



45 Welbeck Street
London W1G 8DZ
020 3409 7755
info@hghconsulting.com

hghconsulting.com

Ms R English
Planning – Development Management
London Borough of Camden
5 Pancras Square
London
N1C 4AG

30 September 2019

Dear Ms English,

Proposed Change of Use at Boston House, 36-38 Fitzroy Square, London, W1T 6EY
Objection to Planning Application ref: 2019/3961/P

This objection has been prepared by hgh Consulting and is submitted on behalf of the Fitzroy Square Frontagers and Garden Committee. It relates to an application which is nominally by the New College of Humanities (NCH), for change of use to alternative office or educational uses. However, the application is highly misleading. It is effectively for a new campus for Northeastern University (the new owners of NCH), and it is clear that the intention would be to use the building primarily for educational use for at least 20 years, making this effectively the permanent use.

Such a use would have a considerable adverse impact upon the neighbourhood, as well as being contrary to a number of planning policies, and the Fitzroy Square Frontagers and Garden Committee is strongly opposed to it.

Background

The property subject to the application is a Grade I Listed building designed by Robert Adam. It lies within the Fitzroy Square Conservation Area and is located on the south side of Fitzroy Square, an area characterised by a mix of residential and small-scale commercial uses such as offices. Fitzroy Square is described by Historic England as "One of London's most elegant and best preserved 18th century squares".

It is our understanding that the nominal applicant, NCH, currently runs a small scale operation for around 200 students from a building on Bedford Square. In February this year, it was reported that NCH had entered into a global strategic partnership with Northeastern University, a large private American institution with some 26,000 students; existing campuses in Charlotte, Seattle, San Francisco, Toronto and Vancouver; and global ambitions. Following what appears to be a merger, NCH is now known as New College of Humanities at Northeastern.

Northeastern University has 600 students studying in London each year, and it appears that the application scheme envisages these 600 students, and NCH's 200 students, being combined at Fitzroy Square, with an intention to expand to 1,200 students.



This is by any standards is a very substantial operation. Furthermore, in their publicity material and news reports (attached in Appendix 1), Northeastern regularly refer to the establishment of a 'London Campus', which implies something much more embracing than merely a teaching place.

The applicants held a short perfunctory public consultation on 23 July, just 11 days before the application was submitted (far too short a period for any meaningful changes to the application in reaction to the community's views). Furthermore, only a small number of residents received letters notifying them of the public consultation event.

At the public consultation event, there was no mention of the proposed scale of operation, and the involvement of Northeastern was very much downplayed. This is carried through to the Statement of Community Involvement submitted with the application, which refers to NCH and Northeastern as two separate entities, despite it being abundantly clear that they are now combined, with NCH being very much the minority partner.

Grounds of Objection

Having reviewed the information submitted, we wish to register strong objection to the proposals on five principal grounds:

1. Objection to the considerable increase in the intensity of activity;
2. Adverse impact on the Listed building, and the Conservation Area;
3. Impact on the nearby residential amenities;
4. The loss of B1 (Office Use);
5. Lack of community benefits.

1. Objection to the considerable increase in the intensity of activity

36-38 Fitzroy Square has for many years been used as offices and was previously occupied by an engineering and design company employing at most 200 people. This lawful use is a benign use, generally only operating during normal working hours on weekdays.

By contrast, it is proposed that the new 1,200 student campus would operate every day of the week, and up to 10pm on weekdays. This would represent a considerable increase in the intensity of activity in a very quiet largely residential square, with consequential implications for residential amenity, and the character of the Listed Building and the Conservation Area, which will be elaborated upon below.

As noted above, the pre-application consultation and the application itself are highly misleading, with the applicant having downplayed the scale of what appears to be a very substantial proposed operation.

2. Adverse impact on the Listed Building, and the Conservation Area

The proposed change of use is of a Grade I Listed building designed by Robert Adam. Grade I buildings are of exceptional interest and are very rare.

Local Plan Policy D2 – Heritage states in respect of Listed buildings: *“The Council will resist proposals for a change of use... to a listed building where this would cause harm to the special architectural and historic interest of the building; and resist development that would cause harm to significance of a listed building through an effect on its setting.”*

It is understood that the interior of the building was rebuilt after the Second World War, and is of no historical interest. The applicants say that they are not proposing any changes to the exterior, and that there would therefore be no adverse impact upon the Listed Building.

The claim about the building having no historic interest behind the facade should be scrutinised carefully by the Council.

