

# Design & Access Statement

Prepared by  
**Urbanist Architecture**

## Our Reference

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126 - NW2 2RR

## Report Date

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25/11/2020

## Address

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62 Westcroft Close, London, NW2 2RR

## Proposal

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Lawful development certificate for existing use of dwellinghouse at 62 Westcroft Close, London, NW2 2RR as three self-contained flats falling within C3 use class which has been in continuous use for in excess of 4 years.

# Introduction

This statement accompanies a Lawful Development Certificate for existing use of three flats as self-contained dwelling houses falling within C3 use class which has been in continuous use for in excess of four years.

The documents are written statements from relevant bodies supported by chronological evidence in respect of residential use of a single dwellinghouse as three self-contained flats falling under C3 use class.

The property in question - 62 Westcroft Close, London, NW2 2RR, has been used three self contained flats since 2016 and the evidence provided covers the period of last four years. The property has been used as three self-contained flats throughout this period; the evidence found in the supporting documentation proves this and should be read in conjunction with this Design and Access Statement under Use section.



# Planning Policy Context and Planning Legislation



The application seeks Certificate of Lawfulness of existing use or development under the Town and Country Planning Act section 191.

(1) If any person wishes to ascertain whether—

- (a) any existing use of buildings or other land is lawful;
- (b) any operations which have been carried out in, on, over or under land are lawful; or
- (c) any other matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted is lawful, he may make an application for the purpose to the local planning authority specifying the land and describing the use, operations or other matter.

For the purposes of this Act uses and operations are lawful at any time if—

- (a) no enforcement action may then be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); and
- (b) they do not constitute a contravention of any of the requirements of any enforcement notice then in force.



## Locality and Setting

The application site is situated in the London Borough of Camden administrative area. The site is not designated as a Listed Building or within a Conservation Area.

The site at 62 Westcroft Close, London, NW2 2RR is a quiet road branching off from a busy main road- Westbere Road. Westcroft Close is a predominantly residential street that runs parallel with a railway track. The dwellings on Westcroft Close are all terrace houses and form one continuous row of dwellings.

As such, the area is highly accessible for cars as well as pedestrians. The site is situated within an area with a PTAL Rating of 3, indicating that the site has a good level of access to public transportation.

There are many bus stops along Westbere Road, the main road adjacent to Westcroft Close, the closest to the site being only a three-minute walk away. The closest train station is Cricklewood and Overground Station is Acton Central Station, which is only a five-minute walk away. As such, the area offers important accommodation opportunities for those working in the local area as well as London commuters.



## Use



The dwellinghouse located at 62 Westcroft Close, London, NW2 2RR has been used as three self-contained flats since 2016.

The applicant has provided clear and precise evidence verifying the information that the function of the site is of a C3 - residential dwellinghouse, and the evidence supplied covers the last four years. The applicant wished to regularise these developments.

Below are listed evidence provided to verify the continuous use of both properties as three self-contained units since at least March 2016 for Flat 1, April 2016 for Flat 2 and January 2016 for Flat 3.

However, the dwelling has been converted in 2015 and additional evidence has been submitted to prove this, please refer to the evidence prior first occupation, which shows invoices for three separate kitchen units and appliances with a clear indication of the Flats reference, attached separately as supporting evidence.



# Supporting Evidence

Pre-commencement	Date	Witness status
Electric meters invoice 2 0001	19/02/2016	Installation of two electric meters
Electric meter invoice 1 001	12/03/2016	Installation of one electric meter
Invoice for kitchen appliances Flat 1, 2 and 3 001	16/11/2015	Order confirmation of 3 sets of kitchen appliances
Flat 1 Kitchen invoice	16/11/2015	Order confirmation of kitchen units, Reference: Flat 1
Flat 2 Kitchen invoice	16/11/2015	Order confirmation of kitchen units, Reference: Flat 2
Top Flat 3 Kitchen invoice	16/11/2015	Order confirmation of kitchen units, Reference: Top flat

Tenancy Agreements Flat 1	Date from	Date to
Jaroslav and Anna Mess	01/03/2016	01/03/2017
Jaroslav and Anna Mess	01/03/2017	01/03/2018
Jaroslav and Anna Mess	01/03/2018	01/03/2019
Jaroslav and Anna Mess	01/03/2019	01/03/2020
Jaroslav and Anna Mess	01/03/2020	01/03/2021

Tenancy Agreements Flat 3	Date from	Date to
Edyta and Marcin Stanczuk	01/01/2016	01/01/2017
Edyta and Marcin Stanczuk	01/01/2017	01/01/2018
Edyta and Marcin Stanczuk	01/01/2018	01/01/2019
Edyta and Marcin Stanczuk	01/01/2019	01/01/2020
Edyta and Marcin Stanczuk	01/01/2020	01/01/2021

