

20th August 2024

Delivered via Planning Portal (PP-13265453)

Development Management
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Ref: THEL3166

Dear Sir / Madam,

13-15 BONNY STREET, LONDON, NW1 9PE

APPLICATION UNDER SECTION 192(1) OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) FOR A CERTIFICATE OF LAWFULNESS OF EXISTING USE

We write to you on behalf of our client, The Arch Company Properties Limited ("*the Applicant*"), in relation to the enclosed application for a Certificate of Lawfulness for an Existing Use in respect of the residential use of the ground and first floors of Nos. 13-15 Bonny Street, London, NW1 9PE.

This application is submitted under section 191(1) of the Town and Country Planning Act 1990 (as amended). Specifically, a Certificate of Lawfulness of Existing Use or Development ("*CLEUD*") is sought for the following existing use:

"Use of the ground and first floors as residential dwellings (Class C3)"

In addition to the requisite application fee of £1,156.00 and this covering letter, the following information is submitted as part of this CLEUD application:

- Application Form;
- Site Location Plan;
- Existing Ground and First Floor Plan; and
- Historic Council Tax Records.

SITE CONTEXT

The application site comprises the ground and first floors of Nos. 13 and 15 Bonny Street, a pair of three-storey townhouses located in the London Borough of Camden. The site is located on the north side of Bonny Street, between Camden Street and Royal College Street, a short distance to the north of the Regents Canal. The neighbouring

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properties comprise a mix of residential and commercial uses. The surrounding area is home to a wide variety of uses including, *inter alia*, residential, office, tourism, and retail.

The site forms part of the Grade II listed Camden Road Station, and lies wholly within the Jeffreys Street Conservation Area and directly opposite the Regents Canal Conservation Area. While the site was initially established in the early 19th century as a pair of terraced dwellings similar to those found along the rest of Bonny Street, its significance is understood to derive from its architectural and historic interest as an ancillary part to the main Victorian station complex.

The site has a Public Transport Accessibility Level ('PTAL') of 6B – the highest possible value – and hence is highly accessible by means of public transport.

LEGISLATION

Section 191(1) of the 1990 Act enables anyone to apply to the Local Planning Authority for a decision as to whether the existing use of a building or other land is lawful for planning purposes.

Section 191(4) confirms that if, on an application under this section, the Local Planning Authority are provided with information satisfying them of the lawfulness at the time of the application of the use described in the application, they shall issue a certificate to that effect.

ASSESSMENT

Submitted in support of this application is a set of historic council tax records for the site. The records confirm that council tax was paid on the properties between the following dates:

- No. 13 Bonny Street: 12th May 2005 – 4th February 2019.
- No. 15 Bonny Street: 16th December 2002 – 4th February 2019.

For the avoidance of doubt, the site is currently vacant, and no other use has taken place since the publication of the most recent historic council tax records for the site in February 2019. Even if the site were to have been used for an alternative, unlawful use since February 2019, the intervening five-and-a-half years is not a sufficient length of time for that use to have become lawful.

There are no restrictive planning conditions relating to the use of the site on any previous planning permissions, nor has the site been used for any other purpose than as a pair of residential dwellinghouses since the early-to-mid 2000s. It is therefore considered that the ground and first floors of Nos. 13 and 15 Bonny Street are in lawful residential use (Class C3).

CONCLUSION

This application seeks a Certificate of Lawfulness of Existing Use or Development to confirm that the existing residential use of Nos. 13-15 Bonny Street is lawful under Section 191(1) of the 1990 Act.

Enclosed with this submission is a set of council tax records, which demonstrate that council tax has been paid on both properties for a period of more than ten years. It follows, therefore, that both properties have been in residential use for at least the same length of time. It is therefore considered that, on the basis of the evidence submitted and for the reasons stated above, the existing residential use is lawful development and a CLEUD should be granted to that effect.

We trust the above is sufficient for your purposes and look forward to confirmation that the details provided above are acceptable. However, if you have any queries, please do not hesitate to contact myself or my colleague, Nick Edwards (nick.edwards@turley.co.uk), at these offices.

Yours sincerely,

A handwritten signature in black ink that reads "C Fraser". The signature is written in a cursive style with a large initial 'C'.

Catriona Fraser
Director

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