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Development Management,
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Planning Portal ref: PP-13559041

13 December 2024

Dear Sir or Madam,

**62 WARREN STREET, FITZROVIA, LONDON, W1T 5NY
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
APPLICATION FOR FULL PLANNING PERMISSION AND LISTED BUILDING CONSENT**

On behalf of the applicant, GMS Estates (“the Client / “the Applicant”), we hereby submit an application for full planning permission and listed building consent (“the Application”) for a change of use on the basement level of 62 Warren Street, Fitzrovia, London, W1T 5NY (“the Site” / “the Building” / “the Property”) from commercial (Class E) to residential (Use Class C3).

The proposed description of development for these proposals (“the Proposed Development”) is as follows:

“Change of use of the basement level from Use Class E (Commercial, Business and Service) to Use Class C3 (Residential) to provide a one-bedroom flat”.

The Application has been submitted on the Planning Portal under reference PP-13559041, and comprises the following:

1. Covering Letter (including Planning Assessment) (i.e. this letter);
2. Application Form (Full Planning Application and Listed Building Consent) (including Ownership Certificates), prepared by Montagu Evans LLP;
3. Application Document Schedule (ref. WS1), prepared by Montagu Evans LLP;
4. Application Drawing Schedule (ref. WS2), prepared by Montagu Evans LLP;
5. Community Infrastructure Levy Form, prepared by Montagu Evans LLP;
6. Site Location Plan @ 1:500, prepared by Emrys Architects;
7. Application Drawings (inc. Existing and Proposed Floorplans), prepared by Emrys Architects;
8. Design, Access and Heritage Statement, prepared by Emrys Architects; and
9. Marketing Report, prepared by Edward Charles & Partners.

SITE LOCATION & CONTEXT

The Site comprises a Georgian-style terraced house at 62 Warren Street, Fitzrovia, which is situated within the London Borough of Camden (“LBC” / “LB Camden”). The Building is located on north side of Warren Street, which runs parallel to Euston Road, in the Bloomsbury Ward.

The Property was constructed around 1792, and restored in 1989, comprising 90sqm of Class E (formerly B1c - light industrial) accommodation arranged over 5 floors (basement, ground + 3, including the mansard roof). The upper floors of the Building are used for residential purposes (Use Class C3). The surrounding area on Warren Street is occupied by a wide range of small scale retail, service, restaurant, office, community and residential uses.

The Property is constructed from darkened stock brick, with later patching following the 1989 restoration. It is topped with a slated mansard roof, featuring dormer windows. Notably, the Site also includes distinctive brick flat arches above recessed sash windows, which were fitted with glazing bars. The Building maintains consistency in both design and storey structure with the neighbouring properties at 58–61 Warren Street, reflecting a consistent architectural alignment within the immediate Georgian streetscape.

The upper floors of the Building, which are not subject to this Application for full planning permission or listed building consent, are already in residential use (Use Class C3) and are occupied by a housing association. The basement level, which has been vacant since 2020, is subject to this Application. The lawful use of the basement level has been designated for commercial purposes (Use Class E). Prior to 2020, the basement level was occupied by 'Lamprell', a tailor and sewing alterations shop.

The Site has a Public Transport Level (“PTAL”) score of 6b which is considered ‘excellent’ in terms of public transport accessibility and extremely well connected. The Site can be accessed via the following modes of public transport:

- **Underground:** The Site is approximately 100m from Warren Street Underground Station (Victoria Line and Northern Line) and approximately 320m from Euston Square Underground Station (Metropolitan Line and Hammersmith & City Line).
- **National Rail / Overground:** The Site located approximately 640m from Euston Station which operates regionally and nationally to the West Midlands, North Wales, North West England and Scotland. Euston Station serves as terminus for the Lioness Overground Line with services to Queens Park, Wembley, Harrow and Watford.
- **Bus:** The Site is located approximately 120m from Warren Street Station with northbound services to Hampstead Heath, North Finchley, and Stoke Newington alongside westbound services to Baker Street, Paddington, and Hammersmith.

The existing building is Grade II listed, grouped alongside the neighbouring properties at 58, 59, 60, and 61 Warren Street (List Entry No. 1379125). Within Historic England’s List Entry, the Property’s round-arched doorway with stucco surround, cornice head, radial fanlight and panelled door are noted. In addition to this, the attached cast-iron railings across 58 – 62 Warren Street are noted as subsidiary features. It should be noted that Historic England did not inspect the interiors of 58 – 62 Warren Street prior to its listing on 14 May 1974.

