

<b>Delegated Report Members Briefing</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>03/09/2010</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		<b>10/08/2010</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Gavin Sexton				2010/2064/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
3rd Floor 16 Upper Woburn Place London WC1H 0AF				See 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 third floor from office use (Class B1) to non-residential institution (Class D1).							
<b>Recommendation(s):</b>		<b>Grant planning permission</b>					
<b>Application Type:</b>		<b>Full Planning Permission</b>					
<b>Conditions:</b>		<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>12</b>	No. of responses No. electronic	<b>02 00</b>	No. of objections	<b>02</b>
<b>Summary of consultation responses:</b>		<p>Objections were received from representatives of two existing interests in the office building</p> <ul style="list-style-type: none"> <li>We do not wish to have students roaming around the building whilst we are trying to run a professional business</li> <li>Proposed use of third floor is out of context and does not fit well with existing uses</li> <li>Concern about noise and disturbance from operation and increased intensity of people traffic within building</li> <li>Considerable local D1 and no need for more</li> <li>Location is part of Euston Growth Area under LDF and office provision should be protected</li> <li>No notice served on freeholder.</li> </ul>					
<b>CAAC/Local groups comments:</b>		No response received.					
<b>Site Description</b>							
<p>5-storey brick built commercial premises comprising ground, 1<sup>st</sup> – 3<sup>rd</sup> floors a 4<sup>th</sup> floor mansard with dormers and above that a set back 5<sup>th</sup> floor. The building occupies a corner site at the junction of Upper Woburn Place and Endsleigh Gardens.</p> <p>Within the Central London Area. Located within the Bloomsbury Conservation Area. Immediately opposite the building is the Grade 1 listed St. Pancras church.</p>							

## Relevant History

2009/0607/P: Permission **refused** for “Extension of the roof to form a double mansard at 4<sup>th</sup> and 5<sup>th</sup> floor level to provide additional office accommodation”. Appeal lodged and **dismissed**.

2008/2336/P: **Granted** approval in July 2008 for “Change of use of basement from ancillary office (Class B1) space to a student centre (Class D2)”.

## Relevant policies

### Replacement Unitary Development Plan 2006

SD6 – Amenity for Occupiers and Neighbours

E1 - Location of Business Uses

E2 - Retention of Existing Business Uses

C1 - New Community Uses

T1B (Transport Assessments)

T3- Pedestrians and cycling

B7 – Conservation Areas

### LDF Core Strategy and Development Policies

*As the draft LDF Core Strategy and Development Policies documents have now been published, they are material planning considerations. However, as a matter of law, limited weight should be attached to them at this stage.*

*CS1 - Distribution of growth*

*CS5 - Managing the impact of growth and development*

*CS8 - Promoting a successful and inclusive Camden economy*

*CS10 - Supporting community facilities and services*

*CS14 - Promoting high quality places and conserving our heritage*

*DP13 - Employment sites and premises*

*DP15 - Community and leisure uses*

*DP25 - Conserving Camden's heritage*

*DP26 - Managing the impact of development on occupiers and neighbours*

## Assessment

### Proposal

The proposal seeks permission for change of use of 630m<sup>2</sup> of office use (Class B1) to educational use (Class D1) on the 3<sup>rd</sup> floor. There are no external alterations included within the proposal. The future users would be the Buckingham College of London, which is a privately run third level educational establishment.

The main planning considerations in this assessment are the principle of land use change and the impact of the new use on transport provision and local amenity.

### Land use

#### E2 - Retention of existing business use

Policy E2 does in principle seek to protect employment uses, but this is on the basis that they can be used flexibly for a range of employment uses. Being located at 3<sup>rd</sup> floor level within an office building such as this, it would appear that this site has few, if any, of the typical design features as outlined in para. 7.18 of the UDP that would allow flexible employment use and it is unlikely that incorporating such features would be feasible into this building.

The applicants have not submitted any information to suggest that the accommodation is vacant and/or the premises have become dated and are no longer attractive to modern office occupiers. A site visit found that the college has installed the necessary desks/IT within a conventional partitioned office environment to start providing the education service. The room arrangement would lend itself to easy reversion to office use.

