

Application ref: 2023/1686/P
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Date: 16 June 2023

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Mrs Caroline McIntyre
DP9
100 Pall Mall
London
SW1Y 5NQ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Existing) Granted

The Council hereby certifies that on the 23 May 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: Use of lower ground and ground floors as Class E use
Drawing Nos: Site Location Plan, Cover Letter (dated 05/04/2023), Enclosure 1 (2012 Design and Access Statement), Enclosure 2 (Decision notice 2017/5598/P), Enclosure 4 (Live Valuation Report dated 05/08/2011), Photographic Evidence 2008-2019

Second Schedule:
Ground and Basement Floors
12 - 16 Fitzroy Street
London
W1T 4BL

Reason for the Decision:

- 1 The lower ground and ground floors of the building have been in use as an office (Class E) for a period of more than 10 years before the date of this decision.

Informative(s):

- 1 N/A

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 use 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 described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use 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.