

**OUR REF: AE/DM/MB/R00609**  
**PP REF: PP-11165039**

Planning,  
Camden Council,  
Camden Town Hall,  
London,  
WC1H 8ND

31st March 2022

Dear Sir / Madam,

**APPLICATION FOR CERTIFICATE OF LAWFUL EXISTING USE IN ACCORDANCE WITH SECTION 191(1) OF THE TOWN AND COUNTRY PLANNING ACT 1990**  
**SHURGARD BLOOMSBURY, 3-16 WOBURN PLACE, LONDON, WC1H 0ND**

I write on behalf of our client, Shurgard UK Ltd, (the Applicant), to submit an application for a Certificate of Lawfulness for the Existing Use of the site at 3-16 Woburn Place, London, WC1H 0ND (the Application Site).

This application is submitted under section 191 of the Town and Country Planning Act 1990 as amended by section 10 of the Planning and Compensation Act 1991 and the Town and Country Planning (General Development Procedure) Order 1995, as amended.

This application seeks to demonstrate that the lawful use of the site is B8 (Storage and Distribution) use. We believe this is sufficiently evidenced by the below information and enclosed submission material.

**Application Considerations**

This application for a Certificate of Lawfulness seeks to establish that the use of the site is B8 (Storage and Distribution) is lawful.

Section 191(1) of the Act states:

*“(1) If any person wishes to ascertain whether—*  
*(a) any existing use of buildings or other land is lawful;*  
*(b) any operations which have been carried out in, on, over or under land are lawful; or*  
*(c) any other matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted is lawful,*  
*he may make an application for the purpose to the local planning authority specifying the land and describing the use, operations or other matter.”*

This application is therefore made in accordance with Section 191(1) of the Act. Section 191(2) of the

Act states:

- “(2) For the purposes of this Act uses and operations are lawful at any time if—*
- (a) no enforcement action may then be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason); and*
  - (b) they do not constitute a contravention of any of the requirements of any enforcement notice then in force.”*

It is considered that the use of the site is B8 (Storage and Distribution) use meets the provisions of Section 191(2)(a) and (b). In this case no such enforcement action has been raised and the site benefits from Planning Permission 2015/2811/P. This permission has been implemented under the terms of Section 56 which states:

(1) Subject to the following provisions of this section, for the purposes of this Act development of land shall be taken to be initiated—

- (a) if the development consists of the carrying out of operations, at the time when those operations are begun;
- (b) if the development consists of a change in use, at the time when the new use is instituted;
- (c) if the development consists both of the carrying out of operations and of a change in use, at the earlier of the times mentioned in paragraphs (a) and (b)

Paragraph 006 (Ref ID: 17c-006-20140306) of the Lawful Development Certificate Guidance details that the applicant is responsible for providing sufficient information to support a submission. The evidence to demonstrate that the use was initiated as per criterion (b) above submitted with this application is detailed as follows: -

- Confirmation of site planning history: -
  - a. Application Form (app. ref. 2015/2811/P);
  - b. Proposed Floor Plan (app. ref. 2015/2811/P);
  - c. Decision Notice (app. ref. 2015/2811/P);
  - d. Covering Letter (app. ref. 2016/1462/P).

Planning permission (app. ref. 2015/2811/P) was granted on 11 September 2015 for

*‘Change of use of car park (Use class Sui Generis) to self-storage facility (Use Class B8).’*

As made clear by the application form of this proposal, the B8 use covers the entire 2,105sqm site, including ancillary office space.

Further to this, a covering letter submitted 16 March 2016, provided as part of a subsequent application (app. ref. 2016/1462/P) for the installation of smoke extract louvres, states that the car park was vacated in September 2015, and was ‘soon to be used as a self-storage centre’.

The full site planning history is provided in the Appendix.

Paragraph 006 (Ref ID: 17c-006-20140306) continues to state the following:

*“In the case of applications for existing use, if a local planning authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant’s version of events less than probable, there is no good reason to refuse the application, provided the applicant’s evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.”*

As detailed above, the planning history contained within the submission clearly demonstrate that the use of the property as use class B8 was initiated under Planning Permission reference 2015/2811/P. This use has been maintained since continuously since implementation and endures to this current day.

On this basis it is considered that there is clear evidence that the use of 3-16 Woburn Place, London, WC1H 0ND is lawful by virtue of Section 191 of the Act, and thus it is respectfully requested that the certificate herein applied for is granted.

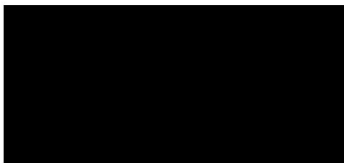
#### **Scope of the application**

The following documents are submitted with the application via the planning portal:

- This covering letter prepared by ROK Planning;
- The completed application form;
- The relevant application fee of £702;
- Site Location Plan;
- Confirmation of site planning history: -
  - Application Form (app. ref. 2015/2811/P);
  - Proposed Floor Plan (app. ref. 2015/2811/P);
  - Decision Notice (app. ref. 2015/2811/P);
  - Covering Letter (app. ref. 2016/1462/P).

I trust that you have all the information you require to validate this application. If, in the interim, you have any queries please do not hesitate to contact either Daniella Marrocco ([daniella.marrocco@rokplanning.co.uk](mailto:daniella.marrocco@rokplanning.co.uk)) or myself at this office. I look forward to your formal acknowledgement of the application.

Yours faithfully,



**Alun Evans**  
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**Appendix - Site Planning History**

<b>LPA Ref.</b>	<b>Description</b>	<b>Decision</b>
2016/1462/P	Installation of smoke extract louvres to rear self-storage facility roof (Class B8 use).	Granted 28/06/2016
2015/6521/P	Details of landscaping as required by condition 2 of planning application ref 2015/2811/P dated 11/09/2015 (for the change of use of car park to self-storage facility)	Granted 23/02/2016
2015/2811/P	Change of use of car park (Use class Sui Generis) to self-storage facility (Use Class B8)	Granted 11/09/2015