

Application No:	Consultees Name:	Received:	Comment:	Response:
2018/4206/P	Charles Harris	04/10/2018 15:16:33	OBJLETTE R	<p>I would be most grateful if you would protect our neighbourhood from gross over-development and reject this application. I believe this Certificate of Lawfulness is a brazen attempt to circumvent the strict planning laws in a Conservation Area.</p> <p>The applicant, who owns both houses, 4a and 4 Lindfield Gardens, wants to build an enormous 'outbuilding' across the width of her two back gardens. She pleads that this is simply a 'garden room' (storage facility), for sports equipment.</p> <p>However, scrutiny of the architectural plans show that it would have all the amenities for a separate dwelling, with washing facilities, toilet and two study rooms, which could be used as bedrooms and a very large living room. As such, this would be outside the criteria for permitted development under Certificate of Lawfulness and would be grounds for refusing permission.</p> <p>A. Criteria for Certificate of Lawfulness under Section E. Outbuildings.</p> <p>Such outbuildings need to proven to be 'INCIDENTAL to the main dwelling', eg a garden shed, a gym, or a swimming pool.</p> <p>It has not been made clear by the applicant that there is no way the structure could be lived in, or used as offices.</p> <p>B. Criteria for Refusing a Certificate of Lawfulness Section E. Outbuildings.</p> <p>If the proposed accommodation is such that it could be lived in, having e.g. washing facilities, toilet and rooms that could act as 'bedrooms' or 'offices', then it is outside the criteria for 'Certificate of Lawfulness' and must be refused.</p> <p>Thank you for your time.</p>
2018/4206/P	Dr N.H.Freed	05/10/2018 11:14:23	OBJLETTE R	<p>The criterion for permitted development is not satisfied by this application. No proof is given as to how the proposed structure is incidental to the existing structure. It is clear the application is designed as an independent dwelling, not incidental to the existing development, having as it does all the requirements for separate residential accommodation. On these grounds I believe the Council should reject the application</p>
2018/4206/P	A Marmor	07/10/2018 11:01:17	OBJLETTE R	<p>The criterion for permitted development is not satisfied by this application. No proof is given as to how the proposed structure is incidental to the existing structure. It is clear the application is designed as an independent dwelling, not incidental to the existing development, having as it does all the requirements for separate residential accommodation. On these grounds I believe the Council should reject the application</p>

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2018/4206/P	Eric McQuaid	06/10/2018 11:13:05	OBJLETTE R	I would like to register my objection to the proposed planning application since it is clearly a subterfuge to enable the developer to build an additional dwelling g on the site. The area is already seriously overcrowded and more houses will only add to the problem
2018/4206/P	Alan Rodger	06/10/2018 10:33:26	OBJ	Having looked closely at the application for this building work under the Certificate of Lawfulness for a permitted building, I would like to register my objection. The proposed building is large enough and equipped with sufficient mains drainage and electricity to easily become an independent dwelling. The simple addition of a kitchen would make it a perfect little home and access would simply be added as an alleyway beside no. 4. As such it would appear that it does NOT satisfy the requirements covered by a certificate of lawfulness.
2018/4206/P	Pamela Rodger	06/10/2018 10:28:24	OBJ	As a resident of Lindfield Gardens for over 60 years, I have watched the developments of the road gradually fill available spaces as the footprints of the buildings have increased decade by decade. I object to this application 2018/4206/P for Permitted Development under a Certificate of Lawfulness. The building should be incidental to the main dwelling and should not be able to be used as a freestanding unit. As far as I can see, if it has mains plumbing and electricity and more than one room it clearly could become an independent unit with, as the plans show, independent access along the edge of the site of no. 4. I strongly urge Camden to reject this application.
2018/4206/P	Christine Kellner	05/10/2018 15:28:26	OBJ	I write to register my objection to this planning application for Permitted Development under Certificate of Lawfulness because it fails to satisfy the criteria.
2018/4206/P	Melvin Nelson	04/10/2018 16:02:16	OBJLETTE R	This application fails to satisfy the criteria for permitted development under Certificate of Lawfulness, because the applicant has failed to state why this outbuilding is incidental to the main dwelling. The scale and nature of the proposed developments bears all the hallmarks of being designed to provide accommodation as a separate dwelling so it is not incidental to the main house. On these grounds I would urge the Council to refuse the application

