permitted Development Compliance Document - Gymnasium (x12 pages) dated July 2023; Statutory Declaration of Danylo Knysh (x4 pages) dated 24th July 2023.

The Council has considered your application and decided to **refuse** a certificate of lawfulness for the following reason:

Reason(s) for Refusal

- 1 The proposed outbuilding by reason of its scale and intended use, fails to be of a purpose incidental to the enjoyment of the dwellinghouse as such, contrary to Schedule 2, Part 1, Class E of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 2 The proposed development would result in a breach of conditions 3 and 5 of planning permission 2021/0984/P dated 20/08/2011 (detail subsequently

approved on 29/03/2022 under planning reference: 2021/5768/P) which has been implemented on site, contrary to Article 3(4) and as such, is not permitted under Schedule 2, Part 1, Class E of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Informative(s):

- 1 If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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 grey rectangular background.

Daniel Pope  
Chief Planning Officer