Para. 7.22 of the UDP makes an exception for office premises in areas where there is a surplus of office accommodation to revert to other uses, in particular housing. It has been acknowledged that this area does have a surplus of office accommodation given the large number of recent developments for purpose built, modern office accommodation. The UDP goes on to state that, in instances where we accept the loss of old office stock, the Council's preference is for the released floorspace to be used for residential and/or community uses. There is not considered to be an over provision of D1 uses in the locality. Within this context, the principle of change of use is considered to be generally acceptable.

#### Policy C1 – New Community Uses

College facilities are normally considered to fall within the broad scope of a community use and, as the Buckingham College is one of the few examples of a privately run University in this country, it is difficult to consider it as a genuine 'community' use. Notwithstanding, the proposed use falls within the category of educational facilities as acknowledged by the text supporting policy C1 in para. 8.15.

Policy C1C states that the Council will grant planning permission for the development of educational facilities provided that the travel demand associated with the development would not harm the transport system, and that where appropriate, the facilities are accessible to the community they serve. In this instance the applicant has stated that the college would be patronised by predominantly foreign (90%) students and therefore the applicability of opening the facility for 'community use' is less relevant. The office building provides a foyer and reception desk area as a central access point and it is considered that the use of an upper floor for out-of-hours community use would not be a sustainable or necessarily appropriate proposal.

### Transport

The site is located on Upper Woburn Place within the Clear Zone Region and within the potential Crossrail 2 development zone. It is a short distance from Euston, Euston Square and Russell Square underground stations. There is no vehicular access to the site and none is proposed. The site has a Public Transport Accessibility Level (PTAL) of 6b (excellent). On-street cycle hire facilities are provided in Endsleigh Gardens and Euston station provides extensive secure cycle parking for commuters.

Transport policy officers have noted that development proposals with an uplift in trip generation of

more than 100 person trips during any morning or evening peak would require an accompanying Transport Assessment (TA). In this case, the existing office suite would provide employment space for at least 33 people (using the employment density figure of 19m<sup>2</sup> per employee from the Arup report for English Partnerships, 'Employment Densities: A full guide, July 2001'). The proposals involve an increase to between 95-120 students and staff (an uplift of 62-87 persons) – this would not trigger the need for a TA.

Policy T3 seeks to encourage the use of cycling as a sustainable form of transport for new uses and in the normal course of events the provision of secure cycle parking for 12 bicycles would be required to accord with Camden's standards. In this instance, the site is located on the middle floor of an existing office building with no apparent access to a basement and no capacity for accommodating new cycle parking within the building's external curtilage. It is considered that the constraints of the site preclude the provision of cycle parking, and that the close proximity of nearby cycle facilities will help to redress this.

### **Amenity**

The upper floors of the office building are served by two separate stair-wells and lifts. The proposal is for a self-contained college facility which includes a small recreation/dining room and toilet facilities. These measures should reduce the level of student need for ad-hoc movement within the building for purposes other than arriving and leaving the institution. Whilst activity levels on the stairs and lifts will be likely increase above the existing situation, this is unlikely to generate sufficient noise or nuisance to other occupiers to merit refusal on the basis of harm to amenity. Therefore the proposals are considered to comply with policy SD6.

### **Other considerations**

The applicant has completed the correct certificate on the application form and has indicated that notice has been served on leaseholders/freeholders.

The site is outside the emerging LDF Euston Growth Area, although even its inclusion in that zone would not preclude the potential of change of use from B1 office.

The specifically proposed use is likely to involve the majority of occupiers travelling by public transport. A significant degree of control over the use of the site would be exercised by the serviced office entrance foyer and the limitations and constraints of its 3<sup>rd</sup> floor location and it is difficult to envisage an alternative D1 use which would significantly alter the amenity or transport impact hereby proposed. Therefore it is not considered necessary to restrict the D1 activities solely to use as an educational establishment, or to impose any other conditions to control the operation of the use.

**Recommendation:** Grant

## **DISCLAIMER**

**Decision route to be decided by nominated members on Tuesday 31st August 2010. For further information see**

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>