

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	24/03/2025
		N/A / attached		<b>Consultation Expiry Date:</b>	06/03/2025
<b>Officer</b>			<b>Application Number(s)</b>		
Henry Yeung			2025/0056/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Offices And Premises at Unit 5 Ground Floor 37 Great Russell Street London Camden WC1B 3PP			Please 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>					
Proposed change of use of rear part of the ground floor and basement floor from Class E (office) to short-term letting accommodation with associated external alterations.					
<b>Recommendation(s):</b>		Refuse Planning Permission			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	01	No. of objections	01
			No. electronic	01		
Summary of consultation responses:	Site notice displayed 29/01/2025-22/02/2025 Press advert published 06/02/2025-02/03/2025 No responses were received following statutory consultation.					
Bloomsbury CAAC	<p>The Bloomsbury CAAC was consulted and provided the following response, summarised below.</p> <p>The Bloomsbury CAAC strongly objects to the application, arguing that the proposed change of use from commercial to residential is contrary to Local Plan Policy E2 and the Bloomsbury Conservation Area Management Strategy, causing harm to the area's special character.</p> <p>The objection highlights that the applicant has not provided sufficient evidence of a thorough two-year marketing exercise, as required by the Local Plan, and has only marketed the property as office space without exploring another viable Class E or Sui Generis uses. Given the site's prime commercial location near the British Museum, the CAAC argues that business use remains viable and well-suited to the area.</p> <p>Additionally, the proposed ground-floor commercial space is considered too small to function effectively as a shop, café, or office, further undermining business use. The CAAC concludes that the application should be refused as it fails to justify the loss of commercial space in a thriving business district.</p> <p><b>Officer comment:</b> <i>The applicant has submitted detailed and sufficient documentation demonstrating a comprehensive marketing history between 2020 and 2024. This evidence includes records of sustained marketing efforts over a four-year period at competitive rates, targeting a range of potential business occupiers. Despite these efforts, the property has not secured a viable commercial tenant, indicating a lack of demand for business use at this site.</i></p> <p><i>The marketing history aligns with the requirements set out in Local Plan Policy E2, which allows for the consideration of change of use where a sustained and realistic marketing exercise has been conducted. The documentation provided supports the conclusion that the site is no longer viable for commercial purposes, and as such, the proposed change of use is justified.</i></p>					

## 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

2024/5112/P – “Change of use of part of the ground floor from Class E (office) to Class C3 (residential) with associated external alterations.” Refused 14/01/2025

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 A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Policy E2 Employment Premises and Sites

Policy E3 Tourism

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

A [Submission Draft Camden Local Plan](#) (updated to take account of consultation responses) was reported to Cabinet on 2 April 2025 and the Council on 7 April 2025. The Council resolved to agree the Submission Draft Local Plan for publication and submission to the government for examination (following a further period of consultation). The Submission Draft is a significant material consideration in the determination of planning applications but still has limited weight at this stage.

### Camden Planning Guidance (CPG)

CPG Design

CPG Amenity

CPG Employment Sites and Business Premises

CPG Transport

### Bloomsbury Conservation Area Appraisal and Management Strategy 2011

## 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 basement from Class E (office) to short-term letting accommodation (Sui Generis) with associated external alterations. The proposed floor area of the unit is 96.7 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. 2024/5112/P (dated 14/01/2025). The current proposal is similar to the previous scheme but now includes the basement floor, which is proposed to be used for two-bedroom short-term let. It also features a larger lightwell and a rooflight.

## 2. Planning Considerations

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

- Land Use
- 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 is classified as Class E and appears to have been used primarily as storage space area specifications and market demand. The agent also provided a Marketing Report detailing efforts to sell and lease the ground and basement floors. 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 (151sqm ground floor, 168sqm 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 Local Plan Policy E2, which allows for flexibility in land use where evidence supports the unviability of existing employment space.

3.3. While permanent residential accommodation is the priority land use of the Local Plan, in this instance the provision of permanent self-contained housing at basement and ground would provide an unacceptable quality for long-term use and would not meet residential development standards. Policy E3 (Tourism), recognises the importance of the visitor economy in Camden and supports visitor accommodation in the town centres. In the event of approval, a condition would be included to ensure that the short-term let unit cannot be occupied as permanent residential accommodation. Additionally, a management plan for the short-term let accommodation would be secured through S.106 agreement to ensure appropriate oversight and operation of the units. The failure to grant planning permission and therefore enter into a Section 106 legal agreement to secure management plan, forms a reason for refusal (RFR 2).

