



**Town and Country Planning Act 1990 :
Section 191 & 192**

**(as amended by Section 10 of the
Planning and Compensation Act 1991)**

**Town and Country Planning (General
Permitted Development) (England) Or-
der 2015 (as amended)**

**LAWFUL DEVELOPMENT CERTIFI-
CATE FOR A PROPOSED USE**

198 KENTISH TOWN ROAD

CAMDEN

NW5 2AE

MAY 2021

The unit is 198 Kentish Town Road and is considered to have formerly operated under a Class A2 retail consent as a Nationwide Building Society. The unit has been vacant since the end of September 2020.

The new occupier will be Zambrero, who operate a former Class A3 fast food restaurant use. All cooking is through re heating the vacuum packed meats in a sous vide hot water cooker (no grease extract required or needed and no smells created by the cooking) and all other cooking (of the rice) is via rice cookers. No other machinery is to be installed. Hours of opening are Monday to Friday 10.30 to 22.30, Saturday / Sunday / Bank Holiday 10.00 to 22.30.

From 1 September 2020, subject to certain transitional provisions, former Class A2 uses and former Class A3 uses have been reclassified as Class E: Commercial, Business and Services uses under The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 amendment to The Town and Country Planning (Use Classes) Order 2015.

Under these new regulations Class E. Commercial, Business and Services allows for the use, or part use, for all or any of the following purposes (author's emphasis) -

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.

Both the existing and proposed uses fall within Use Class E as prescribed under The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 amendment to The Town and Country Planning (Use Classes) Order 2015 (as amended). The former Class A2 use is now a Class E(c)(i) use and the proposed former Class A3 use is now a Class E(b) use.

As such, the proposed use is held to constitute permitted development and is therefore lawful under the new Class E provisions.

