

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		15/01/2025	
		N/A / attached		<b>Consultation Expiry Date:</b>		29/12/2024	
<b>Officer</b>				<b>Application Number(s)</b>			
Henry Yeung				2024/5112/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Offices And Premises At Unit 5 Ground Floor 37 Great Russell Street London WC1B 3PP				Refer to Draft Decision Notice			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
Change of use of part of the ground floor from Class E (office) to Class C3 (residential) with associated external alterations.							
<b>Recommendation(s):</b>		Refused					
<b>Application Type:</b>		Full Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>				No. of responses	00	No. of objections	00
<b>Summary of consultation responses:</b>		Site notice displayed 29/11/2024-23/12/2024 Press advert published 05/12/2024-29/12/2024  No responses were received					
<b>Bloomsbury CAAC</b>		No response was received					

## Site Description

The site is located on the southern side of Great Russell Street and comprises a four-storey building plus basement. Its rear yard extends beyond its neighbour at No. 38 Great Russell Street and behind No.2 Willoughby Street to the side, making the rear façade of the upper floors visible from Willoughby Street. The basement, ground, first, and second floors consist of Class E commercial floorspace, while the third floor contains two currently vacant one-bedroom residential (Class C3) units. The site is within the Bloomsbury Conservation Area, where the building is noted as being a positive contributor.

## Relevant History

2024/3047/P - "Proposed change of use of part of the ground floor from Class E (office) to Class C3 (residential) with associated external alterations." Refused 16/10/2024

2024/1755/P "3rd floor rear extension to create a studio flat." Granted Subject to a Section 106 Legal Agreement. 20-05-2024

2024/1129/PRE "Proposed mansard roof, with additional residential unit, on top of already consented rear extension under refs. 2022/3001/P and 2023/2741/P." Advice issued 17/04/2024

2023/2864/P "Extension to existing basement at rear; erection of reconstructed ground floor rear extension. Creation of new rear lightwell." Granted Subject to a Section 106 Legal Agreement. 20-07-2023

2022/5066/P – "Erection of part-full, part-half width three storey rear extension to facilitate provision of 4 residential units (Class C3) and additional commercial use (Class E) at basement and ground floor levels. Creation of new roof terrace, replacement of staircase hatch to existing main roof and installation of ASHP at roof level." Refused 25-01-2023

2022/3001/P – "Erection of rear extensions at basement to 2nd floor levels to provide enlarged retail space at basement and ground floor (as approved on 23/08/2016 ref 2016/2795/P) and two new self-contained 1 bedroom flats at first and second floors with associated new internal lift; provision of communal cycle and refuse stores at ground floor; conversion of two 1 bed flats to one 2 bedroom flat on third floor; retention of existing office use at part 1st and part 2nd floors; creation of new roof terrace at rear 1st floor; replacement of staircase hatch by larger one to existing main roof terrace; and associated external fenestration alterations." Granted Subject to a Section 106 Legal Agreement 24-08-2022

2019/2544/PRE – "Change of use of basement, ground and third floor of building to office (B1a) use; erection of fourth floor extension (with setback); erection of rear extension to provide additional office (B1a) space and associated alterations to building." Advice Issued 26/07/2019 (not implemented)

2018/4940/P – "Erection of rear extensions at basement to 2nd floor levels to provide enlarged Class A1 retail space at basement and ground floor (as approved on 23/08/2016 ref 2016/2795/P) and enlarged Class B1 office space at first and second floors with associated roof terrace on rear 1st floor; conversion of two existing 1 bedroom flats to one 2 bedroom flat on third floor; replacement of staircase hatch by larger one to existing main roof terrace; and associated external fenestration alterations." Granted 27/03/2019 (not implemented)

2017/2149/P – "Erection of rear extensions at basement to 2nd floor levels to provide enlarged retail space at basement and ground floor (as approved on 23/08/2016 ref 2016/2795/P) and two new 1 bedroom flats at first and second floors with associated new internal lift; provision of communal cycle and refuse stores at ground floor; conversion of two existing 1 bedroom flats to one 2 bedroom flat on third floor; retention of existing office use at part 1st and part 2nd floors; creation of new roof terrace at rear 1st floor; replacement of staircase hatch by larger one to existing main roof terrace; and associated external fenestration alterations." Granted

19/07/2018 (not implemented)

2016/2795/P – “Infill extension at basement and ground floor level to the rear (Use Class A1).”  
Granted 23/08/2019

2016/0173/PRE – “External façade alterations, two storey rear extension and alterations at roof level with a new terrace, to provide an additional 3 x flats within the building.” Advice Issued 23/05/2016

