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14th August 2023

Dear Josh

Dilke House, 1 Malet Street, London. WC1E 7JN
Application pursuant to Section 96a of the Town and Country Planning Act for a non-material amendment to permission 2021/5145/P

This application is submitted pursuant to Section 96a of the Town and Country Planning Act to amend the approved floorplans at Dilke House to reconfigure the provision of office and flexible office/education floorspace to meet the requirements of the proposed occupier, West Dean, and allow for the viable occupation of the building (which has been vacant since July 2020). The application also seeks to amend the wording of Conditions 2, 3 and 4 attached to planning permission 2021/5145/P to regularise the permission in accordance with the revised layout.

Background

Dilke House comprises a six storey (plus basement) building which is located within the Bloomsbury Campus Area (an area noted for containing a concentration of education uses). It has been vacant since July 2020, but has previously been used for both office and education uses. Full details of the planning history and occupation of the building were presented in the original planning application (ref: 2021/5145/P).

The building is owned by the University of London, who obtained planning permission on 22nd May 2022 for a dual use of Class E (office) and Class F1 (education) at ground, first, second and third floor (ref: 2021/5145/P). This planning permission reflected the requirements of the proposed occupier at the time, Glion, a hospitality higher education provider. In approving this planning application, the Council acknowledged that both education and office uses were appropriate in this location; however, they required that a quantum of floorspace remained solely in office use to address Policy E2 of the Camden Local Plan. A total of 502sqm GIA of office floorspace was identified on the approved plans.

The description of development on the decision notice is as follows:

Change of use from business (Class E) to an alternative use of either offices (Class E(g)(i)) or education provision (Class F.1(a)) on the ground, first, second and third floors.

This permission was subject to four planning conditions. Condition 2 requires the development to be carried out in accordance with approved plans 1240 Rev. P03, 1241 Rev. P02, 1242 Rev. P02, 1243 Rev. P03, 1244 Rev. P03, 1245 Rev. P03, 1246 Rev. P03.



Conditions 3 and 4 were attached to the decision notice, restricting the use classes to certain floors in order to secure the required quantum of office floorspace. The floors referenced within Conditions 3 and 4 reflect the layout set out in the approved plans.

Conditions 3 and 4 read as follows:

- 3 *The lower ground, fourth and fifth floors shall continue to be only used as Class E(g)(i) Office and shall not be used for any other purposes without planning permission from the Local Planning Authority.*

Reason: To protect premises that are suitable for continued business/office use in accordance with policy E2 of the Camden Local Plan 2017.

- 4 *The ground, first, second and third floors shall only be used as Class F.1(a) Education and shall not be used for any other purposes within Class F1 without planning permission from the Local Planning Authority.*

Reason: To prevent the loss of education premises and to avoid potential harm to neighbouring amenities in accordance with policies C2 and A1 of the Camden Local Plan 2017.

It is noted that the purpose of Conditions 3 and 4 was to secure the overall quantum of floorspace in each use; the Council had no preference regarding which floors should be in which uses.

Proposed Amendments

Since the approval of permission 2021/5145/P, circumstances have changed, and Glion no longer intend to occupy the building. The Applicant is in the process of securing a new occupier, West Dean, a higher education provider offering diplomas, foundation degrees, masters and short courses in arts, design, craft and conservation. West Dean intend to occupy the building in a similar manner to the previously proposed occupier, with student support services and administration carried out within the office floorspace and teaching within the rooms allocated for education. In order to ensure that the building meets their operational requirements, it is proposed to reconfigure the approved layout, allocating office and flexible office/education floorspace across the building, while maintaining the overall quantum. A total of 506sqm GIA office floorspace is proposed, which is comparable with the approval quantum of 502sqm GIA.

In order to allow for the approval of the revised layout, the Applicant is seeking to amend the description of development, as follows:

Change of use from business (Class E) to an alternative use of either offices (Class E(g)(i)) or education provision (Class F.1(a)).

The Applicant is seeking to amend Condition 2 (which references the plan numbers), as follows:

The development hereby permitted shall be carried out in accordance with the following approved plans- 1240 Rev. P05, 1241 Rev. P05, 1242 Rev. P05, 1243 Rev. P05, 1244 Rev. P05, 1245 Rev. P05, 1246 Rev. P05

The Applicant is also seeking to amend Conditions 3 and 4, to allow for a mix of both office and flexible office/education floorspace across all of the floors. The overall quantum of office and education floorspace will be secured through the approved plans, in line with normal planning practice. It is proposed to amend Conditions 3 and 4 as follows:



- 3 *Class E(g)(i) Office floorspace shall be provided in accordance with the approved plans.*

Reason: To protect premises that are suitable for continued business/office use in accordance with policy E2 of the Camden Local Plan 2017.

- 4 *Class F.1(a) Education floorspace shall be provided in accordance with the approved plans.*

Reason: To prevent the loss of education premises and to avoid potential harm to neighbouring amenities in accordance with policies C2 and A1 of the Camden Local Plan 2017.

Pre-Application Discussions

Pre-application discussions were held with Neil McDonald, Team Manager in June 2023 to discuss the proposed amendments. Mr McDonald's email of 21st June confirms that the Council have no material preferences regarding which floors should be occupied by which uses, and the purpose of Conditions 3 and 4 was to secure the overall quantum of floorspace in each use. The submission of revised plans indicating the same proportions of office and education floorspace on different floors and amending the relevant conditions could therefore be considered a non-material amendment under Section 96a.

In summary, this non-material amendment seeks to amend the approved floorplans at Dilke House to reconfigure the provision of office and flexible office/education floorspace to meet the requirements of the proposed occupier, West Dean, and allow for the viable occupation of the building (which has been vacant since July 2020). Conditions 2, 3 and 4 are proposed to be amended to accommodate this reconfiguration.

As agreed with Officers through pre-application discussions, the proposed changes are considered to be non-material and this application is submitted pursuant to Section 96a of the Town and Country Planning Act.

I trust that this application can be validated but if you have any queries or require further information please don't hesitate to contact me.

Yours sincerely



Mel Mantell
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