



Application no: DM2024/00968

GRANTED

Town and Country Planning Act 1990: Sections 191 and 192 Town and Country Planning
(Development Management Procedure) (England) Order 2015: Article 39

Lawful Development Certificate for a Proposed Use or Development

To: Mr Joseph Orbell
Town Planning Expert
Technopole
Kingston Cres, North End
Portsmouth
Hampshire
PO2 8FA
United Kingdom

Applicant: Mr Li An

26 Fullerton Road
Carshalton
Surrey
SM5 4JU
England

The Council of the London Borough of Sutton, being the Local Planning Authority, hereby certify that on the date of this decision, the operations described in the First Schedule in respect of the land specified in the Second Schedule 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):

FIRST SCHEDULE

In accordance with your application, valid on 26th July 2024.

10 The Crescent Sutton SM1 4HU

Occupation of existing 6 persons HMO to a 7 person HMO.

SECOND SCHEDULE

Reason(s):

- (1) Planning permission is not required by virtue of section 55 of the Town and Country Planning Act 1990 as the proposed occupation of existing 6 persons HMO to 7 person HMO would not involve development.

Informative(s):

- (1) The above development has been assessed in accordance with the following drawings/details:

Location Plan 9PP-13172676v1)
SM141EB

SM141PB
SM142EE
SM142EF
SM142PE
SM142PF

Combined Appeal Decisions - LDC for Larger HMO
Proof of Evidence - (Planning Statement)

(2) Should you require details of the consideration of the application that has led to this decision, the file may be inspected under the provisions of the Local Government (Access to Information) Act 1985 via the following link: <https://www.sutton.gov.uk/propertyapplicationsearch>

(3) The permission hereby granted confers no rights on the applicant to encroach upon, extend over or otherwise enter upon property not in his ownership for any purposes connected with the implementation of this planning permission.

(4) Preventing Damage to the Public Highway:

Care should be taken by all applicants to ensure that no damage is caused to the public highway adjacent to their site during demolition and/or construction work. The Council will always seek to recover any costs incurred in repairing or making good such damage from the owner of the development site, except where they are otherwise able to identify the person(s) who caused the damage and are willing to accept the recoverable costs.

Pre-Commencement Highways Condition Surveys:

To avoid the above costs arising, and BEFORE ANY WORK COMMENCES on your site, PLEASE SEND A BLANK EMAIL to highways@hcs.sutton.gov.uk to receive further details on how to arrange a pre-commencement photographic survey of the public highway conditions around your site. Where the Council decides that a survey is necessary a Returnable Deposit and Inspection Fee (Highways to advise) will be payable to London Borough of Sutton. The pre-commencement survey will ensure you are not charged for any damage which existed prior to commencement of your works. If you fail to arrange a pre-commencement survey it will be assumed that any damage to the highway was caused by your own activities and you will be charged the full cost of repair. Once the site works are completed you need to contact Highways to arrange for a post construction inspection to be carried out. If there is no further damage, the case will be closed, and your deposit refunded. If damage is found to have occurred, the Council will carry out the repairs, and the costs will be charged to you, whether less or more than the deposit value.

(5) Where applicable the developer/applicant is hereby advised to remove all site notices on or near the site that were displayed in pursuant to the application.

(6) Your work may be affected by the provisions of the Party Wall Act 1996 which requires adjoining owners to be formally notified by the owner. This is not a planning matter and further details are issued by the Government <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>.

Building Regulations

Please note that this is a planning permission only and you may also require approval under the Building Regulations. If you are in any doubt about this you can get further information via <http://www.sutton.gov.uk/buildingcontrol> or by emailing buildingcontrol@sutton.gov.uk.



20th September 2024

Spencer Palmer
Strategic Director
Environment, Housing and Neighbourhoods

**LONDON BOROUGH OF SUTTON
APPENDIX TO PLANNING DECISION NOTICES
NOTES TO APPLICANTS**

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development, or to grant it subject to conditions, you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990 (as amended).

Before you decide to appeal you may wish to consider amending your proposal to meet the Council's reasons for refusing permission. The Council's planning staff are always prepared to discuss with you ways to avoid an appeal by submitting an alternative application. This may involve a charge in line with our pre-application service (https://www.sutton.gov.uk/info/200155/planning/1113/pre-application_planning_advice)

If you want to appeal, then you must do so within 6 months of the date of this notice. 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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

You can appeal using a form that you can get from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Customer Support Unit, Tel: 0117 372 6372. Appeal forms and guidance can also be downloaded from the Planning Inspectorate's website <https://www.gov.uk/appeal-planning-decision>.

Alternatively, the Planning Inspectorate have introduced an online appeals service which you can use to make your appeal at <https://www.gov.uk/appeal-planning-decision>. The Inspectorate will publish details of your appeal on the internet. This may include a copy of the original planning application form and relevant supporting documents supplied to the local planning authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so.

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 they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council, or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provision 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 appeal or reference of the application to him.

These circumstances are set out in section 114 and related provisions of the Town and Country Planning Act 1990 (as amended).

The Party Wall etc. Act 1996

Anyone intending to carry out work described in the Act MUST give adjoining owners at least 2 months notice in writing of their intentions.

The Act covers:- (i) work to be carried out directly to an existing party wall or structure

(ii) new building at or astride the boundary line between properties

(iii) excavation within 3 or 6 metres of a neighbouring building or structure, depending on the depth of the hole or foundations

If you are not sure whether the Act applies to work that you are planning, you should seek professional advice. A free explanatory booklet is available from ODPM Free Literature, PO Box 236, Wetherby, West Yorkshire, LS23 7BN. Tel 0870 1226236 e-mail odpm@twoten.press.net

- we have a committed team of professional surveyors
- we are competitively priced
- we are independent and not for profit
- we have unrivalled local knowledge and experience
- we have in depth knowledge of land/area constraints
- we can visit at short notice
- we are ISO 9001 accredited and have full public liability insurance
- we are part of the national Local Authorities Building Control network

You can also visit our [website](#) for more information on the building regulations, how to apply and our fees. You can contact us at building.control@sutton.gov.uk

Regards

Planning Support;