

Ewan Campbell
c/o London Borough of Camden
5 Pancras Square
London
N1C 4AG

14th September 2023

Dear Mr Campbell,

The Earnshaw, New Oxford Street, London WC1A 1DG

Application for Planning Permission to Change Use of Units 1, 2 and 3 at Basement and Ground Floor Levels

On behalf of our client, GSK, please find enclosed an application for full planning permission at The Earnshaw, New Oxford Street, WC1A 1DG ('the Site'). The description of the development is as follows:

'Temporary change of use of retail units 1, 2 and 3 at ground and basement levels to a restaurant, vertical farm and community space (Use Class Sui Generis); new fire door on Earnshaw Street elevation'

GSK is a global biopharma company with a purpose to unite science, technology and talent to get ahead of disease together.

GSK recently signed a 17-year lease for the entire building and is excited to be moving its global headquarters to Camden. The Earnshaw will provide a fantastic focal point for around 3,000 GSK people to meet, collaborate and ultimately deliver solutions for the urgent healthcare challenges facing the world. GSK aspires to create one of the world's healthiest workplaces and the proposed basement and ground floor offerings will be a fundamental part of their operational requirements for the building.

Application Site

The Site contains a recently constructed 10 storey office building (plus basement and ground) on the south side of New Oxford Street. The basement and ground floors have permission to be used for restaurant and retail uses (Use Classes A1/A3) under planning permission ref: 2017/0618/P. The upper floors have permission to be used as offices (Use Class B1).

With reference to Camden's Local Plan (2017), the site is within the Central Activities Zone (CAZ), the Central London Area and Tottenham Court Road Growth Area. The Site is not located within a retail frontage but is located opposite the Tottenham Court Road Central London retail frontage on the north side of New Oxford Street. It does not contain a listed building and is not located within a conservation area.

Background

Planning permission for The Earnshaw (Castlewood House) as well as Medius House was initially granted on 21 December 2017 (LBC ref: 2017/0618/P) for redevelopment of the Site. That planning permission included six retail units to The Earnshaw, comprising three units along New Oxford Street, one unit on New Oxford Street to the east of the arcade and two units on Bucknall Street on the southern end of the site. Basement retail is located in an 'L' shape along New Oxford Street and Earnshaw Street.

Several amendments to this permission have been subsequently granted. Relevant to this application, a section 73 permission (LBC ref: 2021/4162/P) for alterations to the consented basement retail was granted to reduce the A1/A3 space at basement level and replace with ancillary office space (Class B1) for the floors above.

Condition 10 of both the original and Section 73 permission states:

“Food and drink uses within Class A3 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, shall not comprise more than 33% of the ground and basement floor retail area hereby approved”.

As of 1 September 2020, classes A1, A3 and B1 all now fall within Class E and changes of use between these now superseded use classes would not ordinarily require planning permission. However, this is only applicable where the original use has been implemented. In this instance, the consented A1, A3 and B1 uses have not been implemented given the recent construction of this building. The ground and basement level units are therefore in A1 and A3 use until such time as the units have been occupied.

Proposed Development

The application relates to Units 1-3 along New Oxford Street at ground and basement level. GSK is seeking a temporary permission to use Units 1-3 as a vertical farm, restaurant and community space (Sui Generis) for the duration of its lease.

The vertical farm in the basement will produce a range of superfoods – forming many of the plant-based dishes in the restaurant at ground floor level, with the lowest possible ‘growth to mouth’ carbon footprint. Units 1-3 on the ground floor will provide a restaurant space for GSK staff before 9 am on weekdays. After 9 am and at weekends, the restaurant space would be open to the public and function as a conventional A3 restaurant use. Further details on opening times are included in the Operational Management Plan.

The ‘Pharm’ restaurant branding (subject to confirmation) has been developed to differentiate the space from the office, so the facility is vibrant and welcoming, and seen as an entirely separate operation. This separation from GSK will also support the supplier in operating the space during public access.

