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Development Control  
Planning Services  
London Borough of Camden  
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Dear Sir/Madam

**Units 3 & 4, 112-124 Camden High Street, London, NW1 0RR  
Certificate of Lawful Existing Use or Development**

On behalf of our client, Penwell Design Concepts Limited, we are instructed to submit a Certificate of Lawful Existing Use application in relation to the above named site, for the following:

*“Existing use of the ground floor as unrestricted Class A1 Retail use, in accordance with planning permission ref. PL8903045R2”*

Accordingly, please find enclosed the following documents:

- The completed application form;
- A site location plan;
- Existing Drawings;
- Appeal Decision Notice - Including application ref. PL8903045R2
- Approved application drawings under application ref. PL8903045R2;
- Registered Title NGL696930; and
- Extract of “The Town and Country Planning (Use Classes) Order 1987 (as amended)”.

A cheque for £385 made payable to the London Borough of Camden to cover statutory planning application fee.

**Certificate of Lawfulness**

The application, and supporting evidence, demonstrates, in accordance with the tests set out within Section 191 of the Town and Country Planning Act 1990, as amended, that the lawful existing use of Units 3 & 4, 112-124 Camden High Street is Class A1 Retail, capable of occupation by all A Class Uses.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

Savills (UK) Limited. Chartered Surveyors. Regulated by RICS. A subsidiary of Savills plc. Registered in England No. 2605138.  
Registered office: 33 Margaret Street, London, W1G 0JD



The tests set out under of Section 191 of the Town and Country Planning Act 1990 are discussed in greater detail in the Planning Practice Guidance (PPG). Specifically, the chapter on Lawful Development Certificates sets out the following in regard to considering applications for a Certificate of Lawfulness for an Existing Use:

*“The applicant is responsible for providing sufficient information to support an application, although a local planning authority always needs to co-operate with an applicant who is seeking information that the authority may hold about the planning status of the land.”*

*“In the case of applications for existing use, if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant’s version of events less than probable, there is no good reason to refuse the application, provided the applicant’s evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.”*

### **Context for Application**

This certificate application seeks to confirm that the lawful use of the ground floor of Unit 3 & 4, 112-124 Camden High Street Class A1 Retail.



Units 3 and 4 are currently occupied by the Post Office, who operate a full range of services from the units including; Mail services, Identity and Licence Services, Driving Services, Travel Services and Financial Services. In addition to the counter services, the unit also includes self service counters.

In accordance with Part A of The Town and Country Planning (Use Classes) Order 1987 (as amended) a Post Office is listed as Class A1 Shops of the order where the sale, display or service is to visiting members of the public.

The following evidence has been collated and is submitted to demonstrate that Units 3 & 4, 112-124 Camden High Street are in Class A1 Retail Use:

### *Planning History*

The planning history for the site is extensive. The sites 112-124 and 112-126 have been subject to a number of planning applications and appeals for complete redevelopment.

In September 1989, the Planning Inspectorate considered the redevelopment of both 112-126 and 93 Bayham Street. Six Appeals were considered at this Inquiry comprising three proposed schemes. The planning applications are listed below, although corresponding Conservation Area Consents were also considered.

- Appeal A - Redevelopment to provide 5 retail shops 18 x 2 bed maisonettes 3 x 2 bed flats 17 x 1 bed flats servicing and car parking at 112-124 Camden High Street and 93 Bayham Street. (LPA Ref. PL8802040, Appeal Ref. T/APP/X5210/A/88/106576/P2)
- Appeal C - New A1 Retail premises to replace existing at 112-126 Camden High Street. (LPA Ref. PL8903045R2, Appeal Ref. T/APP/X5210/A/89/124479/P2)
- Appeal D - Refurbishment and extension to existing B1 premises at 93 Bayham Street (LPA Ref. PL8903046R2, Appeal Ref. T/APP/X5210/A/89/124526/P2)

The Inspector dismissed Appeal A and Allowed Appeals C & D.