However, the applicant's claim is in any event an over-simplification. First, the high-intensity nature of the proposed use is more likely than the current office use to lead to pressure for external changes in the future - for example, signage. Second, it is more likely to involve activity close to the windows, and possibly material attached to the windows, that would affect the external appearance. Third, the setting of the Listed Building would almost certainly be affected adversely by:

- the comings and goings of such a large number of students,
- students socialising outside before or after lectures,
- potential boisterous and/or other antisocial behaviour sometimes associated with student activity,
- more intensive deliveries (noting there would be a six-fold increase in the number of people using the building, and a wider range of activity within it),
- parked/abandoned bicycles, and
- the other paraphernalia of a campus.

Such activity would be quite at odds with the essential character of what were originally residential buildings, and contrary to Local Plan Policy D2.

Furthermore, the proposed development is located within the Fitzroy Square Conservation. Local Plan Policy D2 also applies to development in Conservation Areas and stipulates that: *"The Council will require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area."* It is inconceivable that the proposed campus, representing such a considerable intensification of use, would "preserve" the character of the Conservation Area, and even the applicants don't claim that there would be enhancement.

The Fitzroy Square Conservation Area Appraisal and Management Strategy (March 2010) notes that *"Fitzroy Square is pedestrianised and is, as a result, quieter than the surrounding streets. It is a focal point within the area and has a significant unifying effect."* Thus, the (low) intensity and (quiet) character of use of the Square is identified as an important factor contributing to the character of the Conservation Area as a whole.

The proposed development would thus be contrary to Local Policy D2 for these reasons too.

3. Impact on nearby residential amenities

For the reasons identified above, the proposed campus would result in a significant impact on the amenity of the residents of the Square. Much of the Square is residential, with approximately 50 houses and many apartments/ studios fronting onto it, and residential use has been encouraged by Camden Council.

36-38 Fitzroy Square directly adjoins one residential property and is located in very close proximity to others. It has windows that look directly over the gardens (and into the windows) of neighbouring homes. Local Plan Policy A1 and Section 2 of the Amenity CPG both place emphasis on the importance of maintaining suitable levels of privacy. Furthermore, the London Plan encourages consideration of the home as a place for retreat, and acknowledges that homes have a particular need for privacy and quiet.

London Plan policy further states that: *“development impacting on existing residential areas should demonstrate that it maintains or improves the amenity of residents.”* The current applicants have not provided such a demonstration, and it is difficult to see how they could even attempt to do so.

The Planning Statement submitted to accompany the application claims that the NCH currently have 5 - 10 deliveries a day, and this would not be expected to increase. This claim is not credible given the six-fold increase in activity proposed, and the fact that a “campus” is likely to involve a range of activities (café, bar, common room, performance space, student support services?) over time. The increase in deliveries would substantially alter the ambiance of the Square, the more so since much effort and expense has been applied in recent years to achieving the pedestrianisation of three sides, and to maintaining it (by a partnership between the Council and residents, which inter alia employs unemployed/homeless people).

Principle 6 of the Fitzrovia Area Action Plan (2014) says of *“large scale institutional uses”* that they *“should maintain the mixed-use character of the area, support the residential community and its facilities and protect and enhance residential amenity and quality of life.”* There can be no dispute that a university campus, especially one of the scale proposed, is a large scale institutional use. The applicants have provided no evidence as to how it would support the residential community, and protect and enhance residential amenity and quality of life, and thus how this Principle could be complied with.

Turning to an important matter of detail, Camden Planning Guidance on Transport (March 2019) would require up to 130 cycle spaces on the basis of catering for 1,200 students, whereas only 42 cycle spaces are proposed. The significant under provision of cycle spaces would presumably lead to surplus bicycles being left in and around the Square (some parked responsibly, others doubtless not), adding to the disruption to nearby residents and office workers, and impacting adversely on the appearance of the Listed Building and the Conservation Area.

Furthermore, Local Plan Policy A2 (Open Space) would require nearly 900 sqm of outdoor space to support a university facility of this size, and none is proposed. The applicants have suggested that they could use the garden within the Square, but this is private property and we understand it would not be available. Hence, what is proposed is also contrary to Local Plan Policy A2.

4. The Loss of an Employment Use (B1 use)

The property has for many years been used as offices, employing about 200 people. The submitted application proposes a change of use to *“education and/or office”*, and claims there would be no loss of office space. As noted above, this is disingenuous: the fact is, by their own admission, the space would be used primarily for education purposes for at least 20 years and, in effect, a permanent use. Local Plan Policy E2 (Employment premises and sites) is a well-established policy which states that:

“We will resist development of business premises and sites for non-business use unless it is demonstrated to the Council’s satisfaction:

- a. the site or building is no longer suitable for its existing business use; and*
- b. 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.”*

This policy should be applied rigorously, as it has been generally in the Borough. WATG, an architectural and engineering firm, occupied the property up until January 2019 this year. It is evident from the Marketing



Report prepared by MB Commercial submitted to accompany the application that the applicant has made no convincing case why the space could not be re-used for offices.

