

Our ref: J036185

Your ref:

London Borough of Camden
Development Management
Camden Town Hall Extension
Argyle Street
London
WC1H 8EQ

08 August 2016

Dear Madam / Sir

Town and Country Planning Act 1990: Section 191 as amended by section 10 of the Planning and Compensation Act 1991.

Application for a Lawful Development Certificate for an Existing Use as a C3 single dwellinghouse

On behalf of our clients, Seed Property Consultants, we are pleased to enclose an application for a Lawful Development Certificate for an Existing use as Use Class C3 (a single dwellinghouse).

Background

The property is located within West Hampstead and within the middle of a terraced row of properties. It is considered to be two and a half storeys in height, comprising lower ground, ground, first and second (within the roof) floors.

The building is currently divided into 11 flats which have been occupied as a HMO property. This change from a single dwelling house to the HMO has been since 9th December 2013 and it is believed that this was conducted unlawfully.

It has been established through a formal planning history search requested from LB Camden that there is no planning history relating to the original building (see Appendix 1). The only planning application relating to the property is as follows:

- 2014/7593/P (Replace single glazed timber framed window with double glazed UPVC to front elevation) Approved on 27 January 2015.

Proposed Existing use (Use Class C3)

This application for a Lawful Development Certificate for an Existing use has been submitted in order to lawfully establish that the existing use is Use Class C3 (a single dwellinghouse).

As previously stated, the property was unlawfully changed from a single dwellinghouse to a HMO property on 9th December 2013. This is shown through a letter from the Valuation Office Agency (VOA) which states that the property was paying council tax as a single dwelling house under Band G from 1st April 1993 until 9th December 2013.

From 9th December 2013 it is then confirmed, within the same VOA letter, that Council tax was registered for 12 self-contained units within Band A on each unit.

In addition, it is prudent to note that planning history from LB Camden shows that no planning application was made in 2013, or any other time, to lawfully change the use from Use Class C3 to a sui generis HMO property.

Accordingly, the following documents will be submitted in support of this application:

- Fee of £385 (paid via Planning Portal);
- Appendix 1 – Email confirmation from LB Camden in relation to the planning history of the property dated 08 July 2016; and
- Appendix 2 – A copy of a letter from the Valuation Office Agency (VOA) dated 25 July 2016.

Conclusions

As discussed the change of use from Use Class C3 to sui generis HMO was not lawful and therefore the existing use of the property is still Use Class C3 (single dwellinghouse).

GL Hearn respectfully requests that the Council grants a Lawful Development Certificate for an Existing Use as Use Class C3 (single dwellinghouse).

Please do not hesitate to contact me if you have any queries or require any further information.

Yours sincerely



Catriona Fraser
Planning Associate Director

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