



**OPERATING STATEMENT IN RESPECT OF PROPOSED USE AS A SHOP (USE CLASS A1) AT
325 KENTISH TOWN ROAD, LONDON, NW5 2TJ**

- 1.1 This Operating Statement has been prepared by JMS Planning & Development Ltd (JMSP+D) and is submitted in support of an application for a Certificate of Lawfulness for a Proposed Use or Development (CLOPUD) in respect of 325 Kentish Town Road, London, NW5 2TJ to confirm that the proposed use of the site as an A1 (shop) use with associated seating of up to a maximum of 28 seats is authorised. This application has been referenced 2008/0228/NEW by the London Borough of Camden ('the Council').
- 1.2 This Operating Statement should be read alongside the Planning Statement prepared by JMSP+D and submitted in support of the proposed Certificate of Lawfulness.

Background

- 1.3 The accepted and authorised existing use of the premises is as Use Class A1. This is acknowledged and accepted by the Council. The Applicant confirms this is the authorised use of the premises.
- 1.4 Following the unsuccessful application (LPA Ref: 2015/282/P) and subsequent appeal for the use of premises as a coffee shop to be occupied by Starbucks, the Applicant has remarketed the premises. In this respect, a number of enquiries from bakery/patisserie type uses have been received. These enquiries have all been for similar formats and, as such, a generic Operating Statement applicable to the marketing enquiries is set out below.
- 1.5 As explained within the accompanying Planning Statement, due to the nature of the previous refusal and appeal, the proposed tenants are seeking comfort through the use of a Certificate of Lawfulness that their proposed use of the premises, with a limited level of seating, would be lawful and would fall under a Class A1(shop) use.

Proposed Operation

- 1.6 A proposed bakery/patisserie use of the application site is proposed.
- 1.7 The proposed 'French style' bakery use would involve no primary cooking on site. Rather, the use will offer a large selection of filled rolls and baguettes, cakes, croissants, patisseries, tarts, yoghurts, granola etc and a selection of hot and cold drinks.
- 1.8 There will be no primary cooking on the premises and no hot food, meals would be served. There would, however, be baking and the warming up on site of prepared bread products, as is common to most café type uses.
- 1.9 Given the site's accessible location close to Kentish Town Underground and Overground Station, it is envisaged that the vast majority of trade would comprise products brought on site for consumption off the premises. However, common to most cafes/patisseries and similar to Tolli Patisserie and Pret a Manger along the same shopping parade, a limited number of seats are proposed inside the premises for customers who wish to consume products on site. However, the products to be consumed on site will comprise filled rolls, croissants and cakes etc. No formal meals will be served. It is not proposed to have table service or waiting staff. Neither is it proposed that there will be proper table settings, ie plate and cutlery set out on the tables for customers. Rather, in a similar fashion to Pret a Manger or other cafes, there will simply be tables for people to sit and eat the products purchased inside the proposed unit.
- 1.10 The precise number of tables and chairs is to be agreed (and will depend on the operator). The submitted Certificate of Lawfulness applies for a figure of up to 28 seats on the basis that this is the figure currently present in the Pret a Manger and Tolli Patisserie which are located within the same frontage, both of which the Council classes as A1 uses. This figure is though well below the number of seats in the Café Nero unit (49).

Conclusion

- 1.11 The proposed use of the premises is to be a patisserie/bakery, which is a Use Class A1 operation. No primary cooking is to occur on the premises, simply the majority of products will be filled rolled and sandwiches, cakes, croissants and tarts etc whilst there will be some warmed products. The vast majority of products are intended to be consumed off site, however a number of tables and chairs (up to a maximum of 28 covers) are proposed for customers who wish to eat products inside.