

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**A STATEMENT IN SUPPORT OF AN APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR AN EXISTING USE AND OPERATION**

of

Eleven self-contained residential studio flats at  
Raised Ground Floor, Ground Floor, First Floor and Second Floor

at

**9 LANGTRY ROAD, LONDON NW8 0AJ**



Our ref: 2022/823/CLEUD

August 2023

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**1.0 INTRODUCTION AND LOCATION**

1.1 This application for a Lawful Development Certificate for an existing use and operation or activity is made under Section 191 (as amended by Section 10) of the Town Planning and Compensation Act 1991 and the Town and Country Planning (General Development Procedure) Order 1995. The application relates to No 9 Langtry Road which has been configured as eleven self-contained residential studio flats and used as such for over four years - in fact, evidence will show that its conversion took place over ten years ago. The purpose of this CLEUD application is for the endorsement of the existing subdivision of the building and the layout of the flats within it.

1.2 The application premises are located in the Kilburn Ward, on the north-western side of the Borough, in a predominantly residential area situated on the north-western side of Langtry Road, close to the junction of Kilburn Priory. It is bounded to the north by the Overground railway tracks immediately to the rear of its garden boundary wall.

1.3 It is an end-of-terrace property and forms part of a terrace of five residential buildings, three of which are of identical period and construction, with No 1 currently being a single storey structure.



1



2



3

FIG 1: Terrace showing No 9 and the gates to the nursery to east  
FIG 2: Terrace from the west  
FIG 3: Rear of the application premises' terrace taken from the road and pedestrian railway bridge

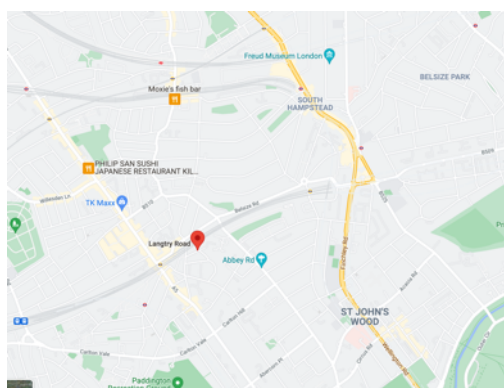
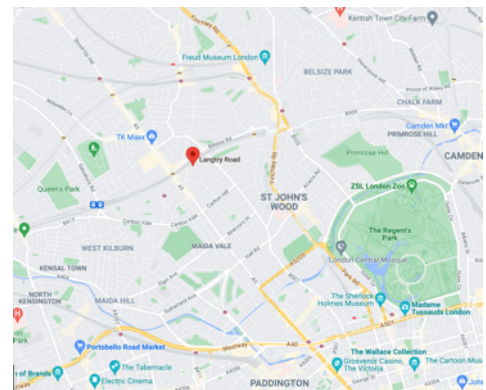
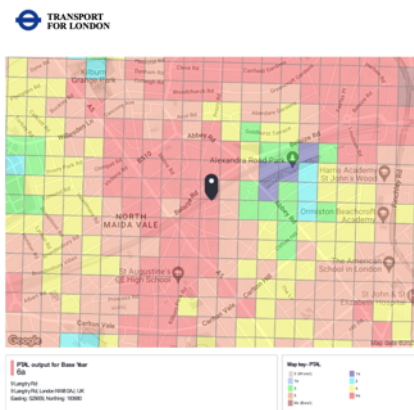
1.5 The application premises are not a listed building and do not lie within or near a conservation area.

Appendix 1: Location Plan

## 1.6 TRANSPORTATION

The application property has excellent proximity to public transport, with a PTAL of 6a and good road links from Kilburn High Road (A5) to M1, M40, North Circular to the north and Central London to the south.

- It lies in close proximity to over-ground train services, the nearest being Kilburn High Road and South Hampstead - a 4 minute and 11 minute walk respectively. Tube connections include Kilburn Park (Bakerloo line), Kilburn, St John's Wood and Swiss Cottage (Jubilee line) within a mile to the east.
- Numerous bus services run along the main arterial road of Kilburn High Road (A5), within a 5 minutes' walk.



**2.0 THE APPLICATION PREMISES**

2.1 Floor plans were produced in 2014 by Damien Davis as part of the preparation and issue of EPC Certificates, documents for which form part of this CLUED application. In 2023, these plans have been verified by Manu Designs, who have visited the premises, cross-checked measurements and prepared their own plans which confirm that there has been no change to the configuration and subdivision of the application premises.

