

Application ref: 2023/4726/P
Contact: Fast Track GG
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Date: 18 February 2024

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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 21 December 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:

Use as a hot food takeaway (Sui Generis).

Drawing Nos: Location and Floor Plans; Appendix A (Statutory Declaration of Antony Spencer); Appendix B (Statutory Declaration of Anthony Green); Appendix C (Statutory Declaration of Robert Reifft); Appendix D (Statutory Declaration of Tony Matthews); Appendix E (Google Maps Images); Appendix F (Date Stamped Photographs); Appendix G (Takeaway Reviews); Cover Letter and List of Appendices dated 1 November 2023 (x 6 pages).

Second Schedule:

104 West End Lane
London
NW6 2LS

Reason for the Decision:

- 1 The use began more than ten years before the date of this application.

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 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.