

Montagu Evans
5 Bolton Street
London
W1J 8BA

Application Ref: **2017/2612/P**
Please ask for: **Raymond Yeung**
Telephone: 020 7974 **4546**

14 June 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Proposed) Granted

The Council hereby certifies that the development described in the First Schedule below, on the land specified in the Second Schedule below, would be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 as amended.

First Schedule:

Commencement of works in accordance with condition 1 (within three years from the date of decision) of planning permission (ref:2013/2043/P) dated 30/05/2014 and (ref: 2016/2581/P) for the Variation of condition 2 (approved plans) dated 21/11/2016 in relation to the erection of a new three storey dwelling house (class C3).

Drawing Nos: Photographs of the work taking place, Tender Package for commencement pile, Quote for pile by Trenchco and confirmation of instruction dated 03 April 2017, and invoice for works dated 05 May 2017, Tree Protection Plan prepared by Barrel Tree Consultancy (reference 16377-BT1) and letter from Barrel Tree Consultancy confirming that the tree protection measures were installed in accordance with details approved pursuant to condition 7 of permission reference 2013/2043/P (letter dated 28 April 2017, including photographs of the installation of the tree protection measures), Pile Design plans in accordance with proposals approved under permission 2016/2581/P, prepared by structural engineers Constructure, A letter from Montagu Evans LLP, dated 18 April 2017, discharging a deed of consent with Eyre Estate, to allow commencement of 2016/2581/P, in accordance with the terms of a restrictive covenant associated with this land, letter dated 8th May 2017 by Montague Evans.

Second Schedule:



**77 Avenue Road
LONDON
NW8 6JD**

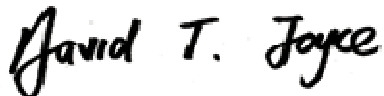
Reason for the Decision:

- 1 The evidence submitted confirms that the commencement of works in accordance with condition 1 (within three years from the date of decision) of planning permission (ref: 2013/2043/P) dated 30/05/2014 as varied by (ref: 2016/2581/P) for the Variation of condition 2 (approved plans) dated 21/11/2016 in relation to the erection of a new three storey dwelling house (class C3).

You can find advice about your rights of appeal at:

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

Yours faithfully



David Joyce
Director of Regeneration and Planning

Notes

1. This certificate is issued solely for the purpose of Section 192 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.