Community access and engagement will be at the heart of GSK’s operation of this space. The ground floor has been designed to be versatile and flexible, so the space can be used for a variety of different events, both for GSK and the local community. Alongside the event space and healthy dining experience, the farm will be open to school and

community group visits to help educate people about healthy eating and sustainable food production. As previously committed, all excess produce will be provided to local charity and foodbank services. A Community Engagement Co-ordinator will also be employed to plan and execute an annual engagement strategy to actively promote use of the space by the wider community and for educational events. Full details of how the use will operate are set out within the draft Operational Management Plan that accompanies this application.

Units 4-6 are not part of the application, and these units would be retained as retail/restaurant as allowed under the current consent. The access points to the units will remain along New Oxford Street.

Planning permission is also sought for a new fire exit at ground floor level on the Earnshaw Street façade.

Planning Considerations

The proposed use would retain the active frontage – a key benefit of the approved scheme when Camden originally approved The Earnshaw in December 2017. At the time, The Earnshaw’s predecessor (Castlewood House) had no display windows or active uses on the New Oxford Street frontage. As per the officers’ report, their introduction was *“welcomed as it would serve to activate the ground floor frontage, greatly enhancing the street-scene and strengthening the retail function of New Oxford Street in this location”*.

We note that the Camden Local Plan does not necessarily require frontages to be directly accessible by passers-by to be considered active. Paragraph 7.11 states that *“active frontages are building facades that allow people on the street to see inside the building”* and they are designed to give buildings *“a safer, more welcoming appearance and enable overlooking of public areas”*. Although P7.11 considers a use opening into the street as more desirable, this is not an absolute requirement for an active frontage in Camden’s Local Plan. The proposed use, like the consented use, would significantly improve the blank façade that existed previously.

The consented retail included a range of Class A1 and Class A3 space with the amount of Class A3 restricted to 33% of the retail area consented across the entire site (including Medius House). We understand Camden have typically sought to protect retail floorspace (particularly Class A1) from being lost to other uses.

With many changes and issues impacting the retail industry in recent years, letting retail space is challenging, particularly Class A1 retail space. The introduction of Class E use has sought to allow much more flexibility, enabling uses to change between retail, restaurant, recreation, office, without requiring planning permission. As the units have not yet been occupied, the introduction of Class E would present them as a more viable and sustainable option for prospective tenants.

Given the unique nature of the proposed use, a temporary permission is sought to align with GSK’s lease of The Earnshaw. At the end of GSK’s lease, Units 1, 2 and 3 would revert to the currently consented A1 and A3 uses to safeguard the retail focus of this part of New Oxford Street. To secure this, GSK agree to the following condition to ensure that the use remains temporary and the consented A1 and A3 uses are safeguarded at the end of their lease:

'The use hereby permitted (sui generis) is for a temporary period only and shall cease on or before 2nd October 2040, at which time the units shall revert to their former lawful use (Class A1/A3). Should the use cease prior to 2nd October 2040, the units shall revert to their former lawful use (Class A1/A3).'

Application Documentation and Fee

Accompanying this application are a series of drawings and documents which fulfil the statutory and local requirements for application submission:

- Completed Planning Application Form – CBRE
- Cover Letter with Planning Assessment - CBRE
- Completed Community Infrastructure Levy (CIL) Additional Information Form – CBRE
- Draft Operational Management Plan - CBRE
- Vision Statement – Penson
- Existing and Proposed Floor Plans – Penson
- Site Location Plan – Penson

Payment for the application fee has been made to the Planning Portal.

I trust you have the necessary information to register this planning application, but please do not hesitate to contact me if you have any queries.

I look forward to receiving acknowledgement of receipt of this application.

Yours sincerely,

Nathan Barrett

Nathan Barrett
Associate Director
CBRE Ltd | UK Development - Planning