

*London Office:*  
80-83 Long Lane  
London, EC1A 9ET

6<sup>th</sup> February 2025

Sent via planning portal only:

Dear Sir/Madam

**PLANNING APPLICATION – THE TOWN AND COUNTRY PLANNING ACT 1990**

**CHANGE OF USE OF THE FIRST FLOOR FROM OFFICE (USE CLASS E) TO 2 X DWELLING HOUSES (USE CLASS C3).**

**3-11 EYRE STREET HILL, LONDON, EC1R 5ET**

Please accept this covering letter as a Planning, Design, Access, Heritage and Sustainability Statement to support this application for the proposed change of use at 3-11 Eyre Street Hill, London, EC1R 5ET ('the site'). This letter provides a summary of the site and the proposed development.

Please also find enclosed for your consideration a completed application form, Marketing Report, Fire Strategy, CIL Form, location plan and full set of existing and proposed plans.

**The Site**

The site comprises a six-storey building located on the western side of Eyre Street Hill. The original building dates from the early 20<sup>th</sup> century and is constructed in brown brick with giant pilasters in red brick, which terminate in a bold rendered cornice. The windows comprise large, multi-pane metal framed casements with stone mullions at the upper levels. The building has been subject of a modern roof extension which is set back from the faces of the host building and clad in copper coping.

The existing lower ground, upper ground and first floors are in office use (Use Class E) and the second, third, fourth floors are in residential use (Use Class C3).

The surrounding area comprises a mix of uses, predominantly residential and commercial in nature. Immediately north of the site is The Gunmakers Public House. Opposite the application building on the eastern side of Eyre Street Hill is Viaduct furniture showroom with residential flats above (No's 1-10 Summers Street) and a building in flexible dual use as offices and an educational institution which extends to Clerkenwell Road and is occupied by Fordham University (2 Eyre Street Hill and 150-152

Clerkenwell Road). Immediately south of the site is a part three, four and five storey office building occupied by Global-e (No 154 Clerkenwell Road).

The site is located within Hatton Garden Conservation Area. The application building is not listed, though is identified as a building which makes a positive contribution to the special character and appearance of the conservation area.

The site is subject of an Article 4 Direction withdrawing permitted development rights for the change of use of commercial, business and service premises (Use Class E) to residential (Use Class C3) under Schedule 2, Part 3, Class MA of The Town and Country Planning (General Permitted Development) (England) Order 2015.

### **Planning History**

On 7<sup>th</sup> August 2015, planning permission was granted (ref: 2015/2637/P) for the rear extension to penthouse footprint, substitution of tecu copper cladding to prelaq nova plx cladding, amendment to entrance door details and movement of flank wall to north elevation at top floor level.

On 18<sup>th</sup> January 2010, planning permission was granted (ref: 2009/3638/P) for the erection of a roof level extensions and provision of residential accommodation (Class C3) at second, third and newly created fourth floor level to provide seven self-contained flats; change of use of the upper ground floor from one self-contained unit to office use (Class B1) and provision of office (Class B1) accommodation at lower ground and first floor level and associated alterations. This permission was renewed under 2012/5362/P by notice dated 30th January 2013.

On 27<sup>th</sup> March 2009, planning permission was granted (ref: 2008/3462/P) for change of use at upper ground floor level from residential (Class C3) to office (Class B1), provision of offices (Class B1) at lower ground floor, first and second floor level, change of use from offices (Class B1) to residential (Class C3) at third floor level to accommodate three residential units and the erection of a roof extension to create one residential unit (Class C3).

On 19<sup>th</sup> September 2005, a lawful development certificate was refused (ref: 2005/3126/P) for the existing use of the basement, ground and second floors for residential purposes. An appeal against this decision (ref: APP/X5210/X/06/2012323) was part-allowed and a certificate of lawful use was issued on 9<sup>th</sup> January 2007 for the existing use of the upper ground floor for residential purposes.

On 7<sup>th</sup> October 2004, planning permission was refused (ref: 2004/3301/P) for the change of use from industrial (Class B1c) and warehousing (Class B8) for the creation of 6 residential flats (Class C3) and 8 studio workshops (Class B1) with an associated roof extension. An appeal against this decision (ref: APP/X5210/A/04/1171257) was dismissed.

## **The Proposal**

This application seeks full planning permission for the change of use of the first floor from offices (Use Class E) to 2 x 3 bedroom flats (Use Class C3).

For the avoidance of doubt, no external alterations to the existing building are proposed.

Further details are provided on the submitted plans and within the Planning Assessment below.

