

Application ref: 2018/6128/P
Contact: Kristina Smith
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Date: 8 February 2019

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Mr Patrick Hegarty
70 Charlotte Street
London
W1T 4QG

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Existing) Granted

The Council hereby certifies that on the 22 January 2019 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: Use of part ground and part first floor levels as 2 x studio units (Class C3)

Drawing Nos: Gas Certificate Invoices; Energy Performance Certificates; Signed Tenancy agreements; Letter from Deposit Protection Scheme; Inventory check in record; Landlord's Gas Safety Record; Landlord Statement; Court Summons for non-payment of Council Tax; Approved Inspector certificate; Builder's invoice; Building works invoice

Second Schedule:
Fashion Apartments
55 Grafton Road
London
NW5 3EL

Reason for the Decision:

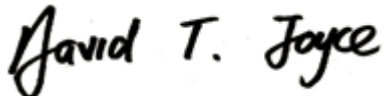
- 1 The use as 2 self-contained flats began more than four years before the date of this application

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

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

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.