

Application ref: 2022/1326/P  
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Date: 13 September 2022

**Development Management**  
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Lichfields  
Lichfields  
The Minster Building  
Mincing Lane  
London  
EC3R 7AG  
United Kingdom

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990

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

The Council hereby certifies that on the 11 May 2022 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:

Confirmation that under 191 (1) (c) the failure to comply with condition 19 and drawing 023 Rev J of planning permission 2006/5700/P granted on the 12/03/2007 is lawful because the play space and roof terrace on the fifth floor of building B (as per drawing 023 Rev J) were not implemented.

Drawing Nos: Drawing 023 (Rev J), 450/003, 450/138, 450/139, 450/140, Aerial Imagry Note (64423/01), Council Tax statements, Cover letter (10/03/2022), and Photos

#### Second Schedule:

**22-24 St Pancras Way**  
**London**  
**Camden**  
**NW1 0NT**

#### Reason for the Decision:

- 1 Failure to comply with condition 19 and drawing 023 Rev J of planning permission 2006/5700/P granted on the 12/03/2007 is lawful because the details of the play space have not been submitted and the play space and roof terrace on the fifth floor of building B (as per drawing 023 Rev J) were not implemented, and the breach is immune from enforcement action because it has occurred continuously for more than ten years.

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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

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 matter specified in the First Schedule taking place on the land described in the Second Schedule was lawful on the specified date and thus, was not liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This Certificate applies only to the extent of the matters described in the First Schedule and to the land specified in the Second Schedule. Any use, operations, or other 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.