It is considered that Appeal C comprises the current development implemented onsite today. The Appeal Decision and approved drawings have been submitted as part of this application. This consent does not contain any restrictive conditions or any S106 restrictions regarding the occupier of the Class A1 Units.

Since the date of the above consent, there have been other planning applications, however, these relate to the other units present in the building known collectively as 112-124 Camden High Street.

No further planning applications have been made to change the use of Units 3 & 4 of 112-124 Camden High Street. I attach a summary of the planning history covering 112-124 Camden High Street in **Appendix 1**.

### *Land Registry*

Submitted in support of the application, is the registered title for Units 3 & 4, 112-124 Camden High Street (Title Number NGL696930). This document sets out the original lease was signed by Iceland Frozen Foods on 19 May 1992. Following this the lease was transferred between (1) Iceland Frozen Foods Plc (Transferor) and (2) Post Office Counters Ltd. (Transferee) on the 16 January 1998.

This document sets out that the post office began their operations at the property on the 16 January 1988. The Post Office have therefore been in operation for a period of approximately 27 years.

It is therefore considered that the property is in lawful Class A1 Retail use.

VOA Council Tax Records

Units 3 & 4, 112-124 Camden High Street are in use as a Post Office and are liable for the payment of business rates. The VOA business rate records for the property show the use of the building as a shop and premises. It is considered that this also confirms the lawful use of the property as Class A1 Retail use.

Address of property: 112/114, CAMDEN HIGH STREET, LONDON, NW1 0LU  
 Rating list: 2010 (Current)  
 With effect from: 01 Apr 2010

A previous appeal has been made against this valuation. [View appeal details](#)

Description: SHOP AND PREMISES  
 Billing authority: CAMDEN  
 Billing authority reference: 00641011200003  
 Special category code: 249 - Shops  
 Basis of measurement: NIA  
 Valuation scheme reference: 114948  
 Unadjusted £ m2/unit: £1,100.00/m2

Ref.	Floor	Description	Area m2/unit	£ m2/unit	Value
1	Ground	Retail Zone A	84.00	£1,100.00	£93,280
2	Ground	Retail Zone B	84.00	£550.00	£46,200
3	Ground	Retail Zone C	83.80	£275.00	£23,045
4	Ground	Remaining Retail Zone	120.50	£137.50	£16,569
5	First	Internal Storage	285.80	£55.00	£15,719
6	Second	Nees/Staff Room	48.20	£38.00	£1,808
Total area:			707.10	Subtotal:	£198,722
Additional items					
Air Conditioning System			373.1	£7.00	£2,612
Total value:					£199,334
Rateable value:					£ 199,000

I want to:

- Understand how my valuation is calculated
- Compare this valuation with others
- View previous valuations
- Amend these valuation details
- Appeal against this valuation
- Contact the VOA

**Conclusion**

The body of evidence submitted, on the balance of probability, demonstrates that this property has been in continuous use as Class A1 Retail and in addition there are no conditions restricting the use or occupation of the property within Class A1 Retail.

As such, the existing use is eligible for receipt of a Certificate of Lawfulness for Existing Use.

I trust that everything is in order. Please do not hesitate to contact me as set out at the head of this letter if you require any further information.