Appendix 1: EPC Survey plans (2014)  
Manu Designs (2023)

2.2 It will be noted from the surveys that the:

Total gross internal area is: 277.6 sq. m. (including communal areas)  
Total net internal area is: 242 sq. m (excluding communal areas)

2.3 The schedule of accommodation with each studio flat's gross floor areas is as follows:

**Ground Floor:**

Studio Flat 1: 5.72 m x 4.01 m= 23 m<sup>2</sup>  
Studio Flat 2: 4.32 m x 4.09 m= 17.67 m<sup>2</sup>  
Studio Flat 3: 6.35 m x 2.97 m= 18.85 m<sup>2</sup>

**Raised Ground Floor:**

Studio Flat 4 : 6.35 m x 2.97 m= 18.9 m<sup>2</sup>  
Studio Flat 5 : 4.32 m x 4.09 m= 17.6 m<sup>2</sup>  
Studio Flat 6 : 5.72 m x 4.01 m= 23 m<sup>2</sup>

Note:

Studio Flat 1: Private entrance at front through front yard area  
Studio Flats 2 and 3: Direct shared access to the paved garden area (30' / 9 m<sup>2</sup>)

**First Floor:**

Studio Flat 7: 6.38 m x 2.84 m= 18.12 m<sup>2</sup>  
Studio Flat 8: 4.37 m x 4.01 m= 17.5 m<sup>2</sup>  
Studio Flat 9: 5.11 m x 4.52 m= 23.1 m<sup>2</sup>

**Second Floor:**

Studio Flat 10: 6.58 m x 4.52 m= 29.7 m<sup>2</sup>  
Studio Flat 11: 4.37 m x 3.94 m= 17.2 m<sup>2</sup>

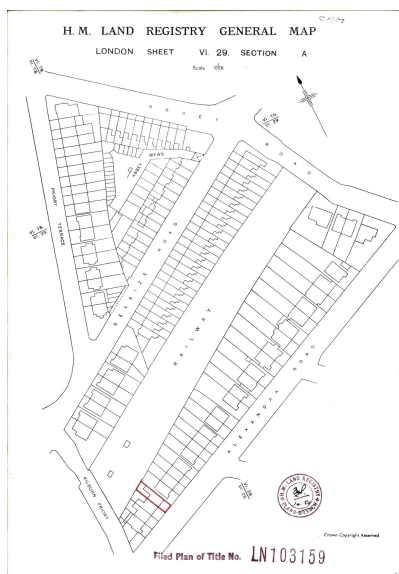
2.4 Therefore, this Application is for the formal endorsement of the existing sub-division of the building into eleven self-contained studio flats and the layout thereof. To corroborate the configuration of the use of the property as such for well over four years, we attach the following evidence as part of and in support of the application.

### 3.0 EVIDENCE: LAYOUT AND ITS USE HAS BEEN IN EXISTENCE FOR OVER FOUR YEARS

The following information gives a timeline and evidence of the conversion of the building into 11 self-contained studio flats over 4 years ago - in fact over 10 years ago.

- 3.1 Property Purchase Information - **in 2015**
- 3.2 Energy Performance Certificates - **2014**
- 3.3 UK Power Networks - **since 1996**
- 3.4 Domestic Electrical Installation Period Inspection Reports - **2013**
- 3.5 Valuations of the Property - one in **2014**, two in **2016** and one in **2019**
- 3.6 Valuation Office Agency Records - **since 2011**
- 3.7 Landlord Council Tax bills - various
- 3.8 Building Insurance for years - **2015 onwards**
- 3.9 Inspection of the London Borough of Camden's Register of Electors records
- 3.10 Tenancy Agreements, TDPCs, Rental Commission Statements - **since 2011 and 2012**
- 3.11 Housing Benefit Notifications

#### 3.1 PROPERTY PURCHASE BY THE APPLICANT IN 2015



HM Land Registry's Office Copy records show that the application property was acquired by the applicant, First Light Properties Limited, and registered on 27th February 2015.

The 1954 File Plan shows Langtry Road as Alexander Road, with further terraces lining the entire northern part of the road (now lost and partly occupied by the nursery school complex).

