

Application ref: 2021/0737/P  
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**Development Management**  
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Orb Property Planning  
189 Oakleigh Road North  
Whetstone  
LONDON  
N20 0TU  
United Kingdom

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:

Change of use of first and second floor levels from Retail (use A1) to Residential (use C3) to provide 2x 1bedroom self-contained flats pursuant to The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 3, Class G.  
Drawing Nos: Block plan; CHS/PD/003; CHS/PD/001; CHS/PD/002

#### Second Schedule:

**240 Camden High Street**  
**London**  
**NW1 8QS**

#### Reason for the Decision:

- 1 The use was lawful on the date of the application (17/02/2021) permitted under Class G of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015.

#### Informative(s):

- 1 Condition (c) of Class G required the following:  
(c) a flat must not be used otherwise than as a dwelling (whether or not as a

sole or main residence)-

- (i) by a single person or by people living together as a family, or
- (ii) by not more than 6 residents living together as a single household (including a household where care is provided for residents).

- 2 This certificate was determined based on the status of the proposed development on the date of the application. Further changes to class G have been made since, coming into effect on 1 August 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 2021.

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.