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FAO: Laura Hazleton

13 December 2021

**Our ref:** LOL/NFD/SNE/AJA/U0017937

**Your ref:** PP-10345689

Dear Sir/Madam

**Third and Fourth Floors and Part-Second Floor, 40 Bernard Street, London, WC1N 1LE  
Temporary Change of Use to Accommodate UCL Teaching Spaces  
Town and Country Planning Act (as amended) 1990**

We write on behalf of our client, University College London ('UCL'), to submit a planning application for the temporary change of use of the third and fourth floors and part of the second floor of 40 Bernard Street from Offices (Class E) to Education (Class F1) for a 5-year period, to assist in providing appropriate teaching space and workspaces for various faculties within UCL based on the current temporary increase in student numbers and medium-term estate strategies.

Planning permission is sought for:

**"Temporary change of use of Third and Fourth Floors and Part-Second Floor of 40 Bernard Street to Education (Class F1) for 5 years."**

**Application Documents**

In addition to this letter, we submit the following information in support of this application:

- Completed application form;
- CIL Form;
- Site Location Plan, prepared by UCL;
- Cycling Parking Details, prepared by UCL;
- Existing and Proposed Plans, prepared by UCL; and
- Design and Access Statement, prepared by Gerald Eve.

The payment of £462 for the application fee has been made via planning portal. This application has been submitted via Planning Portal Reference PP-10345689.

**Site and Background**

This application relates solely the third and fourth floors and the west portion of the second floor of 40 Bernard Street. The Site is located on Bernard Street, with Herbrand Street to the West, Coram

Street to the North and Marchmont Street to the East. The building is not statutory listed or within a conservation area, although it is located adjacent to the Bloomsbury Conservation Area.

### **Relevant Planning History**

From a review of the Council's online planning register, we have provided a summary of the relevant planning applications relating to the Site.

On 26 July 2021, an application for planning permission (2021/3013/P) was submitted for the following proposal:

“Erection of new sixth floor level with terrace to provide Class E office floorspace with provision of relocated plant enclosure and PV panels above; external alterations to existing fifth floor and cycle parking provision at basement level.”

Currently, the application is still awaiting formal determination.

On, 4 May 2012, an application for planning permission (2012/1264/P) was approved for the following proposal:

“Variation of condition 5 (construction in accordance with approved plans) of planning permission dated 09/09/11 (2011/3351/P) for alterations to fifth floor level including installation of two air conditioning units in existing plant enclosure, replacement of single glazed windows/doors with double glazed windows/doors, replacement of metal railings with glazed panels on south elevation with frameless glass balustrade and stainless steel handrail, installation of new stairs to terrace, handrails and retractable awnings to east and west elevations, replacement of part of roof covering with new insulated felt, removal of existing rooflights, and installation of infill rendered panels to office building (Class B1), namely alterations to the Herbrand Street elevation to insert louvred doors at ground floor level.

On, 21 December 2007, an application for planning permission (2007/5164/P) was approved for the following proposal:

“Extension at fifth floor level to the south, east and west, partially over the existing balconies of office together with installation of plant (4 units in total - 2x air handling units + 2x condensers) on internal balconies at 5th floor level.”

On 5 July 1990, an application for planning permission (9000116P) was approved for the following proposal:

“Change of use of fifth floor of building from residential to office use as shown on drawing number McA/AR/E/999/2001 and location plan McA/AR/E/999/2002.”

### **University College London**

UCL was founded in 1826 in the heart of London. UCL is London's leading multidisciplinary university, with more than 13,000 staff and 42,000 students from 150 different countries.

UCL occupies a number of sites across London providing educational and administrative services, with its main campus situated in the heart of Bloomsbury.

Following the national revision of A-Level results in August 2020 and 2021, a number of universities have seen an unexpected increase in the number of students joining this year and in the previous academic year. UCL is one of the university's that has seen a notable increase in the number of students joining this academic year. This has created an additional pressure on UCL to accommodate students across the campus. UCL expects this pressure on academic teaching space to continue for several years and therefore are proposing to temporarily increase the amount of space they have to teach in.

