

Camden Council
5 Pancras Square
London
N1C 4AG

15 March 2021

Dear Sir/Madam,

Town and Country Planning Act 1990 (as amended)

RE: Use of existing premises at ground and lower ground floor levels as Use Class E
AT: 1 Rosebery Avenue, London EC1R 4SR

The applicant seeks a Lawful Development Certificate to use the existing premises at ground and lower ground levels as Use Class E.

The commercial premises have traditionally been used as offices. It was previously classed as Use Class B1 but, on 1 September 2020, the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 came into effect to change the lawful use class of the premises to Use Class E.

Paragraph 7 of the above Regulations notes that:

"For the purposes of the Use Classes Order, if a building or other land is situated in England, and is being used for the purpose of one of the following classes which were specified in Part A or B of the Schedule to that Order on 31 August 2020, as-

- (a) Class A1 (Shops),*
- (b) Class A2 (Financial and professional services),*
- (c) Class A3 (Restaurants and cafes), or*
- (d) Class B1 (Business),*

that building or other land is to be treated, on or after 1st September 2020, as if it is being used for a purpose specified within Class E (Commercial, business and service) in Schedule 2 to that Order."

The same Regulations also explain the definition of the newly created Use Class E in Part A of the Schedule 2:

"Class E. Commercial, Business and Service

Use, or part use, for all or any of the following purposes-

- (a) For the display or retail sale of goods, other than hot food, principally to visiting members of the public,*
- (b) For the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises,*
- (c) For the provision of the following kinds of services principally to visiting members of the public-*
 - (i) Financial services,*
 - (ii) Professional services (other than health or medical services), or*
 - (iii) Any other services which it is appropriate to provide in a commercial, business or service locality,*
- (d) For indoor sport, recreation or fitness, not involving motorised vehicles or firearms, principally to visiting members of the public,*
- (e) For the provision of medical or health services, principally to visiting members of the public except the use of premises attached to the residence of the consultant or practitioner,*
- (f) For a creche, day nursery or day centre, not including a residential use, principally to visiting members of the public*
- (g) For-*
 - (i) An office to carry out any operational or administrative functions,*
 - (ii) The research and development of products or processes, or*
 - (iii) Any industrial process,*

being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit."

The applicant seeks to use the premises as Use Class E as defined above and seeks a Lawful Development Certificate to confirm the lawfulness. Change to any use within Use Class E is not development as it does not constitute a material change of use.

Please do not hesitate to contact us if you require any further information.

Regards,



mediation of space · making of place

Members of the Royal Town Planning Institute

Registered in England 7911049 at 32 Woodstock Grove, Shepherds Bush, London W12 8LE