

Planning Services
London Borough of Camden
Town Hall
Argyle St
London WC1 8ND

Recorded Delivery

7th March 05

Dear Sirs

Application for Certificate of Lawfulness
Advertisement display at 226 Camden Road (ref 8046)

Please find attached application for a Certificate of Lawfulness regarding the above advertisement display, the relevant fee, and supporting documentation. This letter contains information related to the application and should be treated as part of the application.

Please refer to the following paragraphs in the application form-

8(6). The use of the site benefits from Class 13 Deemed Consent under Schedule 3 of The Town and Country Planning (Control of Advertisements) 1992 and therefore has deemed permission and is displayed in accordance with the regulations.

10. The flank wall of the premises has been used for the display of advertisements since at least November 1973, and we enclose, confirming these points, copies of the following documentary evidence.

- A letter from Fatama Ahmet dated the 22 January 2005 confirming that when they purchased the building in 1972 there was already an advertisement display on the flank wall (ref CC1)
- A letter from Paddington Poster Group's subsidiary company CF Kruse Ltd dated the 21st May 1973 (ref CC2). Stating that the existing panels were to be rebuilt.
- An agreement dated the 2 May 1973 between K Ahmet and CF Kruse Ltd confirming the use of the flank wall of number 226 for advertising purposes.
- A letter Altan Ahmet dated the 22 January 2005 confirming the use of the flank wall as an advertising site since at least 1972
- A copy of the appeal decision dated the 8th December 2004 between JC Decaux UK Ltd against the refusal of Brent LBC to grant a Certificate of Lawfulness for an advertisement display at 391 North Circular Road (ref CC5)

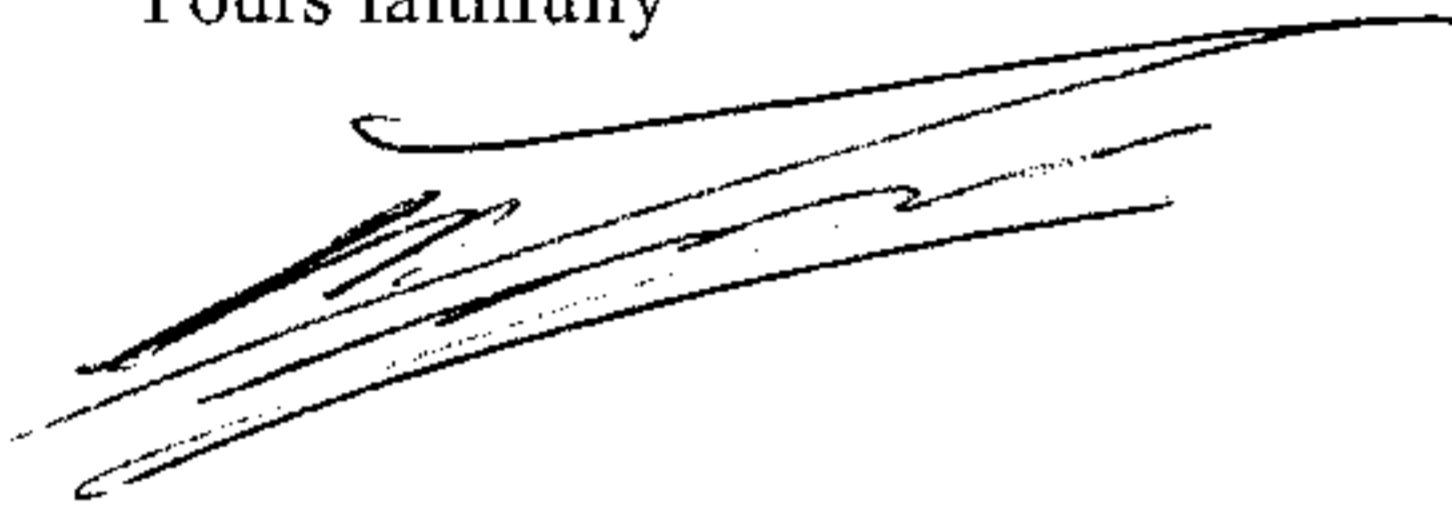
The JC Decaux appeal has striking similarities to this application, which you will note was allowed.

The above establish without doubt that the site has been used continually since at least 1973 and therefore benefits from Class 13 Deemed Consent.

We believe we have shown that on the bounds of probability that there was an on the 1st April 1974 advertisement display measuring 20x10ft on the flank wall and has been so used continually ever since. This would seem to be confirmed by the Paddington Poster Groups agreement dated the 21st may 1973. Even if this was not the case, a point we do not concede, the change from a painted sign to a poster display is permitted and I would refer you to cases of Arthur Maiden ltd v Lanark County Council (No2) 1958 and Mills & Allen Ltd v City of Glasgow District Council (1980) which establish this point.

If you have any queries please do not hesitate to contact the writer.

Yours faithfully



W A Dunseath
National Planning Manager

Enclosures

1. 5x copies of OS plan
2. Letter from Fatama Ahmet dated 22/1/05 (ref CC1)
3. Paddington Poster Group Letter dated 21/4/1973 (ref CC2)
4. An agreement between K Ahmet & GF Kruse dated the 2/4/1973 (ref CC3)
5. Letter from Altan Ahmet dated 22/01/2005 (CC 4)
6. Appeal Decision dated 08/12/2004 re 391 North Circular Road (ref CC 5)