

Application ref: 2023/1642/P  
Contact: Fast Track TY  
Tel: 020 7974 2687  
Email: [Tony.Young@camden.gov.uk](mailto:Tony.Young@camden.gov.uk)  
Date: 25 June 2023

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)

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

SM Planning  
80-83 Long Lane  
London  
EC1A 9ET

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990

### **Certificate of Lawfulness (Existing) Granted**

The Council hereby certifies that on the 22 May 2023 the use described in the First Schedule below in respect of the land specified in the Second Schedule below, was lawful within the meaning of Section 191 of the Town and Country Planning Act 1990 as amended.

#### First Schedule:

Works to a cellar space below ground floor level to form an enlarged basement area.

Drawing Nos: Site location plan; 003.17-EX01 rev P1 (highlighted contextual basement plan - as built); Cover letter from SM Planning dated 20/04/2023; Appendix 1 - photographic evidence with dates; Appendix 2 - letter from Form London Structural Engineers (ref. A075 Savernake Road NW3 2LG) dated 10/07/2018; Appendix 2a - email from Form London Structural Engineers dated 19/04/2023; Appendix 3 - as built drawings issued by Form London Structural Engineers dated 06/02/2019; Appendix 4 - Building Control application form to London Building Control dated 05/02/2018; Appendix 5 - structural calculations package from Form London Ltd. (ref. job number A075) dated November 2017.

#### Second Schedule:

**91 Savernake Road**  
**London**  
**NW3 2LG**

#### Reason for the Decision:

- 1 Sufficient evidence has been provided to demonstrate that, on the balance of

probability, the building works described in the First Schedule were completed more than four years before the date of this application.

Informative(s):

- 1 The granting of this certificate is without prejudice to, and shall not be construed as derogating from, any of the rights, powers, and duties of the Council pursuant to any of its statutory functions or in any other capacity and, in particular, shall not restrict the Council from exercising any of its powers or duties under the Town and Country Planning Act 1990 as amended. Planning advice may be sought from the Council's Development Management Team, Town Hall, Argyle Street WC1H 8EQ, (tel: 020 7974 4444) or by email at [planning@camden.gov.uk](mailto:planning@camden.gov.uk).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Daniel Pope  
Chief Planning Officer

Notes

1. This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the operations specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful on the specified date and thus, would not have been 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\*/matter\* described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use\*/operations\*/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 provision 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.