

Application ref: 2018/4136/P  
Contact: Kate Henry  
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Date: 21 March 2019

**Development Management**  
Regeneration and Planning  
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**MATHESON WHITELEY**  
Unit 2, 1-7 Orsman Road  
London  
N1 5RA

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**3 Endsleigh Street**  
**London**  
**WC1H 0DS**

Proposal: Change of use of lower ground floor level from office (Class B1a) to gallery (Class D1); erection of single storey rear infill extension at upper ground floor level

Drawing Nos: 001 Rev A; 100 Rev A; 101 Rev A; 102 Rev A; 103 Rev A; 104 Rev A; 105 Rev A; 200 Rev A; 201 Rev A; 202 Rev A; 203 Rev A; 300 Rev A; 301 Rev A; 302 Rev A; 400 Rev A; 401 Rev A; 402 Rev A; 403 Rev A; 404 Rev A; 405 Rev A; 406 Rev A; 407 Rev A; 408 Rev A; 409 Rev A; 410 Rev A; 411 Rev A; 412 Rev A; 413 Rev A; 414 Rev A; 415 Rev A; 416 Rev A; 417 Rev A; 418 Rev A; 419 Rev A; 420 Rev A; 421 Rev A; 422 Rev A; 423 Rev A; 424 Rev A; 425 Rev A; 426 Rev A; 427 Rev A; 428 Rev A; 429 Rev A; 430 Rev A; 431 Rev A; 432 Rev A; 433 Rev A; 434 Rev A; 101 Rev C; 110 Rev D; 111 Rev D; 112 Rev C; 113 Rev C; 114 Rev C; 115 Rev C; 130 Rev A; 131 Rev E; 132 Rev A; 133 Rev A; 134 Rev A; 135 Rev A; 140 Rev A; 141 Rev A; 142 Rev A; 143 Rev A; 144 Rev A; 145 Rev A; 210 Rev A; 211 Rev A; 212 Rev A; 213 Rev A; 310 Rev A; 311 Rev C; 312 Rev A; 314 Rev A; 315 Rev C; 450 Rev A; 451 Rev A; 452 Rev A; 453 Rev A; 454 Rev A; 455 Rev A; 456 Rev B; 457 Rev A; 458 Rev A; 459 Rev A; 460 Rev A; 461 Rev A; 462 Rev A; 463 Rev A; 464 Rev B; 465 Rev B; 466 Rev A; 467 Rev A; 468 Rev B; 469 Rev A; 470 Rev A; 471 Rev A; 472 Rev B; 473 Rev B; 474 Rev A; 475 Rev A; 476 Rev A; Planning Statement, dated August 2018; Planning Statement: Additional Commentary, dated October 2018; Planning Statement: Additional Commentary, dated February 2019; Design & Access Statement, dated August 2018; Heritage Statement, dated August 2018

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 001 Rev A; 100 Rev A; 101 Rev A; 102 Rev A; 103 Rev A; 104 Rev A; 105 Rev A; 200 Rev A; 201 Rev A; 202 Rev A; 203 Rev A; 300 Rev A; 301 Rev A; 302 Rev A; 400 Rev A; 401 Rev A; 402 Rev A; 403 Rev A; 404 Rev A; 405 Rev A; 406 Rev A; 407 Rev A; 408 Rev A; 409 Rev A; 410 Rev A; 411 Rev A; 412 Rev A; 413 Rev A; 414 Rev A; 415 Rev A; 416 Rev A; 417 Rev A; 418 Rev A; 419 Rev A; 420 Rev A; 421 Rev A; 422 Rev A; 423 Rev A; 424 Rev A; 425 Rev A; 426 Rev A; 427 Rev A; 428 Rev A; 429 Rev A; 430 Rev A; 431 Rev A; 432 Rev A; 433 Rev A; 434 Rev A; 101 Rev C; 110 Rev D; 111 Rev D; 112 Rev C; 113 Rev C; 114 Rev C; 115 Rev C; 130 Rev A; 131 Rev E; 132 Rev A; 133 Rev A; 134 Rev A; 135 Rev A; 140 Rev A; 141 Rev A; 142 Rev A; 143 Rev A; 144 Rev A; 145 Rev A; 210 Rev A; 211 Rev A; 212 Rev A; 213 Rev A; 310 Rev A; 311 Rev C; 312 Rev A; 314 Rev A; 315 Rev C; 450 Rev A; 451 Rev A; 452 Rev A; 453 Rev A; 454 Rev A; 455 Rev A; 456 Rev B; 457 Rev A; 458 Rev A; 459 Rev A; 460 Rev A; 461 Rev A; 462 Rev A; 463 Rev A; 464 Rev B; 465 Rev B; 466 Rev A; 467 Rev A; 468 Rev B; 469 Rev A; 470 Rev A; 471 Rev A; 472 Rev B; 473 Rev B; 474 Rev A; 475 Rev A; 476 Rev A; Planning Statement, dated August 2018; Planning Statement: Additional Commentary, dated October 2018; Planning Statement: Additional Commentary, dated February 2019; Design & Access Statement, dated August 2018; Heritage Statement, dated August 2018.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the gallery use on the lower ground floor hereby permitted shall not be used as any other alternative use.

