

Streathers Solicitors LLP
44 Baker Street
London
W1U 7AL

Application Ref: **2015/6393/P**
Please ask for: **Tessa Craig**
Telephone: 020 7974 **6750**

9 December 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Existing) Granted

The Council hereby certifies that on the 20 November 2015 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:

Erection of a basement with rear lightwells

Drawing Nos: Location Plan: 43AR_XP_GN_90; AR1- Knight Frank real-estate floor plans; AR2- Knight Frank real-estate photograph of rear garden showing basement rooflights and sworn affidavit from occupier of 41A Arkwright Road dated 13 November 2015.

Second Schedule:

43 Arkwright Road
London
NW3 6BJ

Reason for the Decision:

- 1 Reason for granting certificate:

The basement was excavated more than 4 years prior to this application.



You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Ed Watson
Director of Culture & Environment

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.