

Address:	40 Bernard Street London WC1N 1LE		2
Application Number(s):	2021/5595/P	Officer: Laura Dorbeck	
Ward:	Bloomsbury		
Date Received:	15/11/2021		
Proposal: Temporary change of use of the second (part), third and fourth floors from Office (Class E) to Education (Class F1) for the University College London until 30 June 2027.			
Background Papers, Supporting Documents and Drawing Numbers: (EX)001, (EX)102, (EX)103, (EX)104, 356 (EX) 099 rev P1, 356 (EX) 099 rev P1, (PL)102, (PL)103, (PL)104, (PL)099, Design and Access Statement dated 12/11/2021 and letter dated 13/12/2021.			
Recommendation Summary: Grant conditional planning permission.			
Applicant:		Agent:	
University College London (UCL)		Gerald Eve 72 Welbeck Street London W1G 0AY	

Analysis Information

Land Use Details:			
	Use Class	Use Description	Floorspace (GIA sqm)
Existing	<i>Office (Class E)</i>		3,345
Proposed	<i>Education (Class F1)</i>		3,345

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	0	0
Proposed	0	0

OFFICERS' REPORT

Reason for Referral to Committee: Major development where this involves the construction, extension or conversion of floorspace for 10 or more new dwellings or more than 1000 sq. mtrs of non-residential floorspace; [clause 3(i)].

Executive Summary

- i. The application site comprises part of the second and the whole of the third and fourth floors of 40 Bernard Street which benefits from consent for office use (Class E) but is currently vacant following the departure of the previous occupant. The proposed temporary change of use is required to provide teaching space for UCL in the short and medium term to deal with an unexpected increase in student numbers and to provide space to allow for the decant of faculties as UCL continues with its ongoing programme of refurbishment and improvement work which is likely to include redevelopment of one of their buildings in Bloomsbury.
- ii. The proposed site location within the Knowledge Quarter is considered a suitable location for the temporary education use, there would be no impact on existing businesses or occupiers and there would be no long term loss of business use. As such, the temporary loss of the office use is considered acceptable subject to the condition that the site reverts back to its lawful use on or before 30 June 2027.
- iii. There are no external alterations proposed, and as such, the proposals would not impact the appearance of the building, nor the significance or setting of the adjacent Bloomsbury Conservation Area or the listed buildings within it.
- iv. Given that the proposal is similar in its effects to the existing office use and the applicant is prepared to accept an hours of use condition, there would be no harm to the amenity of nearby neighbouring residents, or any likely impacts on the local transport network.
- v. As such, it is recommended that temporary conditional planning permission is granted.

1 Site

- 1.1 The application site comprises the western part of the second floor and the whole of the third and fourth floors of 40 Bernard Street. The site fronts Bernard Street to the south and Marchmont Street to the east, and covers an area of approximately 0.17 hectares (1730sqm). The site is not statutorily listed nor located within a conservation area, although it is located adjacent to the Bloomsbury Conservation Area which covers the south side of Bernard Street and the east side of Marchmont Street. There are a number of listed buildings in close proximity including the Grade II Listed Brunswick Centre on the east side of Marchmont Street, and the Grade II Listed Russell Square Underground Station and 11 – 28 Bernard Street on the south side of Bernard Street.
- 1.2 The site is a modern five storey building with a set back sixth floor, the lawful use of which is as offices (Class E) and is located in a mixed use area, surrounded by commercial, retail, office, residential and education uses.

