

Application ref: 2023/2654/P
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Date: 27 July 2023

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Savills
33
Margaret Street
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Existing) Granted

The Council hereby certifies that on the 20 July 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: Lawful Development Certificate (existing) to confirm that planning permission 2019/0910/P has lawfully commenced within the permitted three-year period (Section 191 of the Town and Country Planning Act 1990).

Drawing Nos: All consented drawings (existing and proposed), Plan showing the areas of demolition which were undertaken in the week commencing 27th February 2023, Progress report (dated 10th March) provided by the site contractor, Photographic schedule (dated for the week commencing 27th February 2023), Full suite of waste disposal notes, and Asbestos removal notes (dated 23rd March 2023).

Second Schedule:
369-377
Kentish Town Road
London
NW5 2TJ

Reason for the Decision:

- 1 The evidence submitted sufficiently demonstrates that the works carried out in association with planning application 2019/0910/P are a material operation which commenced before the planning permission expired.

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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

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 use*/operations*/matter* specified in the First Schedule taking place on the land described in the Second Schedule was*/would have been* lawful on the specified date and thus, was not*/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.