

Application ref: 2019/3052/P
Contact: Ben Farrant
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Date: 27 January 2020

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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 15 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 of House in Multiple Occupation (HMO) as 16 self-contained flats (comprising 10 x studios and 6 x 1 bedroom flats) (Use Class C3) over basement, ground, first and second floor levels.

Drawing Nos: Location Plan (unnumbered), P1.01_rev.A, P1.02_rev.A, Letter confirming expiration of previous HMO licence dated 29/09/2012, Email to Camden Council dated 19/09/2012 informing the Council that the flats are now fully self-contained, & Letter from Camden Council dated 01/10/2012 stating that the property is not licensable for a HMO given the self-contained nature of the flats.

Second Schedule:

10 Canfield Gardens
London
NW6 3JS

Reason for the Decision:

- 1 The use of Canfield Gardens, NW6 3JS, as 16 self-contained flats (comprising 10 x studios and 6 x 1 bedroom flats) (Use Class C3) over basement, ground, first and second floor levels, 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 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.