The Property is located within the Fitzroy Square Conservation Area (“CA”), which extends from Tottenham Court Road in the east to Cleveland Street in the west, and from Euston Road in the north to Maple Street in the south. Therefore, the Site is located adjacent to the Fitzroy Square CA’s northern boundary on Euston Road. Warren Street and the surrounding area within the Fitzroy Square CA is characterised by a distinctive layout of Georgian terraced houses which have largely been successfully preserved.

PLANNING HISTORY

A review of the LB Camden's statutory online planning register has been conducted to establish the planning history of the Site.

Planning permission (ref. M12/24/5/36388) was granted on 17 April 1985 for refurbishment works at the Site. Specifically, the permission allowed for the rehabilitation of the Property to create two bedsitter flats, with shared kitchen, dining, and bathroom facilities, on the ground and first floors. Additionally, a two-bedroom maisonette was provided, split across the second and third floors of the building. The basement level was retained for storage purposes (Use Class E). Prior to this, the upper floors had remained vacant and derelict since 1982.

Subsequently, on 10 June 1987, **planning permission (ref. 87019380)** was granted for further works at 54, 57, 59, and 62 Warren Street. In relation to 62 Warren Street, this permission established the Building's configuration, which included a retail/light industrial unit at basement level (Class E, formerly B1 (c)), and a self-contained maisonette on the ground and first floors. The second and third floors were designated for two maisonettes. It is important to note that it is this permission that delivered the use that exists today, comprising both residential (Class C3) and commercial (Class E) uses.

Additionally, **Listed Building Consent (ref. 8770274)** was granted on 10 June 1987 for alterations, partial demolition of existing roofs, extensions, and restoration works in connection with the change of use and conversion of 54, 57, 59, and 62 Warren Street.

There have been no other relevant applications pertaining to the Site.

THE PROPOSED DEVELOPMENT

The Proposed Development would refurbish and convert the basement level of the Site to create a one-bedroom flat, with a total floor area of 52 sqm (GIA). This new residential unit would include two habitable rooms (one bedroom, and living / dining / kitchen area) and bathroom facilities.

To the front of the Site, a new wall would be constructed beneath the existing walkway to the ground floor property. This wall would form the enclosure for a new lobby providing access to the proposed flat. The design of the new wall would be finished with white render to complement the adjacent wall finishes.

In addition, a new staircase would be installed to provide access from the street level to the proposed basement flat. The design of this staircase would be in keeping with the existing staircase, using matching materials and integrating with the existing railings.

To the rear of the Building, the Proposed Development includes the installation of new double doors, which would match the existing white-painted timber doors, incorporating glazing to provide natural light. These new doors would lead to a 12 sqm courtyard area, providing external amenity space for the Proposed Development.

The refurbishment works would also address the building's current energy efficiency standards, which do not meet modern standards. To improve energy performance, insulation would be applied to the internal side of the external walls. Additionally, refuse and recycling storage facilities would be provided for prospective tenants, accessible via the storage vault located within the lobby area.

It is important to note that no alterations are proposed to the massing at the rear of the basement level.

PLANNING POLICY FRAMEWORK

The Statutory Development Plan

Section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that for the purposes of any determination to be made under the Planning Acts, *“the determination must be made in accordance with the development plan and any national development management policies, taken together, unless material considerations strongly indicate otherwise”*. In this instance, the Development Plan comprises the following documentation:

- The London Plan 2021 (March 2021);
- LB Camden Local Plan (2017); and
- Site Allocations Plan (2013).

Other Material Considerations

National Guidance

The National Planning Policy Framework (“NPPF”) was updated in December 2023, and outlines the Government’s approach to planning matters, and is a material consideration in the determination of applications. At the heart of the NPPF is a presumption in favour of sustainable development, which for decision taking means *“approving development Proposals that accord with an up-to-date development plan without delay”*. The National Planning Practice Guidance (PPG) is also a material consideration.

Supplementary Planning Documents / Guidance

The most relevant Camden Planning Guidance (“CPG”) documents to the Proposed Development include, but are not limited to:

- Amenity (January 2021);
- Basements CPG (January 2021);
- Design CPG (January 2021);
- Energy Efficiency and Adaptation CPG (January 2021);
- Housing (January 2021);
- Transport (January 2021); and
- Water and Flooding CPG (March 2019).

Emerging Development Plan

LB Camden is in the process of producing a new Local Plan which, once adopted, will replace the Camden Local Plan (2017) and Site Allocations Local Plan (2013).