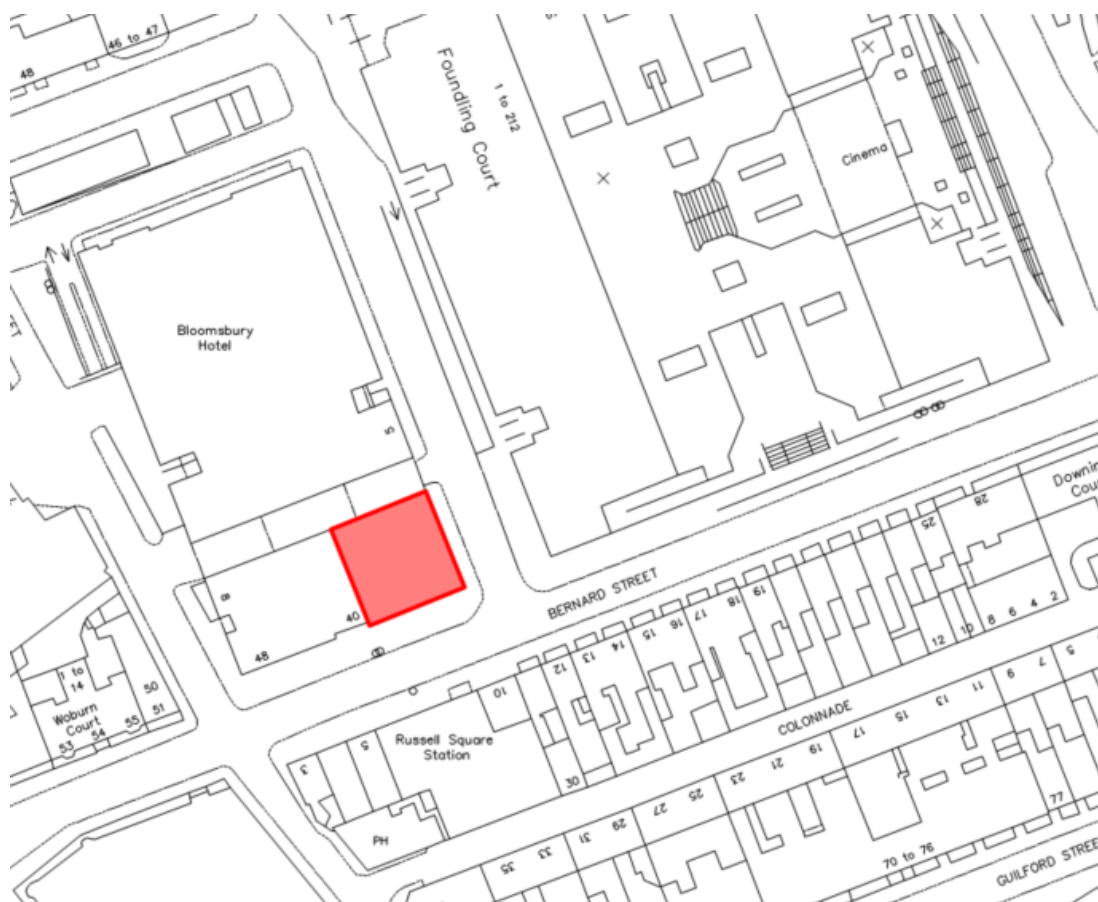


Figure 1 – Site location outlined in red.

- 1.3 The site has a Public Transport Accessibility Level (PTAL) of 6b (the best). The nearest London Underground Stations are Russell Square, Euston, and Holborn which are all a short walk away. There are also numerous bus services in close proximity along Euston Road and Woburn Place.

2 The Proposal

- 2.1 Planning permission is sought for the temporary change of use of part of the second and the whole of the third and fourth floors of 40 Bernard Street from office use (Class E) to education use (Class F1) for a period of five years until 30 June 2027.
- 2.2 Temporary permission is sought to provide additional teaching space for UCL to accommodate an unexpected increase in student numbers this year and 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 current student bulge which is expected to last for the next 3 to 4 years as well as providing teaching space to allow for the removal of the temporary structures which were approved within the Main Quad and the South Quad (approved under references 2017/2934/P and 2015/4395/P for the installation of temporary portacabin structures to provide teaching spaces).
- 2.3 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. Detailed information has not been provided at this stage due to the early stage of the proposals and details not being released publicly yet. However, 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 while the other building is redeveloped.
- 2.4 The proposals relate only to the temporary change of use of the internal floor area, and there are no external alterations proposed.

Revisions

- 2.5 Temporary planning permission was initially sought for a period of ten years; however, this was revised to five years at officers' request due to the limited information provided at this stage as to UCL's medium-term plans to redevelop one of their Bloomsbury campus properties. It should be noted that officers are not unsupportive of a longer timeframe for the temporary change of use, but would require more details and evidence of a commitment to deliver these redevelopment proposals prior to being able to agree to a ten year change of use at the application site.

3 Relevant history

- 3.1 **2021/3013/P** - 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. Pending determination. N.B. This application would not interfere with UCL's occupation of the lower floors.

