

Application ref: 2019/2192/P  
Contact: Mark Chan  
Tel: 020 7974  
Date: 23 May 2019

**Development Management**  
Regeneration and Planning  
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Daniel Rinsler & Co  
Berkeley Square House  
Berkeley Square  
London  
W1J 6BD

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990

### **Certificate of Lawfulness (Proposed) Granted**

The Council hereby certifies that the development described in the First Schedule below, on the land specified in the Second Schedule below, would be lawful within the meaning of Section 192 of the Town and Country Planning Act 1990 as amended.

First Schedule:

Continued use of existing ground floor unit for retail purposes (Class A1).

Drawing Nos: Proposed General Arrangement - Drawing No. 1940-IDL-NA-GF-A-10-00

Statutory Declaration by Chief Executive Officer of FaceGym Ltd dated 23/04/2019

Site Location Plan

Cover letter by Daniel Rinsler & Co dated 23/04/2019

Second Schedule:

**73 Regent's Park Road**  
**London**  
**NW1 8UY**

Reason for the Decision:

- 1 The proposed use described is considered to be within the A1 Use Class. It is therefore considered that the proposal would not constitute a material change of use and planning permission is not required.

Informative(s):

- 1 You are advised that should the nature of the use change planning permission

may be required. Any alterations to the shopfront or signage would likely require separate planning permission and advertisement consent.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Daniel Pope  
Chief Planning Officer

#### Notes

1. This certificate is issued solely for the purpose of Section 192 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use\*/operations\*/matter\* specified in the First Schedule taking place on the land described in the Second Schedule was\*/would have been\* lawful on the specified date and thus, was not\*/would not have been\* liable to enforcement action under Section 172 of the 1990 Act on that date.
3. This Certificate applies only to the extent of the use\*/operations\*/matter\* described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use\*/operations\*/matter\* which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.
4. The effect of the Certificate is also qualified by the provision in Section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.