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Date: 7th September 2007

Development Control,
Environment Department,
London Borough of Camden,
Camden Town Hall,
Argyle Street entrance,
Euston Road,
London WC1H 8ND.

RECEIVED 13 SEP 2007

FOR THE ATTENTION OF MS CASSIE PLUMRIDGE

Dear Sir or Madam,

**TOWN AND COUNTRY PLANNING ACT 1990
SITE AT 8 WILLOW ROAD, LONDON NW3 1TJ**

I refer to the above site, and enclose an application for a Certificate of Lawful Development (CLD) in respect of the existing use of the property as a single dwelling house. The following documentation is included:-

- 4 copies of the application form;
- 5 copies of existing layout drawing numbers 861/01, 02, 03 and 04;
- 5 copies of site plan 861/05;
- 5 copies of a location plan showing the application site edged in red; and
- 5 copies of a statutory declaration of Mrs Florence Meyerson of 8 Willow Road.

Please note that no application fee is payable in this case because the application is submitted within 12 months of the withdrawal of an application of similar character submitted by the same applicant (ref: 2007/2186/P).

As you will be aware, the previously submitted CLD application was withdrawn because the Planning Department did not reach, within the statutory period, a definitive view on the evidence submitted although, prior to withdrawal, the application was amended at the authority's request to be for the existing use of the property as a single dwelling house. Subsequently, having taken legal advice on the matter, the case officer Cassie Plumridge wrote to me on 22nd August

2007 setting out the department's conclusions which I would summarise as follows:-

- Neither of the units formed within the lower ground floor of the property was used continuously, on an independent basis, for 4 years or more, and therefore these units did not achieve lawful status;
- The non self-contained use of the second floor by tenants existed for substantially less than 10 years, and therefore such use never achieved lawful status;
- The use of the remaining floors (ie. the ground and first floors) is presumed to have been solely by the family as part of their original single family dwelling (see further below); and
- Therefore, whilst parts of the premises have been tenanted for varying periods since 1987, the lawful use remains as a single dwelling house.

In light of the above, the application is now re-submitted, and seeks a CLD for the use of the subject property as a single dwelling house.

With regard to the single query raised in your department's letter of 22nd August 2007 relating to the use of the ground and first floors of the building, I would first ask you to note that paragraph 1 of the statutory declaration of Mrs Florence Meyerson confirms that the property was continuously used as the sole home of her husband from 1980 to 1986, and from 1986 to the present time as the sole home of both her and her husband.

The statutory declaration provides an exhaustive and detailed account of how certain specified parts of the Meyerson's home have been occupied intermittently since 1987 by various tenants, and it is clear that the parts of the property subject to such occupation were the lower ground floor and the second floor. In addition, paragraph 8 of the statutory declaration confirms that *'throughout the period from 1981 to the present day'*, the ground and first floors of the property *'have been exclusively occupied by my family'*.

I trust that the above and enclosed information is sufficient to allow your authority to issue the CLD. In light of the Council's inconclusive response to the previous application, and the subsequent delays in considering the matter, I would ask that this application is handled expeditiously. If you require any additional information, please contact me immediately,

Yours faithfully,


CHRISTOPHER M. WICKHAM
Encs.

c.c. Mr S. Meyerson