

Application ref: 2019/4060/P
Contact: Laura Hazelton
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Date: 4 September 2019

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RPS
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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 30 August 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:

Confirmation of the implementation of works approved under planning permission ref: 2015/3506/P dated 26/08/2016 for the erection of 3 storey building plus dual basement for use as a single family dwelling (Class C3) following demolition of existing single family dwelling (Class C3).

Drawing Nos: 2015/3506/P Decision Notice; 2015/3506/P Legal Agreement; Schedule of Pre-Commencement Conditions and Obligations; Condition 4 Discharge Notice (ref: 2019/2039/P); Condition 7 Discharge Notice (ref: 2018/6307/P); Condition 12 Discharge Notice (ref: 2019/1505/P); Condition 13 Discharge Notice (ref: 2018/6308/P); Condition 14 Discharge Notice (ref: 2019/1105/P); Clause 4.2.1/4.2.2 Discharge Notice; Clause 4.3.1/4.3.2 Discharge Notice; Clause 4.4.1(i)/4.4.2(i) Discharge Notice; Clause 4.4.1(ii)/4.4.2(ii) Discharge Notice; Clause 5.1 Discharge Notice; CIL Liability Notices, Self-Build Relief Notices and Implementation Notice; Photographs of Implementation Works in Progress; Photographs of Completed Implementation Works; Completed Contract for Implementation Works; Construction Site Logs; Pile Schedule; and Pile Layout Plan.

Second Schedule:

59 Maresfield Gardens
London
NW3 5TE

Reason for the Decision:

- 1 The evidence submitted confirms that operational works permitted under planning permission 2015/3506/P dated 26/08/2016 have begun on site within three years of the date of the permission and that the permission has therefore been implemented on-site.

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 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the operations specified in the First Schedule taking place on the land described in the Second Schedule was lawful on the specified date and thus, 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 operations described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any operations 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.