

<b>Lawful Development Certificate Existing Use (LDC) Report</b>	29/08/2024
<b>Officer</b> Fast Track SC	<b>Application Number</b> 2024/1887/P
<b>Application Address</b> 2 Hargrave Place London N7 0BP	<b>Recommendation</b>
<b>1<sup>st</sup> Signature</b>	<b>2<sup>nd</sup> Signature (if refusal)</b>
<b>Proposal</b> Existing use of the basement, ground and part of the first floor as a single dwelling residential unit (Class C3).	
<b>Assessment</b> <p>The application site is located at Hargrave Place, London, N7 0BP</p> <p>The LDC concerns a former shop and basement storage room. The applicant seeks to demonstrate that the basement, ground and part of the first floor have been used as a single residential unit (Class C3).</p> <p>The building is not listed and or located in a Conservation Area.</p> <p>The application seeks to demonstrate that the single dwelling has existed for a period of 4 years or more such that the continued use would not require planning permission.</p> <p>The applicant is required to demonstrate, on balance of probability that the residential unit being the former shop and basement with existing ground and first floor levels has existed and been in use for a period of 4 or more years.</p> <b>Applicant's Evidence</b> The applicant has submitted the following information in support of the application: <ul style="list-style-type: none"> <li>• Title Deed - NGL943786 - Alexander Samuel Woolf – Registered 29/05/2015</li> <li>• Letter from the owner (Alex Woolf) to Camden Council – start 2015</li> <li>• Council Tax Bills - Ref:81354319 – 2020/21; 2021/22; 2022/23; 2023/24; 2024/25;</li> <li>• Good Energy - Ref: 38099 11/06/2020; 291444-23/10/2020; 296087 – 16/12/2020; 464160 – 9/04/2021; 559075 – 6/07/2021; 758524 - 6/09/2021; 851057 - 6/12/2021; 960830 – 11/01/2022; 1091047 -17/03/2022; 1145430 – 17/04/2022; 1205855 –</li> </ul>	

17/05/2022; 1257247- 17/06/2022; 1431511- 17/09/2022; 1491704 – 17/10/2022; 1556207 – 17/11/2022; 1678269 - 27/01/2023; 1739175 - 17/02/2023; 1874435 – 17/04/2023; 1941626 – 17/05/2023; 2143545 – 17/08/2023; 2204485 – 17/-9/2023; 2387156 – 17/12/ 2023; 2444854 – 17/01/2024; 2503771 – 17/02/2024); 2618893 - 17/04/2024; 2674309 – 17/05/2024; 2730662 – 17/06/2024; 2846634 – 17/08/2024

The applicant has also submitted the following plans:

- Site location plan outlining the application site
- Existing Plans - 010;
- Existing Elevation - 020;
- Pictures

### Council's Evidence

There is no relevant planning history or enforcement action on the subject site.

**EN13/1181** - Change of use on ground floor from commercial to residential – No breach  
Planning permission was granted on 2<sup>nd</sup> March 2005 for **“Change of use of basement and ground floor from office/warehouse (B1 and B8 use classes) to use as a live/work unit (Classes B1/C3)” Ref 2004/2797/P.**

#### **EN13/0296/P**

I spoke to the owner who says he lives there himself and also runs his property company from the premises.

There is no evidence to suggest that the property is in full residential use.

**2017/3457/P** - (Extract of submitted plan documents attached) - Erection of single storey first floor extension to include green roofing and walls, erection of retractable glass roof and associated alterations to single storey rear live/work unit. **Granted – 31/08/2017**

**2024/1885/P** - Installation of perforated metal screen and glazing to ground floor street frontage and new window to side elevation. **Granted -19/06/2024**

Council Tax has confirmed that the liability for Council Tax started in October 2006. It has been paid continuously since then, with council tax bills provided to cover the 4-year period in question.