The application claims that Northeastern/NCH would support a total of 35 full time administrative staff (plus two part time) and a total of 28 full time and 32 part time teaching staff. These numbers would equate to fewer than half of the jobs that the building has supported in the past.

The Planning Statement claims that: *"It should also be acknowledged that the employment generated would be within an academic field which is wholly supported by the site's location within the Knowledge Quarter."* This claim too is disingenuous given that the Kings Cross Knowledge Quarter is not precisely defined; is focused on a location some substantial distance away; and there is certainly no planning policy that says that education facilities should take precedence over other uses even within the Knowledge Quarter area.

Perhaps more to the point, the Fitzrovia Area Action Plan (2014) is very specific in saying that *"the Council will guide development of large scale... education and research uses to the area east of Tottenham Court Road and to the Howland Street Character Area"*. Fitzroy Square is well removed from both.

5. Lack of Community Benefits Proposed

Within the submitted application, the applicant claims that the proposed development would be a "community facility," and so should be looked upon favourably by the Council. The proposal is for a private university campus, to which no public access is proposed, and therefore does not constitute a community facility. Local Plan Policy C2 (Community facilities) defines community facilities as a *"wide range of social infrastructure that provides a service to the community."* The proposed application would essentially be a global outpost for US students, and it is difficult to see how it would do anything to widen access to education for local Camden people.

Furthermore, NCH/Northeastern do not offer any public benefits within their application proposal.

Conclusion

The proposed development is presented in a highly misleading manner. What is proposed is effectively a large new campus for 1,200 students for a large private US-based university.

It is completely inappropriate for the site, for a number of reasons:

1. Impact on the character of the Listed Building and its setting, and the Conservation Area, arising from the considerable intensification of use, as well as the probability of pressure for future alterations to the physical fabric. The proposal is contrary to **Local Plan Policy D2**.
2. Impact on residential amenities, as a result of increased activity of many types, and the potential for invasion of privacy. The proposal is contrary to **Local Plan Policy A1, Section 2 of the Amenity CPG, and Principle 6 of the Fitzrovia Area Action Plan (2014)**.
3. Inadequate cycle parking. The proposal is contrary to **Camden Planning Guidance on Transport**.
4. Inadequate open space. The proposal is contrary to **Local Plan Policy A2**.



5. Loss of office floorspace that appears perfectly capable of being re-occupied for office purposes, and which has only been out of office use for a few months. The claim that the change of use is to alternative uses and that there would be no loss of office space is spurious, and should be completely disregarded. The proposal is contrary to **Local Plan Policy E2**.
6. It is contrary to policy to locate a large educational use to the west of Tottenham Court Road, and outside the Howland Street Character Area. The proposal is thus further contrary to **Principle 6 of the Fitzrovia Area Action Plan (2014)**.

No community benefits are advanced that would even start to counterbalance these serious breaches of policy.

We look forward to receiving written confirmation that this objection has been received and registered.

Yours faithfully

Roger Hepher
Director
hgh Consulting

Appendix 1 - Publicity Materials and News Reports

US buyers to protect ethos of AC Grayling's London college

By Sean Coughlan

BBC News education and family correspondent

5 December 2018



GETTY IMAGES

The New College of the Humanities, founded in London by the philosopher AC Grayling, is being bought by a US university, Northeastern.

In the college's Bloomsbury building, the pennants of both universities are flying side by side, and their two leaders are planning their joint future.

Joseph Aoun, president of Northeastern, says: "It's not an acquisition, it's a marriage."

There's an element of politeness about this, because in a deal announced last month the Boston-based university is becoming the owner.

But it means the New College of the Humanities (NCH) is now financially secure, it can take a not-for-profit status and can push on to get its own degree-awarding powers.

Keeping the faith

Prof Grayling says it also protects the original ambition to offer something distinctive, with an emphasis on individualised learning.

"Right from the very beginning, the conversation was about, 'Let us create something remarkable, let's do something really good.'"



But he says when any new institution is burning through its start-up cash, the temptation is to dilute the good intentions.

"If you start losing your nerve, you start lowering the quality, you drop the entrance requirements and then you just become another high-volume, low-cost college.

