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Mr P Marfleet  
Planning – Development Management  
London Borough of Camden  
5 Pancras Square  
London  
N1C 4AG

8 March 2021

Dear Mr Marfleet,

**Proposed Change of Use at Boston House, 36-38 Fitzroy Square, London, W1T 6EY**  
**Objection to Planning Application ref: 2020/2226/P**

I wrote to the Council, objecting to this planning application on behalf of the Fitzroy Square Frontagers' and Garden Committee on 10 July 2020.

The application has recently been substantially amended, but it is just as objectionable as it was originally, and the purpose of this letter is to refresh the Committee's formal objection.

**Change of applicant**

The application was originally in the name of New College of the Humanities (NCH), which is now effectively part of Northeastern University. NCH/Northeastern have apparently now dropped away. The application form now names no applicant, which is a mandatory requirement. L B Camden should de-validate the application, unless this is rectified.

In any event, if as I suspect this is now effectively an application on behalf of the building's owner, the absence of an identified occupier makes it an entirely speculative application, which should be summarily refused on the basis of its conflict with Local Plan Policy E2 and Principle 6 of the Fitzrovia Area Action Plan. The special case that was advanced previously falls away completely.

**Claims as to potential impact**

Furthermore, the applicant is left making numerous statements about the potential impact of the proposed use without any supporting evidence whatsoever. There are numerous examples, including the claims about operating hours (para 3.4 of the revised Planning Statement), components of use (3.5), academic terms (3.8), the necessity for external alterations (3.7), extent of office use (6.4), jobs (6.5), the potential for noise and disturbance (6.40), the potential for congregation of people (6.42), cycle parking (6.57) and transport impact (6.58). The claims that were made previously were in most instances highly suspect, as I pointed out previously. The claims made now - which go to the heart of the acceptability of this use in a quiet, largely residential, London Square and Conservation Area - are completely spurious, and should be disregarded.

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### Loss of office floorspace

The applicant accepts that, whereas they previously admitted to a loss of 521sqm of office floorspace, this has now risen to a loss of 2,132sqm because they have dropped the proposed use swaps with NCH's current premises in Bedford Square and with Conway House. Thus, what was already a clear conflict with Policy E2 has become an even more acute conflict.

It is claimed at para 6.4 that it can be expected that there would be continued "genuine" office use within the building. This is disingenuous. Because the applicant has no idea which organisation would occupy the building, there is no evidential basis at all for this statement. The same can be said for para 6.5.

The claims made last year about the unsuitability or unattractiveness of the building for continued office use are repeated (para 6.6). However, the previous evidence has not be updated. Not only was the previous evidence comprehensively rebutted by JLL, but, given the extent of economic and societal upheaval over the last twelve months, any market assessment prepared last Spring or Autumn must now automatically be regarded as out of date.

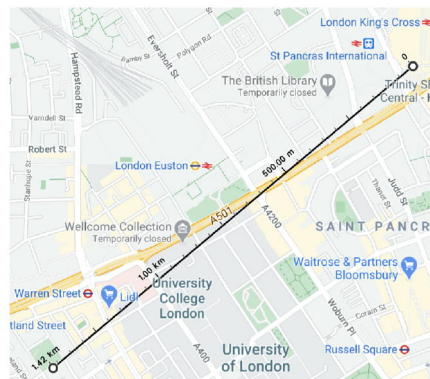
I note that the author struggles even to present his client's case with conviction. For example in the third bullet point of para 6.6, the best he can do is to say that floor-by-floor letting would not be "easy". The fact that something is not easy is not a convincing justification for setting aside an important development plan policy.

### Suitability for educational use

In my view, the building is not at all well suited to educational use, for reasons well rehearsed already: the potential for large numbers of people moving backwards and forwards; activity spilling out into the square on account of their being inadequate congregation spaces within the building; late night and weekend activity; the potential for anti-social behaviour.

The planning application now seeks change to Class F1 use. Class F1 covers a wide range of uses, including schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship and law courts. Once planning permission was granted for Class F1 use, the building could be used for any of these purposes without further planning permission. No attempt has been made to even consider the implications of uses other than a non-residential educational institution.

That aside, the applicant argues that the building would be suited to educational use, notwithstanding that such use is contrary to development plan policy, on the basis that it is within the Knowledge Quarter. The Knowledge Quarter is said (twice) to be an area within 500m of King's Cross station. In fact, as confirmed by Google Maps, the building is 1.42km from King's Cross, as is shown at right. Hence this is a specious claim.



**Figure 1:** Google Maps Image measuring the distance from Boston House (The Application Site) to King's Cross Station

### Community consultation

There has been no attempt to consult the local community over this latest change of tack.

I should also like to put on record that the statement in the first sentence of para 3.12 is disingenuous. It implies that residents accepted the principle of the change of use, and that they were only concerned about how the use was to be managed. This is not the case. There is considerable opposition to the principle of educational use, as will be apparent from the many objections submitted.



### **Conclusion**

This appears to be a third and perhaps last ditch attempt to secure a change of use that is blatantly contrary to policy, and which would be likely to have substantial adverse effects upon a quiet largely residential square in a Conservation Area.

We do not know who the applicant is, which should cause the Council to refuse to further process the application in any event.

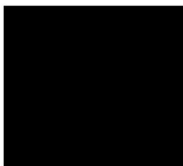
However, assuming the applicant is the building owner, he has now lost his "special case" occupier, and is no longer able to offer a floorspace swap to ameliorate the impact on policy.

There is no credible evidence before the Council, either as to the unsuitability of the building for continued office use, or as to the implications of non-residential education use.

No attempt has even been made to assess the implications of all the other uses that would be opened up by permission being granted for Class F1 use.

It is abundantly clear that (even if not de-validated for want of an applicant) this application should be refused.

Yours sincerely,



**Roger Hepher**  
Director  
hgh Consulting