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

Application for a Lawful Development Certificate for an Existing use or operation or activity including those in breach of a planning condition.

Town and Country Planning Act 1990: Section 191 as amended

by section 10 of the Planning and Compensation Act 1991.

Town and Country Planning (Development Management Procedure) (England) Order 2015

**Publication of applications on planning authority websites.**

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

**1. Applicant Name, Address and Contact Details**

Title:	<input type="text" value="Ms"/>	First Name:	<input type="text" value="Fusun"/>	Surname:	<input type="text" value="Gencsu"/>
Company name:	<input type="text"/>				
Street address:	<input type="text" value="Flat 3, 1 Chalcot Square"/>				
	<input type="text"/>	Telephone number:	<input type="text"/>		
	<input type="text"/>	Mobile number:	<input type="text"/>		
Town/City:	<input type="text"/>	Fax number:	<input type="text"/>		
Country:	<input type="text"/>	Email address:	<input type="text"/>		
Postcode:	<input type="text"/>	<input type="text"/>			
Are you an agent acting on behalf of the applicant?		<input checked="" type="radio"/> Yes <input type="radio"/> No			

**2. Agent Name, Address and Contact Details**

Title:	<input type="text" value="Mr"/>	First Name:	<input type="text" value="Marco"/>	Surname:	<input type="text" value="Ortiz"/>
Company name:	<input type="text" value="Emergent Design Studios"/>				
Street address:	<input type="text" value="51 Calthorpe Street"/>				
	<input type="text" value="Unit H"/>	Telephone number:	<input type="text" value="02077130056"/>		
	<input type="text"/>	Mobile number:	<input type="text"/>		
Town/City:	<input type="text" value="London"/>	Fax number:	<input type="text"/>		
Country:	<input type="text"/>	Email address:	<input type="text"/>		
Postcode:	<input type="text" value="WC1X 0HH"/>	<input type="text" value="marco.ortiz@ed-studios.com"/>			

### 3. Site Address Details

Full postal address of the site (including full postcode where available)

House:	<input type="text" value="6"/>	Suffix:	<input type="text"/>
House name:	<input type="text"/>		
Street address:	<input type="text" value="Chalcot Crescent"/>		
	<input type="text"/>		
	<input type="text"/>		
Town/City:	<input type="text" value="LONDON"/>		
Postcode:	<input type="text" value="NW1 8YD"/>		

Description of location or a grid reference  
(must be completed if postcode is not known):

Easting:	<input type="text" value="527942"/>
Northing:	<input type="text" value="183937"/>

Description:

### 4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☒ Yes ☐ No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title:	<input type="text" value="Ms"/>	First name:	<input type="text" value="Kate"/>	Surname:	<input type="text" value="Henry"/>
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Reference:	<input type="text" value="2017/1520/PRE - 6 Chalcot Crescent"/>
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Date (DD/MM/YYYY):	<input type="text" value="11/05/2017"/>	(Must be pre-application submission)
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Details of the pre-application advice received:

It was confirmed on site that the property used to be 2x units (i.e. the 1993 planning and listed building consent applications were implemented), but permission has not been granted to convert the building back to a single family dwellinghouse, despite the fact that it appears to have been used as such for a number of years. On this basis, the Council recommends that either:

- a) You submit a lawful development certificate application for the conversion of 2x units to 1x (you would need to prove that the change of use back to a single family dwelling occurred more than 4 years ago);
- b) Or the planning application encompasses the change of use back to 1x dwelling (as part of the assessment, the Council would need to assess the loss of 1x unit)

It also appears that a number of works that should have been submitted for listed building consent have been undertaken without the necessary authorisation. These seem to include moving the kitchen, the loss of internal walls in the basement, and the installation of spotlights on the ground floor. Works of alteration to a listed building which affect its special interest and are carried out without consent are illegal, and there is no time limit which brings them immunity from planning enforcement action. In light of this, it would be useful for any formal application to be accompanied by drawings which show:

- Last approved layout
- Existing / actual layout

### 5. Lawful Development Certificate - Interest in Land

Please state the applicant's interest in the land:

☒ a) Owner ☐ b) Lessee ☐ c) Occupier ☐ d) Other

## 6. Authority Employee/Member

With respect to the Authority, I am:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

Do any of these statements apply to you?

