

Application ref: 2019/3428/P  
Contact: Charles Thuaire  
Tel: 020 7974 5867  
Date: 3 September 2019

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Michael Burroughs Associates  
93 Hampton Road  
Hampton Hill  
TW12 1JQ

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:**

Continued implementation of works for erection of new house granted by planning permission ref 2018/2104/P dated 05/02/2019 (for Variation of conditions 2 (plans), 3 (materials), 8 (noise levels) and 13 (SUDS) of planning permission ref: 2015/0441/P dated 04/07/2016 for: Erection of a three storey single dwelling following demolition of existing dwelling)

Drawing Nos: Cover letter by Michael Burroughs dated 11th July 2019; email from agent dated 11.7.19; Super Kitten Mini Piling Rig specification data sheet; Piling Setting Out Plan ref 322\_100; Site location plan ref 1357-EX-101; invoice from Geobond Piling & Foundations Solutions dated 10 June 2019; Permit to pile at 53 Fitzroy Park from 6.5.19 to 10.6.19- document by Geobond; Annexes 1-11 enclosing decision letters from Council.

#### **Second Schedule:**

**53 Fitzroy Park**  
**London**  
**N6 6JA**

#### **Reason for the Decision:**

- 1 The works carried out on site are a material operation which constitute

implementation of the development permitted by planning permission dated 7.7.16 ref 2015/5241/P and had begun on site within three years of the date of the permission. Thus the continuation of the remaining works to complete implementation of the approved development will be lawful.

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 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully



Daniel Pope  
Chief Planning Officer

#### 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.