- 3.2 **2019/4413/P** - Installation of 3 external air intake grilles on Marchmont Street (east) elevation in connection with existing office use. Granted 30/10/2019.
- 3.3 **2011/3351/P** - 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). Granted 09/09/2011.
- 3.4 **2007/5164/P** - 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. Granted 21/12/2007.
- 3.5 **9000116** - Change of use of fifth floor of building from residential to office use. Granted 26/06/1990.

4 Consultation Summary

Adjoining Occupiers

- 4.1 A site notice was displayed on 24th November 2021.
- 4.2 No responses were received from neighbouring residents.
- 4.3 The Bloomsbury CAAC stated they had no comment on the proposals.

5 Policies & Guidance

5.1 National Planning Policy Framework 2021

5.2 NPPG

5.3 London Plan 2021

5.4 Mayor's Supplementary Planning Guidance

5.5 Camden Local Plan (2017)

- G1 Delivery and location of growth
- C5 Safety and security
- C6 Access for all
- E1 Economic development
- E2 Employment premises and sites
- A1 Managing the impact of development

- D1 Design
- D2 Heritage
- T1 Prioritising walking, cycling and car-free development
- T2 Parking and car-free development
- DM1 Delivery and monitoring

5.6 Supplementary Planning Guidance

Camden Planning Guidance

Access for All CPG 2019

Amenity CPG 2021

Design CPG 2021

Employment sites and business premises 2021

Transport CPG 2021

6 Assessment

The principal considerations material to the determination of this application are considered in the following sections of this report:

7	Land use principles
8	Design
9	Impact on neighbouring amenity
10	Transport
11	Community Infrastructure Levy (CIL)
12	Conclusion
13	Recommendations
14	Legal comments
15	Conditions
16	Informatives

7 Land use principles

Proposal and Policy background

- 7.1 Temporary planning permission is sought for the change of use of the western part of the second floor and the whole of the third and fourth floors of 40 Bernard Street from office use (Class E) to education use (Class F1) to provide teaching space for UCL.
- 7.2 The proposals seek permission for five years to allow UCL to implement their short-term and medium-term estate strategies. In the short term, additional floorspace is required to manage the student bulge and accommodate the unexpected increase in student numbers following this year's A-Level results. In the medium term, UCL have plans to redevelop another building on its Bloomsbury Campus to help meet growth needs. The current proposals will provide additional space to allow the decant of teaching facilities during that

redevelopment. More detailed information on the redevelopment has not been provided at this stage due to the early stage of the proposals and details not being released publicly yet. As such, officers have requested that permission is sought for 5 years rather than 10 years as originally requested so that the acceptability of a 10 year change of use can be reviewed once this information and a more detailed estate strategy is available. Permission is therefore sought until 30 June 2027.

- 7.3 The site has been acquired by UCL after conducting a thorough search for buildings already in education use; however, there were none available that would have provided the required floorspace. They also undertook a review of their existing portfolio to determine where it may be possible to accommodate the additional teaching space for a temporary period, however, no appropriate spaces could be found. Given the urgency of the requirement for additional teaching space, vacant office buildings have therefore been temporarily acquired instead.
- 7.4 Both the London Plan (2021) and the Camden Local Plan (2017) seek to retain office floorspace where there is the opportunity for such a use to continue. They also acknowledge that demand and provision is expected to rise and advise under what circumstances a change of use may be acceptable.
- 7.5 The main factors determining whether such a change of use is acceptable are whether the premises are suitable for a continued business use, whether the applicant has carried out the required marketing, and whether the proposed use is appropriate. This application relates to part of the second floor and the whole of the third and fourth floors equating to a total floor area of 3,345sqm. The first floor, fifth floor and remainder of the second floor would remain in office use, as well as the new sixth floor if approved (see relevant planning history in section 3).
- 7.6 As London's economy is becoming increasingly service based the London Plan seeks to ensure that there is enough office space of the right kind in the right location. However, there is also an acknowledgement that whilst office employment may grow by 303,000 between 2011 and 2031 requiring an additional 3.9 million sqm (net), local plans and strategies should support the conversion of surplus offices to other uses and promote mixed use development.
- 7.7 Policy C2 Community facilities states that the council will work with its partners to ensure that community facilities and services are developed and modernised to meet the changing needs of our community and reflect new approaches to the delivery of services. The Local Plan supports the investment plans of educational, health, scientific and research bodies to expand and enhance their operations, taking into account the social and economic benefits they generate for Camden, London and the UK. Therefore, when considering the development plan as a whole, the proposal would not undermine the objectives of the plan policies and would allow continued support for educational use. Nonetheless, the loss of 3,345sqm of office space for a period of five years has

to be assessed to understand what impact it could have on the current supply of office accommodation in the Borough.

