

Application ref: 2023/1869/P
Contact: Elaine Quigley
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Date: 1 November 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk

www.camden.gov.uk/planning

HgH Consulting
45 Welbeck Street
London
W1G 8DZ
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**1 Southampton Place
London
Camden
WC1A 2DA**

Proposal:

Change of use from office use (Class E(g)(i)) to a flexible use of education use (Class F1) or office use (Class E(g)(i)).

Drawing Nos: TQRQM23010164145092; LF4708-AREA-B; LF4708-AREA-G; LF4708-AREA-01; LF4708-AREA-02; LF4708-AREA-03; LF4708-AREA-04; Covering letter produced by HgH Consulting dated May 2023; Supporting document "Change of Use to flexible Class E / Class F1" prepared by HgH Consulting.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:
TQRQM23010164145092; LF4708-AREA-B; LF4708-AREA-G; LF4708-AREA-01; LF4708-AREA-02; LF4708-AREA-03; LF4708-AREA-04; Covering letter produced by HgH Consulting dated May 2023; Supporting document "Change of Use to flexible Class E / Class F1" prepared by HgH Consulting.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 Notwithstanding the provisions of Classes F of Part A of Schedule 2 of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the buildings shall only be used for educational purposes (Class F.1(a)) and for no other use within these use classes.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise, traffic congestion and excessive on-street parking pressure in accordance with policies A1, A4 and T1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

BACKGROUND:

Planning permission was refused on 27/04/2023 for change of use from office (Class E(g)(i)) to education (Class F1(a)). Local Plan Policy E2 is clear that the Council will resist the loss of business use to non-business use unless it has been thoroughly explored where it is possible for the use to continue. Although the building is vacant, no marketing evidence was submitted in support of the application in line with advice in CPG Employment sites and business premises. It was refused on the basis that the proposal resulted in the loss of employment floorspace which (without marketing evidence to the contrary) is considered to remain suitable for use.

The current proposal is for the change of use from Class E(g)(i) to a flexible use of Class F1(a) or Class E(g)(i). The lawful use of the building is office use. The site is located in the Central London Area and the Council's policies and guidance on its centres (policy TC2) and town centre uses (policy TC4) are appropriate.

Both policies state the need to protect and uphold the character, vitality and viability of the Council's centres and town centres. Policy TC4 is supported by the Council's Town Centre and Retail CPG which aims to promote a successful Central London Area including a range of economic and social uses to meet residents' community needs. The proposal would continue to create an employment-generating use at the site and it would support the economy and social needs of the community.

The proposal is for a flexible use for office or education floorspace so there is the potential for loss of 273 sq. m of office floorspace. Policy E2 of the Camden Local Plan 2017 seeks to protect premises that are suitable for

continued business use. The policy notes that the Council will resist development of business premises and sites for non-business use unless it is demonstrated that the site or building is no longer suitable for its existing business use; and that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative type and size of business use has been fully explored over an appropriate period of time. The building has been vacant for 2 years since July 2021 but was being used as offices prior to this time. During the last 2 years the applicant has advised that the only interested party has been the education provider, CATS Education who are an English Language School, who also occupy the adjoining site at no. 2 Southampton Place. It has not been possible to submit 2 years of marketing evidence of vacancy. This is due to a change to the estate agents that have been and are now marketing the buildings within the Holborn Links estate of which the application building forms a part. There have been a number of permissions or resolutions to grant planning permission for flexible education or commercial and service uses within the Holborn Estate including 18-19 Southampton Place. Overall there is the potential for approximately 2282 sq. m (net gain) commercial floor space within the buildings that are part of the wider Estate. The proposal would result in the loss of 273 sq. m of office floorspace. In the event of the change if use to education use, the applicants have agreed to re-provide the 273 sq. m office space within no. 18-19 Southampton Place which also has permission for a flexible office (E(g)(i) use) or educational use (F1(a) use) (ref 2021/5685/P). This would ensure there is no overall loss of commercial floorspace within the wider Estate should the other buildings with flexible permissions convert to education use. This would be secured by s106 legal agreement.