When the property was purchased by the applicant, the property was in the same configuration and use as it is today (as confirmed in Purchase Valuation Report below).

Appendix 2: HM Land Registry: Office Copy – Title number LN103159

This is a copy of the title plan as of 27 JAN 2015 at 10:43:33. This copy does not take account of any application made after that time even if still pending in HM Land Registry unless this copy was amended.  
This copy is not an 'Official Copy' of the title plan. An official copy of the title plan is admissible in evidence in a court to the same extent as the original. A person is entitled to be reimbursed by the registrar if he or she has been misled or is misled in an official copy. If you wish to obtain an official copy, the HM Land Registry web site explains how to do this.  
HM Land Registry endeavours to maintain high quality and accurate versions of title plans. The quality and accuracy of any print will depend on your printer, your computer and the print settings. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to disturbance in scale. Measurements are taken from the plan type and plan's measurements between the same points on the ground.  
This title is dealt with by HM Land Registry, Copying Office.  
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### 3.2 ENERGY PERFORMANCE CERTIFICATES

EPC assessments were carried out by Mr Damien Davis, prior to and part of the applicant's purchase of the property. His practice also prepared the floor plans in 2014. Below is a summary of the details on each certificate.

Flat 1	Ground floor flat Total floor area: Date of assessment Date of certificate: Type of assessment	21 m <sup>2</sup> 05.12.2014 10.12.2014 Existing dwelling
Flat 2	Ground floor flat Total floor area: Date of assessment Date of certificate: Type of assessment	18 m <sup>2</sup> 05.12.2014 10.12.2014 Existing dwelling
Flat 3	Ground floor flat Total floor area: Date of assessment Date of certificate: Type of assessment	22 m <sup>2</sup> 05.12.2014 10.12.2014 Existing dwelling
Flat 4	Mid-floor flat Total floor area: Date of assessment Date of certificate: Type of assessment	17 m <sup>2</sup> 05.12.2014 10.12.2014 Existing dwelling
Flat 5	Mid-floor flat Total floor area: Date of assessment Date of certificate: Type of assessment	16 m <sup>2</sup> 05.12.2014 10.12.2014 Existing dwelling
Flat 6	Mid-floor flat Total floor area: Date of assessment Date of certificate: Type of assessment	22 m <sup>2</sup> 05.12.2014 10.12.2014 Existing dwelling
Flat 7	Top-floor flat Total floor area: Date of assessment Date of certificate: Type of assessment	19 m <sup>2</sup> 05.12.2014 10.12.2014 Existing dwelling

Flat 8	Mid-floor flat	
	Total floor area:	14 m <sup>2</sup>
	Date of assessment	05.12.2014
	Date of certificate:	10.12.2014
	Type of assessment	Existing dwelling
Flat 9	Mid-floor flat	
	Total floor area:	21 m <sup>2</sup>
	Date of assessment	05.12.2014
	Date of certificate:	10.12.2014
	Type of assessment	Existing dwelling
Flat 10	Top-floor flat	
	Total floor area:	27 m <sup>2</sup>
	Date of assessment	20.07.2018
	Date of certificate:	30.07.2018
	Type of assessment	Existing dwelling
Flat 11	Mid-floor flat	
	Total floor area:	20 m <sup>2</sup>
	Date of assessment	05.12.2014
	Date of certificate:	10.12.2014
	Type of assessment	Existing dwelling

Therefore, the EPC Certificates and Measured Floor Plan survey provide evidence of the continued existence of the eleven flats of the same floor areas in and since 2014. This has been corroborated by the plans prepared by Manu Designs in 2023.

Appendix 1 (2014 Floor Plans)

Appendix 3 (EPC Certificates)



### 3.3 UK POWER NETWORKS: PERIOD OF USAGE AS 11 FLATS

Probably the most conclusive pieces of evidence of the long-time existence of the eleven flats is the email dated **21<sup>st</sup> November 2014** from UK Power Networks. This was requested as part of the searches carried out during the acquisition of the property by the applicant. UK Power Networks confirmed that all eleven flats and landlord supply had been individually registered and power had been provided to each flat since the **1<sup>st</sup> April 1996** to the date of that email (21st November 2014)

Appendix 4: Email from UK Power Networks dated 21<sup>st</sup> November 2014

**From:** Mpas Enquiry <mpasenquiry@ukpowernetworks.co.uk>  
**Sent:** 21 November 2014 13:39  
**To:** Nish Bhatt <nish@millwoodkane.com>  
**Subject:** RE: Supply of electricity to Flats 1-11, 9 Langtry Road  
**Importance:** High

Good morning Nish,

Thank you for your enquiry. Please see below the requested information for the 11 flats you manage.