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2018/4206/P	LINDFIELD HEIGHTS (HAMPSTEAD) MANAGEMENT LIMITED	08/10/2018 13:29:50	OBJLETTE R	<p>We are the Freeholders of the neighbouring 11 properties located at 2A - 2F Lindfield Gardens & 36A- 36E Arkwright Road.</p> <p>We write to object in the strongest terms to this application for permitted development under Certificate of Lawfulness.</p> <p>We find it very hard to believe that this proposed development is a simple 'garden room', (as the applicant states in her cover statement), for 'storage of sports equipment' and 'study rooms'.</p> <p>If this were the case why would this garden room need to span the width of two gardens?</p> <p>Our understanding is that the applicant is required to provide justification for the proposed scale of the structure. Additionally, it is a requirement for the applicant to supply reasons for the need for the proposed structure for Permitted Development application under Certificate of Lawfulness. Furthermore, the applicant is required to prove that it is incidental to the main house. The applicant has not done any of these.</p> <p>Case law precedents indicate that that on these grounds alone, this planning application must be refused.</p> <p>The applicant originally applied for permitted development under Certificate of Lawfulness Ref.2018/0512/P, in which she refers to 'the main living area'. This Application was subsequently withdrawn and replaced with an almost identical new, planning application, Ref. (2018/4206/P), but reference to 'the main living area' had been removed.</p> <p>Having viewed the architectural plans it would appear to me that the proposed structure is large enough to be a separate dwelling, having all the requisite facilities for habitation, including a toilet, and a bathroom, termed 'washing area'. The 'study rooms' could function as bedrooms and the second 'study room' could also function as a very large living room. Thus it fails to satisfy the requirement that it is merely incidental to the main dwelling.</p> <p>It would appear to me that this application for Permitted Development under Certificate of Lawfulness, is an attempt to circumvent planning regulations in a conservation area.</p> <p>I request that Camden refuse this application on the grounds that it does not satisfy the criteria for Permitted Development under Certificate of Lawfulness.</p> <p>Yours, LINDFIELD HEIGHTS (HAMPSTEAD) MANAGEMENT LIMITED</p>
2018/4206/P	Bose	08/10/2018 13:19:00	OBJLETTE R	This seems extremely large for a private study area.
2018/4206/P	Charlotte de Cock	06/10/2018 13:08:27	OBJ	This application appears to fail the criteria for permitted development under a Certificate of Lawfulness, because the applicant has failed to state why this outbuilding is incidental to their building. The scale and nature of the proposed building has all the attributes of a separate dwelling. It has mains drains and mains electricity and needs little to make a kitchen and turn the studies into bedrooms to be an independent dwelling.

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2018/4206/P	Jacques de Cock	06/10/2018 13:02:46	OBJ	Dear Sir or Madam, I wish to register my objection to this planning application for Permitted Development under a Certificate of Lawfulness because it appears to fail to satisfy the necessary criteria. It appears to have washing facilities, toilet and rooms that could be used as bedrooms or offices.
2018/4206/P	Karen Phillips	04/10/2018 13:24:28	OBJLETTE R	I object to this planning application on the following grounds: I live in a neighbouring road to this proposed development and as the proposed plan seems to be larger than necessary (as it is connected - in part - to 2 homes owned by the applicant), I feel it is over development in a Conservation area and extremely close to the rear boundary of homes located behind this property. I would suggest that if a modified plan for a true 'garden room' (i.e. a conservatory or such like) was submitted, and it was located closer to the two homes, this might be less objectionable.
2018/4206/P	Lucie de Cock	06/10/2018 13:15:11	OBJ	Dear Sirs, I want to object to this application (2018/4206/P) for permitted development under a Certificate of Lawfulness. The criteria for granting this application must depend on the proposed structure being incidental to the main building. Not only is this new structure far from the main building and so not easily accessible on cold wet days, it is partly tucked around a corner so that there is potential access alongside the boundary of the neighbouring property's building line. It has a toilet, many rooms and mains electricity so is far beyond a shed or storage facility and is in effect a wood clad, independent building.
2018/4206/P	sally Rodger	06/10/2018 12:56:03	OBJ	I wish to register my objection to this application for a Certificate of Lawfulness for an outbuilding. From the plans it appears to have all the requisite amenities for an independent dwelling with mains drainage and mains electricity. It would be a short step to add a kitchen to one of the rooms. Thus it does not seem to meet the criteria needed for this type of certificate.
2018/4206/P	Abel Gorchin	04/10/2018 10:48:44	OBJLETTE R	I believe that the scale and nature of the proposals are such that any reasonable person would conclude that they are an attempt to bypass Camden Council's planning regulations in a conservation area. Indeed, I view this application as a bare-faced abuse of the criteria for Certification of Lawfulness. There is not even an attempt to justify any of the proposed developments as «incidental» to the use of the main house.
2018/4206/P	David Burns	08/10/2018 20:43:53	OBJLETTE R	I object to this application which appears to be an attempt to circumvent the development criteria. I also would like to have an annex like this in my garden at N° 11 opposite, since I could make a lot of money out of it when not storing things and studying, but I wouldn't have the gall to build it in my garden in the conservation area, still less to ask for a certificate of lawfulness to do so.
2018/4206/P	Suzanne Grundy	05/10/2018 14:01:10	OBJ	This application does not look as if it is appropriate for a permitted development under the Certificate of Lawfulness. It seems to contain all the space and rooms and amenities that constitute a dwelling. Under these circumstances I object to this application and would hope the Council will refuse it.

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2018/4206/P	Caroline de Cock	06/10/2018 13:23:06	COMMENT	I write to object to this planning application for Permitted Development under Certificate of Lawfulness because it fails to satisfy the criteria. Such outbuildings have to be INCIDENTAL to the main dwelling so could be a shed, a gym or a swimming pool. It has not been made clear by the applicant that there is no way that the structure could be lived in independently from the main building or used as offices. Both these options seem to be eminently possible within this multi roomed facility equipped with mains drainage and electricity. So, I reiterate, I object to this application
2018/4206/P	Janet Gompertz	03/10/2018 20:14:40	OBJECTION	<p>Reasons for refusing this application. (2018/4206/P)</p> <p>The applicant's architectural plan demonstrates a 'Washing area', 'toilet' and 2 large 'Study Rooms.' It is unlikely therefore that this outbuilding is 'incidental' to the main dwelling.</p> <p>The nature of the washing area is ambiguous. There is little to no evidence about what this is and what it can be used for. This is likely to be used as a kitchen, which is not 'incidental'.</p> <p>(i) The High Court has held that Study rooms are not normally considered to be 'incidental': see <i>Rambridge v Secretary of State For The Environment and East Hertfordshire District Council</i> (1997) 74 P. & C.R. 126</p> <p>The second study in particular appears to be designed to be used as a living room. This is primary accommodation and therefore it is not 'incidental' to the main house: see http://myplanning.warrington.gov.uk/Planning/StreamDocPage/obj.pdf?DocNo=8036365&PageNo=7&content=Obj.pdf</p> <p>The applicant supplies no explanation as to why the 'garden room' needs to span the width of two gardens. In a leading appeal case, Certificate of Lawfulness was refused on the grounds that 'the size of the structure would be far greater than would be reasonably required to serve the specified 'incidental' purposes'.</p> <p>http://mycouncil.oxford.gov.uk/documents/s9501/Appeal%20decision%2051%20Green%20Road.pdf</p> <p>I would urge that this proposed development be refused on the grounds that it is clearly 'not incidental' to the main dwelling and that it therefore does not fall within the criteria for Permitted Development under Section E of Certificate of Lawfulness.</p>
2018/4206/P	Mr Partha Bose	08/10/2018 13:50:11	OBJECTION	<p>Hello</p> <p>I wish to object to this application for development.</p> <p>There is no indication as to why a development of this scale is required, and in what way it is 'incidental' which is a required criteria for the Certificate of Lawfulness.</p> <p>This appears to be more of a standalone residential development and as such would not be covered by a Certificate of Lawfulness. It will create an ominous precedent for uncontrolled future developments to spring up all over what is now a conservation area.</p> <p>I trust you will consider these objections in your decision making.</p> <p>Regards</p> <p>Partha Bose</p>

