

Application ref: 2020/1540/P
Contact: Raymond Yeung
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Date: 27 April 2020

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Savills
33
Margaret Street
LONDON
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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 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:

Use of the building as 10 (Ten) self-contained residential flats (Use Class C3).
Drawing Nos: Statutory Declaration (dated 11th July 2017), site location plan, Floor plans, Tenancy agreement commencing 12/09/2015, Addendum to tenancy agreement commencing 09/09/2016, Tenancy agreement commencing 19/01/2016, Tenancy agreement commencing 20/01/2018, Memorandum agreement commencing 20/07/2018, Tenancy agreement commencing 20/09/2015, Tenancy agreement commencing 19/09/2016, Tenancy agreement commencing 03/07/2017, Memorandum agreement commencing 04/07/2018, Memorandum agreement commencing 04/01/2019, Tenancy agreement commencing 11/04/2017, Council tax bill dated 08/03/2019, Tenancy agreement commencing 16/07/2019, Memorandum of agreement commencing 11/06/2018, Memorandum of agreement commencing 11/12/2018, Tenancy agreement commencing 31/05/2017, Memorandum agreement for commencing 01/06/2018, Council tax bill dated 08/03/2019, Utility bill (issued by E-ON) dated 06/06/2019, Tenancy agreement commencing 23/08/2019, Tenancy agreement commencing 13/05/2016, Tenancy agreement commencing 31/08/2019, Utility bill (issued by British Gas) dated 31/10/2019, Tenancy agreement commencing 11/07/2015, Tenancy agreement for a commencing 01/09/2019, Council tax bill dated 06/22/2018, Tenancy agreement for a Mr Doug commencing 23/07/2016, Memorandum agreement commencing 24/07/2018, Utility bill (issued by SSE) dated 26/11/2019, Memorandum agreement commencing 24/01/2019.

Second Schedule:
39 Netherhall Gardens
London
NW3 5RL

Reason for the Decision:

- 1 Sufficient evidence has been provided to demonstrate that, on the balance of probability, the use of the property as described in the First Schedule commenced more than four years before the date of this application.

Informative(s):

- 1 The granting of this certificate is without prejudice to, and shall not be construed as derogating from, any of the rights, powers, and duties of the Council pursuant to any of its statutory functions or in any other capacity and, in particular, shall not restrict the Council from exercising any of its powers or duties under the Town and Country Planning Act 1990 as amended. Planning advice may be sought from the Council's Development Management Team, Town Hall, Argyle Street WC1H 8EQ, (tel: 020 7974 4444) or by email at planning@camden.gov.uk.

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.