

Application ref: 2024/4681/P
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Date: 16 December 2024

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Stantec
2 Kings Hill Avenue
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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 29 October 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:

Confirmation of the lawful implementation of planning permission 2018/4449/P dated 18/08/2021 for the 'Erection of a six storey building plus single storey basement to provide 50 Assisted Living residential units (1 x 1 bed, 41 x 2 bed, 8 x 3 bed), following demolition of the existing building together with associated communal facilities, plant equipment, landscaping and 8 car parking spaces'.

Drawing Nos:

Site location plan (A-E11-01 Rev D); Statutory Declaration (signed and dated 26/11/2024); Site Visit Report 17371-RPT-240816 (prepared by Symmetrys, dated 16/08/2024); Approved basement plan (A-P11-00 Rev C); Approved ground floor plan marked up with slab poured (A-P11-01 Rev F); Set of 5 plans labelled 'CAST Raft Slab'; Structural Calculation Package 19234-SYM-XX-XX-CAL-S-0002 (prepared by Symmetrys); S106 Discharge Notice dated 18/04/2024 (basement approval in principle); S106 Discharge Notice dated 09/05/2024 (travel plan); CIL Acknowledgement - Assumption of Liability Notice dated 27/11/2024.

Second Schedule:

11-12 Ingestre Road
London
NW5 1UX

Reason for the Decision:

- 1 The evidence submitted confirms that, on the balance of probability, the works carried out on site constitute a material operation for commencement in accordance with planning permission 2018/4449/P dated 18/08/2021, and constitute implementation of this development. The works are lawful and so the permission remains extant.

Informative(s):

- 1 The applicant is reminded that, whilst the decision notice confirms that the extant permission 2018/4449/P was implemented lawfully, there are obligations set out in the legal agreement attached to the approval that are still outstanding.

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. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

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.