

MIXED

DECISION as below!

MIX

CLFO

REPORT FORM FOR LAWFUL DEVELOPMENT CERTIFICATES

Jay Turner

(Signature)

London Borough of Camden - Planning, Transport and Health Service

(a) UEA development
a+b VER development

Agenda item:

Reg No: PS 9904000

Application for Lawful Development Certificate

Address of application:

Ching Court Shelton Street

Name of applicant: Shaftesbury PLC

Name/ address of agent: Rolf Judd

LONDON BOROUGH OF CAMDEN
TOWN AND COUNTRY PLANNING ACTS
25 FEB 1999
RECOMMENDATION AGREED
ON BEHALF OF THE COUNCIL

Application for : EXISTING, * PROPOSED*, ~~NEW~~ or Development for:

(a) The placing of teak slat benches (bench 1 + bench 3) on top of existing low level retaining walls around the perimeter

Considerations: of the court

(b) The hanging of litter bins either side of the opening into Ching Court from Shelton St

(c) The placing of terracotta plant tubs within the Court

Considerations

The building operations were brought to the attention of the Council by all the residents in the Mercer St properties. The seat has been erected on top of the retaining wall above their basement. The residents are concerned at :-

- ⊖ the appearance of the benches + bins - not appropriate for the listed / Tony Fawell Courtyard
- ⊖ the use of the seats by people + loss of amenity
 - litter + cigarette stubs thrown in their yds
 - noise outside their windows
 - cigarette smoke.

It is, therefore, considered that these building operations have an impact on local interests and consequently

* delete as appropriate
they should be deemed to be development requiring PIP in order for the Council to be able to exercise planning control.

Informative You are advised that an application for listed building consent should be made for seats on the retaining walls, litter bins attached to the listed buildings and lights set into the paving slabs. Moveable plant pots would not require listed building consent.

Recommendation:

That a Certificate of Lawfulness of EXISTING, * PROPOSED * Use or Development, be ISSUED in respect of the land or buildings at :

as shown on drawing Nos: CDP/CC/1001

Description of use or development

(1) see over

Reasons for issue: (No:)**

- (1) The use began more than ten years before the date of this application ; or
- (2) The use, operation or activity in breach of condition began more than ten years before the date of this application; or ;
- (3) The use began within the last ten 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 ten years; or
- (4) The operations were substantially completed more than four years before the date of this application; or
- (5) The use as a single dwelling house began more than four years before the date of this application.

(6) Reason for c being granted Other- specify (this might include claims that the change of use or operation was not development , or that it benefited from planning permission granted under the Act or by the General Development Order).

That a Certificate of Lawfulness of EXISTING *, ~~PROPOSED~~ * Use or Development be REFUSED in respect of the land or buildings at:

Ching Court, Shelton Street

as shown on drawing Nos: CDP/CC/1001

Description of use or development numbered (1) and (3)

(a) The placing of teak slat benches on top of existing low level retaining walls around the perimeter of the court

Reason for refusal: on the rear walls of nos 13 and 17

(b) The hanging of litter bins on either side of the entrance into Ching Court from Shelton Street

Reason for refusal

It is considered that the two benches and two litter bins are development requiring planning permission for the reason that they ~~have~~ are * delete as appropriate building operations

Case officer:
Area officer:
Prin DC Plan:
Ctt details:
Dec letter:

** insert as appropriate which have a material effect on the appearance of Ching Court and as such the Council is concerned to be able to exercise planning control on ^{such alterations to} ~~the appearance of~~ buildings and structures in Ching Court.

Informative see above