## **Relevant policies**

### **National Planning Policy Framework 2024**

### **The London Plan 2021**

### **Camden Local Plan 2017**

Policy G1 Delivery and Location of Growth  
Policy H1 Maximising Housing Supply  
Policy H4 Maximising the Supply of Affordable Housing  
Policy H6 Housing Choice and Mix  
Policy H7 Large and Small Homes  
Policy A1 Managing the impact of development  
Policy A3 Biodiversity  
Policy D1 Design  
Policy D2 Heritage  
Policy E2 Employment Premises and Sites  
Policy T1 Prioritising Walking, Cycling, and Public Transport  
Policy T2 Parking and Car-Free Development  
Policy CC1 Climate Change Mitigation  
Policy CC2 Adapting to climate change

### **Camden Planning Guidance (CPG)**

CPG Design  
CPG Amenity  
CPG Employment Sites and Business Premises  
CPG Housing  
CPG Sustainability  
CPG Transport  
CPG Energy Efficiency and Adaptation

### **Bloomsbury Conservation Area Appraisal and Management Strategy 2011**

### **Housing Design Standards- London Plan Guidance (2023)**

## Assessment

### 1. Proposal and background

- 1.1. The applicant seeks planning consent for the change of use of the rear part of the ground floor from Class E (office) to Class C3 (residential). The proposed floor area of the flat is 47 sqm.
- 1.2. There is a large amount of planning history associated with the site and a key issue is a lack of overarching strategy for developing the site in an efficient and well- designed manner. A very similar proposal for creating a residential unit at the rear of the ground floor was refused under application ref. 2024/3047/P. The current proposal is very similar but proposed a larger lightwell and includes a rooflight. There has also been marketing information provided to overcome Reason for Refusal 1 relating to the failure to demonstrate the unit is no longer suitable for business use.

### 2. Planning Considerations

- 2.1. The material considerations in the determination of this application are as follows:

- Land Use
- Affordable Housing
- Standard of Accommodation
- Design & Conservation
- Amenity
- Transport
- Refuse & Recycling
- Section 106 Obligations

### 3. Land Use

- 3.1. Policy E2 is clear that the Council will resist the loss of a business use to a non-business use unless it has been thoroughly explored whether there is possibility for that use to continue. The Council will consider the suitability of the location for business use; whether the premises are in a reasonable condition to allow the use to continue; the range of unit sizes; and whether the business use is well related to nearby land uses (para. 5.37). Where a change of use to a non-business use is proposed, the applicant must demonstrate to the Council's satisfaction that there is no realistic prospect of demand to use the site for an employment use. The applicant must submit evidence of a thorough marketing exercise, sustained over at least two years. The premises should be marketed at realistic prices, include a consideration of alternative business uses and layouts and marketing strategies, including management of the space by specialist third party providers (para. 5.39).
- 3.2. The application is supported by a marketing statement which states the rear section of the ground floor (GF) is classified as Class E, and it appears to have been used primarily as storage space area specifications and market demand. The agent also provided Marketing Report details efforts to sell and lease the ground and basement floors of 36 & 37 Great Russell Street in London. Initially marketed by a third-party agent from March 2020, the property failed to sell due to an oversupply of more market-appropriate Class E commercial spaces. In February 2022, Robert Irving Burns (RIB) took over the campaign, targeting various

stakeholders, including owner-occupiers, investors, and developers, through extensive marketing initiatives such as brochures and advertisements. Despite these efforts, market feedback revealed the property's configuration (151m<sup>2</sup> ground floor, 168m<sup>2</sup> basement) was too large to meet modern commercial needs, especially as post-COVID-19 work patterns have shifted toward smaller, flexible spaces and co-working environments.. The report advises that for retail purposes, scaling down the space could attract smaller, local businesses, better aligning with current market dynamics. The sustained absence of demand, coupled with the market preference for smaller units, supports the case for the proposed change of use of the rear part of the ground floor. This approach aligns with the principles of Camden Local Plan Policy E2, which allows for flexibility in land use where evidence supports the unviability of existing employment space.

