

Application ref: 2020/1174/P  
Contact: Jennifer Watson  
Tel: 020 7974  
Date: 7 May 2020

**Development Management**  
Regeneration and Planning  
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Arkon Associates Ltd  
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162 High Street  
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Stevenage  
SG1 3LL  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990

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

The Council hereby certifies that on the 06 May 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:

Commencement of works in accordance with condition 1 (within three years from date of permission) of planning permission 2016/5190/P (Erection of 2 storey roof extension with garden room and terrace at rooftop level to provide 2 x 2 bedroom flats.)

Drawing Nos: (P) 001

(P) 004 REV D

(P) 007 REV D

(P) 002

#### Second Schedule:

**Phoenix House**  
**104 - 110 Charing Cross Road**  
**London**  
**WC2H 0JN**

#### Reason for the Decision:

- 1 The evidence submitted confirms that the works carried out in association with the implementation of planning permission 2016/5190/P for the erection of a 2-storey roof extension with garden room and terrace at rooftop level to provide 2

x 2 bedroom flats commenced prior to the expiration of the permission (30th June 2020).

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 matter specified in the First Schedule taking place on the land described in the Second Schedule was lawful on the specified date and thus, is not liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This Certificate applies only to the extent of the 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.