



Planning Department

Old Town Hall
197 High Holborn
London, WC1
Telephone: 01-405 3411

CTP 23

B. Schlaffenberg, Dr. Arch. (Rome), Dip. TP,
Planning Officer MTPI

Messrs Montague, Gardner & Howard,
364, Kilburn High Road
N.W.6.

Date 10th June, 1970

Your reference JB/ND

Our reference CTP/G7/8/C/8575

Telephone inquiries to:

Ext. 43 or
105

Dear Sir,

**TOWN AND COUNTRY PLANNING ACTS, 1962-1968
LONDON GOVERNMENT ACT 1963**

Permission for development (conditional)

The Council, in pursuance of its powers under the above-mentioned Acts and Orders made thereunder, hereby permits the development referred to in the undermentioned Schedule subject to the conditions set out therein and in accordance with the plans submitted, save insofar as may otherwise be required by the said conditions.

The permission is given subject to the time limit condition imposed by the Town and Country Planning Act 1968, and general statutory provisions in force in the area and nothing herein shall be regarded as dispensing with such compliance or be deemed to be a consent by the Council thereunder.

Your particular attention is drawn to (a) the provisions of the London Building Acts 1930-39, and the byelaws in force thereunder which must be complied with to the satisfaction of the District Surveyor, whose address may be obtained from this office.

I would also remind you that the Council's permission does not modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting either this land or any other land or the rights of any persons (including the London Borough of Camden) entitled to the benefit thereof or holding an interest in the property concerned in this development or in any adjoining property.

SCHEDULE

Date of application: 6th March, 1970

Plans submitted: Reg. No: 8575

Your Nos:

Development: The change of use of the ground floor south shop to solicitors office at 338, Kilburn High Road, N.W.6.

Standard condition:

The development herein permitted must be begun not later than the expiration of five years from the date on which this permission is granted.

Standard reason:

In order to comply with the provisions of section 65 of the Town and Country Planning Act 1968.

All correspondence to be addressed
to the Planning Officer. P.T.O.

Additional conditions:

1. This permission shall be personal to Messrs Montague, Gardner, & Howard, during his/their occupation and shall not ensure for the benefit of the land, and is in addition to the authorised use of the premises for shop purposes.
2. The building shall be used only for a solicitors office and for no other purpose within Class II of the Schedule of the Town and Country Planning (Use Classes) Order, 1963)

Reasons for the imposition of conditions:

1. In granting this permission the Council has had regard to the special circumstances of the case and wishes to have the opportunity of exercising control over any subsequent use in the event of Messrs Montague, Gardner & Howard vacating the premises.
2. To ensure that the future occupation of the building shall be in accordance with the Council's commercial & shopping policy as set out in the Statement of Yours faithfully the Initial Development Plan.

Planning Officer,

(Duly authorised by the Council to sign this document.)

Statement of Applicant's rights arising from the grant of permission subject to conditions

- (1) If the applicant is aggrieved by the decision of the local planning authority to grant permission or approval subject to conditions, he may appeal to the Minister of Housing and Local Government, in accordance with section 23 of the Town and Country Planning Act 1962, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Minister of Housing and Local Government, Whitehall, London, S.W.1). The Minister has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Minister is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been so granted otherwise than subject to the conditions imposed by the local planning authority having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include section 6 of the Control of Office and Industrial Development Act 1965 and section 23 of the Industrial Development Act 1966).
- (2) If permission to develop land is granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or on the Council of the county borough, London borough or county district in which the land is situated, as the case maybe, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VIII of the Town and Country Planning Act 1962 (as amended by the Town and Country Planning Act 1968).
- (3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is granted subject to conditions by the Minister on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in section 123 of the Town and Country Planning Act 1962.

Continued

Additional conditions:

- (3) The use permitted herein shall be as an alternative to the use of 328B Kilburn High Road for office purposes and not in addition thereto, and only one of the premises may be used for office purposes by the applicant.

Reasons for imposing additional conditions:

- (3) The proposed use would not accord with the provisions of the Initial Development Plan, and the use of an additional premises for office purposes would tend to prevent the ultimate implementation of that plan.

Further information:

Yours faithfully,

Planning Officer,
(duly authorised by the Council to sign this document)