

ISSUES OF CERTIFICATE OF LAWFULNESS & PLANNING DEVELOPMENT

Re: 4/4A LINDFIELD GARDENS, NW3 6PU.

CURRENT APPLICATION REF **(2018/4206/P)** of 18 Sept. 2018.

Please also see;-

PREVIOUS APPLICATION REF **(2018/0512/P)** of 5 March 2018.

Dear Councillor [REDACTED],

Our Lindfield and Langland Gardens Neighbourhood Association (LLNA), would be grateful for your expert advice on this issue.

I refer to the current application ref. 2018/4206/P which is for a "Certificate of Lawfulness (Proposed)" and erection of an outbuilding "Garden Room", spanning the width of two rear gardens.

We are concerned that this proposed application, in our Conservation Area, goes against many of the planning and conservation aspects which are there to protect our precious open spaces and large, long, rear gardens from extensive developments.

It involves what we believe is an attempt to circumvent planning regulations in a conservation area.

The applicant wants to build a very large structure spanning the width of two gardens.

The application was originally under **Ref.2018/0512/P**, but this was withdrawn and replaced with an almost identical application.

We have compared the two applications and can note only two differences:-

1). In the new application the words: "***the main living area,***" has been removed from section 3.0 of the cover statement of the previous application Ref **(2018/0512/P)**.

2). This new application **(2018/4206/P)**, simply added a letter from a company, "Firstplan", that argues that joining of two gardens is permitted and lawful.

Our concern is that this proposed development is too large to be a simple "garden room" for storage of sports equipment" and offices.

(I have lettered the following paragraphs for easier access and reference to the text).

It would appear to have all the facilities and space for a separate dwelling which we believe is outside the remit of a "Certificate of Lawfulness", having a *toilet*, space for a kitchen, *washing facilities* and two very large "*study rooms*".

A. The application appears to us to be suspiciously vague and lacking in essential information. No details are given regarding the building materials to be used. The architectural drawings indicate a much more substantial structure than the inadequate description given in the cover statement of the new application which states: "*The Garden Room would be made of light weight materials, and timber clad, as appropriate for such garden rooms*".

B. Addresses 4a and 4 are two separate homes, both are owned by the same applicant, [REDACTED]. In answer to specific questions, she confirmed that they are totally separate. She also confirmed there was a boundary wall between the

two dwellings, and there was no access between the two sides. How does this work in planning terms if in fact she wants one outbuilding to span the two gardens?

C. The aerial site photograph of the rear gardens, shows a large clump of trees covering the garden area of no. 4, across which half of the proposed building would be placed. As two gardens are involved here we would expect to see photographs of both existing gardens. However, the application appears to enclose two photographs of the two sections of the garden belonging just to number 4a Lindfield Gardens, (of the old garden shed and beyond it the patio and Trampoline).

A photograph of the garden belonging to the adjoining No. 4, Lindfield Gardens, with its cluster of trees, appears to be missing from this application.

We believe that this may partly be because our Lindfield and Langland Gardens Neighbourhood Association (LLNA), itself a conservation area, is vehemently opposed to the huge loss of trees, open spaces, and gardens.

D. We understand that the use of outbuildings under Section E of Permitted Development should be 'incidental' to that of the main dwelling, and cannot incorporate bedrooms, or facilities that would permit it to be used for residential accommodation.

E. However, the scale of this development spanning the width of two gardens makes us suspicious that this is intended to be more than a "garden room". What is to say that "two study rooms" cannot be bedrooms or that the enormous "storage space for sports equipment" alongside the stated "washing facilities", and "toilet", could not be a kitchen or bathroom?

F. It would appear to us that this outbuilding is not within the remit of Permitted Development and that it violates the criteria for a "Certificate of Lawfulness" .

G. The LLNA is most concerned that were this development to be permitted to proceed under a "Certificate of Lawfulness", it would set a precedent for all the long, rear gardens, in Lindfield Gardens, with their many mature trees. Hampstead is steadily losing its long gardens to over zealous development.

The unique aspect of Lindfield Gardens is their long gardens, which permit trees to grow to their full potential, (their natural shape and size), without posing a threat to nearby buildings. Moreover, the trees are home to Owls, (a species currently decreasing in numbers through loss of their habitat).

H. Camden Planning Dept. indicated that this application for a Certificate of Lawfulness was outside their terms of reference.

We would therefore be most grateful for your support in helping us to oppose this application. As we are not experts in "Certificates of Lawfulness" we would greatly appreciate your expertise and any suggestions you could provide which would strengthen our case.

Please feel free to contact me by email janetgompertz@outlook.com or by 'phone on 020 7794 8740. I would also be happy to meet at your convenience, but it is urgent as the deadline for opposing this application is 9 October 2018.

Yours sincerely,

██████████ (LLNA Committee member).

██████████ Lindfield Gardens, London, NW3 6PX.