#### **4. Affordable Housing**

- 4.1. Policy H4 (maximising affordable housing) requires a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more. The policy states that where developments have a capacity for fewer than 10 additional dwellings, the Council will accept a payment in lieu of affordable housing.
- 4.2. Targets are based on an assessment of development capacity whereby 100 sqm GIA of housing floorspace is generally considered to create capacity for one home and a sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% for each home added to capacity.
- 4.3. The previous application (2023/2741/P) secured an affordable housing payment of £78,600 based on an uplift of 303 additional residential floor area and a 6% affordable housing target. The addition of this unit in the building means that the number of dwellings has now increased and would have commanded a higher fee if approved together. To ensure the development does not circumvent the Councils affordable housing policy, the Council will secure the payment for the new unit only via s106 agreement. The overall additional residential space involved in this application is 47 sqm, and the total across the development is 303.6 + 47 sqm = 350.6 sqm. This means that the figure is closer to 400 sqm than 300 sqm, so the residential capacity becomes four homes, and the affordable housing percentage target becomes 8%. Therefore, the calculation of the PiL would thus be 8% x 47 sqm x £5,000 psm = £24,800. In the event of an approval this would be secured via s106 agreement however the failure to enter a s106 agreement means this forms a reason for refusal.

#### **5. Standard of Accommodation**

- 5.1. Policy H6 of the Camden Local Plan outlines how the Council will seek to secure high quality accessible homes in all developments that include housing. We will:
  - encourage design of all housing to provide functional, adaptable and accessible spaces;
  - expect all self-contained homes to meet the nationally described space standard
- 5.2. Policy D6 of the London Plan requires housing development to be of high-quality design which should normally avoid the provision of single aspect dwellings. Design should allow for sufficient daylight and sunlight.
- 5.3. The proposal consists of a residential studio. At 42 sqm, the proposed flat meets the minimum national space standard of 39sqm for a 1-bed / studio (with bath). The revisions compared to the last application include the enlargement of the lightwell to allow for the inclusion of a terrace

and an additional 0.65m distance between the window and the lightwell wall.

- 5.4. The proposed single-aspect unit remains unacceptable as it would fail to provide a high-quality residential unit. The key issue is aspect and adequate outlook. The unit is single aspect with its only outlook from its sliding doors being onto a wall located only 3.5m away daylight and sunlight to the proposed flat for future occupants.
- 5.5. With regards to daylight and sunlight, the applicant has provided an impact assessment. The methodology for calculating daylight levels is Daylight Factor which is supported by BRE Site layout planning and sunlight (2022). It demonstrates that the habitable room (containing all sleeping, living and kitchen facilities would achieve the target of 1.4% across at least 50% of the room area.
- 5.6. In terms of achieving adequate sunlight for new dwellings, the BRE guidance states that a dwelling should have at least one main window within 90 degrees of due south and include a main habitable window that can receive at least 1.5 hours of sunlight on March 21<sup>st</sup>. In this case the only window proposed is not within 90 degree of due south and would achieve only 1 hour of sunlight on March 21<sup>st</sup>.
- 5.7. The inclusion of an amenity terrace is a minor improvement, though at 0.8m depth, it would have limited functionality; it would not for example be able to accommodate a table and chairs. The presence of a shared amenity terrace partially overcomes this and together will not contribute to the reason for refusal.

## **6. Design & Conservation**

- 6.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 states that the Council will require all developments to be of the highest standard of design and to respect the character, setting, form and scale of neighbouring buildings, and the character and proportions of the existing building. Policy D2 states that within conservation areas, the Council will only grant permission for development that 'preserves or, where possible, enhances' its established character and appearance.
- 6.2. Policy D3 of the London Plan requires all development to make the best use of land following a design-led approach which focuses on experience, including achieving safe and inclusive environments and delivering appropriate outlook, privacy and amenity.
- 6.3. Camden's Design CPG emphasises Camden's commitment to design excellence, and expects development schemes to consider:
- The context of a development and its surrounding area;
  - The design of the building itself;
  - The use and function of buildings;
  - Using good quality sustainable materials;
  - Creating well connected public spaces and good quality public realm;
  - Opportunities for promoting health and well-being; and
  - Opportunities for improving the character and quality of an area.
- 6.4. The external alterations include the installation of a green living wall and changing the glass of an existing window. These are included to improve the outlook and protect the privacy of future residents are not expected to negatively impact the character or setting of the existing building or the wider conservation area.
- 6.5. Internally, the spatial planning is extremely poor. The residential unit is shoehorned into the rear of the ground floor whilst a poorly configured Class E units occupies the front of the unit. A lift and large bike store awkwardly jut into the commercial unit resulting in an inflexible and

poorly conceived ground floor space that suffers from having to include the ancillary functions of the new residential developments in the rest of the building.