Loss of office floorspace

- 7.8 Policy E2 provides further guidance on the Council's approach to maintaining and securing a range of premises for businesses to support Camden's economy and provide employment opportunities for the borough's residents, and deals more specifically with the protection of employment uses.
- 7.9 It states that the Council will protect premises or sites that are suitable for continued business use, in particular premises for small businesses, businesses and services that provide employment for Camden residents and those that support the functioning of the Central Activities Zone (CAZ) or the local economy.
- 7.10 The Council will resist development of business premises and sites for non-business use unless it is demonstrated to the Council's satisfaction that:
- a. the site or building is no longer suitable for its existing business use; and
 - b. 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.
- 7.11 In addition to the considerations above, where a change of use to a non-business use is proposed, the applicant must demonstrate to the Council's satisfaction that there is no realistic prospect of demand to use the site for an employment use. The applicant must submit evidence of a thorough marketing exercise, sustained over at least two years.
- 7.12 In this instance, the building is still suitable for office use and has not been marketed for a full two-year period given UCL's interest in the site. However, officers have been informed that the building has been vacant and marketed since 2020. Although the development would result in a temporary loss of office use, given the building's vacancy, the development would not result in the displacement of existing occupiers or businesses. Furthermore, the first floor, part of the second floor and fifth floor would remain in office use, meaning the building would retain an element of its existing business function. It is noted a current application is under determination (reference 2021/3013/P) for the erection of a sixth floor to provide additional office floorspace; however, the proposals would not interfere with UCL's occupation of the lower floors.
- 7.13 It is recognised that as a result of the Covid-19 pandemic the office sector is still recovering, with many businesses looking to downsize or move towards a more flexible method of working including a greater element of home-working. Although the proposals would see a temporary loss of office floorspace at the site, it would be to meet the needs of UCL, a significant stakeholder in the borough to provide education facilities which Policy E1 recognises as an employment generating use which contributes towards a successful and inclusive economy in Camden.

- 7.14 Subject to a condition requiring the site to revert back to the lawful office use on or before 30 June 2027, or as soon as UCL vacate the premises, the development would not result in the long-term loss of business / employment use or negatively impact the future supply of office space in the borough. Therefore, when considering the development plan as a whole, the proposal would not undermine the objectives of the plan policies and would allow continued support for educational use and a key educational stakeholder in the borough. As such, and the temporary loss of office use is considered acceptable in this instance.

Proposed education use

- 7.15 The proposed temporary use is for educational purposes to provide additional teaching space. Policy C2 sets out how the Council will ensure that there is provision of community facilities to meet the needs of a growing population. 'Community facilities' includes childcare, education, adult learning and training, healthcare, police stations, libraries, public houses, etc., which form a vital part of local neighbourhoods. Policy S3 of the London Plan also sets out that proposals should ensure there is a sufficient supply of good quality education facilities to meet demand and offer educational choice.
- 7.16 The site is located in the Central London Area within the Local Plan Knowledge Quarter and the proposals would assist the university in meeting the needs of its students. As such, the proposed site is considered a suitable location for the proposed temporary educational use, in accordance with policy C2 of the Local Plan and Policy S3 of the London Plan.

8 Design

- 8.1 Policy D1 seeks to secure high quality design in all development by requiring development to respond to local character and context, be highly sustainable in design and construction, integrate well to the surrounding streets and townscape, comprise high quality architecture, and be accessible for all. Policy D2 seeks to preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings. Camden's Local Plan is supported by CPG (Design).
- 8.2 The proposal is for the temporary change of use to an existing building and does not involve any external alterations which would affect the appearance of the building, or the setting of the Bloomsbury Conservation Area or the listed buildings within it. The proposals are therefore acceptable in this regard.

