

P.B.A  
22 Arlington Street  
St James  
London  
SW1A 1RD

Application Ref: **2012/3978/P**  
Please ask for: **Rachel Miller**  
Telephone: 020 7974 **1343**

5 November 2012

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990, Section 191 and 192  
Town and Country Planning (Development Management Procedure) Order 2010

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

The Council hereby certifies that the development described in the First Schedule below, on the land specified in the Second Schedule below, would be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 as amended.

#### First Schedule:

Use of basement and ground floors as retail (Class A1).  
Drawing Nos: Site Location Plan; (Prefix 12/08/) 01, 02, 03B, 04B.

#### Second Schedule:

**6 Heath Street**  
**London**  
**NW3 6TE**

#### Reason for the Decision:

- 1 The proposed use described, is considered to be within the A1 Use Class. It is considered that no change in Use Class would take place and therefore planning permission is not required.

#### Informative(s):

1



## 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.

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