Property information for

## 2, HARGRAVE PLACE, LONDON, N7 OBP

**Local Authority** [Camden](#)

**Local authority  
reference number** 5046465

**Council Tax band** E

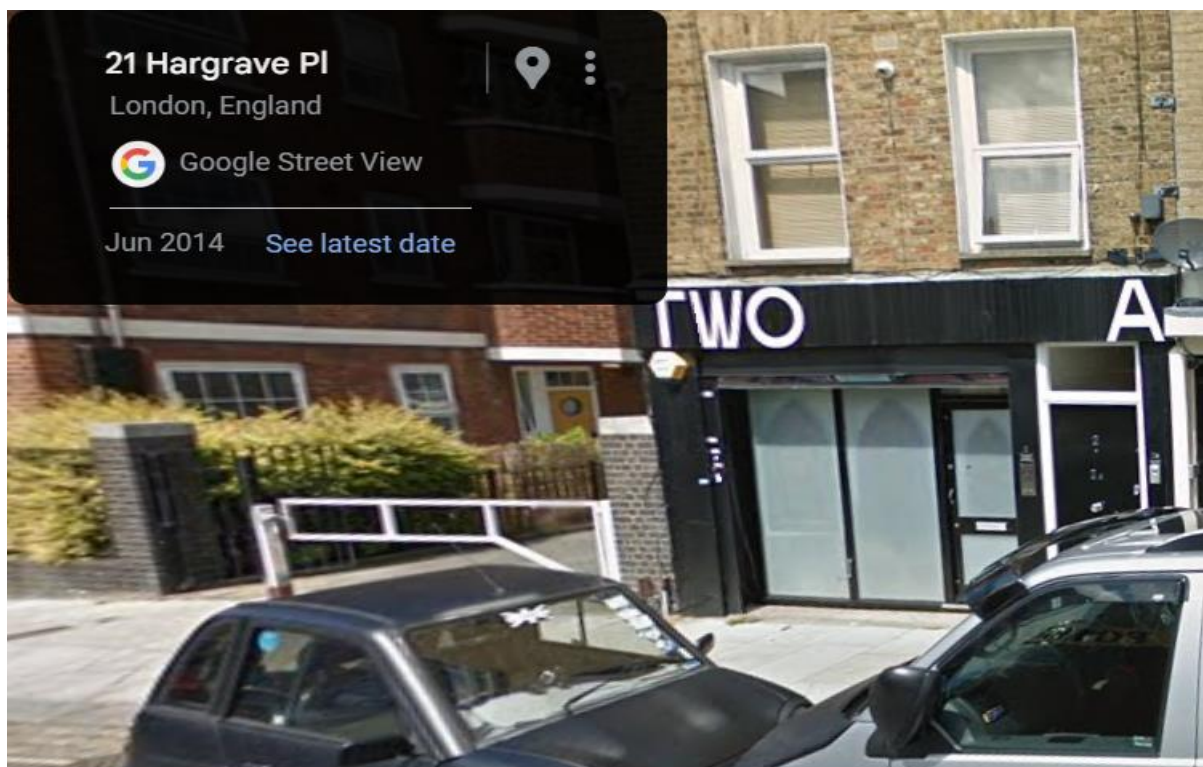
**Improvement  
indicator** No

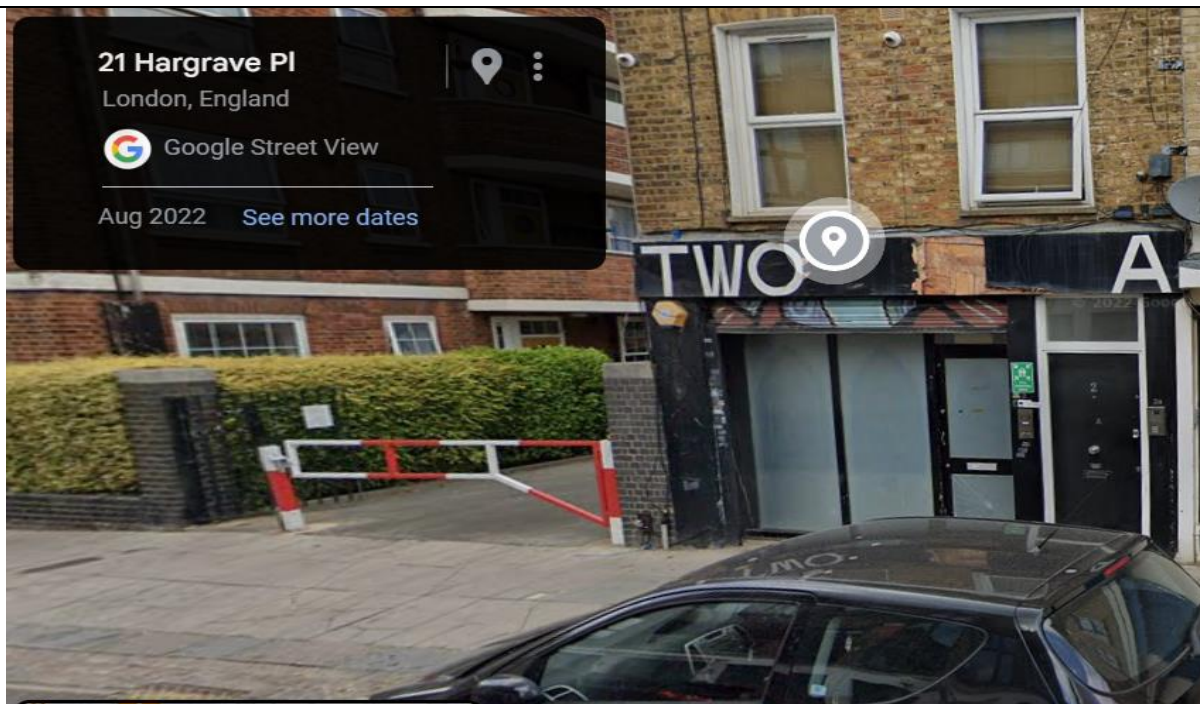
**With effect from** 5 October 2006

**Mixed-use property** No

**Court code** None

### Pictures





## Assessment

The Secretary of State has advised local planning authorities that the burden of proof in applications for a Certificate of Lawfulness is firmly with the applicant (DOE Circular 10/97, Enforcing Planning Control: Legislative Provisions and Procedural Requirements, Annex 8, para 8.12). The relevant test is the “balance of probability”, and authorities are advised that if they have no evidence of their own to contradict or undermine the applicant’s version of events, there is no good reason to refuse the application provided the applicant’s evidence is sufficiently precise and unambiguous to justify the grant of a certificate. The planning merits of the use are not relevant to the consideration of an application for a certificate of lawfulness; purely legal issues are involved in determining an application.

The Council does not have any evidence to contradict or undermine the applicant’s version of events.

The information provided by the applicant is deemed to be sufficiently precise and unambiguous to demonstrate that ‘on the balance of probability’ that the residential unit being the former shop and basement with existing ground and first floor levels has existed and been in use for a period of more than 4 years as required under the Act. Furthermore, the Council’s evidence does not contradict or undermine the applicant’s version of events.

**Recommendation: Grant Certificate**