Yours sincerely



**David Whittington**  
 Director

## Appendix 1 - Planning History

Reference	Site Address	Development Description	Decision
9003349	112-126 Camden High Street NW1 DUPLICATE APPLICATION	Change of use of a retail unit(Class A1) as permitted as part of the redevelopment of 112-126 for restaurant (Class A3) use as shown on drawing nos. AL(PG)01B and 1037/2.	Appeal Dismissed <b>10/05/1991</b>
9080432	112-124 Camden High Street NW1	The display of 5 x 48-sheet hoarding advertisements (Unilluminated) along the street frontage of the current re-development site as shown on one unnumbered drawing	Granted 12/02/1991
9003348	112-126 Camden High Street NW1	Change of use of a retail unit(Class A1) as permitted as part of the redevelopment of 112-126 for restaurant (Class A3) use as shown on drawing nos. AL(PG)01B 1037/2.	Refused <b>14/11/1990</b>
8802040	112-124 Camden High Sreet and 93 Bayham Street NW1	Redevelopment to provide 5 retail shops 18 x 2 bed maisonettes 3 x 2 bed flats 17 x 1 bed flats servicing and car parking *(plans submitted) Appeal received against the Council's failure to issue their decision within the appropriate period.	Appeal A - Dismissed <b>21/09/1989</b>
8870306	112-124 Camden High Street 93 Bayham Street NW1	Demolition of non-listed buildings in a Conservation Area. Appeal received against the Council's failure to issue their decision within the appropriate period.	Appeal B - Dismissed <b>21/09/1989</b>
8903045	112-126 Camden High Street NW1	Redevelopment of 112-126 Camden High Street by the erection of a three storey building to provide retail units together with servicing from Bayham Street as shown on drawing nos F13 06 411 Front Elevation 411 Rear Elevation 411 P29 411 P30 411 P31 411 01 411 02 411 03 411 04 and 411 05 as revised on 18.04.89.	Appeal C - Allowed <b>21/09/1989</b>
8903046	93 Bayham Street NW1	Refurbishment of 93 Bayham Street and the erection of an additional storey to 93 Bayham Street for use within Class B1 of the Town and Country Planning (Use Classes) Order 1987 as shown on drawing nos F13 06 411 P10 411 P11 411 Truck Access Study 411 11 411 12 and 411 13 as revised on 18.04.89.	Appeal D - Allowed <b>21/09/1989</b>
8970404	112-126 Camden High Street NW1	Application for Conservation Area Consent to demolish an existing building as shown on drawing no. F13 06.	Appeal E - Allowed <b>21/09/1989</b>
8970430	93 Bayham Street NW1	Part demolition and reconstruction/extension of B1 premises.*(plans submitted) Appeal received against the Council's failure to issue their decision within the appropriate period.	Appeal F - Allowed <b>21/09/1989</b>
8903201	112-126 Camden High Street & 93 Bayham Street NW1	New retail premises to replace existing. No change of use Refurbishment and extension of existing B1 premises. *(plans submitted)	Registered <b>18/04/1989</b> Withdrawn
8970429	93 Bayham Street & 112-126 Camden High Street	Demolition and reconstruction of ex-retail. Part demolition and reconstruction/extension of B1 premises. *(plans submitted)	Registered <b>06/04/1989</b> Withdrawn

