

Application ref: 2021/0259/P
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Date: 15 March 2021

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Maddox Planning
68 Hanbury Street
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United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Existing) Granted

The Council hereby certifies that on the 15 March 2021 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 unit as a children's home (Class C3b).

Drawing Nos: Site location Plan, Plan001B, Planning Statement by Maddox Planning dated 20/01/2021, Email from Matt Hill dated 9/03/2021 @ 15:57.

Second Schedule:

Maisonette Ground Floor Rear And 1st Floor Rear
21 B Bayham Street
London
NW1 0EY

Reason for the Decision:

1 Reason for the decision

The proposed use as a children's home as described in the submitted application would not involve a material change of use and would fall within use class C3(b) as a single household. The proposal as described within the application would not constitute development under Section 55 of the Town and Country Planning Act 1990 (as amended), and would therefore not require planning permission.

Informative(s):

- 1 The proposed use is considered lawful as per the description on the decision notice. Any changes that would alter the nature of the use to bring it outside a single Class C3 use, for example subdivision to create separate planning units, would not be immune from enforcement control.

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.

