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TOOCA Architecture  
11 Lindway  
London SE27 0QL  
T: 02087666326

To: Hugh Miller BA (Hons)  
Planning Officer  
Regeneration and Planning  
Culture and Environment  
London Borough of Camden

12 March 2016

**Your Ref: 2015/5296/INVALID**  
**Our Ref: T/0064/CL**

Dear Mr. Miller,

**RE: 11 WARREN STREET, W1T 5LG; CHANGE OF USE FROM CLASS A1 (SHOPS) TO CLASS A3 (RESTAURANTS, CAFÉS)**

Further to your email dated 02.10.2015 regarding reasons of invalidation of the submitted planning application for change of use of premises located at 11 Warren Street, W1T 5LG. Please see below our response to the query requesting the setting out of the use of premises. Please note that our knowledge in this matter is limited and the below description based solely on the Client's statement, the original Lease Agreements dated 04 September 2009 and the Licence to Assign and Deed of Variation made on 30 May 2014, as we have tried unsuccessfully to obtain any formal decision issued by Camden Council to verify current planning status and the improvements made in the mentioned period of time.

The original Lease Agreement have been made between UK Influence Limited (Landlord) and Mina Raja (Tenant) on 04 Sep. 2009, where Clause 2.7 "User" describes:

*"Not to use or permit or suffer the demised premises or any part thereof to be used except as high class shop for retail sale of health food, health products and accessories including sandwiches, salads yoghurts and juices or such product as the Lessor shall previously consent to in writing..."*

The above clause clearly describes and give consent to the use of premises as A1(shop).

Our client Gloria Goh of Nyonya Café Ltd (Assignee) entered into agreement with UK Influence Ltd (Landlord) and Mina Raja (Tenant) on 30 May 2014 under Licence to Assign and Deed of Variation, where this licence is supplemental and collateral to the Lease.

The Clause 9.2 of paragraph 9.0 Deed of Variation describes:

*“The words contained in the first part of Clause 2.7 of the Lease shall be deleted and replaced with the following wording:*

*“2.7 Not to use or permit or suffer the demised premises or any part thereof to be used except as a Restaurant and Takeaway under User Class A3 and/or A5 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or as a high class shop for the retail sale of health foods, health products and accessories including sandwiches... ..” ”*

This clause of the Licence clearly describes and give consent to the use of premises as A3 (restaurants / cafes) / A5 (takeaways).

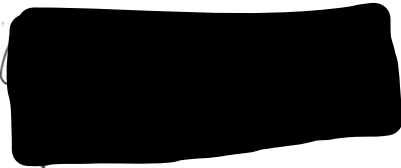
Before Nyonya Café Ltd entered into the agreement, the premises has been used by Health Food Centre, hot and cold food takeaway operated by Mina Raja. And the Health Food Centre is still running at No.10 Warren Street.

We have been informed by our client that on the day of commencement of the Licence i.e. 30 May 2014 the kitchen and extractor have been already installed in the premises.

We assume that the A3 use has started, sometime between 04 Sept. 2009 and 30 May 2014.

We trust that the above will be helpful in the assessment and establishing of final outcome.

Kind regards,



Gregory Gula, MSc Dip. Arch ARB  
TOOCA Architecture