

Application ref: 2021/0744/P  
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Date: 14 April 2021

**Development Management**  
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Q Square  
Alverstone  
Alexander Lane  
Shenfield  
CM15 8QE

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990

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

The Council hereby certifies that on the 01 April 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:**

Commencement of works in accordance with condition 1 (within three years from date of permission) of planning permission 2016/6697/P granted on 09/04/2018 (as amended under application ref 2019/4239/P dated 30/10/2020) for basement excavation with front lightwells and sunken terrace with steps for access to the rear; increase in height of the existing ground floor projection and replacement of rear doors, to dwellinghouse (Class C3).

Drawing Nos: Site Location Plan; Cover letter Q.Square dated 16/02/2021; Site Inspection ACT dated 15/02/2021; Drainage layout - basement slab details 3750-DR01.

#### **Second Schedule:**

**251 Goldhurst Terrace**  
**London**  
**NW6 3EP**

#### **Reason for the Decision:**

- 1 It is confirmed that operational works permitted by planning permission 2016/6697/P dated 09/04/2018 (as amended under application ref


2019/4239/P dated 30/10/2020) had begun on site prior to 09/04/2021 and that this permission has therefore been implemented onsite.

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.