



## **COVER LETTER**

Certificate of Lawfulness under section 55 of the Town and  
Country Planning Act 1990

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**Flats 8-9 1A St Johns Wood Park, NW8 6QS**



Camden Council  
5 Pancras Square  
London  
N1C 4AG

**Certificate of Lawfulness under Section 55 of the Town and Country Planning Act 1990**  
**Site Address: Flats 8-9 1A St Johns Wood Park, NW8 6QS**

I am writing to the London Borough of Camden to support a Certificate of Lawful Development (proposed use) application for confirmation that the internal amalgamation of the units 8 and 9 at no.1a St Johns Wood, NW8 6QS would not constitute development for the purpose of Section 55 of the Town and Country Planning Act (as amended) requiring planning permission.

**The Site and Surroundings**

The application site comprises a six storey purpose built block of flats located on the westside of St Johns Wood Park, in the London Borough of Camden. Construction of the property was completed in 2023, following the grant of planning permission reference no: 2018/4763/P in 2019.

The site is bounded by a semi-detached single family dwelling to the south of the subject site and surrounded by self-contained blocks of flats to the north and west.

The surrounding area is predominantly characterised by residential development in the form of single family dwellings and flatted developments.

The site is excellently connected by public transport, boasting a TfL PTAL score of 6a. The site benefits from the proximity of two tube stations, Swiss Cottage and South Hampstead, both within a 5-minute walking distance.

**Planning History**

**2018/4763/P** - Redevelopment of former garage site to form 6 storey (plus basement) residential block containing 9no. units (3 x 4 bed duplexes, 3 x 3 bed flats, 3 x 2 bed flats) (Use Class C3), with associated amenity space, cycle store, plant, and waste storage - Approved - 25/11/2019

## Certificate of Lawfulness

This application for a Certificate of Lawful Development seeks confirmation from the London Borough of Camden that the amalgamation of units 8 and 9, which are located across floors four and five, to create one large duplex flat would not constitute a change of use or materially affect the external appearance of the building and therefore, would not constitute development that requires planning permission as defined within S.55 of the Town and Country Planning Act.

Section 55(2) of the Act states that:

(2)The following operations or uses of land shall not be taken for the purposes of this Act to involve development of the land -.

(a)the carrying out for the maintenance, improvement or other alteration of any building of works which- .

(i)affect only the interior of the building, or.

(ii)do not materially affect the external appearance of the building,. and are not works for making good war damage or works begun after 5th December 1968 for the alteration of a building by providing additional space in it underground;

The work required to create this amalgamation would only affect the interior of the building. As per Section 55(2)(a)(i) highlighted above, this work does not involve 'development of the land' and therefore does not require consent. Please see relevant plans below:



Figure 1: Existing Floor Plan of Flats 8 and 9



Figure 2: Proposed Amalgamation of Flats 8 and 9



Section 55(3)(a) of the act specifically states that “the use as two or more separate dwellinghouses of any building previously used as a single dwellinghouse involves a material change in the use of the building”. To the contrary of this section of the Act, the proposed scheme seeks to the use as one dwelling house of (part of) a building previously in use as two (or more) separate dwelling houses.

### **Appendix: Application 19/0225/192**

A similar planning application for Lawful Development at 27 Bridge Lane London NW11 0ED was submitted to Barnet Council for the conversion of 2.no self-contained flats into a single family dwelling. The application was granted lawful by virtue of Section 55 2 (a) of the Town and Country Planning Act 1990 (as amended) as the works would only affect the interior of the building and do not materially affect the external appearance of the building.

This application exemplifies how the proposed amalgamation of two flats into one is lawful by virtue of section 55 of the Town and Country Planning Act 1990 (as amended) and therefore, does ot require planning permission to be sought.

The decision notice of application 19/0225/192 has been submitted with this application as an appendix, for reference.

### **Conclusion**

This submission for a Certificate of Lawfulness seeks confirmation from the Local Planning Authority that the amalgamation of units 8 and 9 located on the fourth and fifth floors of the property at 1a St Johns Wood Park would not constitute development for the purpose of Section 55 of the Town and Country Planning Act (as amended) requiring planning permission.