

12 and 12A Rosebery Avenue, 6 Warner Yard and, 22-26 (evens) Vine Hill
(ground and basement).

Planning Statement accompanying an application by Taganana Limited for a
certificate of lawful use.

1. The above address (ground and basement) has been occupied by the applicant Colyer Group continually since the 1990's. As a result they know how the space has been organised and are able to say it has been continually used for B1 purposes continually for more than 10 years ending with the date of this application.
2. There accompanies this application a statement by Mr Nigel Southey the Managing Director of the Colyer Group who has been in place since the 1990's.
3. The freehold of the property as a whole is in the ownership of the London Borough of Camden. The upper floors are in residential use and consequently an industrial use outside the B1 use class for the ground and basement would not be appropriate.
4. Planning History.
5. On 13 November 1990 planning permission was granted (PL/9000143) for a change of use of the ground and basement floors at the property from warehouse to mixed use for warehouse and light industrial with ancillary sales and offices. The applicant on that occasion was Colyer & Southey (Properties) Limited. There were 3 conditions attached to the permission and of particular relevance is condition 02 which specifies that the building shall be used only for light industrial and warehouse purposes and for no other purpose, (including any other purpose within classes B1 & B8 of the schedule of the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order. The reason for the imposition of that condition was to ensure that the future use of the building shall be in accordance with the Council's employment and economic activity policies as set out in section 3 of the written statement of the London Borough of Camden Local Plan 1987.
6. The use classes order sought to create a greater amount of use flexibility and the condition was to restrict that flexibility in accordance with the Camden policy of the time. It is pertinent to note that there appears to

have been a similar restriction imposed on nearby property at 13-19 Vine Hill. In that case permission was granted in in 1988 (8800179) to change its use from warehouse to B1 but restricted by condition. Then in 1991 permission was granted (9100440) for continued use of those premises without complying with that condition.

7. Property history.
8. A lease of the application property was granted by the London Borough of Camden to Colyer Graphics Limited on 3rd January 1997. This lease contained a user clause. It was to use the propertyfor the purpose of the sale and distribution of graphic and art materials including photographic laboratory bureau ancillary offices and storage together with any other use within class B1 of the Town and Country Planning (use classes) order 1987..... A further lease of the application property was granted between the same parties on 17 June 2010. Here the use authorised wasthe supply of commercial stationary office supplies and office equipment the installation and support of business computer systems and supply of exhibition and display systems and short run digital printing together with any other use within class B1 of the Town and Country Planning (use classes)Order 1987.....
9. Copies of those leases accompany this application.
10. The 2010 lease was for a period of 5 years. Since then a very long lease has been granted by Camden to another company, Taganna Limited. Mr Southey is also a director of that company and so his continued knowledge of the property remains intact. The usage remains as B1.
11. In 1996 plans for a fire strategy were agreed with the London Fire Brigade. These show the areas laid out largely for office use or other uses authorised by the B1 use class. Copies of those plans accompany this application.
12. Conclusion.
13. It is clear from, the actual use specified in the Statement by Mr Southey, as supported by the two leases, the fire plans and photographic evidence that the ground and basement floors have been in B1 use for a continuing period of more than 10 prior to the making of this application. Consequently this application seeks a certificate of lawful use of the ground and basement levels for B1 purposes.
14. There accompanies this application.
15. A location plan

16. A statement by Mr Nigel Southey
17. The photograph referred to by him
18. The planning permission 13 November 1990
19. The lease dated 3 January 1997
20. The lease dated 17 June 2010
21. The fire plans