Camden Council

Planning

Camden Town Hall

London

WC1H 8ND

8th February 2022

Dear Sir/Madam,

**Lawful Development Certificate**

**29 Glenloch Road, NW3 4DJ**

On behalf of my client, today I have submitted an application for a Lawful Development Certificate via the Planning Portal. The application relates to the use of the property (upper ground floor, first and second floors) as 6 self-contained dwellings and comprises the following:

* Application Form
* Site Location Plan
* Existing Floor Plans
* Statutory Declarations of Shan Slavin (x2), Damon Peddar and Jacquelyn Annemarie Devitt
* Supporting evidence for each flat as detailed below

The Secretary of State (SOS) has advised local planning authorities that the burden of proof in applications for a Certificate of Lawfulness is firmly with the applicant (DOE Circular 10/97, Enforcing Planning Control: Legislative Provisions and Procedural Requirements, Annex 8, paragraph 8.12). The relevant test is the “balance of probability”, and authorities are advised that if they have no evidence of their own to contradict or undermine the applicant’s version of events, there is no good reason to refuse the application provided the applicant’s evidence is sufficiently precise and unambiguous to justify the grant of a certificate. The planning merits of the use are not relevant to the consideration of an application for a certificate of lawfulness, rather, an assessment of the factual evidence submitted by the applicant and that held by the Council (if any) is carried out to determine whether the legal requirements of demonstrating the existence of an established use have been satisfied.

**Evidence**

***Flat 1 Evidence***

Signed ASTs for the following periods:

18/12/2017 – 17/12/2018

18/12/2018 – 17/12/2019

18/12/2019 – 17/12/2020 – tenant vacated early

15/08/2020 – 14/08/2021

30/09/2021 – 29/09/2022

Energy Performance Certificate dated 01/09/2017

Floorplan

VOA banding with effect from 12/12/2017

Estate agent details

Email from UK Power dated 13/12/2021

***Flat 2 Evidence***

Signed ASTs for the following periods:

15/12/2017 – 14/12/2018

15/12/2018 – 14/12/2019

11/01/2020 – 10/01/2021

11/01/2021 – 10/01/2022

Energy Performance Certificate dated 01/09/2017

Gas Safety Records dated 17/03/2018, 24/09/2019, 16/10/2020 and 21/10/2021

Floorplan

VOA banding with effect from 12/12/2017

Estate agent details

Email from UK Power dated 13/12/2021

***Flat 3 Evidence***

Signed ASTs for the following periods:

29/12/2017 – 28/12/2018

29/12/2018 – 28/12/2019

14/02/2020 – 13/02/2021

14/02/2021 – 13/02/2022

Energy Performance Certificate dated 08/11/2017

VOA banding with effect from 12/12/2017

Estate agent details

Email from UK Power dated 16/12/2021

***Flat 4 Evidence***

Signed ASTs for the following periods:

01/03/2017 – 28/02/2018

01/03/2018 – 28/02/2019

01/03/2019 – 28/02/2020

01/03/2020 – 28/02/2021

01/03/2021 – 28/02/2022

Energy Performance Certificate dated 31/08/2017

VOA banding with effect from 12/12/2017

Email from UK Power dated 16/12/2021

***Flat 5 Evidence***

Signed ASTs for the following periods:

02/01/2018 – 01/01/2019

02/01/2019 – 01/01/2020

02/01/2020 – 01/01/2021 – tenant vacated early

16/04/2020 – 15/04/2021

16/04/2021 – 15/04/2022

Energy Performance Certificate dated 08/11/2017

VOA banding with effect from 12/12/2017

Estate agent details

Email from UK Power dated 16/12/2021

***Flat 6 Evidence***

Signed ASTs for the following periods:

12/12/2017 – 11/12/2018 – tenant vacated early

16/07/2018 – 15/07/2019

01/08/2019 – 31/07/2020

01/08/2020 – 31/07/2021 – tenant vacated early

01/12/2020 – 39/11/2022

Energy Performance Certificate dated 01/09/2017

VOA banding with effect from 15/04/2005

Estate agent details

Email from UK Power dated 16/12/2021

***Statutory declarations***

Shan Slavin – confirms that the conversion works were completed in September 2017 and that the flats have been in existence since that date and occupied continuously.

Damon Peddar – confirms that the conversion works were completed in September 2017.

Jacquelyn Annemarie Devitt – conforms the flats have been continuously let since the conversion works were completed in September 2017.

Finally, I have included a letter from Russell-Cooke LLP which explains what is meant by the term ‘periodic tenancy’.

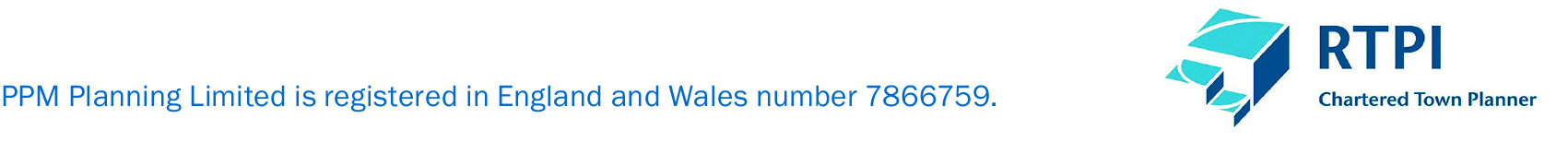
In conclusion, taking the above into account I consider there is sufficient evidence to demonstrate on the balance of probability that the property has been in continuous use as 6 self-contained flats for a period well in excess of 4 years

Yours sincerely



**Mark Pender**

**PPM Planning Limited**

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