

Guard Tillman Pollock Architects
161 Whitfield Street
London
W1T 5ET

Application Ref: **2018/0852/P**
Please ask for: **Lisa McCann**
Telephone: 020 7974 **1568**

8 June 2018

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Existing) Granted

The Council hereby certifies that on the 09 May 2018 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 M12/29/D/35161 and Listed building consent reference M12/29/D/HB3037 dated 25/04/1983 for the conversion of the third floor of 135 & 137 Whitfield Street to form a two bedroom/3 person flat; and also in relation to planning permission ref M12/29/D/37095 and Listed building consent reference M12/29/D/HB3352 dated 22/02/1984 for works of alteration, conversion and extension at 135-137 Whitfield Street to provide 2 x flats on the first and second floors, including the erection of a first floor rear extension; the uniting of the restaurant use on the ground floor by breaches of the party wall; and the erection of a 2 storey extension at the rear to form an extension to the kitchen and store.

Drawing Nos: Location Plan 5001/01/LP01, Site plan 5001/01/SP01, Site photos 1 5002/01/PH01, Site photos 2 5002/01/PH02, Document reference 5005002P 180208 D&A&H MG1 including Appendix 1.0 Approved listed building and planning application drawings for 1983 applications and decision notice - M12/29/D/35161 and M12/29/D/HB3037; 1984 applications and decision notice - M12/29/D/37095 and M12/29/D/HB3352, Basement plan as existing 5002/00/01, Ground floor plan as existing



5002/00/02, First floor plan as existing 5002/00/03, Second floor plan as existing 5002/00/04, Third floor plan as existing 5002/00/01, Contract for agreement for renovation grant works dated 23/10/1985.

Second Schedule:
135-137 Whitfield Street
London
W1T 5EL

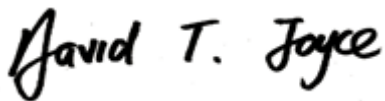
Reason for the Decision:

- 1 The evidence submitted confirms that material operations have commenced on site in connection with the implementation of planning permission reference M12/29/D/35161 and Listed building consent reference M12/29/D/HB3037 dated 25/04/1983; and planning permission reference M12/29/D/37095 and Listed building consent reference M12/29/D/HB3352 dated 22/02/1984 prior to the expiration of the permission.

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.