

Application ref: 2019/2630/P  
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Date: 26 July 2019

**Development Management**  
Regeneration and Planning  
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Savills  
33 Margaret Street  
London  
W1G0JD

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 a single storey building within the rear garden area of existing dwelling house, incidental to the enjoyment of the existing dwelling house

Drawing Nos: Location Plan, 1006 (PD) 02, 100, 300, 301, 03 Rev A, 110 Rev A, 111 Rev A, 210 Rev A, 211 Rev A, 212, 213 Rev A, 310 Rev A, 311 Rev A.

Second Schedule:

**6 Lindfield Gardens**  
**London**  
**NW3 6PU**

Reason for the Decision:

- 1 The proposed outbuilding is permitted under Class E of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Informative(s):

- 1 The development would only constitute permitted development if the outbuilding remains in a use incidental to the enjoyment of the dwellinghouse.

Any material change of use for the structure would require full planning permission. Furthermore, this decision does not authorise any works to trees that would otherwise need consent.

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 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully



Daniel Pope  
Chief Planning Officer

#### 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.