

Planning, Policy & Decisions Team
London Legacy Development Corporation
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To Whom It May Concern,

Application for Lawful Development Certificate (Proposed Use), The Last Drop, Queen Elizabeth Olympic Park, London

London Legacy Development Corporation (LLDC) are submitting this application for a Lawful Development Certificate to confirm the use of the Last Drop falls within Class E uses.

The application site is located within the London Borough of Newham, and within the LLDC Local Planning Authority jurisdiction. However, for the purposes of determining Lawful Development Certificates, the planning authority is Newham. The application site is solely owned by LLDC.

The planning application includes the following information:

- Completed planning application form;
- Existing Ground Floor Plan;
- Existing First Floor Plan;
- Arrangements have been made for electronic transfer for the application fee of **£490**

Background

On the 1st September 2020, the Use Classes Order (the Order) was amended which resulted in Parts A and D of the Order being revoked. A new Class E (Commercial, business and service) was inserted which subsumed the previous Class A1 (shops), A3 (Restaurants and Cafes), A4 (Drinking Establishments) and D1 (Non-residential Institutions).

The Last Drop has been operational for 7 years since opening in 2015 following the grant of planning permission 12/00064/FUM and has been operational as a multi-use venue but predominantly as Restaurant and Café with ancillary takeaway functions. The venue has also been used for external hire for a range of functions falling within the previous A4 and D1 use classes.

No external or internal works are being considered to the building and the building will continue to operate in its current form. The reason for establishing the current Class E is to ensure the building remains as flexible as possible to ensure the viability of operations in a lawful manner at the South Park Hub moving forward. This reflects the previous intent of the building through the varied uses being consented and the reasons for the changes to the Use Class Order to enable a repurposing of buildings on high streets and in town centres quickly and in response to changing demand.

This lawful development certificate application seeks to confirm that the lawful use of the Site is now Class E and that the occupation of the Site by any proposed Class E use would be lawful.

Existing planning permission

Planning permission for 1,378sq.m of A1, A3, A4, A5 and D1 uses was approved as part of the wider Queen Elizabeth Olympic Park, south park planning consent ref: 12/00064/FUM. The planning application was approved in November 2012. The description of development was as follows:

*“Laying out of hard and soft landscaping, street/park furniture, play equipment, 4 kiosk structures (98.5sqm Class A1, A3, A4, A5), Orbit security building (144.5 sqm), **and a two storey South Park Hub building (1,378 sqm Class A1, A3, A5, D1) to provide park offices, cafe and retail facilities.**”*

For the purposes of this application, only the south park hub building is only relevant.

Conclusion

Section 55(2) of the Town and Country Planning Act confirms that a change in the primary use of land or buildings, where the before and after use falls within the same use class, does not amount to development. Therefore, a change in use within the same use class is lawful and does not require planning permission.

Given the previous planning permission and how the site has been operated since opening, the lawful use of the Site is formally Class A1, A2, A4 and D1 with ancillary A5 use, the new defined use class is Class E. This use is unrestricted. Section 55(2) allows the use of the Site to change within Class E without requiring planning permission. For this reason, the proposed change of use to Class is lawful and a certificate confirming this should be issued.

I trust this application provides all the information you require and I look forward to the application being validated. If you have any queries with regards to the submission, please do not hesitate to contact myself on 0203 288 1790 or craigroberts@londonlegacy.co.uk.

Yours Sincerely,

Craig Roberts MRTPI

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cc. Ed Fane, LLDC