

Delegated Report		Analysis sheet	Expiry Date:	16/08/2022
		N/A	Consultation Expiry Date:	
Officer			Application Number(s)	
Fast Track SC			2022/2641/P	
Application Address			Drawing Numbers	
114 - 120 Camden High Street London NW1 0LU			Refer to Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Use of the ground floor retail unit (Class E(a)) as an office (Class E(g)(i))				
Recommendation(s):		Grant certificate of lawfulness		
Application Type:		Certificate of Lawfulness (Proposed)		
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice		
Informatives:				

Site Description

The host building is a three-storey terraced building with the Post Office currently occupying Units 3 & 4.

The application site is located at 114-120 Camden High Street, London, NW1 0LU. The property is not listed and is situated within the Camden Town Conservation Area.

Relevant History

2015/2752/P - Certificate of Existing Lawful Use - Use of the ground floor as Retail Class A1. Granted - 8/07/2015

2016/3472/P – Certificate of Existing Lawful Use - Use of the first and second floors of Units 3 and 4 as unrestricted retail. Granted - 24/08/2016

2019/1602/P – Full Planning Permission - Change of use of the first and second floors from ancillary retail to office and erection of a rear extension at second floor level. Granted - 19/02/2020

Relevant legislation

Town and Country Planning Act 1990

Town and Country Planning (Use Classes Order) 2015

The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020

Assessment

A certificate of lawfulness for proposed development has been submitted to establish that the proposed change of use of the ground floor Units 3 & 4 Post Office (Class E(a)) to an office (Class E(g)(i)) would be lawful.

On 1 September 2020, the Town and Country Planning (Use Classes Order) 2015 was amended and introduced new use classes.

The planning history at the application site demonstrates that the previous lawful use was retail (previous class A1. The history does not include any conditions restricting the use of the premises.

Class A1 has been revoked and a new class E was introduced on 1 September 2020. Schedule 2, Part A, of the amended use classes order has resulted in the uses previously falling with the following classes: A1, A2, A3, B1 along with some D1 and D2 uses, being under the same use class, Class E (commercial, business and service use). The applicant's evidence to substantiate the lawful use is reference to the site's planning history. On the basis of the site history, the local planning authority agrees that the existing lawful use of the ground floor which was previously Class A1 would now be within Class E. In accordance with NPPG stats that *'Movement from one primary use to another within the same use class in not development, and does not require planning permission.'* Therefore, movement between (Class E(a)) to (Class E(g)(i)) uses at the premises would result not be a material change of use under the amended GPDO as such would not constitute development.

Recommendation: Grant Certificate of Lawful development.