

Application ref: 2019/3209/P
Contact: David Peres Da Costa
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Date: 6 September 2019

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Edge Asset Management
41 Inglethorpe Street
Fulham
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SW6 6NS

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Existing) Granted

The Council hereby certifies that on the 12 July 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 two self-contained flats (3-bed flat at ground floor and maisonette at first and second floor) (Use Class C3).

Drawing Nos: Site location plan; Letter from Foxtons dated 28th August 2014 re top floor maisonette; Council Tax band details for Maisonette 1st & 2nd with effect from 20/08/2014; Council Tax band details for Ground Floor; Assured shorthold tenancy agreement for first and second floor flat dated 13 December 2017; Assured shorthold tenancy agreement for first and second floor flat dated 15 January 2016; Assured shorthold tenancy agreement for first and second floor flat dated 5 February 2015; Assured shorthold tenancy agreement for first and second floor flat dated 18 January 2019; Assured shorthold tenancy agreement for first and second floor flat dated 6 January 2017; Assured shorthold tenancy agreement for ground floor flat dated 04 December 2018; Assured shorthold tenancy agreement for ground floor flat dated 15 August 2014; Assured shorthold tenancy agreement for ground floor flat dated 19 February 2016; Assured shorthold tenancy agreement for ground floor flat dated 1 February 2017; Assured shorthold tenancy agreement for ground floor flat dated 20 February 2018; Foxtons letting details for 3 bedroom ground floor flat

Second Schedule:
34 Aberdare Gardens
London
NW6 3QA

Reason for the Decision:

- 1 The use as two 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 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 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.