

Mrs Nazia Bajwa

102 Oakdale Road
Leytonstone
London
E11 4DL

Date of decision: 12 October 2012

TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 192 (as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2010: ARTICLE 35 CERTIFICATE OF PROPOSED LAWFUL USE OR DEVELOPMENT

Application ref no 2012/1337/CLP

Description of work: Loft conversion with rear dormer window and two front roof lights, single storey rear extension and single storey outbuilding at rear.

Location of work 102 Oakdale Road
Leytonstone
London
E11 4DL

The London Borough of Waltham Forest hereby certify that on 25/09/2012 the use, operation or matter described above in respect of the land specified on this certificate and edged red on the plan attached to this certificate **WOULD HAVE BEEN LAWFUL** within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended), for the following reason(s):

- 1 The proposals would constitute permitted development as defined by Class A, Class B, Class C & Class E of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008.

Informatives

- 1 The applicant is advised that the application has been considered on the basis of drawing numbers: KDLRD-0-001, L-001, P-001, P-002, E-001, L-101, P-101, P-102, P-103, E-102 & S-101 received on 20th August 2012.

David S. Field

**Head of Development Management
on Behalf of London Borough of Waltham Forest**

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, operation or matter specified above taking place on the land described would be lawful on the specified date and thus would not be 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, operation or matter described above and to the land specified and identified on the attached plan. Any use, operation or 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 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.

NOTES TO ACCOMPANY A PLANNING PERMISSION

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority, then you can appeal to the Secretary of State for the Environment, Transport and the Regions under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from The Planning Inspectorate, 3/15A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

Purchase Notices

- If either the local planning authority or the Secretary of State for the Environment refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the London Borough Council whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Compensation

- In certain circumstances, compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.
- These circumstances are set out in Section 137 and related provisions of the Town and Country Planning Act 1990.

... continued overleaf

Carrying out the development

- The attention of developers is drawn to the fact that any failure to adhere to the details of the approved plans, or failure to comply with conditions attached to the planning permission, constitutes a contravention of the provisions of the Town and Country Planning Act 1990, and may be subject to enforcement action.
- THE DECISION OVERLEAF IS FOR PLANNING PERMISSION ONLY AND DOES NOT CONSTITUTE CONSENT UNDER THE BUILDING REGULATIONS OR ANY OTHER ENACTMENT. NO WORK SHOULD BE COMMENCED UNTIL ANY OTHER PERMISSIONS AS MAY BE NECESSARY HAVE BEEN OBTAINED.

The Party Wall etc. Act 1996

- You are reminded that developers/owners have responsibility under the Act to serve notice on adjoining owners where work involves, or is near to an existing shared wall, a common boundary, or a neighbouring building (see Department of Environment explanatory booklet available from DETR Publications Dispatch Centre, Blackhorse Road, LONDON SE99 6TT – Tel: 020 8691 9191 (product code 97 PBD 008).