9 Impact on neighbouring amenity

- 9.1 Camden Local Plan policy A1 and the Amenity CPG are relevant with regards to the impact on the amenity of residential properties in the area.

- 9.2 The nearest residential dwellings are located to the upper floors of the Brunswick Centre on the opposite side of Marchmont Street and at nos. 3, 4, 5, and 11 Bernard Street on the south side of the street.
- 9.3 The proposed temporary use to provide teaching space would be similar in nature to the existing office use in terms of potential disturbance to neighbouring residents. Opening hours would be 08:00 to 22:00 Monday to Friday and 09:00 to 21:00 on Saturdays and Sundays, which would be secured by condition. Given the location of the site in a busy Central London area opposite an underground station and the commercial Brunswick Centre, it is not considered that there would be any harm to neighbouring amenity by way of loss of privacy or disturbance.

10 Transport

Car Parking

- 10.1 Policy T2 of the Local Plan states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. The existing building does not include any car parking spaces, and none are proposed. All visitors to the building would need to travel to the site via sustainable modes of transport.

Cycle Parking

- 10.2 It is understood that the floors currently accommodate approximately 300 staff across the three levels. 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 and staff.
- 10.3 The London Plan sets minimum cycle parking standards for university and college education use, requiring 1 long stay space per 4 full time staff, 1 long stay space per 20 full time students and 1 short stay space per 7 full time students.
- 10.4 The applicant has calculated a worst-case scenario of the total number of students and staff that may occupy the building of 766 persons, although they advise that these numbers would not be occupying the building at one time. Nevertheless, based on 76 staff members and 690 students, the London Plan cycle parking requirements would equate to 54 long stay spaces and 99 short stay spaces (a total of 153 spaces).
- 10.5 The existing site benefits from a basement level cycle parking store, and the applicant advises that the landlord has agreed that 153 cycle parking spaces will be provided for use by UCL staff and students during their occupation of their building. It is noted that 20 cycle parking spaces are also proposed at basement level as part of application reference 2021/3013/P, however, the proposed parking spaces would be in addition to and would not interfere with

those. The installation and retention of the cycle parking for UCL staff and students shall be secured by condition.

Access

- 10.6 There are no proposed changes to the methods of access. Existing access arrangements will be retained via the lift and stairs within the main building entrance reception on Bernard Street. The lifts provide level access to all floors from the Bernard Street entrance.

Refuse and recycling

- 10.7 Servicing and waste storage will remain the same as existing which is considered acceptable.

11 Community Infrastructure Levy (CIL)

- 11.1 The proposal would not be liable for the Mayor of London's CIL2 (MCIL2) or Camden's CIL as there is no uplift in floorspace.

12 Conclusion

- 12.1 The proposed temporary change of use is required to assist UCL in providing required teaching space near to the main Bloomsbury campus.
- 12.2 There would be no loss of existing businesses or occupiers as the site is currently vacant, nor would the proposals result in a long-term loss of office use given the temporary nature of the application. The proposed site location within the Knowledge Quarter is considered a suitable location for the temporary education use.
- 12.3 There are no external alterations proposed, and as such, the proposals would not impact the appearance of the building, nor the setting or significance of the adjacent listed buildings and Bloomsbury Conservation Area.
- 12.4 Given that the proposal is similar in nature to the existing office use and the applicant is prepared to accept an hours of use condition, there would be no harm to the amenity of nearby neighbouring residents, or any likely impacts on the local transport network.
- 12.5 As such, the proposed development is considered acceptable subject to the recommended conditions, including the condition requiring the site to revert back to its lawful office use on or before 30 June 2027 and would be in accordance with the Camden Local Plan 2017 and London Plan 2021.