Tenancy Agreements Flat 2	Date from	Date to
Mateusz and Malgorzata Zuwalscy	01/04/2016	01/04/2017
Mateusz and Malgorzata Zuwalscy	01/04/2017	01/04/2018
Frantisek Palko and Tina Boshenska	01/04/2018	01/04/2019
Piotr Serafin and Elzbieta Wiergowska	03/05/2019	07/04/2020
Renata Ewa Witek	20/04/2020	20/04/2021

Domestic Electrical Installation Condition Report	Date of inspection
Flat 1	02/06/2017
Flat 2	02/06/2017
Flat 3	02/06/2017

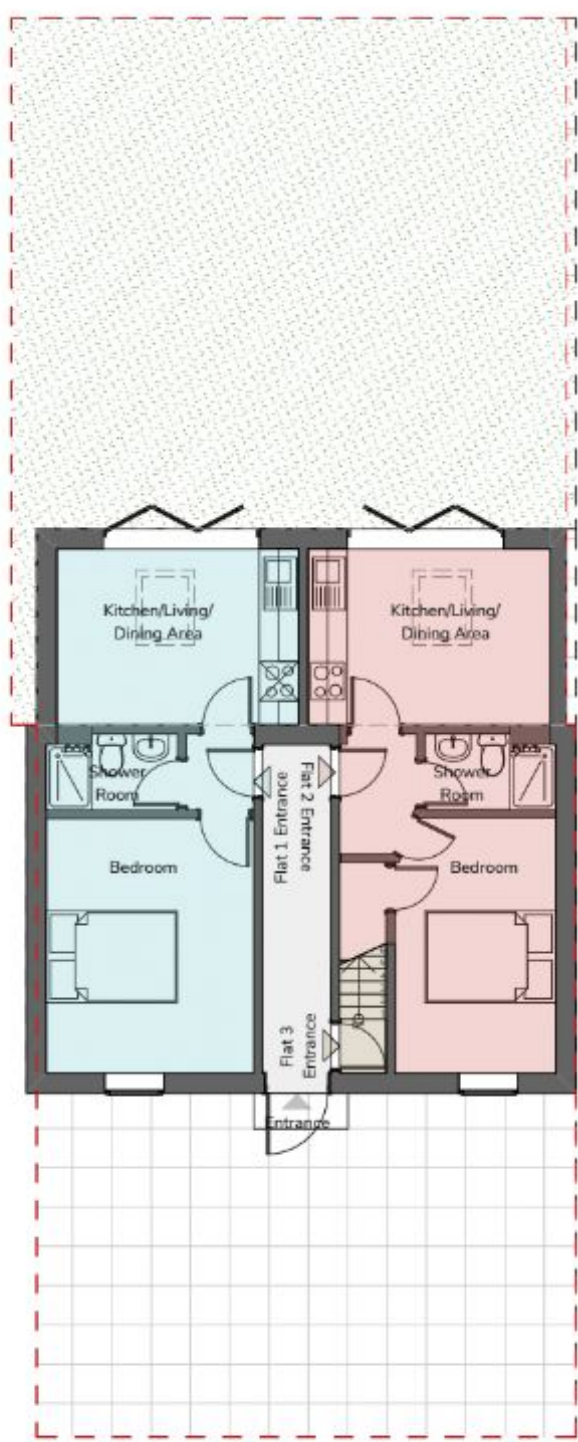
Witness Statements	Dated	Witness status
Sworn Affidavit Szymon Zarzycki	20/11/2020	Landlord
Sworn Affidavit Jaroslav Mess	20/11/2020	Tenant and Property Manager
Sworn Affidavit Edyta Stanczuk	20/11/2020	Tenant
Szymon Zarzycki Statutory declaration 001	20/11/2020	Landlord
Statutory declaration Jaroslav Mess 001	20/11/2020	Tenant and Property Manager

	Date from	Date to
Bank statements of the main tenant collecting rent and utility bills payments from all flats	31/03/2016	30/09/2020

Bank statements of the Landlord with full rent payments from the main tenant	Date from	Date to
From Mess. J	03/03/2016	02/11/2020

Utility Bills	Date from	Date to
SSE	21/11/2016	13/03/2017
	14/03/2017	20/06/2017
	21/06/2017	11/09/2017
	12/09/2017	08/12/2017
	09/12/2017	27/02/2018
	28/02/2018	12/06/2018
	12/12/2018	01/03/2019
	04/09/2018	11/12/2018
	02/03/2019	19/06/2019
	02/09/2019	05/12/2019
	06/12/2019	02/03/2020
	03/03/2020	02/06/2020
Thames Water	18/04/2016	17/10/2016
	18/10/2016	02/04/2017
	13/10/2017	18/04/2018
Thames Water Final Payment Demand	05/12/2017	
Thames Water	19/04/2018	15/10/2018
	06/04/2019	15/10/2019
	16/10/2019	22/04/2020