## **Planning Policy & Guidance**

Section 38(6) of the Planning & Compulsory Purchase Act provides that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

### **National Planning Policy**

The National Planning Policy Framework (2021) (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development which incorporates three specific strands – economic, environmental and social. The NPPF is a material consideration in plan and decision making. The following sections are relevant to the consideration of this application:

- Section 5 (Delivering a sufficient supply of homes)
- Section 11 (Making effective use of land)
- Section 12 (Achieving well-designed and beautiful places)
- Section 16 (Conserving and enhancing the historic environment)

### **Development Plan**

The adopted Development Plan for the London Borough of Camden comprises the London Plan (2021) and the Camden Local Plan (2017). Camden's Planning Guidance (CPG's) and Conservation Area Appraisals provide advice and information on how the council will apply the development plan policies and manage development within conservation areas, which can be material considerations in planning decisions.

The following policies and guidance are considered relevant to the proposed development:

### ***London Plan (2021)***

- GG2 (Making the best use of land)
- GG4 (Delivering the homes Londoners need)
- D1 (London's form, character and capacity for growth)
- D4 (Delivering good design)
- D6 (Housing quality and standards)

- D13 (Agent of Change)
- H1 (Increasing housing supply)
- E1 (Offices)
- HC1 Heritage conservation and growth
- T6.1 (Residential parking)

### ***Camden Local Plan (2017) ('CLP')***

- H2 (Maximising the supply of self-contained housing from mixed-use schemes)
- E2 (Employment premises and sites)
- A1 (Managing the impact of development)
- D1 (Design)
- D2 (Heritage)
- T2 (Parking and car-free development)

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

- Design (2021)
- Housing (2021)
- Employment sites & Business Premises (2021)

### **Planning Assessment**

#### **Principle of development:**

Law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Permission is sought for the change of use of the first floor from offices (Use Class E) to residential (Use Class C3).

The site is subject of an Article 4 Direction withdrawing permitted development rights for the change of use of commercial, business and service premises (Use Class E) to residential (Use Class C3) under Schedule 2, Part 3, Class MA of The Town and Country Planning (General Permitted Development) (England) Order 2015. The proposed change of use is therefore subject to the relevant policies within the development plan.

#### ***- Loss of Office Floorspace***

CLP Policy E2 confirms that the council will protect premises that are suitable for continued business use, in particular premises for small businesses, businesses and services and those that support the functioning of the CAZ and local economy.

CLP Policy E2 further sets out that the council will resist the loss of business premises for non-business use unless it is demonstrated that the site is no longer suitable for its existing business use and the

possibility of retaining, reusing or redevelopment the site or building has been fully explored over an appropriate period of time.

The Employment Sites and Business Premises CPG provides further guidance on the application of CLP Policy E2 and the factors the council will take into account. As per the requirements set out in the CPG, this application is accompanied by a Marketing Report prepared by Susskind, dated October 2024. A summary of its key points is set out below:

- Susskind is a reputable marketing agent with a track record of letting employment space across the City fringe market, including Clerkenwell and Farringdon;
- There has been a visible letting board placed near to the main entrance at first floor level for several years clearly visible from Clerkenwell Road and Warner Street. The board was originally installed in August 2020 and the sleeve further changed in February 2023 to reflect the current marketing campaign which remains ongoing;
- The property has been vacant since September 2023, and active marketing has been ongoing since;
- The property has been listed on a number of widely used property portals since Susskind were initially instructed as letting agents;
- Direct marketing approaches have also been implemented across the micro location and the property details have been shared with over 500 central London commercial agents with regular postings of the property's availability for the attention of agency clients seeking office accommodation;
- The marketing details provide full information of the available office space in the form of photos, both internal and external, location, description, size, amenities, quoting terms/outgoings and leasing information;
- The office space is being marketed on competitive terms (£37.50 psf) by way of new lease on flexible terms – details of comparable office lettings achieved in the micro location have been provided (attached Appendix 2 of the Marketing Report);
- Rent free periods offered have ranged anywhere from 1.5-2 months and in some cases more for ever year certain of the lease term.
- In the current market, occupiers seeking office accommodation under c. 5,000 sq ft tend to require a CAT B or similar fit-out option provided by the landlord. These companies will be coming from a mix of serviced/co-working offices, traditional leased accommodation, where they would have benefited from a degree of fit-out included desks, chairs, zoom booths, board room furniture, soft furnishings/breakout areas, new kitchens and WC's. The application property does not provide any of the above thus making it a far less attractive option for the

majority of occupiers seeking office space of this size and description in the immediate location.