Reference	Site Address	Development Description	Decision
8701278	Bowmans 112-126 Camden High St and 93 Bayham St NW1	Outline application for the redevelopment of the site to provide shops flats servicing and car parking as shown on drawing nos.3689/449 and 568/50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 and 72 and as revised on 7th January 1988.	Allowed <b>17/08/1988</b>
8770157	Bowmans 112-126 Camden High St and 93 Bayham St NW1	Demolition of unlisted buildings in a Conservation Area as shown on drawing nos.541/01B 02C 03A 04C 05C 06E 07E 08C 12D 18C 19B 20C 22B 23C 24A and 25A	Dismissed <b>17/08/1988</b>
8701497	Bowmans Site 112/126 Camden High Street and 93 Bayham Street NW1	Redevelopment of the site to provide five shops forty residential units and associated car parking and servicing as shown on drawing nos.3689/01 02 03 04 05 06 07 08 09 10 11 12A 13A 14 16 17A 18 19 20A 21A 22 24 and 25. Appeal received against Council's failure to issue their decision with in an appropriate period	Refused <b>21/03/1988</b>
8701111	Bowmans Site 112-126 Camden High St /93 Bayham St NW1	Redevelopment of the site to provide five shops thirty- eight residential units and associated car parking and servicing as shown on drawing nos.3689/49-72 (inclusive) and as revised on 7th January 1988.	Refused <b>10/03/1988</b>
8701332	Bowmans Site 112-126 Camden High St /93 Bayham St NW1	Outline application for redevelopment of the site to provide shops flats servicing and car parking as shown on drawing nos.3689/50-72 (inclusive) and as revised on 7th January 1988.	Refused <b>10/03/1988</b>
8700970	Bowmans 112-126 Camden High St and 93 Bayham St NW1	Redevelopment of the site to provide five shops forty residential units and associated car parking and servicing as shown on drawing nos.541/01B 02C 03A 05C 06E 07E 08C 12D 18C 19B 22D 23C 24A and 25A	Refused <b>18/02/1988</b>
8802041	Land at 112-126 Camden High Street 93 Bayham Street NW1	Redevelopment of site to provide shops flats servicing and car parking *(plans submitted)	Registered <b>27/01/1988</b> Withdrawn
8870307	112-126 Camden High Street 93 Bayham Street NW1	Demolition of non-listed buildings in a Conservation Area.	Registered <b>27/01/1988</b> Withdrawn
8701502	Unit 1 Bowman's Development 126-138 Camden High Street NW1	Change of use including works of conversion to a fast- food restaurant *(plans submitted).	Registered <b>14/12/1987</b> Withdrawn
8770235	Rear of 112-124 Camden High Street NW1	Demolition of the existing buildings at the rear (within the Camden Town Conservation Area) *(site plan only submitted).	Registered <b>17/11/1987</b> Withdrawn
8701205	Rear of 112-116 Camden High Street NW1	Renewal of planning permission for the use of part of the rear of 112-116 as an amusement centre as shown on 1-unnumbered drawing.	Refused <b>12/11/1987</b>

Reference	Site Address	Development Description	Decision
8701415	112-124 Camden High Street NW1	Demolition and redevelopment to provide a basement car park ground-floor library and retail and first second and third-floor studio/office space at the front and residential at the rear - In Outline *(plans submitted).	Registered <b>27/10/1987</b> Withdrawn
8601941	"Bowmans" 126-138 Camden High Street and 7-14 Greenland Street NW1	The refurbishment including alterations and extensions at fourth-floor level to 126(part) Camden High Street and fourth-floor dormers to 128-138 Camden High Street and change of use of 126(part)-138 Camden High Street and 7-14 Greenland Street from retail and storage to retail light industry and studio/office space and six residential units as shown on drawing nos.D101A D102A D103B D104B D105 D106 and SK30A and as revised on 23rd December 1986 and 27th February and 23rd July 1987.	Granted <b>23/07/1987</b>
8601940	112-124 Camden High Street NW1	Alterations involving various internal changes of use for retail office/design studio residential and branch library purposes *(plans submitted).	Registered <b>10/10/1986</b> Withdrawn
8601577	Unit 2 112/116 Camden High Street NW1	Change of use to restaurant *(no plans submitted).	Registered <b>26/08/1986</b> Withdrawn
8601190	112-116 Camden High Street	Renewal of limited period planning permission for use of part of the rear of 112-116 as an amusement centre as shown in one unnumbered drawing.	Granted <b>02/07/1986</b>
8500290	112-116 Camden High Street NW1	Change of use of rear section from retail to snooker and billiards club as shown on one unnumbered drawing.	Granted <b>19/02/1985</b>
8500138	112-116 Camden High Street NW1	Use of part of the rear of 112-116 as an amusement centre.	Granted <b>23/01/1985</b>
35488	Umlts 21, 22 & 23, 118/126 Camden High Street, NW1	Use as an amusement centre.	Granted <b>14/02/1983</b>
CTP/J12/15 /D/26252	112-126 (even) Camden High Street, N.W.1.	Demolition and redevelopment for flats, shops and offices on ground and four storeys.	Refused <b>26/10/1978</b>
22900	112-126 Camden High Street, NW1	Change of use of first, second and third floors and part of ground floor from; retail use to offices (1,305 dq m).	Refused <b>17/06/1976</b>