☐ Yes ☒ No

## 7. Description of Use, Operation or Activity

Which category describes the existing use or operation or development for which the certificate is sought:

- ☒ An existing use
- ☐ An existing operation
- ☐ An existing use, operation or activity in breach of a condition

Being a use, operation or activity in effect on the date of this application.

If Yes, to either 'an existing use' or 'an existing use in breach of a condition', please state which one of the Use Classes of the Town and Country Planning (Use Classes) Order 1987 (as amended) the use relates to:

Use Classes:

## 8. Description of Use, Operation or Activity

Describe the existing uses, building works or activities for which you want a lawful development certificate. Where appropriate, show to which part of the land each use building works or activity relates:

Listed Building Consent was granted to convert the property into two dwellings in 1994. The existing use is a single dwellinghouse, remaining unchanged since its acquisition by the current owner in 2006.

The change of use from two dwellings into a single dwelling, as well as a new opening to the main dividing wall between rooms at basement level, a new staircase from ground floor into the basement level, the installation of spotlights in the ground floor and the consolidation back to a single kitchen at basement level to the rear - were all carried out without application or consent from the council.

## 9. Grounds For Application For A Lawful Development Certificate

Under what grounds is the certificate being sought:

- ☐ The use began more than 10 years before the date of this application
- ☐ The use, building works or activity in breach of condition began more than 10 years before the date of this application.
- ☐ The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years
- ☒ The building works (for instance, building or engineering works) were substantially completed more than four years before the date of this application.
- ☐ The use as a single dwelling house began more than four years before the date of this application
- ☐ Other - please specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

If the certificate is sought for a use, operation, or activity in breach of a condition or limitation, please specify the condition or limitation that has not been complied with:

Reference number:  Condition number:  Date:

Please state why a Lawful Development Certificate should be granted:

A Lawful Development Certificate should be granted given that the unauthorised alterations to the use and the building itself were carried out more than four years to this application. These unauthorised alterations to change the property into a single dwelling house were carried out prior to the current owner's acquisition of the property in 2006. The property has been occupied and leased as a single dwelling, in its current state, since it was acquired in 2006.

## 10. Information in Support of a Lawful Development Certificate

When was the use or activity begun, or the building works substantially completed?

10. Information in Support of a Lawful Development Certificate

In the case of an existing use or activity in breach of conditions has there been any interruption? ☐ Yes ☒ No

In the case of an existing use of land, has there been any material change of use of the land since the start of the use for which a certificate is sought: ☒ Yes ☐ No

If Yes, please provide details:

The property was granted Listed Building Consent for its conversion into two dwellings in 1994 (refs. 9301303 & 9370213). It was then converted without the council's authorisation back into one single dwelling in 2001, prior to its acquisition by the current owner in 10 May 2006.

10. Information in Support of a Lawful Development Certificate (cont.) - Residential / Dwelling Units

Does the application for a certificate relate to a residential use where the number of residential units has changed? ☒ Yes ☐ No

Market Housing - Proposed					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes	0		0		
Houses	0		1		
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Market Housing Total 1

Social Rented Housing - Proposed					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Social Housing Total

Intermediate Housing - Proposed					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Intermediate Housing Total

Key Worker Housing - Proposed					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					

Market Housing - Existing					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes	1		1		
Houses			0		
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Market Housing Total 2

Social Rented Housing - Existing					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Social Housing Total

Intermediate Housing - Existing					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Intermediate Housing Total

Key Worker Housing - Existing					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					
Cluster Flats					
Flats/Maisonettes					

10. Information in Support of a Lawful Development Certificate (cont.) - Residential / Dwelling Units

Key Worker Housing - Proposed					
	Number of bedrooms				
	1	2	3	4+	Unknown
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Key Worker Housing Total

Key Worker Housing - Existing					
	Number of bedrooms				
	1	2	3	4+	Unknown
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Existing Key Worker Housing Total

Overall Residential Unit Totals	
Total proposed residential units	1
Total existing residential units	2

11. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? ☒ Yes ☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

☒ The agent ☐ The applicant ☐ Other person

12. Declaration

I/we hereby apply for a Lawful Development Certificate as described in this form and the accompanying plans/ drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.



Date

02/06/2017

Warning:  
The amended section 194 of the 1990 Act provides that it is an offence to furnish false or misleading information or to withhold material information with intent to deceive. Section 193(7) enables the authority to revoke, at any time, a certificate they may have issued as a result of such false or misleading information.