

Planning Statement

Application for a Lawful Development Certificate for an Existing use

**Town and Country Planning Act 1990: Section 191 as amended by
section 10 of the Planning and Compensation Act 1991.**

68 and 69 Guilford Street London WC1

September 2011

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1. Introduction

1.1 This report is submitted on behalf of Cignia UK Properties Ltd and accompanies a Certificate of Lawfulness for an Existing Use (CLUED) for 68 and 69 Guilford Street London WC1N 1DD.

1.2 It is considered that the lawful use of the property is:

'Residential Hostel Use (Sui-Generis) and self-contained residential flat (Class C3) to ground floor of 69 Guilford Street.'

1.3 Section 2 of this report describes the existing layout of the building and the site as a whole. Section 3 discusses the historical use of the building, including the related planning history. Section 4 assesses the evidence submitted as part of the CLUED application. Finally, section 5 provides conclusion. The document evidence related to each section is enclosed with the appendices.

2. Site Description

2.1 This section describes the site and the internal layout of 68 and 69 Guilford Street.

2.2 Enclosed as Document 1 is a Site Location Plan. The site is located on the north side of Guilford Street opposite the entrance to Queens Square. The site comprises two mid-terrace grade II listed former Georgian townhouses dating from early/mid 19th Century. The site is within Bloomsbury Conservation Area.

DOCUMENT 1

2.3 Enclosed as Document 2 is the Existing Plans. The plans show the two building have been laterally converted at all levels and extended at the rear. Internally the buildings have been variously altered and subdivided creating multiple rooms per floor with centrally corridor connecting the two-properties. Little of historic

interest, including the historic layout, remains internally. This is consistent with many of the properties along the terrace, which have been erroneously altered and poorly maintained when in ownership by the UCLH as nurses accommodation.

DOCUMENT 2

2.4 Enclosed document 3 shows photographs of the existing property per floor. The lower ground floors consist of storage, boiler & plant rooms and washing facilities including laundry rooms and W.C's.

2.5 The Ground floor of 68 Guilford Street consists of 5 rooms with associated kitchen and bathroom rooms. The photos confirm these are currently being used as residential rather than office accommodation. The ground floor of 69 comprises a 2 bedroom self-contained flat containing living room facing the street, centrally positioned kitchen and bed and bath rooms to the rear. The second bedroom utilises the rear addition of 68 Guilford Street. The self-contained flat has sole access from the ground floor entrance. A central corridor connects the buildings and links to staircases.

2.6 The first consists of 7 bed-sit rooms all of which contain washbasins. The washing and laundry facilities are located on the half landing in 69 Guilford Street with Kitchen and W.C to small rear rooms in 68 Guilford Street. A central corridor links both buildings.

2.7 The second floor consists of 8 bedsit rooms all of which have washbasins. A communal kitchen is located to the front of the property with shared washing facilities to the rear.

2.8 The third floor consists of 8 bed-sit rooms with separate washing and cooking facilities. A small shared courtyard exits at the rear of the property.

DOCUMENT 3

3. Historical and Planning Background

a) Historic background

3.1 The original building were built as a single family dwelling in the late 18th Century by James Burton. It is unknown when the properties were laterally converted however Document 5d states they were known as 68-69 in 1963 prior to being grade II listed in 1974. The list description reads,

“3 terraced houses. c1793-1799 by James Burton. No.67: darkened multi-coloured stock brick, 3rd floor refaced. Rusticated stucco ground floor. 4 storeys and basement. 3 windows. Round-arched, recessed entrance with overlight and part-glazed door. Gauged brick flat arches to recessed sashes, mostly with original glazing bars; 1st floor with continuous cast-iron balcony. Stucco 3rd floor sill band. Parapet. Nos 68 & 69: yellow stock brick with stucco ground floor. Stucco cornice at 3rd floor level. Formerly 2 residences, No.68, 4 windows; No.69, 3 windows. Entrance in No.69, round-arched with fluted surround, side panels, radial fanlight and panelled double doors. No.68 former entrance converted for use as a window. Red gauged brick flat arches to recessed sash windows; 1st floor with cast-iron balconies, No.69 2nd floor also. No.69 with blind boxes to 1st and 2nd floor windows. Parapets. INTERIORS: not inspected. SUBSIDIARY FEATURES: attached cast-iron railings with urn finials to areas. (Survey of London: Vol. XXIV, King's Cross Neighbourhood, Parish of St Pancras IV: London: -1952: 32).”

3.2 Enclosed as Document 4 is a letter of from UCLH confirming the building was bought by 1996 by University of College London Hospital Trust (UCLH). Prior to UCLH ownership the building was owned by the Secretary of State for Health. The letter confirms that during the Secretary of States for Health's and UCLH ownership the building was at all material times used for bed-sit accommodation and ancillary administrative offices on ground and basement of 68 Guilford Street and a self-contained flat on ground floor of 69 Guilford Street.

DOCUMENT 4

3.4 Enclosed Document 5 is a Statutory Declaration from a director of Cignia UK Properties Ltd. confirming they took ownership of the property from UCLH on 23rd September 2010 and immediately let the building with tenants on short-term six month and one year tenancy agreements. The declaration confirms the remaining tenants leases expire in September 2011 in preparation for refurbishment works.

DOCUMENT 5

3.5 Enclosed Document 6 and 7 is copies of the utility bills confirming occupation of the properties, other than the ground floor flat, from when ownership was transferred from UCLH to Cignia UK Properties Ltd in September 2010 to present day. The electricity bill represents particularly well occupation levels since Cignia UK Properties have owned the building and are consistent with occupation levels stated in Robin Samra's declaration.

