

Application ref: 2021/2868/P
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Date: 17 December 2021

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Savills
33 Margaret Street
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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 July 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:

Implementation of planning permission Ref: 2015/4414/P (dated 31 March 2017).

Drawing Nos: Site block plan 1869/P-AP-005, 21/0293/34 D, 1920-P200-C. Cover Letter 14/06/2021, Schedule to outline implementation of planning application 2020/3953/P, FDN 2015/4414/P, FDN 2020/3953/P, FDN 2021/0503/P.

Second Schedule:

42 Avenue Road
London
NW8 6HS

Reason for the Decision:

1 Reason for the decision:

The evidence submitted confirms on the balance of probability that the works carried out in association with the implementation of planning permission 2015/4414/P (Installation of car stacker within front forecourt including excavation at sub-basement level.) dated 31/03/2017, and additional environmental approval 2020/3953/P (Additional Environmental Approval to

extend planning permission ref 2015/4414/P dated 31/03/2017 until 01/05/2021, under Section 93B of the TCPA 1990 (as amended by Section 17 of the Business and Planning Act 2020)) commenced prior to the expiration of the permission (1 May 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 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.