Reason: The loss of employment space is partially deemed acceptable on the basis of a gallery being an acceptable substitute and to ensure that the future

occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise or general disturbance, or lead to an incompatible use, in accordance with policies G1, D1, A1 and E1 of the London Borough of Camden Local Plan 2017.

- 5 The gallery (D1) use hereby permitted shall not be carried out outside the following times 10.00-18.00 on Mondays to Saturdays and not at all on Sundays and Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, D1, A1 and A4 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting approval.

The application site is No. 3 Endsleigh Street, a former residential building that has been converted to offices and which, for a while, was linked internally with the adjacent office building, No. 4. The building is Grade II listed and located within the Bloomsbury Conservation Area. This application seeks permission to change the use of the lower ground floor from office use (Class B1a) to an art gallery (Class D1), and also the erection of a single storey rear infill extension at upper ground floor level.

The application has been revised to omit a change of use of the ground floor from office to art gallery. On the lower ground floor, there would be a single exhibition space in the existing rear extension, and the remainder of this floor would comprise a viewing room/office, another office, an archive/storage room, a tea point and refurbished WC. Policy E1 of the Local Plan seeks to maintain a stock of premises that are suitable for a variety of business activities; and Policy E2 seeks to protect premises or sites that are suitable for continued business use. Ordinarily, the Council would resist the loss of office space unless it could be demonstrated that the site or building is no longer suitable for its existing business use; and that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative type and size of business use has been fully explored over an appropriate period of time. In this case, it has not been demonstrated that the site is no longer suitable for continued business use (notwithstanding the fact it requires significant refurbishment internally) and no evidence has been provided of any marketing activity to encourage continued business use; however, the proposed change of use only relates to part of the lower ground floor and the remainder of the building would provide office space suitable for a range of different occupiers. Insofar as the lower ground floor provides the least suitable space for office use (due to its layout and lack of natural light and outlook), and taking into consideration the fact that the proposed gallery use may attract tenants to the upper floors, the proposed change of use is considered to be acceptable in this case (on balance). Furthermore, the proposed works to the building would enable the building to be brought back into use after a period of vacancy, which is welcomed in listed building terms.

The proposed rear extension would infill the gap between the closet wing and the neighbouring property's (No. 4) closet wing and would be similar in outward appearance to the glazed extension at No. 4. Insofar as the extension would appear as a lightweight addition and help retain a sense of the original building, it is considered to be acceptable.

It is not considered that the proposed development would cause undue harm to the residential amenities of nearby and neighbouring properties. The proposed extension infills the gap between two closet wings and would not lead to undue overlooking into the neighbouring property's rear terrace and the proposed change of use from office space to an art gallery at lower ground floor level is also unlikely to cause undue harm to nearby and neighbouring properties by way of comings and goings or noise.

No objections have been raised in relation to the works. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

- 2 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under and s.72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

Special regard has been attached to the desirability of preserving the listed building and its features of special architectural or historic interest, under s.66 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

The proposed development is in general accordance with Policies A1, D1, D2, E1 and E2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016; and the provisions of the National Planning Policy Framework 2019.

- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 5 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular grid background.

Daniel Pope  
Chief Planning Officer