

Application ref: 2021/6166/P
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Date: 28 March 2022

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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990

Certificate of Lawfulness (Existing) Granted

The Council hereby certifies that on the 11 March 2022 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:

Change of use of basement and ground floors from Metropolitan Police Safer Neighbourhoods Unit to dental surgery
Drawing Nos: P627-S001; 0434-S-002; 0434-P-002; Planning decision notice dated 28th September 2009

Second Schedule:

179-181
West End Lane
London
NW6 2LH

Reason for the Decision:

- 1 The use of the existing basement and ground floors of the building are considered to fall within Class E as defined in the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. The use of the basement and ground floor as a dental surgery would also be a Class E use which would be lawful under the Use Classes Order. The use could be carried out lawfully under Class E and would not require planning permission.

Informative(s):

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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



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 would have been lawful on the specified date and thus, 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/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. This Certificate relates to the use as a dental surgery only and not to the new shopfront labelled on drawing 0434-P-002 hereby approved.
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.