Address	MPAN	Meter Serial Number	Supplier	Contact	Date
Flat 1 9 Langtry Road	1200020988133	S90A 35044	EDF Energy	0800 056 7777	01/04/1996 – Present
Flat 2 9 Langtry Road	1200020988142	S92A 19107	EDF Energy	0800 056 7777	01/04/1996 – Present
Flat 3 9 Langtry Road	1200020988151	S90A 65394	EDF Energy	0800 056 7777	01/04/1996 – Present
Flat 4 9 Langtry Road	1200020988160	S02A 12039	EDF Energy	0800 056 7777	01/04/1996 – Present
Flat 5 9 Langtry Road	1200020988170	S93A 25330	EDF Energy	0800 056 7777	01/04/1996 – Present
Flat 6 9 Langtry Road	1200020988189	S25A 13085	EDF Energy	0800 056 7777	01/04/1996 – Present
Flat 7 9 Langtry Road	1200020988198	S13A 16316	EDF Energy	0800 056 7777	01/04/1996 – Present
Flat 8 9 Langtry Road	1200020988203	S01A 25831	EDF Energy	0800 056 7777	01/04/1996 – Present
Flat 9 9 Langtry Road	1200020988212	S95A 86530	EDF Energy	0800 056 7777	01/04/1996 – Present
Flat 10 9 Langtry Road	1200020988221	S91A 60685	EDF Energy	0800 056 7777	01/04/1996 – Present
Flat 11 9 Langtry Road	1200020988230	S13A 13701	EDF Energy	0800 056 7777	01/04/1996 – Present
L/L Supply 9 Langtry Road	1200020988124	D02A 48857	EDF Energy	0800 056 7777	01/04/1996 – Present

If there is anything else that I can do for you, please don't hesitate to get in contact.

Kind regards,

**Alonza Jackson**  
MPAS Enquiry Team  
Customer Service Advisor

☎ 0845 601 4516 / Extension: 8848  
✉ [alonza.jackson@ukpowernetworks.co.uk](mailto:alonza.jackson@ukpowernetworks.co.uk)

### 3.4 DOMESTIC ELECTRICAL INSTALLATION PERIOD INSPECTION REPORTS

These certificates were issued for the purpose of a 'Landlord Report' when services were checked and each serial numbered certificate was dated with reference to the flat numbers. Surveys were carried out in June 2013 and September 2013. The same inspector carried out the inspection report on all flats.

2013:	28.06.2013	Flat 1:	Serial no. 348301
	28.06.2013	Flat 2:	Serial no. 348302
	28.06.2013	Flat 3:	Serial no. 348303
	28.06.2013	Flat 4:	Serial no. 348304
	28.06.2013	Flat 5:	Serial no. 348305
	28.06.2013	Flat 6:	Serial no. 348306
	21.09.2013	Flat 7:	Serial no. 348258
	21.09.2013	Flat 8:	Serial no. 348259
	21.09.2013	Flat 9:	Serial no. 348260
	21.09.2013	Flat 10:	Serial no. 348261
	21.09.2013	Communal Hallway	Serial no. 348262
2013	31.10.2013	Certificate of the testing of the fire alarm system was issued for the entire property.	
Appendix 5:	Electrical Inspection Reports		
Appendix 6:	Testing Certificate of Fire Alarm (31.10.2013)		

### 3.5 VALUATIONS OF THE PROPERTY: 2014, 2016 (x 2) and 2019

Gerald Eve LLP were commissioned to carry out four detailed and updated valuation reports in respect of 9 Langtry Road for loan security purposes.

#### 3.5.1 2014 Valuation Report:

Gerald Eve (acting on behalf of ICG Longbow Senior Debt S.A.) carried out a measured survey and valuation of 9 Langtry Road on 27<sup>th</sup> November 2014 as part of the proposed purchase of the property. What is important is that their report confirms that the property had already been converted and was in use in the same configuration as 11 flats.

