

Application ref: 2020/0653/P  
Contact: Mark Chan  
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Date: 18 May 2020

**Development Management**  
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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:

Enlargement of the door opening and installation of french doors to the rear dormer window.

Drawing Nos: Location Plan, 4133-XP.110 and 4133-XP.103

Second Schedule:

**74 Solent Road**

**London**

**NW6 1TX**

Reason for the Decision:

- 1 The proposed development at the rear dormer window is permitted under Class C of Schedule 2, Part 1 of 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 materials used in any exterior work are similar in appearance to those used in the construction of the exterior of the existing dwelling house, in accordance with Condition B.2 (a) of the Town & Country Planning (General Permitted

Development) Order 2015 as amended.

- 2 The development subject to the grant of this certificate would only constitute permitted development if the upper floor window or any window in the side elevation of the dwelling house is obscure-glazed and non-opening, unless the openable parts of the window are more than 1.7m above the floor of the room in which the window is installed, in accordance with Condition C.2 of the Town & Country Planning (General Permitted Development) Order 2015 as amended.

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 matter specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful on the specified date and thus, 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 matter described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any 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.