

OFFICE OF GUY RITCHIE

Dear Rachel English

Boston House, 36-38 Fitzroy Square London W1T 6EY: Change of use of from office (Class B1a) to a non-residential education institution (Class D1) including internal alterations (Planning Application ref. 2020/226P and 2020/L)

Introduction

We are writing to raise objection to the current planning application for 36-38 Fitzroy Square – Boston House. As immediate neighbours to the property we have taken some time to review the planning application and supporting documents, as it has the potential to have a significant impact upon both the character of this important listed square and the amenity of residents and businesses in the square, not least ourselves as immediate adjacent neighbours.

We reserve the right to submit further comments before determination and would welcome Rachel to visit our property at 34-35 Fitzroy Square so that a full understanding of how the proposals will affect our particular adjacent property and loss of amenity can be appreciated. Attached to the bottom of this letter is the current approved roof terrace design with some notes regarding the windows for you and also some photos taken from inside and outside my property to further assist.

Many of our concerns relate to the same objections which were raised when the previous application was submitted in September 2019. The applicant has not taken any of the time available since then to address any of the concerns and objections raised, which if anything shows an already worrying lack of commitment to the local long established residents and businesses' of the square and wider area.

There are a number of key planning issues, specific to this application which we feel that the submitted documents do not address and indeed they possibly can't be addressed in a way that would satisfy the residents and local businesses which is why they are being ignored.

Privacy and Overlooking

One of our key personal concerns is in relation to Privacy and Overlooking between the existing building Boston House and my property 34-35 Fitzroy Square. Boston House windows at the rear look directly over our Kitchen and existing terraces and we have Planning Permission for a new terrace on top of the Kitchen. Whilst we acknowledge the overlooking is an existing condition, it creates quite a difference to our privacy with the change of use that is being proposed. This proposal would change this overlooking from 200 employees, some of which we knew on a personnel level when Arup were in occupation to potentially over a 1000 students year on year with no vested interest in being neighbourly or respecting the Privacy which we currently enjoy. We would point out that it opens up far too much the ability for people to stare into the rear of 34/35 Fitzroy Square and because of the nature of the occupiers this will most likely be born out in reality. We find this aspect quite concerning having invested heavily in refurbishing 34-35 and making it our main family residence. We have taken legal advice on this point and attach a letter addressed to me from specialist property Counsel. This letter should be read within the context of it being an appendix to my letter. As such it remains confidential to Mr. Ritchie and should not be treated as being in the public domain.

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Loss to Camden of office space

This is an important additional point of concern.

The new application now includes County House to the rear of our properties. It seems that the inclusion of County House has been offered as a purported quid pro quo for the loss of office space to Boston House arising from the proposed change of use.

However, the Applicant fails to point out there is nevertheless a net loss to Camden of 5,600sqft of office space. This is against Camden's policy E2 and should therefore be resisted. It will create a net loss of jobs to the area, only half the number supported previously being created by the North Eastern University application.

This loss will be further compounded by the Applicant's proposal to remove First Intuition, the current occupant of the relevant part of County House and an educational organisation we know well. We are very concerned that approving this application will therefore leave a long-established local business homeless.

The application acknowledges that there are no occupiers for the office spaces they are proposing. Their proposal seems merely to be a device deployed in a disingenuous attempt to deal with prior concerns over the loss of office use. In fact it fails to address those concerns since it results in a net loss of office use to Camden.

It is also worth pointing out that while the quantity of office space falls short of the amount needed to provide a true swap in use, the swap is also deficient as the quality of the spaces are not of equal value and the swap should be resisted on this point as it is also contrary to policy.

We also fail to see if the council was minded to approve, how they could secure in perpetuity the change of use to the buildings other than Boston House as North Eastern University is not the freehold owner of these properties. Therefore any S106 agreement would be very difficult to enforce or police which in turn makes the application a re-run of the 2019 application which was withdrawn as it did not meet policy.

This does not therefore seem to be a balanced proposal and should be resisted in any event as it is not compliant with Camden Council Policies.

The Applicant's true identity and the student numbers involved

The New College of Humanities is only the nominal Applicant and presents a misleading picture of who's really involved.

NCH itself is a modest operation with only 200/250 students. The true position is that NCH has been taken over by Northeastern University, a large US profit making university with 26,000 students. NCH is actually now known as the New College of Humanities at Northeastern. The numbers involved are huge: there'd be an immediate combination of the 200/250 NCH students with minimum 300 students from Northeastern, and an ambition to reach 1200 students over time.

