

Town Legal LLP
1 London Wall Buildings
London Wall
London
EC2M 5PG

Application Ref: **2017/2461/P**
Please ask for: **Lisa McCann**
Telephone: 020 7974

1 September 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Existing) Granted

The Council hereby certifies that on the 14 June 2017 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 relation to planning permission ref: 2011/3636/P dated 17/04/2014 for the creation of a new underground swimming pool with ancillary plant and gym rooms next to 8 East Heath Road, connected to the main building via a basement corridor link and in relation to listed building consent ref: 2011/3639/L dated 23/04/2014 for demolition of garage adjacent to 8 East Heath Road and creation of a new underground swimming pool with ancillary plant and gym rooms connected to the main building via a basement corridor link.

Drawing Nos: Drawing Nos: (Approved plans for reference 2011/3636/P) KHS/OS; KHS/S001; S101; 102; 201; 202; 203; 301; KHS/001; 101A; 102A; 201A; 301A; 302A; 303; Design and Access Statement Proposed Redevelopment by Belsize Architects dated August 2007; Basement Impact Assessment by Taylor Whalley Spyra dated June 2012 Ref GB/8414-BIA-Version 1.0; Construction Management Plan by Taylor Whalley Spyra dated 12 June 2012 Ref GB/8414 Version 1.0; CMP05; CMP06; CMP07; Addendum to Basement Impact Assessment by Taylor Whalley Spyra dated May 2013 Ref GB/8414-BIA-ADDENDUM-Version 2.0; Basement Impact Assessment Non-Technical Summary by



Taylor Whalley Spyra dated November 2013 Ref GB/8414-BIA Non-Technical Summary Version 1.0; Taylor Whalley Spyra Wallap information Ref 8414 dated 06/11/13; Letter from Barton Willmore dated 10/12/2013 Ref 20182/A3/AB/dw

Second Schedule:

**50 Well Walk
London
NW3 1BT**

Reason for the Decision:

- 1 The evidence submitted confirms that material operations have commenced on site in connection with the implementation of planning permission 2011/3636/P dated 17/04/2014 and listed building consent 2011/3639/L dated 23/04/2014 prior to the expiration of the permission.

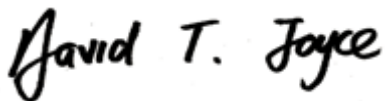
Informative(s):

1

You can find advice about your rights of appeal at:

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

Yours faithfully



David Joyce
Director of Regeneration and Planning

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.