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ALLOWED

Mr. Longley Day
The National Council of Social Service
(Incorporated)
26 Bedford Square
LONDON
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Your reference
R/S/jua
Our reference
T/APP/5003/A/17/5193/G6
Date

15 MAR 1978

Sir

LOCAL AND COUNTRY PLANNING ACT 1971, SECTION 36 AND SCHEDULE 9
APPEAL BY THE NATIONAL COUNCIL OF SOCIAL SERVICE (INCORPORATED)
APPLICATION NO: T/APP/5003/A/17/5193/G6

1. I refer to this appeal, which I have been appointed to determine, against the decision of the London Borough of Camden Council to refuse planning permission for the continued use of the first and second floors as offices at 9 Bayley Street, London WC1. I held a local inquiry into the appeal on 21 February 1978.
2. From my inspection of the premises and their surroundings and from the representations made at the inquiry, I consider that the determining issue is whether there are sufficiently strong reasons for not requiring the restoration of the 2 floors concerned to their former residential use at this time.
3. Before the temporary permission was granted in 1967 for the use of the first and second floors of 9 Bayley Street as offices, these 2 floors formed a single residential flat. The third floor was and still is a flat, and the ground floor and basement have established uses as offices. The adjacent property, No 10, still has a flat on the second floor and another on the third but established office uses of the other floors. The other properties leased by the National Council of Social Service at Nos 8, 7, 6 Bayley Street and 27, 26 Bedford Square have established office uses except for a caretaker's flat on the third floor of No 6. The office accommodation in all these properties is interconnected and used as a single unit. The other properties around Bedford Square are almost wholly in use as offices and for institutional purposes except for residential units on the upper floors of a few buildings.
4. The National Council of Social Service is a registered Charity whose primary task at present is to promote and organise co-operation in the relief of human distress. It is recognised as performing work of national importance and receives some 50% of its funds from the Government. Its need for offices in Central London is supported by the Government Departments concerned.
5. When the Borough Council determined the original application in 1967, they had regard to the housing and office policies expressed in the Greater London Initial Development Plan, but considered that the special circumstances put forward by the applicants at that time were such that the office use proposed was justified for a limited period on a personal basis. The same conclusion was reached in 1970 and 1973 when permission was renewed for further limited periods. However the Borough Council did not agree to requests to allow the use for as long as the premises were in occupation by the National Council of Social Service.

view of the small scale of office use on the 2 floors concerned, and their use within a building, block of buildings and square predominantly in use as offices, the continuation of use proposed would not seem to me inappropriate or harmful to the local environment, or in conflict with the Initial Development Plan policy for office use within the West End Zone. Subsequently published policy on office development, as expressed in the Borough Council's "Planning Standards and Policies", the Greater London Development Plan and the proposed District Plan, does not seem to me materially different from the earlier policy insofar as it is relevant to this case, except for the stress on retaining the form of residential accommodation. It was conceded at the inquiry that the first reason given for refusal would not on its own have justified the decision.

7. As regards loss of residential accommodation, the Borough Council contend that since the last permission in 1973 there has been a sufficient change in housing circumstances, and a greater stress on restoring former residential property (in the Greater London Development Plan, the Secretary of State's statement on this plan, the Central London Advisory Plan and the proposed District Plan) to justify a refusal of the present application. No evidence was presented to show that the need for the appeal premises for residential purposes is any greater now than in 1973, but it does seem to me that the presumption against the extension of temporary consents for office use has been strengthened to some extent by the more recent statements. Therefore in my opinion it is necessary to re-appraise the special need and circumstances to determine whether they justify the continuation of office use for a further period.

8. The importance of the work of the National Council of Social Service and their need for offices in Central London has not changed. The recent independence of the National Association of Citizens Advice Bureaux and their move from Bayley Street to other office accommodation has left office accommodation in Bayley Street temporarily vacant. But staff of the National Council of Social Service occupying the 4,000 sq ft of office accommodation at 99 Great Russell Street are to move to Bayley Street, and the lease of 99 Great Russell Street assigned to another organisation. It would be unreasonable in my opinion to expect any organisation, especially one which is non-profit making and dependent on Government and voluntary aid, to keep on a large surplus of accommodation in one place to meet the need for some 600 sq ft elsewhere. From the evidence presented it seems to me that the appeal premises still represent much needed office space in Bayley Street. Furthermore, residential use of this space, severed from the office use of the ground floor and basement of No 9 and from the other offices in the block of 7 properties, would cause problems of intercommunication, security and fire prevention. The problems can be overcome but at the expense of efficient use of the office block as a whole.

9. The restoration of these 2 floors for residential use would present difficulties of providing bathroom, kitchen and toilet facilities within the constraints imposed by alterations permissible to the listed building. I note that the Historic Buildings Section of the Greater London Council is said to consider it impracticable to provide flats in these buildings except on the top floor. The work necessary in this case is likely to be very costly and the final result one flat with not a high standard of residential amenities. The cost of conversion and proper maintenance as a listed building would probably make the rental higher than Londoners would be prepared to pay for the standard of accommodation offered. An agreement to convert a third floor office in one of the other buildings to a flat would have compensated for the loss of the appeal premises as residential accommodation, but in my opinion the absence of such an agreement would not be a proper reason for refusing the application on its merits.

10. From these considerations I conclude that the continuation of use of the appeal premises as offices would be of considerable benefit to the efficiency of an important, national, charitable organisation, and indirectly this would contribute to the proper

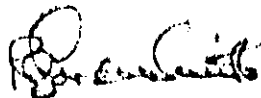
maintenance of a listed building. The small additional office activity in the neighbourhood of Bedford Square would not harm the local environment or otherwise be inappropriate. To set against the gains, there would be the loss of probably one but just possibly 2 residential units, which may not be economically viable because of the high cost of restoration and subsequent maintenance in relation to the rent that could be obtained for the standard of accommodation offered. On balance, I conclude that the special circumstances of this case justify the continued use of the appeal premises as offices by the National Council of Social Service for the duration of their current lease, or until ceasing their occupation if earlier. I have considered all the other points raised at the inquiry but they do not alter my conclusions.

11. For the above reasons, and in exercise of the powers transferred to me, I hereby allow this appeal and grant planning permission for the continued use of the first and second floors as offices at 9 Bayley Street, London WC1, in accordance with the terms of the application (No CTP/H13/21/5/23365) dated 7 September 1976 and the plans submitted therewith, subject to the following conditions:

1. this permission shall be additional to the authorised use of the premises for residential purposes and shall not be exercised by any persons other than the National Council of Social Service (Incorporated);
2. the continuation of use hereby permitted shall be until 30 June 1987 or until the premises cease to be occupied by the National Council of Social Service (Incorporated) whichever shall first occur.

12. This letter does not convey any approval or consent which may be required under any enactment, bylaw, order or regulation other than Section 23 of the Town and Country Planning Act 1971.

I am Sir
Your obedient Servant



R A GORDON-SMITH, BSc(Eng) CEng MIECH E MIECH
Inspector