"You really have to keep going and keep faith," he says.

When the college was launched in 2012, it headed straight into a storm.

Tuition fees

Students were rioting about tuition fees going up to £9,000 and it seemed like a brash and provocative move for the New College of the Humanities to set fees at £18,000.

Claims about it being a rival to Oxbridge also irritated the academic establishment.

"It was an unlucky moment," he says.

"But when I first started this I had two unconquerable things on my side: enthusiasm and ignorance.

"The ignorance was manifold. I didn't have a complete idea what would be involved with the labyrinth of regulatory bodies.

"Nor that we were just about to have a change in visas, nor of the reaction that students would have to the rise in fee levels."

The setting of such high fees wasn't a deliberate plan, he says, but a last-minute change when tougher visa rules made it harder to recruit overseas students.

Defying the odds

That had "blown a hole underneath the waterline" of the business plan, which Prof Grayling says, left them with the choice of either scrapping the launch or increasing fees.

When the college opened it was expected to be the pioneer of a wave of new higher education providers, including from the US.

But starting a university from scratch is far from easy, when reputations are built over many years - and the New College turned out to be one of the few rather than the first of many.

What made it even more against the odds was to create a college dedicated to the humanities, at a time with so much emphasis on science and technology.

Prof Grayling, famous as both author and philosopher, proved to be a pragmatic entrepreneur and dogged defender of his college.

Not 'academic tourism'

So what will Northeastern do with the college?

"The last thing we want is to say that this is going to be a franchise," says President Aoun.

Northeastern already has a network of campuses, across the US and Canada.

He wants to keep the independence and the ethos of NCH - and to avoid the habit of US universities replicating their own culture when they move abroad.

"Universities in general in the US, when they establish themselves overseas, they base it in an export model.

"I am exporting my campus, my knowledge, my approach."

President Aoun says he wants the New College of the Humanities to work on joint projects with Northeastern students, but to offer them an authentically English educational experience.

"We don't want academic tourism," he says.

'Robot-proof'

The New College of the Humanities will remain a UK-regulated institution - and if it gets its own degree-awarding powers, these will be UK qualifications.

He says there are no plans for any big expansion. "We're not chasing the numbers."

Northeastern has about 20,000 students - while the New College of Humanities has about 200 students. It's like a big chain buying a boutique hotel.

President Aoun's annual pay, not the highest in US higher education by any means, would start another riot in the UK, with a package worth about \$1.45m (£1.13m).

He says the challenge for universities is to make students "robot-proof" for an era in which artificial intelligence will take away many existing jobs.

He thinks NCH's way of teaching the humanities will provide some answers.

Alongside subjects such as literature and history, students have to learn about science and study entrepreneurship.

President Aoun says universities will have to get over their own resistance to change.

"We want to change the world, but we don't want to change ourselves," he says.

With the deeper pockets of Northeastern, it also means that the New College has a much better chance of becoming an old college.

[#News \(/news\)](#) [#Global \(/News/Focus/Global\)](#)

Northeastern to Acquire London College

University moves to acquire a 210-student college in London, the New College of the Humanities, which attracted an all-star roster of visiting professors but has struggled to meet enrollment and financial goals. What's in it for Northeastern and NCH?

By [Elizabeth Redden](#) // November 14, 2018

[6 COMMENTS \(/NEWS/2018/11/14/NORTHEASTERN-PLANS-ACQUIRE-HUMANITIES-COLLEGE-LONDON#DISQUS_THREAD\)](#)

[Northeastern University \(https://www.insidehighered.com/college/167358/northeastern-university\)](https://www.insidehighered.com/college/167358/northeastern-university) in Boston plans to acquire the New College of the Humanities, a London-based institution with 210 students founded by the philosopher A. C. Grayling in 2012.

NCH prides itself on offering an education that melds aspects of the Oxford tutorial system and the American liberal arts college and boasts a roster of superstar visiting professors like Richard Dawkins and Steven Pinker who give guest lectures. From its start the private institution has been [a controversial player in the United Kingdom's heavily public higher education system](#) (<https://www.insidehighered.com/news/2012/09/21/new-college-humanities-enrolls-rst-class-amidst-questions-price-and-pro ts>), in large part because it is controlled by a for-pro t company, Tertiary Education Services Limited.

Pending regulatory approvals, NCH will soon be known as NCH at Northeastern. Northeastern president Joseph E. Aoun declined to share the details of the financial terms of the transaction but said the current

shareholders will transfer their shares to Northeastern, a large not-for-profit research university with more than 20,000 students.

