

Application ref: 2020/1433/P  
Contact: Gary Bakall  
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Date: 9 June 2020

**Development Management**  
Regeneration and Planning  
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Barry Gilhooly  
139 Monkleigh Road  
Morden  
London  
SM4 4EQ

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 hip-to-gable roof extension, enlargement of dormer window at rear and insertion of 2 rooflights to front roof slope, all to single dwelling house (Class C3).  
Drawing Nos: Location and Site Plan; Existing - 19027 - A200, A201, A202, A203, A204, A205, A206, A207, A208; Proposed - 19027 - A300, A301, A302, A303, A304, A305, A306, A307, A308, A308 Volume Calculation;

#### Second Schedule:

**21 Fairfax Place**  
**London**  
**NW6 4EJ**

#### Reason for the Decision:

- 1 The hip-to-gable and rear roof extensions are permitted under Class B of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 2 The rooflights are permitted under Class C of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Informative(s):

- 1 The development would only constitute permitted development if the materials used in any exterior work of the roof extension subject to the grant of this certificate shall be of similar appearance to those used in the construction of the exterior of the existing dwelling house, in accordance with Condition B.2 of the Town & Country Planning (General Permitted Development) Order 2015.
- 2 The development subject to the grant of this certificate would only constitute permitted development where the edge of the enlargement closest to the eaves of the original roof shall, so far as practicable, be not less than 20 cm from the eaves of the original roof in accordance with Condition B.2 of the Town & Country Planning (General Permitted Development) Order 2015.
- 3 The development subject to the grant of this certificate would only constitute permitted development if any window on 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 B.2 and C.2 of the Town & Country Planning (General Permitted Development) Order 2015.
- 4 The development subject to the grant of this certificate would only constitute permitted development where the roof lights would not project more than 150 mm beyond the plane of the roof slope in accordance with Condition C.1(b) of the Town & Country Planning (General Permitted Development) Order 2015.
- 5 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 6 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

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.