The draft New Camden Local Plan (including Site Allocations) was published on 17 January 2024 for Regulation 18 consultation until 13 March 2024. Very limited weight can be given to the draft policies in the Regulation 18 consultation version, however it is acknowledged greater weight can be afforded to the draft plan as it advances through the plan-making process.

The next stage of the local plan preparation process will be Regulation 19 consultation on the final draft New Local Plan which is currently timetabled for Winter 2024 - Spring 2025. Submission of the Plan to the Secretary of State for independent examination is anticipated in summer 2025, with examination in Autumn/Winter 2025 and adoption of the New Local Plan in Spring 2026. As such, the Emerging Development Plan should be given limited weight in the assessment of the Proposed Development in policy terms.

PLANNING POLICY ASSESSMENT

The Proposed Development has been considered against the requirements of the Development Plan including policy and guidance at the national and local levels. This includes the London Plan (2021), the LB Camden's adopted planning policy (2017), as well as other material considerations, including the NPPF and supplementary CPGs, where applicable.

The relevant planning considerations that are assessed within this section include the following:

- Principle of Development (Loss of Commercial Floorspace and Principle of Residential Use);
- Design and Heritage;
- Amenity; and
- Highways and Servicing.

Principle of Development – Loss of Commercial Use and Establishment of Residential Use

The Proposed Development seeks the change of use of the basement unit of 62 Warren Street from Use Class E (Commercial) to Use Class C3 (Residential) to provide a one-bedroom flat.

Loss of Commercial Use

London Plan Policy E2 (Providing Suitable Business Space) stipulates that each borough must ensure a sufficient supply of business space to accommodate a range of types, uses, and sizes, in order to support Small and Medium-sized Enterprises (“SMEs”) and other businesses. **Paragraph 6.2.7 (London Plan Policy E2 - Providing Suitable Business Space)** further clarifies that the GLA acknowledges that, where business space is considered obsolete, it can be redeveloped for alternative uses, such as residential purposes.

Local Plan Policy E2 (Employment Premises and Sites) specifies that the LB Camden will resist the conversion of commercial premises to non-business uses, unless it can be demonstrated that the building is no longer suitable for its current business function. Furthermore, it must be shown that the potential for retaining, reusing, or redeveloping the building has been thoroughly explored over an appropriate period of time

Additionally, **LB Camden's Employment Sites and Business Premises (CPG) (2021)** sets out the Council's expectations for the provision of marketing evidence in proposals where the conversion or loss of business use to a non-business use is considered. In accordance with **London Plan Policy E2** and **Local Plan Policy E2 (Employment premises and sites)**, the **Employment Sites and Business Premises CPG** expects the following criteria to be met as part of any marketing exercise:

- The use of a reputable local or national agent with a proven track record in leasing employment space within the Borough;
- The publication of marketing materials on relevant websites and online platforms;

- Advertised rental rates that are reasonable and reflective of prevailing market rents in the local area;
- Continuous marketing activity for a minimum period of two years from the erection of the letting board and the commencement of online advertising; and
- A detailed commentary on the number of inquiries received, including relevant details about those inquiries.

The Property has remained vacant since 29 September 2020 due to the death of the longstanding tenant and has been actively marketed during this period for continued Class E use. According to Edward Charles & Partners (“ECP”), a reputable agency with extensive experience in Central London commercial properties, the potential for utilising the basement level as viable workspace is highly unlikely. A Marketing Report, prepared by ECP, is enclosed with this Application, outlining the significant challenges associated with the space. The report highlights a number of factors that hinder its attractiveness to prospective office occupiers, including: limited natural light, poor outlook and aspect, low floor-to-ceiling height, bad structural configuration, lack of street presence, and the inability to accommodate in-demand office tenant end-of-trip facilities. ECP have identified these key barriers to securing an office tenant for the space.

To provide further context, the marketing activity between November 2020 and November 2023 resulted in only 15 inquiries, 2 viewings, and no subsequent negotiations. In the period from November 2023 to October 2024, the Property received just 5 inquiries, with no viewings scheduled.

Local Plan Policy H1 (Maximising housing supply) provides clarity on LB Camden’s preference for the redevelopment of vacant or underused sites, such as 62 Warren Street, to housing. LB Camden do note that considerations for change of use of vacant sites into housing will be accepted in principle, subject to accessibility and amenity matters. Accordingly, the following section establishes the principle of residential use for the Site.