- 2 Policy E1 recognises that there are other employment generating uses besides office use, and that jobs are also provided by many other types of uses including knowledge-based sectors such as health and education. The site is located within the Central London Area and falls within the borough's designated Knowledge Quarter where the Council takes a supportive approach to educational uses in line with Policy E1. The proposed flexible use would therefore contribute towards a 'successful and inclusive economy' as sought by Policy E1 and would assist in the ongoing operation and growth of CATS Education. The proposed uses would continue to employ staff, bringing similar benefits to Camden to those provided by an office building and therefore help to meet the economic objectives and growth strategy of the Local Plan. It is the Council's intention to continually review the demand for office premises over the next 5 years following the change in working practices after the COVID 19 pandemic, and hence this approach is considered acceptable here.

Policy C2 sets out how the Council will ensure that there is a provision of community facilities to meet the needs of a growing population. Bloomsbury has long been recognised for having a strong educational provision amongst its variety of uses. As such, the use of the building by CATS Education to provide more teaching space and classrooms in Bloomsbury Place is considered acceptable. As such, the site is considered a suitable location for the proposed use in accordance with Policy C2 of the Local Plan and Policy S3 of the London Plan.

It must be noted that the application is for a flexible education or commercial

office use, therefore the flexibility to implement either use would allow the potential for an office user to occupy the buildings in the future. The proposal would be considered acceptable in relation to the aspirations of policy C2 and E2. If occupied as an educational use, the space is considered to be of a suitable size and layout and would provide additional employment to the area, in compliance with the requirements of policies E1 and E2 of the Camden Local Plan 2017. An informative would be attached to the permission to advise that the alternative use permission hereby granted gives flexibility of use for 10 years from the date of this permission. After 10 years the lawful use would revert to whichever of the uses is taking place at the time.

The development would not cause harm to neighbouring amenity in terms of a loss of outlook, daylight or privacy.

- 3 The provisions of the Class F1 use class includes a number of uses such as schools, art galleries, museums, public libraries and churches and other religious buildings. There are certain uses within this use class that have different impacts in relation to activities associated with each use including noise and disturbance from the number of visitors coming and going, traffic generation and parking issues. The proposed commercial and education uses would be similar in nature to an office use in terms of numbers of visitors and potential disturbance and would not be considered to harm the amenity of neighbouring occupiers by way of disturbance. The proposed uses are not considered to unduly impact on neighbouring amenity by way of excessive noise or disturbance, and as such, it would not be considered necessary to control the hours of use. However, in recognition of the fact that other Class F1 uses could potentially cause disturbance to residents, such as art galleries and places of worship, a condition would be attached to any permission to restrict the proposed F1a use to education use only in order to protect the amenity of adjoining occupiers and the transport network (so that any other type of Class F1 use outside these uses would require planning permission).

Given the scale and nature of the education use, it is unlikely that travel to and from the site would result in a significant stress on nearby transport and parking infrastructure. The proposed floor area would fall below the threshold to request a travel plan. No cycle parking has been included as part of the proposal. There is not sufficient space within the building to provide accessible cycle parking spaces and the space within the pavement vaults has limited headspace. In this instance, given the very limited amount of floorspace available due to the physical constraints of the site, the requirement to provide cycle parking would not be sought.

The host building is a Grade II* listed building. No internal works are proposed as part of the application.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, and of preserving the listed building and its features of special architectural or historic interest, under s.66 and s72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

No objections have been received prior to making this decision. The planning

history of the site and surrounding terrace has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, C2, D1, D2, E1, E2, CC1, TC4, T1 and T2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 4 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 5 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 6 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 7 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 8 You are advised that if implemented, the alternative use permission hereby granted gives flexibility of use for 10 years from the date of this permission. After 10 years the lawful use would revert to whichever of the uses is taking place at the time.


In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer