

Application ref: 2019/3654/P
Contact: Kate Henry
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Date: 18 September 2019

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Taylor Wessing LLP
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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 21 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: Commencement of development pursuant to planning permission reference 2015/4684/P, dated 23/08/2016

Drawing Nos: Application form; Site location plan; Site Plan to illustrate location of piles sunk; Site photographs; Statutory declaration by Alistair Scott Watson; Counsel opinion; Copy of email correspondence with Council Planning Officer; Quotation for enabling works (Knowles, dated 30/04/2019); Invoice for works carried out (Knowles, dated 24/06/2019); Copy of bank transfer relating to payment of section 106 payments to Council; Commencement notice from Council's CIL team; MLM Building Control letter, dated 07/06/2019

Second Schedule:
70 Elsworthy Road
London
NW3 3BP

Reason for the Decision:

- 1 The evidence provided is sufficient to demonstrate that planning permission reference 2015/4684/P, dated 23/08/2016, has commenced lawfully.

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.