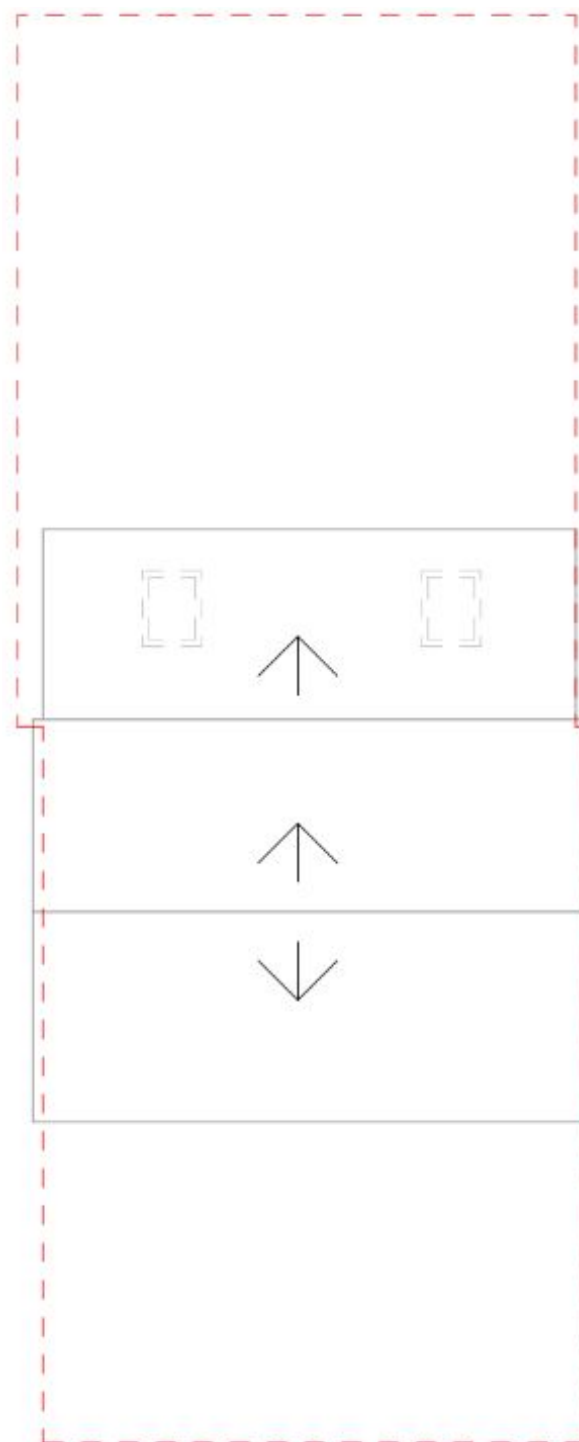
# Amount, Layout and Scale



Ground Floor



First Floor



Roof Plan

The GIA of the property will remain the same and the proposal does not involve any physical changes in the property.

The existing layout and circulation on all floors will remain the same. Please refer to the set of the existing drawings submitted within this application.

As there are no intended additions or material alterations, the scale of the property will not be affected.

