

Camden Council
Planning Department
5 St Pancras Square
London
N1C 4AG

1st August 2023

Dear Sir/Madam,

Lawful Development Certificate
55 Roderick Road, NW3 2NP

On behalf of my client, today I have applied for a Lawful Development Certificate via the Planning Portal. The application relates to the use of the property as 6 self-contained dwellings and comprises the following:

- Application Form.
- Site Location Plan.
- Existing Floor Plans.
- Statutory Declarations of Damon Peddar and Shan Slavin.
- Periodic legislation.
- Supporting evidence for each flat as detailed below.

The Secretary of State (SOS) has advised local planning authorities that the burden of proof in applications for a Certificate of Lawfulness is firmly with the applicant (DOE Circular 10/97, Enforcing Planning Control: Legislative Provisions and Procedural Requirements, Annex 8, paragraph 8.12). The relevant test is the "balance of probability", and authorities are advised that if they have no evidence of their own to contradict or undermine the applicant's version of events, there is no good reason to refuse the application provided the applicant's evidence is sufficiently precise and unambiguous to justify the grant of a certificate. The planning merits of the use are not relevant to the consideration of an application for a certificate of lawfulness, rather, an assessment of the factual evidence submitted by the applicant and that held by the Council (if any) is carried out to determine whether the legal requirements of demonstrating the existence of an established use have been satisfied.

Evidence

Flat 1

Signed ASTs as follows:

- In the name of Gabriele Meldaikyte and Francesco Papa for the period 20/11/2017 to 19/11/19.
- In the name of Gabriele Meldaikyte and Francesco Papa for the period 20/11/19 to 19/11/20.
- In the name of Lisa Santagiuliana for the period 1/8/20 to 30/9/20.
- In the name of Lisa Santagiuliana and Andre Wilkins for the period 1/10/20 to 30/9/21.
- In the name of Lisa Santagiuliana and Andre Wilkins for the period 1/10/21 to 30/9/22. Whilst the AST was due to end on the 30th of September 2022, it rolled over to January 2023 which is when the tenants vacated the flat. This meant a new AST was not required although the original provisions still applied. See supporting periodic legislation.
- In the name of Marta Parypa for the period 13/1/23 to current.

EPC dated 18th of October 2017. This is valid for 10 years.

Tenancy deposit confirmation dated 19th of November 2018 and 4th of August 2020.

Council Tax record dated 4th of November 2017.

Flat 2

Signed ASTs as follows:

- In the name of Dimitra Kappou for the period 28/10/2018 to 27/10/19.
- In the name of Eleanor Kemp and Thomas Kemp for the period 15/11/19 to 14/11/20.
- In the name of Eleanor Kemp and Thomas Kemp for the period 15/11/20 to 14/11/21.
- In the name of Roshani Mirchandani and Akhil Kapoor for the period 1/10/21 to 30/9/22. Whilst the AST was due to end on the 30th of September 2022, it rolled over to February 2023 which is when the tenants vacated the flat. This meant a new AST was not required although the original provisions still applied. See supporting periodic legislation.
- In the name of Sovann Linden and Alexandre Lindon for the period 17/2/23 to current.

EPC dated 18th of October 2017. This is valid for 10 years.

Tenancy deposit confirmation dated 19th of November 2019 and 6th of October 2021.

Council Tax record dated 28th of October 2017.

Flat 3

Signed ASTs as follows:

- In the name of Amandine De Schaetzen for the period 21/5/2018 to 20/5/19.
- In the name of Amandine De Schaetzen for the period 21/5/2019 to 20/5/20.
- In the name of Amandine De Schaetzen for the period 21/5/20 to 20/5/21.
- In the name of Yuntao Huang for the period 6/3/21 to 5/3/22.
- In the name of Yuntao Huang for the period 6/3/22 to 5/3/23.
- In the name of Zohra Shamim and Aarif Nazar for the period 9/9/22 to current.

EPC dated 18th of October 2017. This is valid for 10 years.

Tenancy deposit confirmation dated 4th of July 2018 and 15th of March 2021.

Council Tax record dated 10th of November 2017.

Flat 4

Signed ASTs as follows:

- In the name of Kristina Cipinyte for the period 24/9/2018 to 23/9/19.
- In the name of Kristina Cipinyte for the period 24/9/19 to 23/9/20.
- In the name of Kristina Cipinyte for the period 24/9/20 to 23/9/21.
- In the name of Mael Albert Martin Kotto-Ekambi for the period 27/2/21 to 26/2/22. Whilst the AST was due to end on the 26th of february 2022, it rolled over to April 2023 which is when the tenants vacated the flat. This meant a new AST was not required although the original provisions still applied. See supporting periodic legislation.
- In the name of Rosie Perkins and Kye Giovannoni for the period 15/4/22 to 14/3/23.
- In the name of Rosie Perkins and Kye Giovannoni for the period 15/4/23 to current.

EPC dated 18th of October 2017. This is valid for 10 years.

Tenancy deposit confirmation dated 4th of October 2018 and 12th of March 2021.

Council Tax record dated 28th of October 2017.

Flat 5

Signed ASTs as follows:

- In the name of Anastasiya Meishutovich for the period 27/10/2018 to 26/10/19.
- In the name of Shagayegh Javadzadeh and Thomas Wright for the period 24/5/19 to 23/5/20.
- In the name of Shagayegh Javadzadeh and Thomas Wright for the period 24/5/20 to 23/5/21.
- In the name of Shagayegh Javadzadeh and Thomas Wright for the period 24/5/21 to 23/5/22.
- In the name of Yuanyuqn Zhou and Richard Darling for the period 20/12/21 to

19/12/22.

- In the name of Wayne Clinton for the period 10/1/23 to current.
- EPC dated 18th of October 2017. This is valid for 10 years.
- Tenancy deposit confirmation dated 31st of October 2017, 29th of May 2019 and 21st of December 2021.
- Council Tax record dated 27th of October 2017.

Flat 6

Signed ASTs as follows:

- In the name of Eliza Nissim for the period 7/12/2018 to 7/11/19.
- In the name of Ariana Trozze for the period 15/7/19 to 14/7/20.
- In the name of Lucy Arnold and David Arnold for the period 21/7/20 to 20/7/21.
- In the name of Lucy Arnold and David Arnold for the period 21/7/21 to 20/7/22.
- In the name of Lucy Arnold for the period 21/7/22 to 20/7/23.
- In the name of Lucy Arnold and David Arnold for the period 21/7/23 to current.
- EPC dated 18th of October 2017. This is valid for 10 years.
- Tenancy deposit confirmation dated 4th of December 2018 and 15th of July 2019.
- Council Tax record dated 14th of November 2017.

Statutory declarations

Damon Peddar and Shan Slavin have both signed a statutory declaration confirming the 6 self contained flats have been continuously occupied for at least 4 years.

In conclusion, taking the above into account I consider there is sufficient evidence to demonstrate on the balance of probability that the property has been in continuous use as 6 self-contained flats for a period in excess of 4 years.

Yours sincerely



Mark Pender
PPM Planning Limited