

Application ref: 2019/0534/P
Contact: Samir Benmbarek
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Date: 22 February 2019

Development Management
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Existing) Granted

The Council hereby certifies that on the 07 February 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 as self-contained flat (Use C3)

Drawing Nos: TQRQM19026135256234 (OS Extract); 0455/401; Statutory Declaration (sworn affidavit) signed by A H Kerallah dated 2019; Council Tax Bands for 240 Kilburn High Road with effect from 31/07/2009; Land Registry Title Deed; Companies House file.

Second Schedule:

Flat 5
240 Kilburn High Road
London
NW6 2BS

Reason for the Decision:

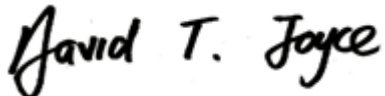
- 1 The use of Flat 5, 240 Kilburn High Road, London, NW6 2BS as a self-contained flat (Use Class C3) began more than 4 years before the date of this application.

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 style with a large initial 'D'.

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.