The valuation also formed part of a wider portfolio of properties already owned by First Light Properties Ltd (the property owner and subject CLEUD applicant). The main bulk of the report relating to the application property is found on pages 1- 12 of the Executive Summary (or pages 24-36 of the whole report). The key relevant information includes the following:

- Description: ***“The building has been converted into 11 studio flats”***
- Tenancy: A list of the tenants of the 11 studio flats and the terms is stated.
- Description: *'The building which has been arranged over basement and 3 storeys above, has been converted into 11 studio flats. 3 of the studios are situated on a lower ground floor level.'*
- Accommodation: p. 4-5. Gerald Eve undertook a full measured survey and produced the following schedule, together with a description of the flats, their condition and photographic evidence. The site area was calculated as 0.018 h.

#### 4. Accommodation

In accordance with the current RICS Code of Measuring Practice, we have undertaken a full measured survey. The property was measured on a gross internal area basis and found to provide accommodation as follows.

<u>Accommodation</u>	<u>Floor Area</u>	
Studio 1	21.56 sq m	232 sq ft
Studio 2	20.17 sq m	217 sq ft
Studio 3	20.89 sq m	225 sq ft
Studio 4	16.98 sq m	183 sq ft
Studio 5	17.14 sq m	185 sq ft
Studio 6	21.00 sq m	226 sq ft
Studio 7	16.90 sq m	182 sq ft
Studio 8	20.22 sq m	218 sq ft
Studio 9	23.12 sq m	249 sq ft
Studio 10	26.51 sq m	285 sq ft
Studio 11	20.22 sq m	218 sq ft
<b>Total</b>	<b>224.71 sq m</b>	<b>2,420 sq ft</b>

Page 6: Planning: Gerald Eve stated:

*“We have made enquiries of Camden Council but they were unable to confirm that the subject premises have planning permission for their current C3 (residential) use as studios. We have, therefore, assumed for the purpose of the valuation reported herein that they do.*

*Whilst it does not have formal planning consent for use as studios, it has always had residential consent as evidenced on the VOA website which shows that it has been configured as 11 fully self-contained studio flats, all separately banded for council tax since 2007. Due to the length of time passed since installing the studios, these do not constitute a planning breach.”*

Page 6: Council Tax: A tabulation of their findings in respect of the Council Tax records in 2014 for the eleven flats.

Property	Council Tax Band	Council Tax Liability 2014/15
Flat 1 at 9 Langtry Road, London, NW8 0AJ	C	£ 1,173.76
Flat 2 at 9 Langtry Road, London, NW8 0AJ	C	£1,173.76
Flat 3 at 9 Langtry Road, London, NW8 0AJ	B	£1,027.04
Flat 4 at 9 Langtry Road, London, NW8 0AJ	B	£1,027.04
Flat 5 at 9 Langtry Road, London, NW8 0AJ	C	£1,173.76
Flat 6 at 9 Langtry Road, London, NW8 0AJ	C	£1,173.76
Flat 7 at 9 Langtry Road, London, NW8 0AJ	A	£880.32
Flat 8 at 9 Langtry Road, London, NW8 0AJ	A	£880.32
Flat 9 at 9 Langtry Road, London, NW8 0AJ	A	£880.32
Flat 10 at 9 Langtry Road, London, NW8 0AJ	A	£880.32
Flat 11 at 9 Langtry Road, London, NW8 0AJ	A	£880.32

Page 7: AST Tenancy Agreements for the eleven flats in 2014 are confirmed. The tenants' names, rental terms and rent correspond with other documents provided as part of this application.

Therefore, this valuation report corroborates the configuration of the building as eleven studios flats, together with research of historical status evidence. The survey GIA calculations also corroborate that carried out by Damian Davies.

Appendix 7: Gerald Eve Valuation Report, dated 27th November 2014

### 3.5.2 Valuation Report: February 2016

Gerald Eve issued an update property valuation report dated of **31<sup>st</sup> January 2016** (issued on 4<sup>th</sup> February 2016) in which, amongst various valuation matters, they confirmed the following:

Page 3: a tabulated table of the eleven tenancies agreements for 2016.

Page 4: a list of the areas of the studio flats showing that their floor areas remained the same as in 2014.

Appendix 8: Gerald Eve updated Valuation Report, dated 4th February 2016

### 3.5.3 Valuation Report: July 2016

On **1st July 2016**, Gerald Eve issued a further valuation report on behalf of a new lender, providing similar but updated information to that contained in the 2014 Report. The updates included the then current list of tenancy agreements for the eleven flats.

