



45 Welbeck Street  
London W1G 8DZ  
020 3409 7755  
info@hghconsulting.com  
[hghconsulting.com](http://hghconsulting.com)

Development Management  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

8 July 2022

Dear Sir/Madam,

**12 Gloucester Gate, London, NW1 4HG:  
Application for a Certificate of Lawful Existing Use and Development to confirm planning permission ref: 2020/0441/P and listed building consent ref: 2020/0427/L, as amended, have been lawfully implemented and it is lawful to continue with this development**

On behalf of Mr M Namaki, we are seeking a certificate of lawful existing use and development to confirm that planning permission ref: 2020/0441/P and listed building consent ref: 2020/0427/L, as amended, have commenced and it is lawful for the development to continue in the future.

The application is accompanied by the following information:

1. Completed application form for a certificate of existing use and development;
2. Site Location Plan;
3. The following approved drawings:
  - a. Demolition drawing Section B: PG1701 Rev 02;
  - b. Proposed Section B: PG220: Rev 02;
  - c. Proposed Section E: PG2200 Rev 01;
4. Decision notices relating to the approved development (refs: 2020/0441/P and 2020/0427/L)
5. S106 Discharge Notices
6. Acknowledgement of CIL Commencement Form
7. Structural Works Report (ref: 2104287/R2/001) including drawings ref: 2104287 1006 C2 and 2104287 1007 Rev C2
8. Photographic Record – before (Site Visit report ref: 20220429 (R1)), after construction (Site Visit report ref: 20220610) and Tree protection measures; and
9. Statutory declarations from the following persons:
  - a. Mansour Namaki
  - b. Mark Cody
  - c. Mark Cox
  - d. Matthew Wells

A payment of £238.20 for the application fee has been made by the Planning Portal.

## Background and Planning History

Gloucester Lodge is a Grade I listed property located within the Regent's Park Conservation Area. It forms one half of a semi-detached Regency villa designed by James Burton in 1828 and is located within John Nash's Regent's Park development. The property constitutes a single-dwelling house of three storeys with Mews houses (12 and 13 Gloucester Gate Mews) to the rear which form part of the property.

### Planning permissions and listed building consents

Planning permission and listed building consent were originally granted for a number of internal and external alterations to the property in 2016 (2016/4549/P and 2016/4554/L):

*"Erection of single storey extension connecting 12 Gloucester Gate to mews building; insertion of rooflight; excavation of basement to extend below rear courtyard and mews properties; remodelling of mews properties with sash windows at upper ground floor (facing courtyard), parapet height raised, and erection of hipped pitched roof to 12 Gloucester Gate Mews following demolition of 12 and 13 Gloucester Gate Mews behind retained elevation facing Gloucester Gate Mews."*

*"Erection of single storey extension connecting 12 Gloucester Gate to mews building; insertion of rooflight; excavation of basement to extend below rear courtyard and mews properties; remodelling of mews properties with sash windows at upper ground floor (facing courtyard), parapet height raised, and erection of hipped, pitched roof to 12 Gloucester Gate Mews following demolition of 12 and 13 Gloucester Gate Mews behind retained elevation facing Gloucester Gate Mews and internal alterations to 12 Gloucester Gate including installation of lift and alterations at 1<sup>st</sup> and 2<sup>nd</sup> floor level."*

Following this, a S73 application (2017/4111/P) and associated listed building application (2017/4133/L) were refused in 2018. These refused applications were allowed on appeal in June 2019 (APP/X5210/Y/18/3206252 and APP/X5210/D/3203443).

Following this decision, the applicant reviewed the proposals in more detail and, following pre-application discussions, a S73 application (2020/0441/P) to vary condition 3 and an associated listed building consent application (ref: 2020/0427/L) with a number of amendments to take account of the Inspector's comments and to improve the layout of the building were approved on 9<sup>th</sup> October 2020 and 12<sup>th</sup> October 2020 respectively.

The listed building consent was for the following works:

*"Works permitted by extant Listed Building Consents 2016/4554/L and 2017/4133/L (as part allowed at appeal APP/X5210/W/18/3204334) and the following amendments namely the relocation of the stairs between the basement and lower ground floor to area below the existing stairs; revision to the layout of the treatment rooms as a result of the relocation of the proposed stairs; the removal of the non-original cupboard under the existing stairs, retention of the vaulted ceiling of the gallery; and the change from a rooflight to a lightwell and relocation of the opening towards the external wall of the mews."*

### Pre-commencement planning and listed building consent conditions

There were a number of pre-commencement planning and listed building consent conditions that required the approval of details prior to the commencement of the development. All of these planning and listed building consent conditions have been discharged and details are provided below.