- 6.6. The residential unit is accessed via a corridor that also serves two bin stores for all the residential units in the property, as well as a large bike store. CPG Design encourages entrances to be well-defined and legible alongside the creation of welcoming, safe environments for residents. The approach to the proposed dwelling would be extremely poor. It is also likely that the noise and odours from this heavily trafficked communal area would impact on internal living quality.
- 6.7. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.
- 6.8. As such, the proposed development is in general accordance with policies D1 (Design) of the London Borough of Camden Local Plan 2017 and Bloomsbury Conservation Area Appraisal and Management Strategy 2011. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

## **7. Amenity**

- 7.1. Policy A1 of the Local Plan seeks to protect the quality of life of occupiers and neighbours. The factors to consider include visual privacy, outlook; sunlight, daylight and overshadowing; artificial lighting levels; noise and vibration; odour, fumes and dust; and impacts of the construction phase, including the use of Construction Management Plans.
- 7.2. The proposed rear alteration and new residential unit is not considered to create any new amenity impacts upon neighbouring residential occupiers. The closest residential property, located on the upper floors at no.38 Great Russell Street, will not be within direct sight lines of the new residential units. Therefore, the proposed new residential units will not result in any loss of light or outlook to neighbouring residential properties, complying with Policy A1 of the Camden Local Plan 2017 and CPG Amenity.

## **8. Transport**

- 8.1. Policy T1 aims to promote sustainable transport by prioritising walking, cycling, and public transport. This is achieved by improving pedestrian friendly public realm, road safety and crossings, contributing to the cycle networks and facilities, and improving links with public transport. All these measures are in place to ensure the Council meets their zero carbon targets.
- 8.2. In line with Policy T1 of the Local Plan, it is expected that cycle parking at developments be provided in accordance with the standards set out in the London Plan. The 16-space (8 Sheffield stands) cycle storage indicated on the proposed ground floor plan was previously secured by condition.
- 8.3. In accordance with Policy T1 of the Camden Local Plan, we expect cycle parking in developments to comply with London Plan standards. For one-bedroom residential units intended for two persons, the requirement is 1.5 space per unit. The submitted ground floor plan shows a cycle parking space within the hallway of the flat. While no formal stand is depicted, it is believed that there is sufficient space within the flat to accommodate bicycles if needed. Therefore, it is considered unnecessary to secure this space by condition.
- 8.4. In line with Policy T2 of the Camden Local Plan, the new residential unit should be designated as car-free regarding residents' parking permits through a Section 106 Agreement. This will help prevent future occupants from contributing to existing on-street parking pressures, traffic

congestion, and air pollution while promoting the use of more sustainable transport options such as walking, cycling, and public transport. Currently, no off-street parking is provided or proposed. Given that the proposals involve only the internal layout of the building, and no external alterations are planned, it is considered that the development can proceed without requiring a Construction Management Plan. This payment would be secured through a Section 106 legal agreement if the proposal were considered acceptable in all other regards. The failure to grant planning permission, and therefore enter into a Section 106 legal agreement to secure car-free development, would form a reason for refusal.

## **9. Refuse and Recycling**

- 9.1. Camden Local Plan Policy CC5 (Waste) and CPG (Design) are relevant with regards to waste and recycling storage and seek to ensure that appropriate storage for waste and recyclables is provided in all developments.
- 9.2. The previously approved refuse and recycling store can also accommodate refuse for the new 1-bedroom unit. These details will also be conditioned in the event of approval. This meets the design standards set out in Camden's Planning Guidance CPG1 and policy CC5 of Camden's Local Plan 2017.

## **10. Conclusion**

- 10.1. The proposals include a single-aspect unit, which is deemed unacceptable as it would not provide adequate outlook or sunlight for future occupants. The wider issue is the poor spatial planning of the ground floor which shoehorns a residential unit into the rear of the site located adjacent to the bin and bike stores, leaving a compromised Class E unit with an awkward and inflexible footprint towards the front.
- 10.2. If the proposals were supported, the following heads of terms would need to be secured by Section 106 legal agreement to make the development acceptable.
  - Affordable Housing Contribution (£24,800)
  - Car-Free Development

## **11. Recommendation**

- 11.1. The application is refused on the following grounds:
  1. The proposed residential unit, by virtue of the site layout and its location within the building, would result in a substandard unit of accommodation, providing poor quality outlook and sunlight contrary to D1 (Design) and H6 (Housing Choice and Mix) of the Camden Local Plan 2017 and policies D3 (Optimising site capacity through the design-led approach) and D4 (Delivering good design) of the London Plan 2021.
  2. The proposed development, in the absence of a legal agreement securing an affordable housing contribution, would fail to maximise the supply of affordable to meet the needs of households unable to access market housing, contrary to policy H4 (Maximising the supply of affordable housing) of the Camden Local Plan 2017
  3. The proposed development, in the absence of a legal agreement securing car-free housing, would contribute unacceptably to parking stress and congestion in the surrounding area and fail to promote more sustainable and efficient forms of transport and active lifestyles, contrary to policies T2 (Parking and car-free development) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017



