

Application ref: 2018/3657/P  
Contact: Obote Hope  
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Date: 6 November 2018

**Development Management**  
Regeneration and Planning  
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66 Bickenhall Mansions  
Bickenhall Street  
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W1U 6BS

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990

### **Certificate of Lawfulness (Existing) Granted**

The Council hereby certifies that on the 03 September 2018 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:

Confirmation of the implementation of operational works as permitted by planning permission 2015/0483/P dated 26/06/2015 in association with the excavation of a single storey basement level with front and rear lightwells, erection of single storey rear extension, and single storey outbuilding in rear garden.

Drawing Nos: Appendix 1: Extant Decision Notice (2015/0483/P) dated 26 June 2015; Appendix 2: pre-commencement conditions numbers 4, 6, 8, 10; Appendix 3: JCT Building Contract signed on 05/06/2018; Appendix 4: Window Invoice no. 2429 from Dunbar Joinery dated 06 June 2018; Appendix 5: Photos of the works to the front elevation dated 18 June 2018 to 21st June 2018; Appendix 6: Email from Philip Mizon dated 22 June 2018; Implementation Report commissioned by MDC dated 26th June 2018; Site Location Plan ref 7393/19; Approved existing floor plans and elevation drawings ref; 7393/20 and Approved proposed floor plans and elevation drawings ref 7393/21.

#### Second Schedule:

**Flat 1 27 Aberdare Gardens**  
**London**  
**NW6 3AJ**

Reason for the Decision:

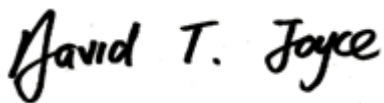
- 1 It is confirmed that operational works permitted under planning permission 2015/0483/P dated 26/05/2015 had begun on site within three years of the date of the permission (by 26/05/2018) and that the permission has therefore been implemented onsite

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2018.

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 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.