Appendix 9: Gerald Eve Valuation Report, dated 1st July 2016

### 3.5.4 Valuation Report: November 2019

This latest valuation report was issued by Gerald Eve on **21st November 2019**. Again, it confirmed the continued layout of the premises as being exactly the same. New tenancy agreement lists confirmed continued occupation of all eleven rooms and the report gave details and photographic evidence of each room's condition and layout, as well as Council tax records.

Appendix 10: Gerald Eve Valuation Report, dated 21st November 2019

3.5.5 All tenancy lists included in the four valuation reports have been cross-referenced with the Tenancy Agreements (as included in Appendix 14) and the information provided has been corroborated.

3.5.6 Therefore, the extensive and detailed reports produced by Gerald Eve LLP provide incontrovertible evidence of the configuration, use and tenancy of the application premises well in excess of four years.

### 3.6 DIRECTGOV - COUNCIL TAX BANDING REGISTRATION

Online records show the dates when Council Tax bands took effect for all eleven flats at 9 Langtry Road. It shows that all flats have been registered for a considerable number of years. Screenshots are included in Appendix 11 of this application and for ease of reference are summarised below:

	<u>LA ref. no.</u>	<u>Council Tax Band</u>	<u>With effect from</u>
Flat 1	5104486	C	01/04/1993
Flat 2	5119654	C	27/09/2007
Flat 3	5104483	B	01/04/1993
Flat 4	5119652	B	27/09/2007
Flat 5	5119651	C	27/09/2007
Flat 6	5119650	C	27/09/2007
Flat 7	5104484	A	01/04/1993
Flat 8	5119649	A	29/07/2007
Flat 9	5104485	A	01/06/1995
Flat 10	5104482	A	01/11/1995
Flat 11	5104487	A	01/11/1995

Appendix 11: Screenshots of online DirectGov records for Council Tax

The Valuation Office Agency lists the flats, banding and Council Tax to be paid to the London Borough of Camden on in its online records, as shown in the screenshot below:

FLAT 1 AT 9, LANGTRY ROAD, LONDON, NW8 0AJ	C	£1529
FLAT 2 AT 9, LANGTRY ROAD, LONDON, NW8 0AJ	C	£1529
FLAT 3 AT 9, LANGTRY ROAD, LONDON, NW8 0AJ	B	£1338
FLAT 4 AT 9, LANGTRY ROAD, LONDON, NW8 0AJ	B	£1338
FLAT 5 AT 9, LANGTRY ROAD, LONDON, NW8 0AJ	C	£1529
FLAT 6 AT 9, LANGTRY ROAD, LONDON, NW8 0AJ	C	£1529
FLAT 7 AT 9, LANGTRY ROAD, LONDON, NW8 0AJ	A	£1147
FLAT 8 AT 9, LANGTRY ROAD, LONDON, NW8 0AJ	A	£1147
FLAT 9 AT 9, LANGTRY ROAD, LONDON, NW8 0AJ	A	£1147
FLAT 10 AT 9, LANGTRY ROAD, LONDON, NW8 0AJ	A	£1147
FLAT 11 AT 9, LANGTRY ROAD, LONDON, NW8 0AJ	A	£1147

**These records confirm that the application premises were registered as being subdivided into eleven studio units for well over four years - in fact well over ten years - during a period between 1993 - 1995 - 2007.**

### 3.7 LANDLORD COUNCIL TAX BILLS – VARIOUS

In all eleven flats, the tenants are responsible for the payment of their Council Tax bills and therefore, the landlord's agent has limited correspondence or documents in relation to Council Tax payments to the Borough. The only correspondence received is when there is a change of tenant and a brief unoccupied period ensued. Nevertheless, the following Council Tax correspondence exchange for each of the individual flats between the Council and the Landlord is provided as further evidence of occupation. Hereunder is an analysis of the documents available.