DOCUMENT 6 & 7

3.6 Council Tax records show that UCL Hospital Neurology continued to use the premises as nurses hostel bed-sits from 1996 to present day.

3.7 Enclosed Document 8, Statutory Declaration from tenant of the ground floor flat, confirms the current tenant has been living at 69 Guilford Street continually since 2001. The tenant confirms the building has been used continually used as bed-sit accommodation with ancillary storage and washing facilities at basement level and associated administration/study rooms at ground floor level of 68 Guilford Street. The Declaration states that following the sale of the premises by UCLH in September 2010 the building have continued to be occupied as bedsits including ground floor of 68 Guilford Street with storage and washing facilities remaining at basement level.

DOCUMENT 8

3.8 Enclosed Document 9 is a copy of correspondence dated 26th July 2000 between that then landlord (UCLH) and tenant (Mrs Whitehouse) validating the assured tenancy agreement and information contained in the declaration.

DOCUMENT 9

b) Planning History

3.9 Enclosed as Document 10 and 11 are copies of the planning history associated with the site. For ease of reference the decision notes and associated application forms of the relevant decisions only been included. A full list of all applications relating to the site are included in table1.

3.10 The planning history documentation shows the buildings could have been used as, "residential accommodation for nurses and hospital domestic staff with

ancillary accommodation for training nurses,” as early as 1963 when permission was granted to The National Hospitals for Nervous Diseases to convert from residential property or hotel (ref: TP4516). Refer to table 1. and copies of the decision notice and application form enclosed as Document 5a.

DOCUMENT 10

3.11 The application form for planning permission submitted in 1993 (ref: 9300509) set out a number of facts. In section 3 the description of development states the Internal refurbishment to form ancillary office accommodation and nurses bedsits. Section 7 states existing use to be ancillary residential and office accommodation and section 8 states 19 new bed-sits rooms are proposed.

DOCUMENT 11

Table 1. Planning History of the site

DOCUMENT	ADDRESS	REFERENCE	DESCRIPTION	DECISION and DATE
5	68-69, 78-79 and 82, Guilford Street and 13-17, Grenville Street	TP4516	To change the use of the premises from residential hostel, dwelling house and offices to residential accommodation for nurses and hospital domestic staff with ancillary accommodation for training nurses.	Planning Permission Granted 14/02/1963
	68-69 Guilford Street, WC1	HB/2931	For the removal of the existing roofs and their replacement with new roofs to a different profile, and the reconstruction of the wall at third floor front.	Planning Permission Granted 05/10/1982
6a	68-69 Guilford Street, WC1	9300509	Internal refurbishment and restoration in connection with the use of the buildings for nurses bedsit accommodation on first second and third floors and administrative offices for the National Hospital and the Institute of Neurology on ground floor and basement.	Planning Permission Granted 03/06/1994
6b	68-69 Guilford Street, WC1	9370077	Internal refurbishment and restoration in connection with the use	Listed Building Consent Approved

			of the buildings for nurses residential accommodation and hospital administrative offices	03/06/1994
	68-69 Guilford Street, WC1	LSX0104936	Repairs to the front elevation	Listed building Consent Withdrawn 14/08/2000

4. Assessment of Evidence

a) Residential Hostel Use (Sui-Generis)

4.1 It is evident that the established use of the building is as a hostel providing permanent accommodation for nurses. Hostels are Sui-Generis use and whilst the occupation of the building by another group of people has taken place since September 2010 this would not necessarily constitute a material change of use as the continued use of the building remains 'as existing' i.e. permanent hostel accommodation.

4.2 The planning history of the site suggests that the properties have been in use as permanent residential (nurses) and permanent hostel use with some ancillary storage and offices. Given the building are joined laterally this is likely to be the case. Importantly the dedicated entrance from 69 Guilford Street serving the self-contained flat requires access to all other parts of the building from the ground floor of 68 Guilford Street preventing these areas from being self-contained.

4.3 Documents 4 and 8 confirm the continued use of the building as permanent nurses accommodation until September 2010. Council Tax records and discussions with LB Camden Planning Department support this information.

4.4 Document 5, 6 and 7 support the evidence the properties have continued to be occupied until present day. Photos in document 3 showing current occupation and level of self-containment internally, as well as site visits to the premise by Charles Rose (conservation officer) during 2010 and 2011 also support this evidence.

4.5 The evidence would suggest the established and lawful use of the building is a hostel providing permanent accommodation (Sui Generis).

b) Self-contained ground floor flat (Class C3)

4.6 The use of the ground floor of 69 Guilford Street as a self-contained flat since 2001 is specifically confirmed documents 2, 4, 8 and 9 and should not be in dispute.

4.7 The evidence would therefore the established and lawful use of the ground floor of 69 Guilford Street is therefore permanent residential (class C3).

5. Conclusions

5.1 In conclusion we consider the evidence demonstrates that on the balance of probability the use of the 68-69 Guilford Street, London, WC1N for residential hostel use (Sui-Generis) with self-contained residential flat (Class C3) to ground floor of 69 Guilford Street has taken place in excess of ten years. For this reason, a certificate confirming the lawful use of 68-69 Guilford Street WC1 should be granted.

5.2 The property, notwithstanding the ground floor flat, will fall within the requirements for HMO licensing as contained in the Housing Act 2004. In recognition of this, the Council's Environmental Health team has been liaising with the applicant in relation to the requirements for cooking and sanitary facilities. It is considered that the most applicable HMO standards are those in respect of bedsit accommodation.