

Application ref: 2024/2544/P
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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 12 July 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:

Certificate of lawfulness, seeking confirmation that planning permission 2020/1828/P which permits the "Erection of two three-storey (plus basement) dwellinghouses (Class C3) on west side of car park set behind associated landscaping, refuse and cycle stores and reconfigured car parking" has been lawfully commenced.

Drawing Nos: Site Location plan; Statutory Declaration signed and dated 17/06/2024; set of undated photos with cross referencing to items listed on the statutory declaration; marked up approved hard and soft landscaping plan (Ref: 06-681-200-01 Rev R) showing locations of some works; CiL Commencement Notice dated 14/05/2024.

Second Schedule:

Car Park Rear Of Jack Straw's Castle
Heath Brow
London
NW3 7ES

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 2020/1828/P dated 17/05/2021), for the erection of two three-storey (plus basement) dwellinghouses (Class C3) on the west side of car park set behind associated landscaping, refuse and cycle stores and reconfigured car parking and associated underpinning works to the adjacent listed building.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework.

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 use*/operations*/matter* specified in the First Schedule taking place on the land described in the Second Schedule was*/would have been* lawful on the specified date and thus, was not*/would not have been* liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This Certificate applies only to the extent of the use*/operations*/matter* described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use*/operations*/matter* which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. 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.