

Drawing and Planning Ltd
Mercham House 25-27
The Burroughs
Hendon
Greater London
NW4 4AR
United Kingdom

Application Ref: **2015/4042/P**
Please ask for: **Zenab Haji-Ismail**
Telephone: 020 7974 **3270**

21 August 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Existing) Granted

The Council hereby certifies that on the 18 August 2015 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 a room within flat 4 as a chauffeur's office.

Drawing Nos: Os extract, FLLRD-P001, FLLRD-P002, FLLRD-P003, FLLRD-P101, FLLRD-P102 and FLLRD-P103.

Second Schedule:

**159 Fellows Road
London
NW3 3JJ**

Reason for the Decision:

- 1 The works are not considered to fall within the "meaning of development" requiring planning permission as defined by the Town and Country Planning Act 1990.

Informative(s):



1 Reason for granting certificate of lawfulness:

The proposed use of a room with a residential flat is not considered as 'development' under Section 55 of the Town and Country Planning Act 1990. The room will be used as an operational office of a chauffeur business which would involve the making and receiving calls. The business would be operated by a father and a daughter that live at the property. Confirmation has been received that there would be no comings and goings of vehicles as a result of the use. Based on the evidence that has been received to date, it is considered that the proposed use of a room as an office by the occupants of the house does not require planning permission.

- 2 The applicant should note that if the use results in the comings and goings of vehicles or is materially different from that described in the application planning permission may be required for a change of use.
- 3 The applicant should note that should there be any intensification of use, planning permission would be required.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Ed Watson
Director of Culture & Environment

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.