Principle of Residential Use

The Proposed Development accords with the current direction of planning policy at national, regional and local level, which places an emphasis on achieving sustainable development. In particular, adopted plan policy is extremely clear that self-contained housing is a priority land use in Camden under **Local Plan Policy H1 (Maximising housing supply)**.

Similarly, at a regional level, **London Plan Policy H2 (Small Sites)** states that small sites should play a much greater role in housing delivery and London Boroughs should pro-actively support well-designed new homes on small sites through planning decisions. Additionally, **London Plan Policy H2 (Small Sites)** is recognised that small sites can diversify the sources, location, type and mix of housing supply across the Capital to meet a wider catchment of occupants with differing needs.

At a national level, **NPPF Paragraph 60** outlines that housing delivery is a key objective of the Central Government and it advocates for sufficient amount and variety of land to come forward to significantly boost housing supply. Moreover, **NPPF Paragraph 127** sets out that each local planning authority should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular:

“They should support proposals to use retail and employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites or the vitality and viability of town centres and would be compatible with other policies in this Framework.”

It is important to highlight that **NPPF Paragraph 70** emphasises the crucial role of small-sized sites in contributing to the fulfillment of housing needs within an area. Additionally, the NPPF recognises that such sites have the potential to be developed and delivered more swiftly compared to larger new build schemes.

The principle of residential development at this Site is outlined in the Planning History section of this Document. Since the mid-1980s, the LB of Camden has consistently supported the principle of residential use at 62 Warren Street, with the delivery of two residential units at ground level and above. Furthermore, over the past 15 years, planning permissions have been granted for a number of properties along Warren Street to be converted into residential units, reflecting the fact that many of these properties are no longer suitable for Class E commercial use. Notable examples include, but are not limited to:

- **Ref. 2022/2077/P** – 357 Euston Road & 44 Warren Street, London NW1 3AL (approved 23 July 2022), for the change of use from office (Class E) to a residential maisonette (Class C3);
- **Refs. 2014/1690/P & 2014/1802/L** – 63-64 Warren Street, London W1T 5NZ (approved 22 May 2015), for the conversion of 6 supported housing units and ancillary office space into 5 self-contained residential units, comprising 1 three-bedroom flat and 4 two-bedroom maisonettes;
- **Ref. 2014/1651/P** – 26 Warren Street, London W1T 5NA (approved 5 March 2014), for the use of the ground floor and basement as one self-contained flat;
- **Ref. 2010/2132/P** – 59 Warren Street, London W1T 5NT (approved 30 June 2010), for the change of use of the ground and lower ground floor commercial unit into one one-bedroom flat.

These permissions demonstrate a consistent trend in favour of residential development in the area, particularly for properties no longer suited to their original use.

The Proposed Development would result in the creation of a single additional one-bedroom basement dwelling, on a 'small site'. The provision of this residential unit on this Site would fully accord with the aims of the Development Plan and would contribute to LB Camden meeting its target of delivering 16,800 additional homes between 2016 / 2017 and 2030 / 2031 (**Local Plan Policy H1 - Maximising housing supply**).

Design and Heritage

High quality and inclusive design is encouraged at all policy levels. In particular, **NPPF Paragraph 135** outlines the Central Government's desire for good design across all development proposals stating the following:

- a) "will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

Within **London Plan Policy D4 (Delivering Good Design)**, the GLA stipulates that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. Likewise, **London Plan Policy D5 (Inclusive Design)** recognises the importance of developments achieving high standards of accessibility and inclusivity through design.

Local Plan Policy D1 (Design) further stipulates the Council’s desire for each development’s design to respect the local context and character of the surrounding area, while preserving the historic environment. **Local Plan Policy D1 (Design)** emphasises the use of sustainable design and construction methods, high-quality materials, and the integration of developments within the surrounding streetscape. Additionally, **Local Plan Policy D1 (Design)** highlights all developments should be designed to be inclusive and accessible to all, to prevent crime, and by carefully integrating building services equipment. In addition to the above, LB Camden seek all development to include an element of outdoor amenity space for occupants.

London Plan Policy HC1 (Heritage Conservation and Growth) states that any development including heritage assets and should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. This is translated at a local level under **Local Plan Policy D2 (Heritage)** which outlines LB Camden’s preference to reserve and, where appropriate, enhance the rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

A Heritage Assessment, included within the accompanying Design, Access, and Heritage Statement, has been prepared by Emrys Architects. As previously mentioned, the Site is Grade II listed, along with Nos. 58–61 Warren Street, and is located within the Fitzroy Square Conservation Area. It is important to note that the heritage value of the property is confined to its exterior features, specifically the gauged brick flat arches on the recessed sash windows, the round-arched doorway, and the cast-iron railings. The interior of the Property solely consists of painted walls, without any ornamental or heritage features, meaning that any alterations to the interior will not impact the heritage value of the Property.

