

Application ref: 2018/4206/P  
Contact: Tony Young  
Tel: 020 7974 2687  
Date: 4 December 2018

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
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London  
WC1H 9JE

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[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Square Feet Architects  
95 Bell Street  
London  
NW1 6TL

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990

### **Certificate of Lawfulness (Proposed) Granted**

The Council hereby certifies that the development described in the First Schedule below, on the land specified in the Second Schedule below, would be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 as amended.

First Schedule:

Erection of single storey outbuilding in rear garden.

Drawing Nos: (1721\_L\_)001B, 005A, 010A, 020A, 021A, 022A, 023A, 030A, 031A, 042A, 107B, 112C, 113B, 121C, 122B, 123A, 124A, 130B, 131C, 142A; Planning statement (Rev B) dated April 2018; Cover Letter from Firstplan (ref. 15258/CJ/gm) dated 21/05/2018; Statutory Declaration (with appendices 1-7) from Lesley Strawbridge dated 24/08/2018; Letter from Square Feet Architects dated 02/11/2018.

Second Schedule:

**4a Lindfield Gardens**  
**LONDON**  
**NW3 6PU**

Reason for the Decision:

- 1 The proposed outbuilding is permitted under Class E of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended April 2016).
- 2 The outbuilding hereby approved shall only be used for purposes incidental to the residential use of 4a Lindfield Gardens and shall not be used as a separate

independent Class C3 dwelling or Class B1 business use.

Reason: To ensure that the outbuilding does not adversely affect the amenity of adjoining residential premises and is not used for unauthorised purposes, in accordance with policies A1 and H6 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 You are reminded of the need to notify the Council by means of an application for any proposed tree works in connection with this approval and to receive written approval prior to starting the works. Further information, advice and necessary forms can be obtained by writing to: London Borough of Camden Tree Section (Private Trees), 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE; or emailing [planning@camden.gov.uk](mailto:planning@camden.gov.uk).
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 4 You are reminded that this decision only grants permission for an outbuilding used for purposes incidental to the existing residential use of the dwelling house. Any alternative use of the outbuilding for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require the grant of planning permission.

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 2018.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

*David T. Joyce*

David Joyce  
Director of Regeneration and Planning

Notes

1. This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use\*/operations\*/matter\* specified in the First Schedule taking place on the land described in the Second Schedule was\*/would have been\* lawful on the specified date and thus, was not\*/would not have been\* liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This Certificate applies only to the extent of the use\*/operations\*/matter\* described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use\*/operations\*/matter\* which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the Certificate is also qualified by the provision in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.