These levels will be hugely disruptive for those who live in the Square and work in the offices here: a clear case of educational tourism by a foreign university which brings no local benefits to the people of Camden.

Huge increase in use of Fitzroy Square and loss of amenity

Fitzroy Square is a quiet and calm residential square with its amenities enjoyed by residents and business occupiers alike. The businesses, generally operate between 9am and 6pm, Monday to Friday.

At weekends, therefore, the square is a very quiet residential square. The existing residents and businesses accordingly have significant concerns that a change of use of no. 36-38 Fitzroy Square to an educational use would have a significant impact on the character of the square and set a precedent for future uses in the square which would further erode its character.

Fitzroy Square is not part of the Knowledge Quarter

The applicant seems to suggest Fitzroy Square is part of the Knowledge Quarter, which it is not. The knowledge quarter is 1.5 miles away at Kings Cross.

Fitzroy Square is a predominately residential and office area. Considering the lack of transparency provided within the consultation period and the engagement or lack thereof with the existing users and occupiers it seems entirely possible that North Eastern University's ultimate goal is to turn Fitzroy Square and the surrounding buildings into a University Campus and that this application is just the beginning. By allowing a foothold, the nature of this application, local residents and businesses would be hard pressed not to be forced out should that be the case.

As indicated above we are very concerned about the significant increase in the number of students that would use the college, and the increased number of people that would be moving through the square on a regular basis, which in turn will impact on the ability of local residents and business occupiers to continue to enjoy this area.

We note from reviewing the application documentation that the previous occupiers of the building (Arup) had approximately 200 staff, working between the hours of 9-5pm Monday to Friday.

The current proposals are to increase the student numbers (currently 210 at NCH) to 600 students immediately , plus around 60/95 staff, with no cap on the numbers. This is clearly a significant increase over the current use of the building and the current number of students at the New College of Humanities. We understand that North Eastern University intends to increase these numbers even further to 1,200 students, + with an associated increase in teaching and support staff. This number of people using the square on a regular basis will dramatically change the environment of the square for the existing occupiers.

Hours of Operation

The information supporting the planning application states that the operational hours will be from 8am to 10pm, Monday to Friday.

This is an additional 4 hours later than any other business locally (weekdays) and will inevitably create additional noise and disruption during the evening as students and teachers arrive and leave lectures. The documentation states that there were 20 lectures in 2018-2019 in the evening, with an average attendance of 50 people. Whilst no data is provided on how many evening lectures are planned for the next academic year, the figure will surely increase to reflect the number of students overall and could be up to 150 people (using a multiplier based on the increase in student numbers and assuming that the same level of attendance occurs). This is a significant increase in out of normal office hour activities and trip movements. Clearly students will travel to attend the lectures and just due to human nature will loiter around to speak with friends and tutors after finishing lectures. Visiting the UCL campus as one example will illustrate the vast difference this will make to the square.

The Applicant also proposes that the college will be open on weekends from 10am till 5pm. Whilst there is no indication of the level of attendance at the weekend sessions, we are very concerned that this will have a detrimental impact upon the amenities of what is currently a very quiet residential square especially at the weekends.

The submitted Operational Plan also states that the college hosts a social evening once a month, which runs until midnight. We note this is a licenced event, which means that there will be alcohol, and the event will be likely to be rowdier and more boisterous than normal college events. Any security the college provides is unlikely to fully prevent an increase in noise levels or antisocial behaviour. There is no mention of whether there is any music of any kind at these events, which again in turn is likely to cause further disruption. There is also no mention of how the college proposes to deal with the increased student attendance.

Servicing the College

At present there is very limited information about the servicing requirements and number of deliveries that will be required to run a business of this size.

We also have concerns regarding the number of cars and taxis that will be entering the square to drop off students.

Impact on Neighbouring Amenity

My family and others in the square have small children, who will be adversely affected by this increased footfall (and noise) in the evening. My children's bedrooms adjoin the walls to no. 36 Fitzroy Square, making us acutely aware of any increase in noise during the evenings.

Use of the Gardens

There is no outdoor space to support a university of this size. The Applicant has suggested its students can use the garden but that is not correct. The garden is a private amenity available only for the personal use of frontage owners. Clients of businesses and other visitors do not have any right of access.

Conclusions

In conclusion, we think that the points made above should better assist you in coming to a determination. We feel strongly that the square is entirely the wrong location for North Eastern University and we urge you to reject this application.

We would welcome the opportunity to discuss the proposals further with you and as noted above, are intending to submit further comments prior to the determination of the application.

Yours sincerely

Guy Ritchie





