

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		17/09/2007	
				<b>Consultation Expiry Date:</b>			
<b>Officer</b>				<b>Application Number(s)</b>			
Jenny Fisher				2007/3347/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
38 Chalk Farm Road London NW1 8AJ							
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
Certificate of Lawfulness for the Existing Use of the basement and ground floors as a sauna and massage parlour.							
<b>Recommendation(s):</b>		Issue a Certificate of Lawfulness for an Existing Use					
<b>Application Type:</b>		Certificate of Lawfulness (Existing)					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>	No. notified	00	No. of responses	00	No. of objections	00	
			No. electronic	00			
<b>Summary of consultation responses:</b>							
<b>CAAC/Local groups* comments:</b> *Please Specify							

### Site Description

Basement and ground floor premises located on the north side of Chalk Farm Road opposite The Stables.  
Within the Camden Town Centre and the Gospel Oak Neighbourhood Renewal area.

### Relevant History

12/11/1993 (9301244)

Continued use of the basement as a gymnasium and sauna.

Condition:

The use hereby permitted shall only be operated in conjunction with the existing sun-bed salon on the ground floor.

Reason:

To ensure that the premises are not used for independent purposes inappropriate to the character of the area.

Informative:

You are advised that the ground floor has planning permission for use as a sun-bed salon (granted 10 October 1980). (reg. No.30999) Continued use of the ground floor as a sun bed salon and the retention of the shop front.

### Relevant policies

## Assessment

Onus is on the applicant to provide documentary evidence to substantiate the claim the use has existing continuously for the last 10 years.

Establishment offering sauna and massage – sui generis.

Submitted:

- Statutory declaration from the Freeholder A. Yianni, purchased premises in 1960. States premises have been in use as a sauna for the provision of massage since before 1980 and has continued since then.
- Copy of lease dated 12<sup>th</sup> March 1997 declares A. Yianni to be the landlord.
- Copy of Massage or Special treatment Licence issued by L.B. Camden (3103/1984).
- Lease A.Yianni / Kenport Ltd. dated 21.11/2006. lease to Kenport Ltd. Registered with HM Land Registry under Title No. NGL876225.
- Floor plans showing the demise of the property.

It is considered that the applicant has demonstrated that the use has existed continuously for more than 10 years. Council records do not include information to dispute this.

Recommend issue of Certificate of Lawfulness for an Existing Use.