

Dear Alex.

Application # 2024/0426/P

10 Belsize Park Mews.

Lawful Development Certificate (existing) to confirm that planning permission 2020/5574/P has lawfully commenced within the permitted three-year period (Section 191 of the Town and Country Planning Act 1990).

I note that the above application 2024/0426/P was registered on the March 18th-2024 or 10 days ago. The date for comments is dated Feb 2-2024 which implies that LB Camden is not required to consult. The applicant proposes a Lawful Development Certificate relating to 2020/5574/P which was for the erection of a single story roof extension at the second floor level. This was a contentious application and there were a number of neighbour objections. For grounds given hereunder i would invite LB Camden to open up the application to neighbour input and consultation.

Please note this OBJECTION to application 2024/0426/P.

With respect to the Town and Country Planning Act planning permission is deemed to be implemented on the "earliest date on which any material operation comprised in the development begins to be carried out." (Town and Country Planning Act 1990, Section 56). In relation to the erection of a single storey roof extension at second floor level at 10 Belsize Park Mews "*material operation*" would constitute "*any work of construction in the course of erection of a building.*"

LB Camden cannot approve this application for a Certificate of Lawfulness under Town and Country Planning Act 1990, Section 56 as the planning permission has not been implemented. No significant or material works have been advanced with respect to the erection of a single storey roof extension at the second floor level the subject of 2020/5574/P, granted on Oct 18-21.



NOTES

Application 2024/0426/P is for the granting of a Lawful Development Certificate pursuant to Section 191 of the Town and Country Planning Act 1990. The applicant states that significant works have been completed at 10 Belsize Park Mews as part of application 2020/5574/P, and is applying under Sec 191 (1)(c) in so far as there has not been a failure to comply with the 3 year time limitation for the commencement of works granted under 2020/5574/P. The applicant seeks LB Camden's confirmation by way of a Certificate of Lawfulness that the conditions attached to planning approval granted under 2020/5574/ have been complied with.

In support, the applicant states that works to the main elevation have been completed. This includes all works detailed in the drawings "06-20 Elevations revised" as part of planning application 2020/5574/P .

There have been a number of planning applications submitted for 10 Belsize Park Mews in the years 2020 to now. Application 2019/4295/P, Oct 13-20, was refused on appeal.

Subsequently 2020/5034/P was approved, Mar 2-2021, which included Proposed Elevations revised, 06-20 dated 18 Nov-20.

2020/5034/P

Erection of a single storey replacement rear extension; conversion of garage to habitable accommodation; alterations to fenestration including the insertion of rooflights to the flat roof, rendering of part of front and rear façade; and associated landscaping works including resurfacing and bin store to the front of the property.

Application 2021/1210/P followed, approved on April 29-21 granting the approval of details relating to 2020/5034/P

Details of landscaping as required by condition 4 of planning permission reference: 2020/5034/P dated 02/03/2021 for erection of a single storey replacement rear extension; conversion of garage to habitable accommodation; alterations to fenestration including the insertion of rooflights to the flat roof, rendering of part of front and rear façade; and associated landscaping works including resurfacing and bin store to the front of the property.

There followed application 2020/5574/P . Granted Oct 18-21, for a single subject.

2020/5574/P Erection of a single storey roof extension at second floor level.

Application document for 2020/5574/P. was for a single storey roof extension. Other works had been materially approved in the prior applications. "06-20 Elevations revised" is substantially that approved in 2021/1210/P. . The substance of the application 2020/5574/P and the subject of neighbouring objections was the proposed erection of a single story roof extension which had previously been rejected on appeal.

With respect to the Town and Country Planning Act planning permission is deemed to be implemented on the "earliest date on which any material operation comprised in the development begins to be carried out." (Town and Country Planning Act 1990, Section 56). In relation to the erection of a single storey roof extension at second floor level at 10 Belsize Park Mews "*material operation*" would constitute "*any work of construction in the course of erection of a building.*"

No significant or material works have been advanced with respect to the erection of a single storey roof extension at the second floor level the subject of 2020/5574/P. granted on Oct 18-21. Unless the full planning permission has been implemented for 2020/5574/P after 3 years it will expire, and the applicant will need to reapply.

LB Camden cannot approve this application for a Certificate of Lawfulness under Town and Country Planning Act 1990, Section 56 as the planning permission has not been implemented. No material operation in the erection of the single storey roof extension at the second floor level, the subject of 2020/5574/P, has been carried out.