

Application ref: 2022/5332/P
Contact: Fast Track SC
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Date: 22 February 2023

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Mr David Weston-Thomas
Flat 2 Shaftesbury Avenue
231 Exide House,
London
Camden
WC2H 8EL

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Existing) Granted

The Council hereby certifies that on the 15 February 2023 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:

Air-conditioning unit located on the external wall within a light well.

Drawing Nos: Location Plan; Block Plan; Invoice 4930: Pioneer Refrigeration Ltd - Air-conditioning installation - 15/11/2007; Invoice 15372: HVAC & Facilities Services - Maintenance of Air-conditioning - 28/8/2012; NIC/EIC - Electrical Installation Certificate - 23/04/2008; Photo from 2008 showing air-con grill internally; Email to/from Christopher Clarke - (Former owner of Flat 5) - 5/12/2022; Email correspondence with Dimitri Ukraintsev: (former owner of Flat 3) - 1/12/2022; Current photograph.

Second Schedule:

Flat 2
Exide House
231 Shaftesbury Avenue
London
Camden
WC2H 8EL

Reason for the Decision:


- 1 The works were substantially completed 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 operations specified in the First Schedule taking place on the land described in the Second Schedule would have been lawful on the specified date and thus, would not have been liable to enforcement action under Section 172 of the 1990 Act on that date.
3. 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.