### **The Proposal**

Planning permission is sought for the temporary change of use of the western portion of the second floor and the third and fourth floors of 40 Bernard Street from Use Class E (Offices) to Use Class F1 (Learning and Non-Residential Institutions) for a 5-year period. The proposals seek permission for 5 years to allow UCL to implement their short-term and medium-term estate strategies.

In the short-term, the temporary change of use will allow UCL to manage the student bulge that is expected to last for the next 3 to 4 years, by providing appropriate teaching facilities for various UCL faculties to accommodate the recent increase in student numbers. The change of use of the Site to educational purposes will also allow UCL to eventually remove the current temporary teaching space structures which are erected at the Main Quad and South Quad.

Beyond this, in the medium term, UCL is looking to bring forward another building on its estate for redevelopment to intensify its use and provide more student teaching accommodation to meet medium term growth needs. To allow for this building to be brought forward for redevelopment the students and staff that occupy the building will need to be decanted to another building. The temporary change of use at 40 Bernard Street will allow for some of those students to be relocated here while the other building is redeveloped.

For the current application, there are no proposed changes to the methods of access. Existing access arrangements will be retained via the stairs of the main building entrance on Bernard Street. Within the building there is stair and lift access to all floors from the Bernard Street entrance.

The proposal only relates to the change of use of the internal floor area. No external works are proposed as part of the application.

UCL would operate the teaching spaces under the following operating hours:

- Monday – Friday: 08:00 – 22:00
- Weekends: Closed
- Holidays Periods: Closed

### **The Development Plan**

The statutory development plan for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004 comprises:

- a) The London Plan (2021); and
- b) Camden's Local Plan (2017)

In terms of planning policy designations, the Site falls within the following designations:

- Lateral Assessment Area; and

- Metropolitan Walk.

The NPPF (2021) is also a material consideration.

## **Planning Considerations**

### Temporary Loss of Office Use

Policy E2 of the Local Plan sets out that the Council will seek to resist the development of business premises for non-business uses unless the building is no longer suitable for the existing business use, and the possibility of retaining for an alternative type of business use has been fully explored.

The application is for a temporary change of use of from Offices (Class E) to an educational use (Class F1) for a 5-year period to assist with providing suitable teaching facilities for the students of various UCL faculties to accommodate the temporary increase in student numbers following the national revision of A-level results in recent years. In the medium term, it will help to accommodate decanted students from another UCL building whilst this is redeveloped to meet longer teaching needs.

The floors are currently vacant but were historically occupied for office purposes.

Although the application will lead to a loss of office floorspace, this will only be for a temporary period, and it will then revert back to an office use. We would be happy for a reversionary personable condition to be included in a decision notice to cover this requirement to revert back to an office use upon the cessation of the planning permission, or once UCL vacate the premises, whichever is sooner.

The proposals seek permission for five years to allow UCL to implement their short-term and medium-term estate strategies. This will allow UCL to manage the student bulge and bring forward another building on its estate for redevelopment to help meet medium term growth needs. Without the change of use of the Site, UCL's short-term and medium-term estate strategies cannot be progressed.

On the basis that the office use will be re-instated following the temporary change of use to an educational use, it is considered that the proposal retains the office use for the long term and therefore does not conflict with Policy E2.

### Community Use

The proposed use is for educational purposes and is therefore defined as a community use in the Local Plan. Policy C2 of the Local Plan states that the Council will seek to ensure community facilities and services are developed to meet the changing needs of the community and reflect new approaches to the delivery of services.

Policy S3 of the London Plan sets out that proposals should ensure there is a sufficient supply of good quality education facilities to meet demand and offer educational choice.

