

Application ref: 2020/1488/P  
Contact: Laura Hazelton  
Tel: 020 7974 1017  
Date: 27 April 2020

**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)

Studio 303 Ltd  
Unit 1a, Highgate Business Centre  
33 Greenwood Place  
London  
NW5 1LB

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990

### **Certificate of Lawfulness (Existing) Granted**

The Council hereby certifies that on the 17 April 2020 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 under planning permission ref: 2016/3900/P dated 10/04/2017 for 'Demolition of an existing two storey rear extension, erection of a replacement three storey rear extension and basement excavation'.

Drawing Nos: Photographic evidence prior to the application expiry date; Inspection Report from the Building Control Authority dated 20 March 2020 showing that sub-structure works by way of piling operations have occurred on site; Photographic evidence of demolition operations; Additional information from the basement structural engineers, the Michael Barclay Partnership that shows that the piling operations are integral to and are comprised in the excavation of the basement shown on the approved drawings; Condition discharge notice dated 18/04/2020; S106 Obligation discharge notices dated 16/01/2020 and 28/02/2020.

#### Second Schedule:

**45 Flask Walk**  
**London**  
**NW3 1HH**

Reason for the Decision:

- 1 The evidence submitted confirms that operational works permitted under planning permission 2016/3900/P dated 10/04/2017 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 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.