Northeastern is most well-known for its signature co-op program in which students alternate between full-time work placements and classroom study. NCH at Northeastern would become the sixth campus for Northeastern, which in addition to its main campus in Boston has campuses in Charlotte, N.C.; Seattle; Silicon Valley and Toronto and is in the process of opening one in Vancouver.

"We are building a global university system," said Aoun. "The whole idea is that this global system will allow the learners to access our education wherever they are and wherever they need it and also allows mobility so the students can start in Boston, move to Silicon Valley, go to Vancouver and London, and in each place they will have a different curriculum and a different experience."

Aoun said that Northeastern has 600 students in London each year. In an email to Northeastern faculty, administrators and staff, he wrote that the proposed acquisition will "pave the way for Northeastern to become the first U.S. university with a college in its global network that can confer undergraduate and graduate degrees in the U.K."

However, NCH currently lacks the authority to grant its own degrees, and teaches degrees that are validated by a public university in Southampton, Solent University. Aoun said NCH is in the process for applying for a license to grant its own degrees. "Because they will be part of Northeastern, we will have the authority through them, through NCH, to offer degrees in the U.K."

"Their application [for degree-granting powers] is very much strengthened, they believe, by this new partnership," added Michael Armini, Northeastern's senior vice president for external affairs.

NCH's executive dean, Martin Smith, declined to comment on the licensing issue, but said the tie-up with Northeastern "fast-forwards us considerably in terms of what we can do. One of the driving factors is the student experience. The ability to be able to travel and to take their degree elsewhere is hugely appealing to our students."

An announcement from the master of the college, Grayling, says that in addition to the ability to study at multiple Northeastern campuses, NCH also expects its students to have access to Northeastern's career development department, "including internship and career development opportunities with a global network of more than 3,000 graduate employers."

Nick Hillman, the director of the London-based Higher Education Policy Institute, said that the deal is somewhat puzzling from another perspective. "Some people are asking what is in it for Northeastern given the small size of NCH and the fact that it doesn't have its own degree-awarding powers," he said.

"It has been struggling as an institution -- and I don't say that with any relish, because I'm very pleased it exists. I think diversity of institutions is a good thing and we don't have small specialist liberal arts colleges the way that you do in the U.S., so I'm glad it exists. I don't want to see it fail, but we're a bit confused."

[The most recent statement of accounts](#) from the company that controls NCH, Tertiary Education Services, suggests that the college has struggled to meet its recruitment and financial targets, pushing the projected date on which it would become financially self-supporting further into the future. "Whilst student numbers are growing and the college is achieving excellent exam results, the present student numbers are not sufficient to meet all the costs of the college," the corporate filing says.

The college dropped its U.K. and E.U. student tuition rate in September 2017 to bring it into line with tuition rates for other British universities; at 9,325 pounds (a little more than \$12,100), annual tuition is now about half what it was when the college opened in 2012 (its original annual price tag of £18,000, or about \$23,400 at today's currency conversion rate, was eye-popping in the British higher education context, attracting many critics who dismissed it as an intellectual playground for the rich). The TES filing says that the company received additional funding in the form of a loan from the college's largest shareholder and that the shareholder "has confirmed their willingness to provide further funds if necessary to take the College through to break-even which is forecast to be in the financial year 2023/24."

The filing also notes that the directors "have been discussing a transaction with an overseas institution" -- presumably Northeastern -- "that would provide further assurances in terms of ongoing financial support."

"With any start-up organization there's always going to be challenges, and one of the challenges has been around recruitment," said Martin. "Saying that, though, we've doubled the number of our first-year students from where we were in 2015."

Aoun said that NCH was an attractive partner for Northeastern because of the compelling vision of its founder, Grayling.

"He believes that the one-on-one attention to the students and the personalized education is key, hence the one-on-one tutorial; he also believed that it is possible and imperative to build a liberal arts college that has [a focus on] entrepreneurship and is experiential, and this is where we saw a fit with what we're doing. We saw that this marriage between the two institutions will allow us to put together the best of U.K. education with the best of U.S. education," Aoun said.

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Northeastern University to Buy Small School in London

Rare acquisition by Boston institution signals growing interest in international operations

By [Douglas Belkin](#)

Updated Nov. 14, 2018 1:32 am ET

Northeastern University, a onetime blue-collar commuter school in Boston, is continuing a yearslong international expansion with the purchase of a small, private college in central London.

The acquisition of The New College of the Humanities, a six-year-old private college with about 200 students, underscores the growing pressures and incentives...

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