## **4. Standard of Short-term Accommodation**

- 4.1. 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, and expect all self-contained homes to meet the nationally described space standard.
- 4.2. The proposed short-term let is intended to provide temporary accommodation. As such, there are no specific standard requirements or guidelines for assessing the quality of accommodation for short-term stays. The proposed unit offers generous internal space of approximately 97sqm with a reasonable layout, ensuring a functional and comfortable living environment for short-term occupants. While the units are single aspect, the spacious internal arrangement helps to mitigate concerns related to outlook and natural light when considering the unit as a short-term let. Additionally, the inclusion of an external terrace, though limited in depth, provides some outdoor amenity space, complemented by access to a shared terrace. Given these factors, the proposed short-term lets are considered to provide an acceptable standard of visitor accommodation for their intended use.

## **5. Design and Conservation**

- 5.1. 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.
- 5.2. 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.
- 5.3. 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.
- 5.4. 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 Bloomsbury Conservation Area.
- 5.5. Internally, the spatial location of the unit within the building as a whole is extremely poor. The proposed short-term let unit is shoehorned into the rear of the ground and basement floors 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.
- 5.6. The 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 short-term let 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.

- 5.7. 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. Amenity**

- 6.1. 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.
- 6.2. The proposed external alterations at rear are not considered to create any new amenity impacts on neighbouring residential occupiers. The closest residential property, located on the upper floors at No. 38 Great Russell Street, will not have direct sight lines to the unit.
- 6.3. Regarding the proposed short-term let accommodation, the shared access between the upper flats intended for long-term or permanent housing, raises potential concerns related to security and anti-social behaviour. The temporary nature of short-term lets results in transient occupation of the unit with a significant occupier turnover and the unknown number of occupiers. It is expected that some of these occupiers will not have the same level of respect for the communal spaces (including the roof terrace) shared with permanent residents and often create higher levels of noise and disturbance when compared to permanent residents. This is supported by evidence the Council has received where homes have been converted into short-term lets in similar contexts. This would be contrary to Policy A1 of the Camden Local Plan 2017 and the CPG Amenity Guidance and thus forms a reason for refusal (RFR 1).

## **7. Transport**

- 7.1. In line with Policy T1 of the Camden Local Plan, transport policy expects cycle parking at developments to be provided in accordance with the London Plan standards. For residential units with 2 or more bedrooms, the requirement is for 2 spaces. The proposed ground floor plan shows a 16-space cycle store in the communal hallway to the property. The provision of this cycle store has already been secured and the details discharged under 2024/4613/P.
- 7.2. In accordance with Policy T2 of the Camden Local Plan, the additional residential unit should be secured as Residents parking permit (car) free by means of a S.106 agreement. As the proposals are limited to the internal layout of the building, it is considered that a Construction Management Plan is unnecessary in this instance. The failure to grant planning permission and therefore enter into a S.106 agreement to secure car-free development, would form a reason for refusal (RFR 3).

## **8. Refuse and Recycling**

- 8.1. 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.
- 8.2. The previously approved refuse and recycling store is considered to accommodate refuse for the new short-term let 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 Local Plan 2017.

## **9. Conclusion**

9.1. The proposals include change of use from offices (Class E) to short-term let accommodation (Sui Generis) with shared access to the upper flats, which are intended for long-term or permanent housing. This raises concerns regarding security and potential anti-social behaviour. The wider issue is the shared use of key facilities, including the entrance, cycle storage, and bin stores, where the temporary nature of short-term lets which ranging from a single day to several months, could compromise the safety and amenity of permanent residents.

9.2. 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.

- Management plan for the short-term let accommodation
- Car-Free Development

## **10. Recommendation**

10.1. The application is refused on the following grounds:

- 1) The proposed short-term let accommodation, by virtue of its communal facilities and nature within the building, could result in security concerns and potential anti-social behaviour, compromising the safety and amenity of permanent residents. This would be contrary to Policies A1 (Amenity) and of the Camden Local Plan 2017.
- 2) The proposed development, in the absence of a legal agreement securing a management plan for the short-term let accommodation, would fail to ensure appropriate oversight and operation of the units, potentially resulting in unacceptable impacts such as noise, disturbance, and security concerns. This would be contrary to Policy A1 (Amenity) 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.