With respect to exterior works, the Proposed Development will comply with relevant policies of the Development Plan by using traditional materials that are consistent with the local area and nature of this Listed Building, including the installation of new double doors, designed to match the existing timber doors.

Residential Quality

The proposed dwelling meets minimum space standards, providing a 52 sqm one-bedroom property. The property comprises the main kitchen/living/dining room to the front of the property, with the double bedroom at the rear. The property is dual aspect, although at basement level, the outlook afforded to occupants would be limited beyond their own courtyard and front lightwell.

It also comprises a study and WCC shower, as well as cycle storage and other storage contained within the vaults, underneath the pavement. External amenity space is provided within the rear courtyard at 12 sqm, which exceeds the minimum guidance for a dwelling of this size.

Amenity

Local Plan Policy A1 (Managing the impact of development) is supported by the Council's CPG on Amenity, which provides further clarification on the expectations for assessing the impact of developments on daylight and sunlight levels. Both **Local Plan Policy A1 (Managing the impact of development)** and the **Amenity CPG** emphasise that daylight and sunlight levels will be considered flexibly, taking into account the specific circumstances and context of the site.

The Proposed Development seeks to introduce a new residential unit at basement level. It has been designed to ensure that future residents will have access to adequate levels of amenity. Specifically, natural light would be provided through the existing rear courtyard and a lightwell into the kitchen / living / dining areas.

Overall, the proposed use of the basement is expected to create a residential unit with sufficient amenity, privacy and access to light. It has the potential to be a high quality flat in this location.

Transport and Servicing

At a national level, **NPPF Paragraph 114** sets out any development should ensure that:

- a. *“appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b. *safe and suitable access to the site can be achieved for all users; and*
- c. *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”*

Regionally, **London Plan Policy T1 (Strategic Approach to Transport)** outlines that development proposals should contribute to the Mayor's strategic target of ensuring that 80% of all trips in the Capital are made either by walking, cycling, or public transport by 2041. Furthermore, all developments should seek to optimise use of land, taking into consideration the prospective site's connectivity and accessibility by existing and future public transport, walking, and cycling routes.

As noted earlier, the Site has a PTAL score of 6b which is considered 'excellent' in terms of public transport accessibility and extremely well connected. In particular, the Site can be easily accessed by nearby Warren Street and Euston Square Underground Stations, or Euston Station (National Rail).

The Proposed Development would include access to bike storage and refuse storage, which is situated within the vaults underneath Warren Street, and has capacity for at least two bikes, meeting minimum standards of the London Plan.

Affordable Housing

Local Plan Policy H4 (Maximising the supply of affordable housing) requires developments to provide affordable housing where one or more additional homes is proposed and involve the total addition of 100 sq m of residential

floorspace. The Proposed Development does not breach this threshold and, therefore, no affordable housing contribution is required in this case.

CONCLUSIONS

The Proposed Development comprises the following description of development:

“Change of use of the basement level from Use Class E (Commercial, Business and Service) to Use Class C3 (Residential) to provide a one-bedroom flat”.

The Proposed Development is considered to be in accordance with the relevant national planning policy guidance and the development plan and there are strong material considerations that indicate why development should be permitted.

In summary, the property has been vacant for a number of years since the former tailor closed. The property has been marketed since that time and has not been successful in attracting a new tenant, despite the relaxation to the Use Classes Order in 2020. The loss of the use is considered to be appropriate in this instance, and the conversion to residential would support the Council’s housing delivery targets, whilst finding an optimum viable use for this part of the listed building.

It is therefore respectfully requested that the proposals are recommended for approval.

APPLICATION PROCEDURE

This Application is submitted via the Planning Portal (ref: PP - 13559041).

The Application fee of £648.00 (£578.00 plus the £70.00 Planning Portal administration fee) has been calculated in accordance with The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (As Amended) and payment has been made online.

We look forward to receiving acknowledgement of the registration of the application shortly. In the interim, should you have any queries or require any further information, please do not hesitate to contact James Huish (james.huish@montagu-evans.co.uk / 07818 012 484) or Alex Nesti (alex.nesti@montagu-evans.co.uk / 07387 542 160) at this office.

Yours faithfully



MONTAGU EVANS LLP

Enc.