

Assistant Director of Planning and Development Management  
Building 2, North London Business Park  
Oakleigh Road South, London, N11 1NP  
Contact Number: 020 8359 4676

Mr D Mansoor  
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25-27 Mercham House  
The Burroughs  
London  
NW4 4AR

Application No: **B/02831/10**  
Registered Date: 09/07/2010

**TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192**  
(as amended by Section 10 of the Planning and Compensation Act 1991)  
**TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT PROCEDURE**  
**ORDER 1995: Article 24**

**CERTIFICATE OF LAWFUL USE OR DEVELOPMENT**  
**(PROPOSED USE OR DEVELOPMENT)**

TAKE NOTICE that the Barnet London Borough Council, in exercise of its powers as Local Planning Authority under the above Act, hereby certifies, within the meaning of Section 192 of the Town and Country Planning Act 1990 (as amended), that: - Unless any relevant factor has changed since the application date, the following use / development is **LAWFUL**: -

**Hip to gable and rear dormer window to facilitate a loft conversion.**

**At:- 36 Cissbury Ring North, London, N12 7AH**

as referred to in your application and shown on the accompanying plan(s):

**INFORMATIVE(S):-**

- 1 The plans accompanying this application are:- Plan Nos. CR01, CR02, CR03, CR04, CR05, CR06, CR07, CR08, CR09, CR10, CR11 (received 09/07/2010), CR11, CR12, CR13, CR14, CR16, CR17 (received 10/08/2010) and CR15 (received 17/08/2010).
- 2 The reason for this determination is:- The proposal is for a building operation/use which, by virtue of Sections 55 and 57 of the Town and Country Planning Act 1990, is development requiring planning permission, but such development is PERMITTED under Class B Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (as Amended).

- 3 This certificate is issued on the basis of the written evidence submitted with the application. Accuracy and the onus of proof rests with the applicant. Please note that this decision relates only to the circumstances whereby the property is in use as a single family dwelling house. This certificate and permitted development rights do not apply in the case of converted properties or flats accommodation.
- 4 This application is determined to be lawful based on the information submitted. If any information provided is inaccurate then this may invalidate the certificate.
- 5 The development is permitted by Class B of the General Permitted Development Order 1995 (amended 2008) subject to the materials used in any exterior work being of a similar appearance to those used in the construction of the exterior of the existing dwelling house and any windows forming a side elevation are required to be obscured glazed and non openable 1.7m above the internal room floor level.

**Date of Decision: 17 August 2010**

**Signed:** 

**Acting for Martin Cowie  
Assistant Director of Planning and Development Management**

**NOTE(S):-**

1. This certificate is issued solely for the purpose of Section 191/192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use/operation above and taking place on the land also described above was lawful on the specified date and, thus, was not 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 described above on the land also specified above. Any use/operation 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 proviso 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.
5. This notice relates solely to the grant of a certificate of lawfulness and does not purport to convey any approval or consent which may be required under the Building Regulations or any other statutory purpose.

## **CONSTRUCTION SITE GUIDELINES FOR HOUSEHOLDERS AND DEVELOPERS**

*This document has been prepared as a guide for homeowners, builders, site managers and workers to good practice during construction work. It is hoped that the inevitable inconvenience of building can be limited through sensible arrangements which acknowledge the needs of contractors but also respect the quality of life of neighbours.*

*It is important in every case to inform neighbours or local residents in the vicinity of any proposed works in advance, keep them advised of progress, and provide contact details. It is suggested that you provide the contact details of one person (which could be the contractor's project manager or you) who will deal with queries and problems.*

*Pre-warning of works will usually avoid confrontations and complaints later on and maintain good relations locally. The London Borough of Barnet runs a Considerate Contractor Scheme which encourages contractors to maintain a good standard of work.*

### **LEGAL CONTROLS**

The Town and Country Planning Act 1990 permits the planning authority to attach conditions to planning decisions and it is a requirement to fully comply with any conditions imposed. The council actively enforces non-compliance of relevant planning conditions so it is important to ensure that these are considered carefully and addressed prior to any development commencing.

The Control of Pollution Act 1974 and Environmental Protection Act 1990 places specific duties on building contractors to ensure that noise, smoke and dust is kept to a minimum. The Council also actively enforces the requirements of this legislation. Its Environmental Health Section imposes certain restrictions and conditions on working hours, methods of work and type of equipment used to ensure noise levels are kept to an acceptable level. Where necessary, notices will be served to require alternative working methods or preventative measures.

Whilst planning permission gives you authority to build you are reminded to check if any other consents are required, such as building regulation approval or highway works licences prior to starting work. In addition, any damage to the public highway caused by construction traffic/machinery, building materials or skip parking will be required to be made good. If not, the council will undertake any necessary repairs and recover the cost from the owner and/or contractor.