Consideration should also be given to Paragraph 96 of the NPPF which sets out that to ensure faster delivery of other public service infrastructure such as further education colleges, local planning authorities should also work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues before applications are submitted.

Due to the increase in student numbers, there is a requirement for a provision of temporary floorspace to accommodate the teaching facilities. This temporary change of use will assist in providing appropriate teaching facilities for various UCL faculties and therefore aid the university in meeting the needs of its students during this temporary period.

As such, the proposal complies with the requirements of Local Plan Policy C2 and London Plan Policy S3.

### Design

The proposal is for the temporary change of use to an existing building and does not involve any external alterations which would affect the design or appearance of the building.

### Transport and Servicing

Policy T1 of the Local Plan states that the Council will promote sustainable transport by prioritising walking, cycling and public transport.

Policy T4 of the London Plan sets out that developments should not increase road danger and be assessed to determine if schemes would have an adverse impact on transport systems.

Policy CC5 of the Local Plan sets out that the Council will aim to make sure that developments include facilities for the storage and collection of waste and recycling.

The existing use of the Site is for office purposes. It is understood that the Site currently accommodates approximately 300 staff across the three floors. The proposal seeks a temporary change of use to provide teaching facilities which involve both desk-based and workshop-type activities accommodating a similar number of students/staff, as per current office occupation figures, at any one time in the building. Therefore, the proposed use will lead to a similar number of persons using the space at any one time, meaning there will be a negligible change in overall footfall and occupancy levels within the building. Therefore, the proposal will not have an adverse impact on the transport network.

In terms of modes of transport, the existing building does not include any car parking spaces, therefore all prospective occupiers of the building would need to travel to the Site via a sustainable mode of transport. In addition, UCL promotes students and staff using sustainable modes of transport when travelling to and from university.

With regards to cycle parking, consideration has been given to providing appropriate cycle parking spaces on the site to accommodate the students/staff within the building. All proposed cycle parking will be provided within the basement level of the building.

The cycle parking requirements below have been calculated on what is considered a worst-case scenario based on the total number of students and staff that may occupy the building, albeit not at one time.

UCL consider that a total number of persons using the three floors for education purposes would be 766 persons. On the basis that 10% would be staff, this provides a breakdown of 690 students and 76 staff. Based on this split, the London Plan cycle space requirements would be as per the table below.

| Cycle Parking Types | Long Stay | Short Stay |
|---------------------|-----------|------------|
| Student             | 35        | 99         |
| Staff               | 19        | N/A        |
| <b>Totals</b>       | <b>54</b> | <b>99</b>  |

The table sets out a total of 153 cycle spaces would be required against the worst-case scenario, although the actual requirement figures would be notably lower based on the number of persons who will occupy the building at any one time. However, as part of UCL's positive approach to sustainable travel, they have agreed with the landlord that 153 cycle spaces will be provided for use by UCL staff and students during their occupation of the building. This is a notable benefit from the change of use and far exceeds the considered cycle space requirements based on day-to-day occupancy figures.

In terms of servicing and waste storage, this will remain as existing.

Therefore, the proposal complies with Policy T1 and CC5 of the Local Plan, and Policy T4 of the London Plan.

### Summary

The scheme is being brought forward to assist UCL in providing appropriate teaching facilities due an increase in student numbers and to assist in providing appropriate teaching facilities during the progression of the medium-term estate strategy.

The proposal is for a temporary period and will allow the conversion of the floor area back to an office use upon the cessation of the agreed time period. Therefore, the proposal is in accordance with the development plan.

We trust that you have all the necessary information to validate this application and we look forward to confirmation of this shortly. If you have any queries, please contact Sam Neal ([sneal@geraldeve.com](mailto:sneal@geraldeve.com) / 020 3486 3312) or Andrew Jackson ([ajackson@geraldeve.com](mailto:ajackson@geraldeve.com) / 020 3486 3734) of this office.

Yours faithfully



**Gerald Eve LLP**