

Capital Apartments
Mr Steven Breslaw
1 Frognal Parade
London
NW3 5HH

Application Ref: **2016/4345/P**
Please ask for: **Nora-**
Andreea.Constantinescu
Telephone: 020 7974 **5758**

23 September 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Existing) Granted

The Council hereby certifies that on the 24 August 2016 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:

Change of use from single family dwelling to HMO (House in multiple occupation) (Retrospective).

Drawing Nos: Existing Ground Floor Plan; Existing First Floor Plan; Chartered Surveyors Site Inspection - dated 24/06/2005 - acknowledging 10 rooms present in the property; Camden HMO Licensing Team - letter dated 28/03/2006 - establishing the use as an HMO; Council Tax Invoices - dated 2013 and 2016; Decision Notice - 2009/5638/P; Site Location Plan

Second Schedule:

161 Fordwych Road
London
NW2 3NG

Reason for the Decision:



1 Reasons for granting permission:

Sufficient information has been provided to prove that the property has been converted into HMO since 2005.

The property has been extended in 2009 in accordance with planning application 2009/5638/P.

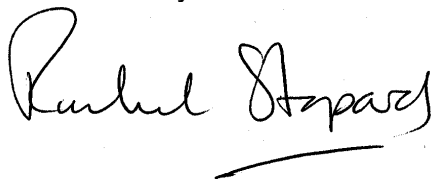
In September 2013 the property has been revaluated by the Council Tax Valuation Office and requested that Council Tax to be paid by the landlord separated for the ground floor and first floor. However, the use of the property continued to be HMO.

It is therefore concluded that the use of the property as an HMO began more than ten years before the date of this application.

You can find advice about your rights of appeal at:

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

Yours faithfully



Rachel Stopard
Executive Director Supporting Communities

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.