

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		26/09/2006	
		N/A / attached		<b>Consultation Expiry Date:</b>		N/A	
<b>Officer</b>				<b>Application Number(s)</b>			
Thomas Smith				2006/3518/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
13 Ainger Road London NW3 3AR				See decision			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		<b>Date:</b>		
<b>Proposal(s)</b>							
Certificate of lawfulness (existing) for use as a single family dwelling house.							
<b>Recommendation(s):</b>		Granted					
<b>Application Type:</b>		Certificate of Lawfulness (Existing)					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	00	No. of responses	00	No. of objections	00
<b>Summary of consultation responses:</b>		N/A					
<b>CAAC/Local groups* comments:</b> *Please Specify		N/A					

**Site Description**

Relates to a four-storey plus basement terraced property on the eastern side of Ainger Road.

**Relevant History**

Planning application PE9700099 received 17<sup>th</sup> February 1997 for a dormer window describes the existing use as a single family dwelling house.

**Relevant policies**

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

N/A

## Assessment

### Proposal

Application is for a certificate of lawful existing use as a single family dwelling house.

### Assessment

Evidence has been provided to demonstrate that the property was converted from two maisonettes to a single family dwelling house during the period January 1995 to December 1997. This evidence includes the following:

- Confirmation from the Councils Council Tax Valuation List confirming that the property has been billed as a single unit since 20<sup>th</sup> January 1995;
- Confirmation from the Thames Water confirming that the property has been billed as a single unit since 20<sup>th</sup> January 1995;
- Undated plans drawn up to convert the property into a single dwelling which was carried out in the period January 1995 to February 1997;
- Other evidence from 2004 relating to the sale of the property as a single family dwelling house.

In order to grant the certificate of lawful existing use the applicant needs to demonstrate that the property has been in use as a single family dwelling house since September 2002. Therefore, the 2004 information is of limited assistance. Similarly, the undated plans are not particularly useful.

However, the information from Council Tax records and Thames Water can be accorded significant weight. Furthermore, planning application PE9700099 received 17<sup>th</sup> February 1997 for a dormer window describes the existing use as a single family dwelling house.

It is considered, on the balance of probability, that the property has been in use as a single family dwelling house for a period exceeding 4 years.

### Recommendation

Grant certificate of lawful existing use.

### **Disclaimer**

*This is an internet copy for information purposes. If you require a copy of the signed original please contact the Culture and Environment Department on (020) 7974 5613*