

Application ref: 2023/5181/P
Contact: Fast Track TY
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Date: 6 February 2024

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Bryant and Moore Architects Ltd
19-25 Salisbury Square
Old Hatfield
AL9 5BT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Existing) Granted

The Council hereby certifies that on the 09 January 2024 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:

Commencement of works in accordance with condition 1 (within three years from date of planning permission 2019/2823/P dated 07/12/2020), for the demolition of former studio building and existing side and rear extensions to 22 Holmes Road. Erection of 2 storey (with basement), 2 bedroom dwelling between no.22 and no.24, and 2 x 2 storey (with basement) 2 bedroom dwellings to rear of site with associated private amenity space and refuse/cycle storage. Erection of new 2 storey extension to rear of no.22.

Drawing Nos: Site location plan (unnumbered); Invoice from Robert's 21st Century Design Ltd. dated 30/11/2023; Photograph sheet dated between 29/11/2023 and 30/11/2023; Section 106 Acknowledgement Payment Notice (ref: S08681-LP19797) dated 18/10/2023; Various Discharge Notices dated between 18/10/2023 and 28/11/2023.

Second Schedule:

22 Holmes Road
London
NW5 3AB

Reason for the Decision:

- 1 The evidence submitted confirms that, on the balance of probability, the works commenced in accordance with condition 1 (within three years from date of planning permission 2019/2823/P dated 07/12/2020), for the demolition of former studio building and existing side and rear extensions to 22 Holmes Road. Erection of 2 storey (with basement), 2 bedroom dwelling between no.22 and no.24, and 2 x 2 storey (with basement) 2 bedroom dwellings to rear of site with associated private amenity space and refuse/cycle storage. Erection of new 2 storey extension to rear of no.22.

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 was lawful on the specified date and thus, was not liable to enforcement action under Section 172 of the 1990 Act on that date.
3. 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.