- Despite fully furnished plans having been provided as part of the marketing strategy and rent free periods having been offered to cover necessary fit out/refurbishment costs, none of the interest received has materialised due to inherent issues with the property which render it insufficient to meet the requirements/demand for modern business premises. A key obstacle has been the fact that the property cannot meet DDA (Disability Discrimination Act) requirements.

For further information please refer to the supporting Marketing Report by Susskind.

- *The suitability of the location of any business use*

The supporting marketing report states that issues regarding the configuration of the floor space itself, with the space having several structural columns which break-up the floor plan making it difficult for companies working around an open plan environment. With further lack of amenities which are offered by competing buildings in the area such as adequate provisions for end of journey amenities such as secure bike storage, showers and locker facilities for the benefit of staff.

Whilst interest has also been received from a small number of professional companies such as solicitors and charities, the lack of suitable DDA provisions for the building have proven to be an obstacle, which is a common theme with the property and one of the main reasons for the space remaining on the market for a prolonged period.

- *The range of unit sizes it provides, particularly suitability for small businesses*

The available accommodation is being marketed a competitive term (£37.50 psf) by way of a new lease on flexible lease terms. The building offers additional office space via the lower ground, upper ground and first floors, with the second, third and fourth floors as residential use. The openness of the unit would require significant investment and expenditure for the sub-division into several separate units, which are likely to require extensive works to the front elevation/entrance to the building. As the building is within the Camden conservation area external alterations could have a potential harmful impact on the character and appearance of the building, where it is considered most appropriate for the building to continue to operate as a single planning unit.

- *How the business use is related to other neighbouring/nearby land uses*

The property is located in an area predominantly characterised by office, commercial and residential uses. The existing office use and proposed class C3 use are both considered compatible with the surrounding uses and appropriate in this location.

- *Whether a lower quantum of replacement employment space is proposed as part of the development, and if so whether the nature of this space is considered to have the potential to offer equal or greater benefits to local people or businesses than the existing space.*

The proposed change of use of the existing office at Eyre Street, aims to offer equal/ greater benefits to local people than the existing space. The proposed use would support residential growth and reflect the second, third and fourth floor of the property which are in residential use (Use Class C3), and further the needs of the residential needs of the borough.

Policy E1 of the Camden Local Plan, which refers to Economic Development, seeks to protect existing employment sites within the borough that 'meet the needs of industry and other employers'. Given the period of time that the premises has remained vacant, despite active and ongoing marketing, it can be concluded that the premises does not meet the needs of industry or employers, which is due in a large part to the property's current floor plan, and as such, regard should be given to what other Council objectives can be achieved at the site.

Looking specifically at the growth sectors within the borough, paragraph 5.17 of the local plan identifies the councils overall objective to create the conditions for growth, to provide the needed for homes, jobs and other facilities while ensuring that this growth delivers opportunities and benefits for residents and businesses. Therefore, the proposal still satisfies the Council's objectives by changing the use of the space to residential, which better suits the property's current floor plan.

- *Marketing strategy and summary*

The supporting text to Policy E2 (paragraph 5.37) and the employment sites and business premises CPG advises that where a change of use to a non-business use is proposed, the applicant must demonstrate that there is no prospect or demand use of the site for its existing employment use and that evidence of a marketing exercise must be submitted.

Marketing information has been provided to evidence that there is no demand for 3-11 Eyre Street to continue as an office use. Prior to the marketing of the 1st floor there has been a joint agent's board placed near to the main entrance at first floor level for several years clearly visible from both Clerkenwell Road and Warner Street. The board was updated early 2023 to reflect the current marketing campaign, with further extensive marketing strategies being used via digital platforms such as Susskind's dedicated website, Instagram, LinkedIn and listed on widely used property portals such as Rightmove. The marketing details make clear reference to 'attractive incentive terms being available upon request'.

As outlined within this statement and the supporting marketing statement, the continued use of the premises for office purposes is not feasible due to the layout of the building and lack of accessibility. The proposed change of use to residential is in keeping with the upper floors of the building and surrounding area and will provide much needed residential accommodation in line with the Council's plans for growth in the Borough. Furthermore, a marketing letter has been submitted to accompany the application which details the marketing which has been carried out at 3-11 Eyre Street for 12 months. Given all of the above, the principle of the change of use from office to residential is considered appropriate and acceptable and will accord with the relevant local plan policies and guidance.