### **PARKING AND TRAFFIC**

A great deal of ill-feeling is often caused by contractors and their staff occupying parking spaces normally used by residents. The Council has no powers to prevent this but it is within the power of contractors to avoid or reduce this problem by encouraging staff intent on commuting by car to park further away and by seeking, as far as possible, to stagger deliveries.

Before starting work, it is suggested that you make it clear to your contractors what the existing parking arrangements are locally and ensure that all staff respect this. Similarly equipment and portable toilets should not be left or used from the roadside. Neighbouring residents will normally accept temporary interruptions of access during major deliveries of concrete, materials etc. Vehicles must not block the highway and contractors should not leave their vehicles' engines running whilst they are stationary (unless this is necessary for hydraulics work).

## **PERMITTED HOURS OF WORK**

The permitted hours of work when noise can be audible at a construction site boundary are:

MONDAY TO FRIDAY	8:00am to 6:00pm
SATURDAY	8:00am to 1:00pm
SUNDAY AND BANK HOLIDAY	No work allowed

Any noisy operations outside these hours cannot be undertaken without prior approval of the Environmental Services department and permission is only granted in exceptional circumstances, e.g. emergency works, in which case the Environmental Health Section should be contacted as soon as possible.

## **NOISE & VIBRATION – GENERAL**

Noise and vibration must be kept to a minimum by methods of work that conform to the 'Code of Practice for Noise and Vibration Control on Construction and Open Sites' (See BS 5228 Parts 2 and 4: 1997, and EC and UK Noise Legislation, as applicable).

At all times the best practicable means as defined in the Act must be employed to reduce noise. Only the quietest plant or machinery should be used, and all equipment should be maintained in good mechanical order and fitted with appropriate silencers, mufflers or acoustic covers.

Stationary noise sources should be sited as far away as possible from neighbouring properties. Acoustic barriers consisting of site materials such as bricks, earth mounds or proprietary types should be constructed when noise cannot be sufficiently reduced by careful siting of noise sources.

Piling should be carried out by methods causing minimum noise and vibration. All workers on site must be made aware of the need to keep noise and disruption to a minimum from building works, equipment, plant and machinery, radios, music, vehicles or any other sources.

The movement of vehicles to and from the site must be controlled to minimise noise and disturbance to nearby residents.

## **SMOKE**

Before works start precautions should be taken to prevent smoke on site from machinery, vehicles or combustion. Bonfires are not permitted.

Petrol and diesel engines used to power equipment and plant should not emit dark smoke once the running temperature of the engine has been reached, and should be regularly checked and maintained to prevent smoke and fumes.

## **DUST/DEBRIS**

Footways and carriageways affected by works must be kept in a tidy and safe condition and hoardings, scaffolds, warning lights and other features should also be kept clean and neat.

Prevention measures should be taken to minimise the formation and spread of dust and dirt. Dust should be controlled at source by a continuous fine water spray. To ensure that this is done an adequate water supply must be provided, with sufficient hoses to reach all of the site and with a means for disposal of waste water. The wheels of construction vehicles should be cleaned before exiting a building site. A useful document is The Control of Dust and Emissions from Construction and Demolition - Best Practice Guidance - London Councils November 2006.

## **PROTECTION OF TREES**

Any works to or close to trees and hedgerows must be carefully planned to ensure no harm is caused. Further advice is available from the planning department's trees and landscaping team.

## **FURTHER ADVICE**

You can get further information or advice by visiting the council's website at [www.barnet.gov.uk](http://www.barnet.gov.uk) or contacting the Planning Department, Environmental Services or Highways Group at Building 4, North London Business Park, Oakleigh Road South, London, N11 1NP. Tel: 020 8359 2000.

## **THE SCHEDULE REFERRED TO IN NOTE (1)**

Rights of an applicant who is aggrieved by a decision of the Local Planning Authority.

(1) If the Applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission for approval subject to conditions, he may appeal to the First Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The period for making the appeal is within six months of the date of decision, unless the planning application was refused, relates to an extension or alteration to a dwelling and was registered after 5<sup>th</sup> April 2009; in this case the appeal must be made within twelve weeks of the date of the decision. The Secretary of State has power to allow a longer period for the giving of notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances that excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provision of the development orders and to any direction given under the orders.

(2) Appeals can be made electronically via the Planning Portal at: [www.planningportal.gov.uk](http://www.planningportal.gov.uk) or on a form that is obtained from:

**The Planning Inspectorate  
Customer Support Unit  
Temple Quay House  
2 The Square  
Temple Quay  
BRISTOL BS1 6PN**

Forms should be completed and returned to the Planning Inspectorate at the above address with a COPY to:

**Appeals Officer, Planning Services  
London Borough of Barnet  
Building 4 North London Business Park  
Oakleigh Road South  
LONDON N11 1NP**

(3) If permission to develop land is refused or granted subject to conditions whether by the Local Planning Authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council, a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

(4) In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act, 1990.