Flat 1		No documents available		
Flat 2	2013	Council Tax statement 2013/14	18.03.13	
	2015	Council Tax enquiry form	22.10.15	
		Council Tax statement 2015/16	23.10.15	
		Council Tax statement 2015/16	29.10.15	
		Email sent by Landlord's agent - attaching completed Enquiry form re Jacqueline Angelo	04.11.15	
		Council Tax Statement 2015/16 - amending charges to £0	02.12.17	
	2017	Council tax for 2016/17: period 05/10/16-21/10/16 - unoccupied period paid by landlord	07.01.17	
		Council tax statement 2017/18	22.04.17	
		Council Letter - Trace enquiry for Jacqueline Angelo	20.06.17	
		Landlord agent response re left property October 2016	20.07.17	
	Flat 3	2013	Council tax statement to Landlord Denton Properties (Period 12/04/13 to 16/06/13 - unoccupied)	09.08.13
			Various correspondence	
2015		Council Tax statement to Landlord (Period for advance payment 02/08/15 to 31/03/16)	08.08.15	
		Council tax statement to Landlord (Period 02/08/15 to 23/08/15 - unoccupied)	04.09.15	
Flat 4	2013	Court summons re Council Tax bill non-payment (Period 01/04/2013 to 31/04/2014)	11.09.13	
	2014	Council tax reminder	0.08.14	
	2017	Council tax statement (01/04/17 to 31/03/18)	22.04.17	
		Council tax statement (20/03/17 to 31/07/17)	22.04.17	
		Council tax enquiry form(re Damien G Singh Roda)	10.04.17	
	Council tax statement (01/04/17 to 09/04/17) unoccupied	16.06.17		

Flat 5	2013	Council Tax reminder	20.08.13
	2016	Council Tax Statement (28/03/16 to 31/03/16) unocc	16.04.16
		Council Tax Statement (01/04/16 to 07/04/16) unocc	28.04.16
		Council Tax Enquiry (Sevilla P Ganaten) (took occupation 08/04/16)	May 16
Flat 6	2020	Council Tax Statement (04/01/20 to 05/01/20) unoccupied	22.01.20
		Council Tax Statement (20/06/20 to 31/03/21)	13.08.20
		Letter from LL to Council to inform of tenant responsible (Elizabeth Sombrito - took occupation 28.06.20)	18.08.20
		Council Tax Statement corrected (20/06/20 to 27/06/20)	28.11.20
Flat 7	2013	Council Tax Statement (28/07/13 to 31/03/14) unocc	09.08.13
Flat 8	2016	Council Tax Statement (01/12/15 to 20/12/15) unocc	05.02.16
Flat 9	2013	Council Tax Statement (2012/13) - no charge	10.05.13
Flat 10		No documents	
Flat 11	2016	Council Tax Statement (08/04/16 to 31/03/17)	13.04.16
		Letter from LL to inform LB Camden of tenant responsible (Mr Semir Abdelkadir Idris - took occupation 05.05.16)	12.05.16
		Council Tax Statement (08/04/16 to 04/05/16)	28.05.16
	2017	Council Tax Enquiry Form completed	30.10.17
		Council Tax Statement (2017/2018)	31.10.17
		Letter from LL to inform LB Camden of tenant responsible (Emelita Mascarenas - took occupation on 31/10/17)	08.11.17
		Council Tax Statement (2017/2018) - no charge	25.11.17
		Council Tax Statement (15/10/18 to 31/10/18) unocc	25.11.17

Appendix 12: Documents as listed relating to Council Tax for 11 flats

Therefore, the above landlord extensive correspondence provides further evidence of the configuration of the property for well over four years (in fact, over ten years).



### 3.8 BUILDING INSURANCE

Available Building Insurance policies for the last six years show the application property has been on cover and described as a 'Block of Flats - Let on Private AST' and 'Occupied Block of Flats (11 Studio Flats)'. Cover also shows occupancy as a block of flats (11 Studio Flats) - Private Working/DSS Tenants. The documents submitted and included are:

Property Owners Select Certificate (Allianz): (and ancilliary cover letter etc)	From 18.12.17 to 17.12.18
Property Owners Select Certificate (Allianz): (and ancilliary cover letter etc)	From 18.12.18 to 17.12.19
Certificate of Insurance (AXA) (and ancilliary cover letter etc)	From 18.12.19 to 17.12.20
Certificate of Insurance (AXA) (and ancilliary cover letter etc)	From 18.12.20 to 17.12.21
Certificate of Insurance (AXA)	From 18.12.21 to 17.12.22
Certificate of Insurance (Allied World)	From 18.12.22 to 17.12.23

Appendix 13: Building Insurance policy documents

Therefore, this provides additional evidence of the configuration of the application premises for over four years as self-contained flats.