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2018/4206/P	USha Malhotra	07/10/2018 11:59:38	OBJLETTE R	<p>I write to object to this application for permitted development under Certificate of Lawfulness.</p> <p>The applicant wants to build a very large structure spanning the width of two gardens but my concern is that this proposed development is too large to be a simple 'garden room', (as the applicant states in section 3.0 of her cover statement), for 'storage of sports equipment' and 'study rooms'.</p> <p>1. The applicant does not supply any explanation as to why this 'garden room' requires to be the width of two gardens. I understand the applicant is required to provide information to justify the proposed scale of the structure.</p> <p>2. Additionally, it is a requirement for the applicant to supply reasons for the need for the proposed structure for Permitted Development application under Certificate of Lawfulness.</p> <p>3. Furthermore, the applicant is required to prove that it is incidental to the main house.</p> <p>The applicant has failed to do any of these. I understand that on these grounds alone it should be refused.</p> <p>The applicant originally applied for permitted development under Certificate of Lawfulness Ref.2018/0512/P, in which she refers to 'the main living area'. This Application was subsequently withdrawn and replaced with an almost identical new, planning application, Ref. (2018/4206/P), but reference to 'the main living area' had been removed.</p> <p>Having viewed the architectural plans it would appear to me that the proposed structure is large enough to be a separate dwelling, having all the requisite facilities for habitation, including a toilet, and a bathroom, termed 'washing area'. The 'study rooms' could function as bedrooms and the second 'study room' could also function as a very large living room. Thus it fails to satisfy the requirement that it is merely incidental to the main dwelling.</p> <p>It would appear to me that this application for Permitted Development under Certificate of Lawfulness, is an attempt to circumvent planning regulations in a conservation area.</p> <p>I therefore implore Camden to refuse this application on the grounds that it does not satisfy the criteria for Permitted Development under Certificate of Lawfulness.</p>

Sent from my iPad

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2018/4206/P	Harlan Zimmerman	05/10/2018 00:04:05	OBJ	<p>Dear Sirs and Madam,</p> <p>I have been a Hampstead resident for 25 years and lived in my own home d [REDACTED] for 15 years.</p> <p>I am writing to object in the strongest possible terms to this attempt to misuse planning regulations and sneak through this egregious development pursuant to a certificate of lawfulness.</p> <p>A core requirement of such an approach is that the outbuilding be incidental to the main house. Furthermore, that the facility is incidental can not be assumed, it must be proven to be the case. In this application there is no such evidence.</p> <p>The information contained in the applicant's architectural plan appears to contradict that it is purely incidental to the main dwelling.</p> <p>The inclusion of various rooms and amenities that would facilitate habitation makes this application entirely suspect.</p> <p>This application lacks legal credibility so I implore the Council to please reject this application.</p> <p>Yours sincerely,</p> <p>Harlan Zimmerman</p>	