

Windy Nook
Rickmansworth
Herts
WD3 5JB

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

SENT BY PLANNING PORTAL

22 November 2024

Dear Sir/Madam,

Re: Application for Certificate of Lawfulness of Existing Use or Development (CLEUD) for No. 16 Eldon Grove, London, NW3 5PT

On behalf of our client, Mr Migita and Mrs Borovskikh (the Applicant), we are submitting an application for a Certificate of Lawfulness of Existing Use or Development (CLEUD) to establish that the property at No. 16 Eldon Grove, London, NW3 5PT is a single family dwelling.

Evidence Provided:

1. Council Tax Records: Documentation showing that the property was assessed and billed as a single family dwelling for council tax purposes.
2. Utility Bills: Copies of utility bills (water and gas) addressed to Mrs Borovskikh, indicating a single account for the entire property.
3. Affidavits: Sworn statements from Mr Migita and Mrs Borovskikh attesting to the use of the property as a single family dwelling.
4. Photographic Evidence: Photographs of the property layout and internal configuration, demonstrating that the property is designed and used as a single family dwelling.
5. Planning History: Records from the planning department confirming that no planning permissions have been granted for the conversion of the property into two flats.

Council Tax Record

The council tax records for No. 16 Eldon Grove, London, NW3 5PT, provide crucial evidence supporting the claim that the property is a single family dwelling. These records show that the property has been consistently assessed and billed as a single family dwelling for council tax purposes. This means that the Council considered the property to be a single family dwelling until August 2023.

Additionally, the council tax records can include details such as the contact address of the person paying the council tax, which in this case would be Mr Migita and Mrs Borovskikh. This further supports the assertion that the property is being used as a single family dwelling, as there is only one account for the entire property.

Utility Bills

The utility bills for No. 16 Eldon Grove, London, NW3 5PT provide important evidence supporting the claim that the property is a single family dwelling. These bills include water and gas services, all addressed to Mrs Borovskikh. The key points from the utility bills are:

1. Single Account: Each utility bill shows a single account for the entire property, indicating that the utilities are being used by one household rather than multiple separate units.
2. Consistent Address: The bills consistently list the address as No. 16 Eldon Grove, without any indication of separate units or flats within the property.

These details from the utility bills further support the assertion that No. 16 Eldon Grove is a single family dwelling and the property is not divided into two flats.

Sworn Affidavits

The affidavit for No. 16 Eldon Grove, London, NW3 5PT contain a sworn statements from Mr Migita and Mrs Borovskikh. This statement attests to the continuous use of the property as a single family dwelling. The affidavits provide detailed accounts of the property's use, the absence of any modifications to convert the property into separate flats, and the personal experiences of the owners of the property as a single household.

Planning History

The planning history for No. 16 Eldon Grove is listed as follows:

Application Number	Site Address	Development Description	Date Registered	Decision
2024/1855/P	16 Eldon Grove London NW3 5PT	Details of tree protection measures pursuant to condition 5 of planning permission 2023/3443/P dated 5/02/2024 (for: Demolition and replacement of existing rear ground and first floor conservatories, new rooflights,	13-05-2024	Registered

		alterations to rear fenestration, new front boundary treatment and air source heat pump in rear garden)		
2024/1473/P	16 Eldon Grove London NW3 5PT	Installation of 1no new rooflight and 1 no. replacement rooflight on side roofslope	13-05-2024	Granted
2023/3443/P	16 Eldon Grove London NW3 5PT	Demolition and replacement of existing rear ground and first floor conservatories, new rooflights, alterations to rear fenestration, new front boundary treatment and air source heat pump in rear garden	07-11-2023	Granted
2016/6999/P	16 Eldon Grove London NW3 5PT	Replacement and enlargement of existing second floor conservatory and terrace (Class C3)	03-01-2017	Granted
2004/0431/T	15/16 Eldon Grove London NW3 5PT	REAR GARDEN 2 x Lime - 30% reduction.	03-02-2004	No Objection to Works to Tree(s) in CA
PWX0302298/ P	16 ELDON GROVE LONDON NW3 5PT	The erection of a single storey rear extension at basement level with a roof terrace on its flat roof, the replacement of an approved two storey rear conservatory extension with an extension of a different design and the installation of two windows on the side elevation lower ground floor level.	05-06-2003	Granted
9192312	16 Eldon Grove NW3	Works to Limes in rear garden.	10-12-1991	Agree to pruning of Trees
9005720	16 Eldon Grove NW3	The erection of a conservatory at rear basement level and the erection of a porch on the side passage as shown on drawing numbers SN 2014/1 and 2.	22-11-1990	Grant Full or Outline Perm. with Condit

The planning history records indicate that there have been no planning permissions granted for the conversion of the property into two flats. The records confirm that the property has consistently been used as a single family dwelling. This is supported by the absence of any applications or approvals for changes to the property's use or structure that would suggest it has been divided into separate units

Conclusion

Based on the evidence provided, it is clear that No. 16 Eldon Grove has been continuously used as a single family dwelling. The council tax records, utility bills, affidavits, photographic evidence, and planning history all support this assertion. There is no indication that the property has ever been used as two separate flats.

We respectfully request that the London Borough of Camden planning department grant the Certificate of Lawfulness of Existing Use or Development, confirming that No. 16 Eldon Grove is a single family dwelling.

Thank you for your consideration. Should you require any further information or clarification, please do not hesitate to contact us.

Yours faithfully,

For, and on behalf of Orcadian Planning