

Application ref: 2022/2897/P
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Date: 16 November 2022

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Miss Julia Booker
23 Charlbert Court
Charlbert Street
London
NW8 7BX
undefined

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Existing) Granted

The Council hereby certifies that on the 20 September 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:

Use of ground floor room as a self-contained studio flat (Class C3).

Drawing Nos: Site location plan; Plan of Flat 2 with dimensions; Council Tax confirmation letters for Mr A Booker, Flat 2 for years 2008/2009; 2009/2010; 2010/2011; 2011/2012; 2012/2013; 2013/2014; 2014/2015; 2015/2016; 2016/2017; 2017/2018; 2018/2019; 2019/2020; 2021/2022; 2022/2023; Letter from Andrew Booker dated 07/07/22; Utility bills Southern Electric - July 2011 to December 2017; Utility bills Thames Water - June 2008 to present (2022); Letter from Foxtons - sale confirmation; Letter from Abacus dated 29/05/08; Letter from Wilmotts Chartered Surveyors dated 04/06/18; Letter from Kirkwood Solicitors dated 27/05/08; Land registry documents dated 19/06/08 and Lease dated 20.08.04.

Second Schedule:

Flat 2
136 Fordwych Road
London
NW2 3PB

Reason for the Decision:

Informative(s):

- 1 The use as self-contained residential unit (Class C3) began more than four years before the date of this application.

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.