

Bilfinger GVA  
65 Gresham Street  
London  
EC2V7NQ

Application Ref: **2016/3331/P**  
Please ask for: **Hugh Miller**  
Telephone: 020 7974 **2624**

27 July 2016

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990

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

The Council hereby certifies that on the 04 July 2016 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:

Commencement of works in accordance with condition 1 (within three years from date of permission) of planning permission ref 2012/2774/P, granted 16/02/2015/P, for change of use at 167 -177 Shaftesbury Avenue; first floor level from offices (Class B1a) to six self-contained residential units (Class C3) comprising of 2 x 2 bedroom and 4 x 1 bedroom flats plus associated internal and external alterations to include a new ground level louvred, bin store door.

Drawing Nos: Location plan; GVA - cover letter dated 15th June 2016 & appendices; Letter of Intent 'contract' dated 9th May 2016; Photographs - [gva.co.uk](http://gva.co.uk); Statutory Declaration by Joseph Mansour, dated 30/06/2016; Legal opinion - Howes Percival LLP.

#### Second Schedule:

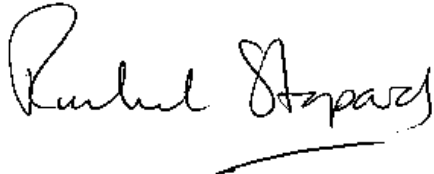
**167-177 Shaftesbury Avenue**  
**London**  
**WC2H 8JR**

Reason for the Decision:



- 1 The evidence submitted confirms that the works carried out in association with the implementation of planning permission 2012/2774/P dated 16/02/2015/P for change of use at [167 -177 Shaftsbury Avenue] first floor level, from offices (Class B1a) to six self-contained residential units (Class C3) comprising of 2 x 2 bedroom and 4 x 1 bedroom flats have commenced prior to the expiration of the permission.

Yours faithfully



Rachel Stopard  
Executive Director Supporting Communities

#### 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.