

Application ref: 2020/1303/P  
Contact: Rachel English  
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Date: 19 June 2020

**Development Management**  
Regeneration and Planning  
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WYG  
11th Floor, 1 Angel Court  
London  
EC2R 7HJ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990

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

The Council hereby certifies that the development described in the First Schedule below, on the land specified in the Second Schedule below, would be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 as amended.

#### **First Schedule:**

Implementation of works approved by planning permission ref 2015/6455/P dated 23/06/2017 (as amended by Non-Material Amendment approval ref 2020/0478/P dated 04/03/2020) for the Comprehensive redevelopment following demolition of all existing buildings to provide self-contained residential dwellings (Class C3), flexible non-residential use (Class A-A3, D1, D2), employment floorspace (Class B1) and community meeting space (Class D1) in buildings ranging from 3 to 7 storeys. New vehicular access from West End Lane and provision of accessible car parking spaces. Provision of new public open space and widening of Potteries Path and associated cycle parking and landscaping.

Drawing Nos: Site location plan, Decision notice ref 2015/6455P, Signed S106 Agreement 2015/6455/P dated 23rd June 2017, Approved site plan, floorplans, elevations, sections for 2015/6455/P, Phases 1 and 2 Demolition Outline Pack prepared by CGL Architects, dated 4th December 2019, Pre-demolition and site waste management plan (ref IMS doc 637) Issue 3 dated 9th December 2019, Demolition Management Plan Revision G dated 21st February 2020, Demolition Contract by Silver Development Construction Consultancy dated 20th December 2019, HSE Notification Form dated 20th December 2019, Decision notice for ref 2020/0395/P, Decision notice for ref 2020/0200/P, Decision notice, S106 Discharge Notice dated 14th February 2020, S106 Discharge Notice dated 16th March 2020, S106 Discharge Notice dated 24th February 2020, S106 Discharge Notice dated 27th February 2020, CGL Proposed Site Investigation Scope dated January 2020, CIL Liability Notice dated 16th March

Second Schedule:  
**156 West End Lane**  
**London**  
**NW6 1UF**

Reason for the Decision:


- 1 It is considered that, prior to the commencement of development, the proposed works outlined (referred to as "Phase 1 and 2 works", which involve demolition) are a material operation that would constitute lawful implementation of the development permitted by planning permission ref 2015/6455/P dated 23/06/2017.
- 2 It is considered that the date by which planning permission ref 2015/6455/P dated 23/06/2017 is to be implemented is 22nd June 2021.

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 192 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.