#### *Planning permission conditions*

Condition No.	Condition requirement	LPA ref	Date condition discharged
4	Approval of details of hard and soft landscaping	2021/5200/P	23 February 2022
7	Approval of details of appointment of a chartered engineer	2021/5603/P	10 December 2021
11	Approval of details of light spill mitigation	2021/5051/P	15 February 2022

#### *Listed building consent conditions*

Condition No.	Condition requirement	LPA ref	Date condition discharged
4	Approval of structural engineers' drawings and method statement for demolition and excavation	2021/5371/L	21 March 2022
5	Approval of Photographic Record of the interior of 12 Gloucester Gate Mews	2021/5044/L	22 November 2021
10	Approval of structural engineers' drawings and method statement for the excavation and construction of the new lower stair from lower ground to gym level	2021/5371/L	21 March 2022

#### *S106 obligations*

There were a number of planning obligations that were required to be discharged prior to the commencement of the development. These obligations have been discharged as follows:

<b>S106 clause</b>	<b>Obligation</b>	<b>Date obligation discharged</b>
4.1.(i)	Pay to the Council the Construction Management Plan Implementation Support Contribution in full.	19 <sup>th</sup> January 2022
4.1.1. and 4.1.2. of original agreement	Submit to the Council for approval a draft Construction Management Plan and have the plan approved in writing	22 <sup>nd</sup> April 2022
4.2(i) of original agreement	Pay to the Council the highways contribution in full	19 <sup>th</sup> January 2022
4.2 of original agreement	Submit to the Council the Level Plans for approval and have the approved in writing	19 <sup>th</sup> January 2022
5.1 of original agreement	Notice – The owner shall give written notice to the Council on or prior to the implementation date specifying that Implementation of the Development has taken or is about to take place	9 <sup>th</sup> May 2022
4.3 of the deed of variation	Prior to the implementation date the owner shall pay to the Council the Construction Impact Bond in full and shall not implement the development until the Construction Impact Bond has been paid in full	19 <sup>th</sup> January 2022

### **Implementation of the planning permission and listed building consent**

Notification was given to Camden Council that the development was to be implemented by way of a CIL Commencement Notice on 9<sup>th</sup> May 2022 and by way of a letter to the Council's s106 team. The Commencement Notice stated that the development was to commence on 12<sup>th</sup> May 2022 and was acknowledged by the Council on 10<sup>th</sup> May 2022.

The Phase 1 Permanent Structural works commenced on 12<sup>th</sup> May 2022. A description of these works are set out in the submitted Structural Works report and associated drawings and included: the removal of the first floor and ceiling in one of the Mews house as shown on the approved demolition drawing ref: PG1701 and the construction of the new first floor level as shown on approved drawings ref: PG2201 and PG2200.

Photographs taken before and after the works took place have been provided. These show the works that have taken place as detailed in the submitted Structural Works report.

Statutory declarations from the applicant, the applicant's contractor, the structural engineer for the project and a colleague of the applicant are also included in the submission. All of the statutory declarations confirm that the Phase 1 Permanent Structural works were commenced on 12<sup>th</sup> May 2022. The statutory declarations also confirm that the works were carried out in accordance with the drawings approved pursuant to planning permission ref: 2020/0441/P and listed building consent ref: 2020/0427/L.

### **Assessment and Summary**

The evidence provided confirms, on the balance of probability, that the development pursuant to planning permission ref: 2020/0441/P and listed building consent ref: 2020/042/L, as amended, was lawfully commenced on 12<sup>th</sup> May 2022.

All necessary pre-commencement planning and listed building conditions were satisfactorily discharged by the Council. All necessary planning obligations were also satisfactorily discharged and the Council's s106 officer was



advised of the date that the development was to commence. A CIL Commencement Notice was served and acknowledged by the Council.

The works undertaken comprised a '*material operation*' for the purposes of Section 56(4) of the Town and Country Planning Act, specifically "*(a) any work of construction in the course of the erection of a building and (aa) any work of demolition of a building*" and such works were carried out before the expiry of the planning permission and listed building consent.

Accordingly, it remains lawful for the development to continue in the future.

I trust that the enclosed information is sufficient in order to validate the application. If you have any queries, please do not hesitate to contact me or my colleague Roger Hephher.

Yours faithfully,

**Jill Bell**

**Associate Director**