

**Our ref:** PP- 13281169  
**Email:** james.guthrie@quod.com  
**Date:** Xx July 2024



Planning Department  
Camden Council  
Camden Town Hall  
Argyle Street  
London WC1H 8EQ

For the attention of Development Control  
Via Planning Portal (PP- 13281169)

Dear Sir/Madam

## **Section 192 of the Town and Country Planning Act 1990 (as amended) Certificate of Lawfulness for Proposed Use or Development 2 Bloomsbury Square, London WC1A 2RL**

We are instructed by our client, Carlos/Ishikawa ('the Applicant'), to submit the enclosed application for a Certificate of Lawfulness of Proposed Use or Development ('CLPUD') under Section 192 of the Town and Country Planning Act 1990 (as amended) ('TCPA'). The application relates to establishing the lawful use of 2 Bloomsbury Square, London WC1A 2RL ('the Site').

Carlos/Ishikawa was established in 2011 and its primary activities are promoting artists and putting on art exhibitions, which are free to attend and open to the public (typical opening hours are Wednesday – Saturday, 12–6pm). Alongside this, we host other cultural, educational and community based projects (also open to the public and free to attend) such as: workshops with schools and education groups; educational and artistic talks and discussion groups; reading groups; art performances. (Please see the documentation attached of some of our exhibitions and cultural and educational events since 2011).

The CLPUD is required to provide comfort that the Applicant can undertake their activities within Use Class F.1, which is understood to be the lawful use of the Site.

### **1 Application Submission**

This application has been submitted via the Planning Portal under ref PP- 13281169. The following documents have been submitted alongside the application:

- Planning application form;
- Site Location Plan;
- Farebrother 2 Bloomsbury Square particulars;
- Carlos/Ishikawa Statement; and
- Carlos/Ishikawa Dossier.

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The requisite application fee of £289.00 has been paid to Camden on the day of submission along with the planning portal administration fee of £70.00 (including VAT).

## 2 Proposed Use

The Site is lawfully operated in Use Class F.1, which is defined in the Town and Country Planning (Use Classes) Order 1987 (as amended) as:

*Class F.1 Learning and non-residential institutions*

*Any use not including residential use—*

*(a) for the provision of education,*

*(b) for the display of works of art (otherwise than for sale or hire),*

*(c) as a museum,*

*(d) as a public library or public reading room,*

*(e) as a public hall or exhibition hall,*

*(f) for, or in connection with, public worship or religious instruction,*

*(g) as a law court.*

The Site is one of a kind, and represents an incredibly unique opportunity for Carlos/Ishikawa to bring forward a world-class gallery space.

The Applicant's proposed use would be as per the below:

*“Use of the Site for the display of works of art, with ancillary community events and art sales”*

This use entirely accords with Use Class F.1, with the ancillary sales having a functional link to the primary use and not presenting any conflict. As per the supporting statement from the Applicant, the primary function of the Site would be for the display of works of art, with on-site sales typically accounting for 5% or less of business.

Alongside displaying art, the Applicant would host other cultural, educational and community based projects (also open to the public and free to attend) such as: workshops with schools and education groups; educational and artistic talks and discussion groups; reading groups; art performances. All of which accord strongly with the learning and non-residential institutions uses set out under Class F.1.



### 3 Relevant legislation

This application is made under Section 192 of the TCPA 1990 (as amended). Section 192 of the TCPA refers to Certificates of Lawful Use for Proposed Use or Development. Section 192 (1) states:

*“(1)If any person wishes to ascertain whether—*

*(a)any proposed use of buildings or other land; or*

*(b)any operations proposed to be carried out in, on, over or under land,*

*would be lawful, he may make an application for the purpose to the local planning authority specifying the land and describing the use or operations in question.*

*(2)If, on an application under this section, the local planning authority are provided with information satisfying them that the use or operations described in the application would be lawful if instituted or begun at the time of the application, they shall issue a certificate to that effect; and in any other case they shall refuse the application.*

*(3)A certificate under this section shall—*

*(a)specify the land to which it relates;*

*(b)describe the use or operations in question (in the case of any use falling within one of the classes specified in an order under section 55(2)(f), identifying it by reference to that class);*

*(c)give the reasons for determining the use or operations to be lawful; and*

*(d)specify the date of the application for the certificate.*

*(4)The lawfulness of any use or operations for which a certificate is in force under this section shall be conclusively presumed unless there is a material change, before the use is instituted or the operations are begun, in any of the matters relevant to determining such lawfulness.*

### 4 Summary

This CLPUD application has been submitted on behalf of the Applicant under Section 192 of the TCPA to confirm that the proposed use is in accordance with the existing lawful use of the Site.

We trust that the enclosed documentation is sufficient for you to register this application and we look forward to receiving confirmation of this in due course.



If there is any further information we can provide to assist with the determination of this application, please do not hesitate to contact myself or the Applicant (Vanessa Carlos [vanessa@carlosishikawa.com](mailto:vanessa@carlosishikawa.com))

Yours sincerely

A handwritten signature in blue ink, appearing to read "Guthrie", enclosed in a light blue rectangular box.

James Guthrie  
**Director**

enc. As above  
cc. Vanessa Carlos (Carlos/Ishikawa)