### **3.9 INSPECTION OF THE LONDON BOROUGH OF CAMDEN'S REGISTER OF ELECTORS RECORDS**

The records of the London Borough of Camden's Register of Electors are held at Holborn Library and an in-person inspection took place on 10th March 2022 and 26th July 2023. The relevant section of the Full Register for No 9 Langtry Road is listed in Volume 1 AA-IA - Kilburn Ward, Polling District 'FD' and the records are listed on the attached Appendix 14.

The Inspection was limited to a period of only eleven years, December 2011 to December 2021 (the latter the most up-to-date entry available).

Records from that period indicate that the property has been divided into studio flats since December 2011. Some flat occupants for some years have not returned forms, which may be in part because they were not eligible to vote.

**However, most importantly, the records confirm that most of the flats provided long-term homes for over ten years - many of which were and remain with the same resident.**

Appendix 14: - Email of inspection confirmation  
- List of residents from Camden's Electoral Register showing the residents from December 2011 to December 2022

### **3.10 TENANCY AGREEMENTS, TDPCS, RENTAL COMMISSION STATEMENTS**

The tenancy agreement records available date back to 2012 when the property was in the ownership of others. The documents show that each of the eleven flats have been let on Assured Shorthold Tenancy Agreements for well over four years (in fact over ten years) and for ease of reference a list has been compiled to accompany the documents.

Renewal of the AST Agreements was held in abeyance in 2019 due to the changes in the welfare system as they relate to the transitioning from Housing Benefit to Universal Credit, which applies to most of the tenants. However, under Clause 9.3 of their tenancies, it allows for the tenancies to continue with the contractual periodic tenancies once the fixed term tenancies expired, thus, the tenancies do not need to be renewed by law. In the event, the tenancy then runs on a periodic basis and the tenant occupies under the same covenants as were applicable during the written tenancy. Therefore, unless there is a change in circumstance, the tenancies are not renewed.

Collectively, these records show that the property was converted into eleven self-contained units well over four years ago and there has been a continuous use of the flats in the same configuration as such since then.

Appendix 15: List of Tenancy Agreements from 2012, together with the files of the supporting documents

### **3.11 HOUSING BENEFIT NOTIFICATIONS**

As a further account of evidence of the existence of the eleven flats in the application premises, payments were made by the London Borough of Camden to both the previous and current owners in respect of housing benefits from 2012 in part. For ease of reference, a list is attached of these documents.

Appendix 16: List of London Borough of Camden confirmations of housing benefit payments from 2012, together with the files of supporting documents

#### 4.0 CONCLUSION:

Accordingly, indisputable evidence has been provided in a plethora of documents to confirm that the application premises were subdivided into eleven self-contained studio flats in the same configuration for well over four years - in fact, over ten years. For instance:

- Energy Performance Certificates were registered in **December 2014**, when the property was purchased as eleven self-contained flats.
- UK Power Networks confirmed that all eleven flats and landlord supply had been registered individually and power supplied **since April 1996**;
- Domestic Electrical Installation reports registered in **2013**;
- Gerald Eve Valuations give detailed descriptions of the same configuration in their first valuation for the owner in November 2014, and then in 2016 and 2019.
- Direct Gov's online records show the individual flats were registered for Council Tax in **1993, 1995 and 2007**.
- Available Council Tax bills for all flats provide evidence **since 2013**.
- Tenancy Agreements and Housing Benefit show residency records **since 2012**

Finally, the inspection of the London Borough of Camden's Register of Electors record corroborates the valuations reports and tenancy records by confirming the existence of the eleven flats from December 2011 to December 2022.

No 9 Langtry Road has provided long-term homes for its residents, well-run and managed by an established private landlord-led management team, which are affordable or accepted under housing benefit allowances.

The ample evidence supporting this application is comprehensive, unambiguous and unequivocal in confirming that the conversion of the property into eleven studio flats took place well in excess of four years ago - in fact, well in excess of ten years. There has been continuity and no change in the configuration of the buildings and its eleven self-contained flats.

Therefore, in accordance with the provisions of Section 191 of the Town and Country Planning Act 1990, there is no compelling reason for not granting a Certificate of Lawfulness of Existing Use and Development for the configuration of the application property as eleven self-contained residential studio flats.

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