

Email: [planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
Phone: 020 7974 4444  
Fax: 020 7974 1680

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="Mr"/>	First Name:	<input type="text" value="Philip"/>	Surname:	<input type="text" value="Sellar"/>
Company name:	<input type="text"/>				
Street address:	<input type="text" value="Flat 2nd And 3rd Floor"/>				
	<input type="text" value="28 Montpelier Grove"/>			Telephone number:	<input type="text"/>
	<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="NW5 2XD"/>			<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="Alexander"/>	Surname:	<input type="text" value="Streatfeild"/>
Company name:	<input type="text"/>				
Street address:	<input type="text" value="75 Bartholomew Road"/>				
	<input type="text"/>			Telephone number:	<input type="text" value="07790631426"/>
	<input type="text"/>			Mobile number:	<input type="text"/>
Town/City:	<input type="text" value="London"/>			Fax number:	<input type="text"/>
Country:	<input type="text" value="United Kingdom"/>			Email address:	<input type="text"/>
Postcode:	<input type="text" value="NW5 2AH"/>			<input type="text" value="alex.streatfeild@gmail.com"/>	

### 3. Site Address Details

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

House:  Suffix:

House name:

Street address:

Town/City:

Postcode:

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

Easting:

Northing:

Description:

### 4. Pre-application Advice

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

☐ Yes ☒ No

### 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

### 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:

Existing roof terrace at the top of the building, serving as an amenity space to the Second and Third Floor flat only. This includes a roof-light (through which the roof terrace is accessed), a flat tiled area and a surrounding metal balustrade on all sides. Please see document: "Lease Plan Third Floor\_Roof dated 22022018" for the relevant roof terrace plan.

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:

There is documented evidence to prove that the terrace above the roof of the 2nd & 3rd floor flat, 28 Montpelier Grove, has existed and been in continuous use for over 10 years, making it immune from enforcement and a lawful development.

Evidence to prove the age and use of the terrace has been provided:  
An aerial photo of the roof terrace, taken on 19/09/2002, as confirmed by Getmapping plc.  
Photo taken from the street by Googlemaps in June 2008, showing the terrace railings adjacent to the roof terrace.  
Statutory Declaration from the previous owner of the 2nd & 3rd Floor Flat, 28 Montpelier Grove, declaring that the terrace has been continuously used as an amenity space since it was acquired on the 8th of December, 1981.  
Signed testimony from the Leaseholder of the First Floor Flat, 28 Montpelier Grove that the roof terrace has been in continuous use as an amenity space since they acquired their flat in the year 2000.  
Photos from the previous owner of the 2nd & 3rd Floor Flat, 28 Montpelier Grove, showing the terrace in use in 1984.  
Photo from the previous owner of the 2nd & 3rd Floor Flat, 28 Montpelier Grove, showing the terrace in use in May 2008, including a screen-grab of the metadata, proving the time of capture.

10. Information in Support of a Lawful Development Certificate

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

08/12/1981

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

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					
Houses					
Live-Work Units					
Sheltered Housing					
Unknown					

Proposed Market Housing Total

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

Existing Market Housing Total

Social Rented Housing - Proposed					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					

Social Rented Housing - Existing					
	Number of bedrooms				
	1	2	3	4+	Unknown
Bedsits/Studios					

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

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

Proposed Key Worker Housing Total

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

Existing Key Worker Housing Total

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

23/06/2018

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.