## **Design and Heritage:**

Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

Camden Local Plan (CLP) Policy D1 requires development to be of the highest architectural and urban design quality and have particular regard to design and visual impact and to the context within which it is placed, and the contribution it makes to the landscape qualities of the area. The aim of this policy is reflected in London Plan Policy D4 (Good Design). CLP Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and Listed Buildings. These aims are further reflected in London Plan Policy CH1 (Heritage Conservation and Growth).

The application site is located within the Hatton Gardens Conservation Area and as such regard has been given to the Hatton Garden Conservation Area Appraisal and Management Strategy (2017), which confirms that Ely Street Hill is within the Rosebery Avenue sub-area. The spatial character of the sub-area is defined as having a complex medieval street plan, with surprising vistas and transitions in the townscape that are integral to the character. The architectural character includes impressive 19th-century housing blocks, decorative mansion blocks, and large industrial buildings of similar or later date. The character is robust and strongly articulated though not highly decorative. Eyre Street Hill is also located in the north-western part of the Conservation Area, which, as defined by the Appraisal, has a higher concentration of residential uses, which forms the quieter and less busy character. Whilst not listed, the building itself is noted as positive contributor within the conservation area. The Appraisal states that the Council is aware that there are commercial pressures for change of use and in determining applications states that the Council will have regard to the *'effect on the balance of uses in the area and on the distinctiveness that stems from the continuation of traditional activities associated with the area, particularly jewellery manufacture'*.

The proposal relates to the change of use of the first floor, no external changes to the building are proposed, ensuring that the appearance of the building will remain intact. The change of use from office to residential will give rise to a subtle change in the character of the building, however it is not considered substantial and, in any event, will be in keeping with the defined residential character of this part of the sub-area and the upper floors of the building.

The key policy objective is to preserve and enhance elements of the building and features of the site that make a positive contribution to the conservation area. As the proposed development involves no external alterations, and the proposed change of use will ensure that the character of the host building will be preserved and maintained, it is considered that the proposed development is in accordance with the adopted policies and guidance for the Hatton Gardens Conservation Area.



## **Amenity:**

CLP Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. Further guidance is provided in CPG Amenity which sets specific standards of development with regard to amenity.

The nearest residential occupiers are on the upper floors and are not expected to be impacted by the change of use. As no external alterations or extensions are proposed, the scheme would not impact on overlooking, light or privacy. The residential use of the floor would result in comings and goings, but not over and above that of an office use and as such the proposed development is considered to have an acceptable impact on neighbours, in accordance with CLP policy A1 and Design SPG paragraphs 5.6 and 5.12.

Adjacent to the site is the existing public house, The Gunmakers Public House, and as such regard needs to be given to policy D13 (Agent of Change) of the London Plan, which requires new developments to be designed to ensure that established noise generating uses remain viable and can continue to grow. In this instance there are already existing residential uses within building which have not been impacted by the public house and have been in situ for a number of years. The proposed units will be separated internally from the party wall by the shared access hall, stairs, lift shaft and the only room along the party wall is a kitchen, which is akin to the existing residential uses on the upper floors. It is also noted that Gunmakers Arms is closed Sat-Mon and only opens until 11pm Tues to Friday, which is compatible with adjacent residential uses. The proposal for two additional flats within a building that already has residential uses is considered to accord with policy D13 and will allow for the continued operation of the adjacent public house.

## **Living Conditions for Future Occupiers**

Paragraph 130(f) of the NPPF states that planning decisions should 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.

Policy D6 of the London Plan states that housing development should provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners.

CLP Policy H6 states that in all developments the Council will encourage design of all housing to provide functional, adaptable and accessible spaces, and expect all self-contained homes to meet the nationally described space standards.

The scheme includes the provision to 2 x 3 bedroom flats, which are considered to be 3B 4person flats, given that the layout provides one double room and two single rooms per flat. Therefore, the relevant space standards require a total floor area of 74m<sup>2</sup> in total (each flat is over 110m<sup>2</sup>), with bedrooms and living areas all meeting the required standards set out in the Nationally Prescribed Space Standards. The application is accompanied by a Schedule of Room Areas which sets this out.

All habitable rooms are served by large windows, with high levels of light and circulation achieved.

Whilst it is noted that the scheme does not include private outdoor amenity space, the use of an existing building, within a built-up area means there is no existing garden area that can be used for this purpose. The location within a conservation area and the building being a positive contributor means that providing external balconies would have an impact on the character and appearance of the building and potentially give rise to amenity concerns. The lack of outdoor amenity space is consistent with the surrounding residential uses in this central London location, and the large, light internal spaces will provide an acceptable living environment for future occupiers. It is also noted that there are public open spaces nearby (Spa Fields) which could be used by occupiers.