## Appearance and Landscaping

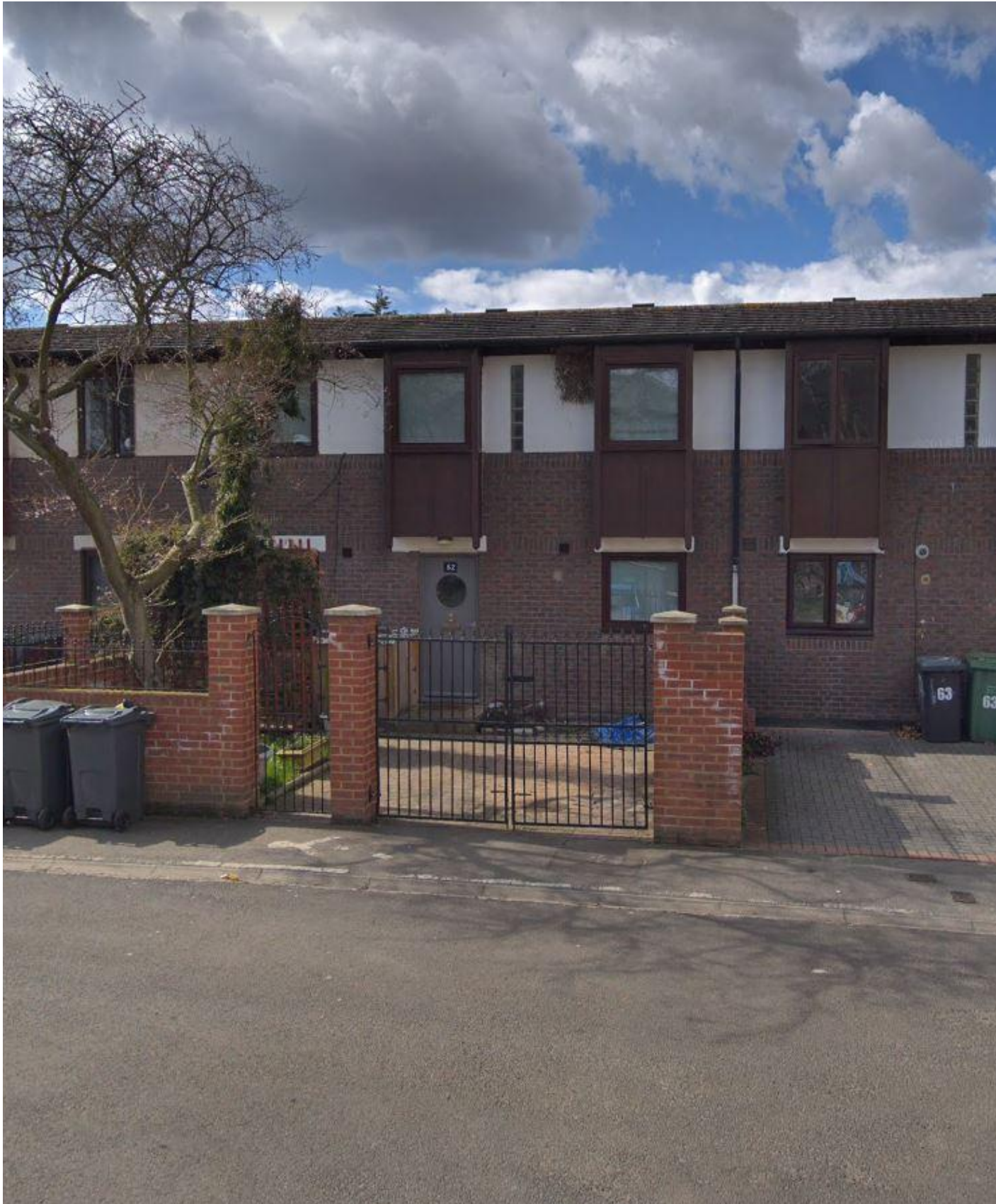
The existing layout and circulation on all floors will remain the same. Please refer to the set of the existing drawings submitted within this application.

There is no new hard or soft landscaping proposed for the scheme.





## Access



Access to the building is through the existing doors located at the front facade. This is a shared entrance for all three flats contained within the building, located at the ground level.

The entrance to Flat 1 is via communal hallway, located on the left hand side and entrance to Flat 2 is located on the right hand side. The entrance to Flat 3 is via the communal hallway and then up a set of stairs to the first floor.

The entrances to self-contained units are designed to be safe, secure, visible, accessible, well lit, convenient and have reasonable and suitable access and egress.

Flat 1 and 2 are on the ground floor level and Flat 3 is located on the first floor with the main access on the ground floor.

# Summary

In conclusion, there is a clear history of 62 Westcroft Close, London, NW2 2RR, being used as three self-contained flats, falling under C3 use class category, for more than four years. The applicant has provided sufficient factual information to demonstrate that the use in question has continued at the same level of intensity and for the same purpose over the period of more than four consecutive years.

The evidence the applicant has provided to prove his entitlement to the Certificate of Lawfulness for the existing use includes, but is not limited to:

- Witness statements
- Pre-commencement documents
- Tenancy Agreements
- Bank statements
- Utility bills

The evidence submitted indicates that the properties at 62 Westcroft Close, London, NW2 2RR, has been used as three self-contained flats, known as Flat 1, Flat 2 and Flat 3 for a period of no less than four consecutive years, and continues to be used as such up to the date of application.

The applicant seeks consent for a Certificate of Lawful Existing Use for 62 Westcroft Close, London, NW2 2RR seeking to establish that the property falls within the C3 Use Class of the Town & Country Planning (Use Classes) Order 1987 (as Amended).

Considering the weight of the evidence supplied by the applicant and the requirements of the law, we, as being the agent of this application, are looking forward to being granted the certificate.

