

**Local Planning Authority details:****Development Control**

Royal Borough of Kingston upon Thames  
 Guildhall 2  
 Kingston upon Thames  
 KT1 1EU

[www.kingston.gov.uk/planning](http://www.kingston.gov.uk/planning)



## Application for a Lawful Development Certificate for a Proposed Use or Development

### Town and Country Planning Act 1990 (as amended)

#### Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

### Site Location

**Disclaimer:** We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)  Northing (y)

Description

## Applicant Details

### Name/Company

Title

Mr+Mrs

First name

WILL

Surname

EGERICKX

Company Name

### Address

Address line 1

6 Kensington Gardens

Address line 2

Address line 3

Town/City

Kingston Upon Thames

County

Kingston Upon Thames

Country

Postcode

KT1 2JU

Are you an agent acting on behalf of the applicant?

Yes

No

### Contact Details

Primary number

\*\*\*\*\* REDACTED \*\*\*\*\*

Secondary number

Fax number

Email address

## Agent Details

### Name/Company

Title

First name

Surname

Company Name

### Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

## Contact Details

Primary number

\*\*\*\*\* REDACTED \*\*\*\*\*

Secondary number

Fax number

Email address

\*\*\*\*\* REDACTED \*\*\*\*\*

## Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

Yes

No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

REAR SINGLE STOREY GROUND FLOOR EXTENSION INCLUDING DEMOLITION OF EXISTING CONSERVATORY

Does the proposal consist of, or include, a change of use of the land or building(s)?

Yes

No

Has the proposal been started?

Yes

No

## Grounds for Application

### Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

THE PROPOSAL CONFORMS WITH THE REQUIREMENTS OF PERMITTED DEVELOPMENT

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

DRGS NO : KKE 1 1, KKE 2 1,2+3

Select the use class that relates to the existing or last use.

C3 - Dwellinghouses

### Information about the proposed use(s)

Select the use class that relates to the proposed use.

C3 - Dwellinghouses

Is the proposed operation or use

- Permanent  
 Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

THE PROPOSAL CONFORMS WITH THE REQUIREMENTS OF PERMITTED DEVELOPMENT

## Site information

**Please note:** This question is specific to applications within the Greater London area.

The Mayor can request relevant information about spatial planning in Greater London under [Section 346 of the Greater London Authority Act 1999](#).

[View more information on the collection of this additional data and assistance with providing an accurate response.](#)

## Title number(s)

Please add the title number(s) for the existing building(s) on the site. If the site has no title numbers, please enter "Unregistered".

**Title Number:**  
TGL124672

## Energy Performance Certificate

Do any of the buildings on the application site have an Energy Performance Certificate (EPC)?

- Yes  
 No

Please enter the reference number from the most recent Energy Performance Certificate (e.g. 1234-1234-1234-1234)

2000-0208-9190-9808-3221

## Further information about the Proposed Development

**Please note:** This question is specific to applications within the Greater London area.

The Mayor can request relevant information about spatial planning in Greater London under [Section 346 of the Greater London Authority Act 1999](#).

[View more information on the collection of this additional data and assistance with providing an accurate response.](#)

What is the Gross Internal Area to be added to the development?

9.00

square metres

Number of additional bedrooms proposed

0

Number of additional bathrooms proposed

0

## Vehicle Parking

**Please note:** This question contains additional requirements specific to applications within Greater London.

The Mayor can request relevant information about spatial planning in Greater London under [Section 346 of the Greater London Authority Act 1999](#).

[View more information on the collection of this additional data and assistance with providing an accurate response.](#)

Does the site have any existing vehicle/cycle parking spaces or will the proposed development add/remove any parking spaces?

Yes

No

## Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

Yes

No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

The agent

The applicant

Other person

## Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

Yes

No

**If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):**

Officer name:

Title

\*\*\*\*\* REDACTED \*\*\*\*\*

First Name

\*\*\*\*\* REDACTED \*\*\*\*\*

Surname

\*\*\*\*\* REDACTED \*\*\*\*\*

Reference

APP. NO. 23/03076/CPU

Date (must be pre-application submission)

22/12/2023

Following receipt of a REFUSAL NOTICE for the above application, we made the following enquiry by Email : Dear Nia , Your colleague Jessica of Business Support has sent me details of Condition 15 of the original Planning Approval 94/3049/FUL as requested, which appears to forbid extensions to the new properties covered by the approval. I have discussed the situation regarding the above Refusal notice with my client , with respect to this Constraint and we are aware that many properties on the development referred to have been granted Planning Permission for extensions both single and two storey. Thus it would appear that this constraint is no longer valid there being as far as I can see, no mention of it in Officer's Reports relating to these approvals. We would be grateful for your confirmation of its withdrawal and on what official basis this has come about. The Constraint implies that Permitted Development Rights have also been withdrawn. Thus it would appear likely that these rights would be reinstated as a consequence of the removal of Condition 15. The issue of the refusal notice for our Application for a Certificate of Lawful Development would indicate that this is not the case. We would therefore be grateful to receive your comments in this matter before we deposit a Householder's Planning Application as you have requested. Regards MURRAY DENHAM riba

We received the following response from the case Officer in reply :

Dear Murray, Thank you for your email, I apologise for the delay in getting back to you. I can confirm that Planning Condition 15 of permission ref: 94/3049/FUL remains extant. The original permission would need to be formally revised to remove Condition 15: I can confirm that no such permission has been granted. With reference to extensions elsewhere along Kensington Gardens I cannot see any Lawful Development Certificates having been approved for extensions of this type. Our records show that Householder Planning permission has been granted for extensions. As advised previously, I remain of the view that planning permission is required for the proposed development. kind regards

We replied as follows :

Dear Nia ...thanks for that ...a rather odd situation which will probably only be resolved by appeal. However, in the light of the present circumstance I'll suggest to my client that we deposit a HOUSEHOLDERS APPLICATION as you suggest and trust that PD rules will, per se, apply to an approval. Regards MURRAY DENHAM riba

A HOUSEHOLDER'S APPLICATION has now been submitted separately as advised ...however, in the light of the above correspondence, this application is deposited in order to create an opportunity to clarify the position with regard to PERMITTED DEVELOPMENT rights in this estate which could be reinstated as a result of the obvious demise of CONDITION 15.

## Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- Yes
- No

## Interest in the Land

Please state the applicant's interest in the land

- Owner
- Lessee
- Occupier
- Other

## Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

I / We agree to the outlined declaration

Signed

MURRAY DENHAM

Date

14/01/2024