The site is in an accessible location with respect to existing services and facilities, including public open space and transport infrastructure. The proposal provides a high quality living environment for the future occupants in line with the aspirations of LP Policy D6, CLP Policy H6 and the Council's Amenity CPG.

### **Access and Parking**

CLP Policies T1 and T2 and HNP Policy TT4 highlight the importance of prioritising walking and cycling as a sustainable mode of transport and indicate that car-free development across the borough is a key aim. This is also echoed in the Transport CPG.

Policy T2 requires all new developments within the borough to be car-free and that the Council will limit onsite parking to spaces designated for disabled people where necessary. Given that the site is in a highly accessible location (PTAL 6B), it is envisaged that the proposal will be car free, in line with policy, which can be secured via legal agreement. The Council will require the proposal to include cycle parking in accordance with London Plan requirements, being two cycle parking spaces per residential unit. Cycle parking is currently provided within the lower ground floor, which residents of the proposed flats will have access to. In total, 14 spaces are currently provided, however the scheme seeks to increase this to 25 spaces, which will meet the cycle storage requirements for the existing and proposed flats within the building. In addition to cycle parking, the site is also well connected to local bus services, located on Clerkenwell Road, Rosebery Avenue and Farringdon Road and within 7min walk to Farringdon Station with underground and overground services.

The proposal would have no adverse impact on highway safety. The proposal accords with LP Policy T5 and CLP Policies T1 and T2.

Pedestrian access will also remain unaffected, with no changes proposed to the front entrance.

Internally the proposed extensions will allow for better room arrangement and flow, resulting in improved access throughout.

## **Waste storage and collection**

Policy CC5 sets out that the Council will make sure that developments include facilities for the storage and collection of waste and recycling. Camden's Environment Service technical guidance for recycling and waste sets out storage requirements for flatted developments and encourages larger bins used on a shared basis, so as to reduce street clutter.

In terms of provision, the technical guidance sets out the following waste storage requirements;

9 x 120L of general waste = 1080L

9 x 140L of recycling = 1260L

9 x 23L of food waste = 207L

In terms of bin sizes, these requirements would translate into the following- 1 x 1280L + 2X660L + 1 x 110L + 1 X 240L (for food waste), which is calculated out as a 3m<sup>2</sup> requirement spatially. The existing provision on site (shown on the submitted Lower Floor Plan) exceeds these requirements and therefore adequate waste storage is provided. In terms of the offices uses on site, the bin storage will remain unaffected.

Waste storage is proposed in existing stores at lower ground level and to the front of the building, with easy access to the street, in a shared arrangement with the existing residential units. The proposal is in line with CLP Policy CC5.

## **Sustainability**

Local Plan Policies CC1 sets out that the Council will encourage all new development to minimise the effects of climate change and meet the highest feasible environmental standards. Policy CC2 requires all development to adopt appropriate climate change adaption measures including reducing surface water runoff, incorporating green infrastructure, measures to reduce overheating and water consumption. London Plan Policy S12 states that new residential development should achieve a minimum of a 10% reduction in carbon emissions above that the current building regulations requirement.

The proposal does not involve any external building work, and as such there is no change to the existing drainage, run off or window fenestration. It is intended that the refurbishment works will include the installation of energy and water efficient fixtures and fittings, which will benefit the energy and water efficiency of the building. It is envisaged that the scheme will achieve a 10% reduction in carbon emissions when compared to current building regulation requirements.

The proposal will contribute to minimising the effects of climate change, in line with Local Plan Policies CC1 and CC2 and London Plan policy S12.

## **Fire Strategy**

The proposal is accompanied by a Fire Strategy prepared by DB Fire Safety Ltd, which sets out the relevant fire safety requirements.

## **Summary**

As demonstrated within this letter and supporting documents, the proposed works are considered to preserve and enhance the character and appearance of the host property and wider conservation area. Therefore, there would be no harm to the significance of Camden's Conservation Area, neighbouring amenity, transport or sustainability.

The development is in accordance with the relevant Development Plan policies, CPG's and the guidelines set out within Employment sites & Business Premises (2021). The loss of the existing office use is acceptable, given its inappropriate layout, the length of marketing and its replacement with much needed residential housing. It is therefore respectfully requested that planning permission is granted.

I trust this letter and the enclosed documents provide you with sufficient information to determine the application but if you require any points of clarification or have any questions, please do not hesitate to contact me.

Yours faithfully,

**Lauren Westley**  
**Principal Planner**  
**SM Planning**