13 Recommendation

13.1 Planning Permission is recommended subject to conditions.

14 Legal Comments

14.1 Members are referred to the note from the Legal Division at the start of the Agenda.

15 Planning Conditions

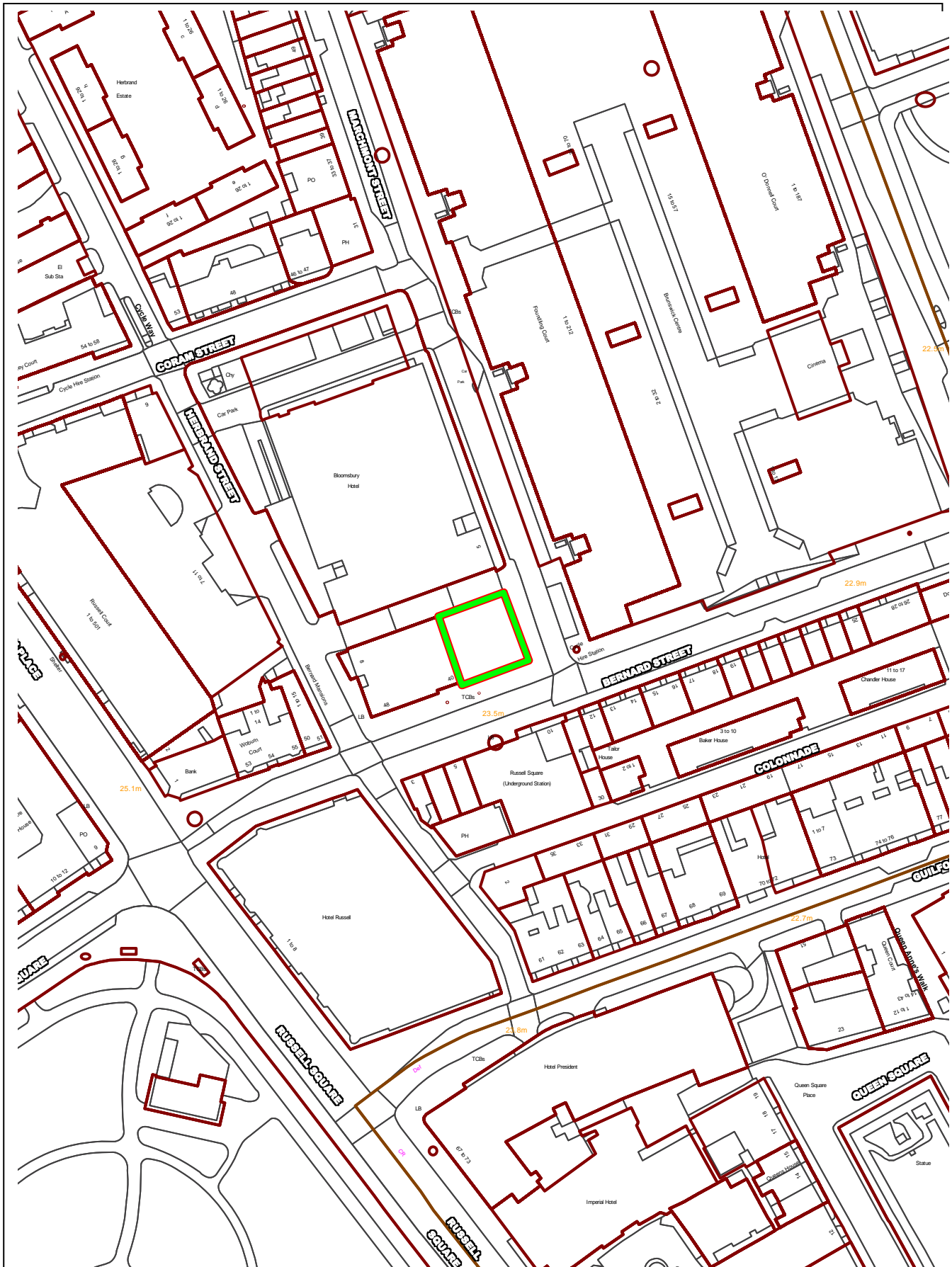
1	<p>The development hereby permitted must be begun not later than the end of three years from the date of this permission.</p> <p>Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</p>
2	<p>Approved drawings</p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans: (EX)001, (EX)102, (EX)103, (EX)104, 356 (EX) 099 rev P1, 356 (EX) 099 rev P1, (PL)102, (PL)103, (PL)104, (PL)099.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Temporary consent</p> <p>The use hereby permitted is for a temporary period only and shall cease on 30th June 2027, or at such time as University College London (UCL) vacate the premises, whichever is the sooner, at which time the premises shall revert to their former lawful use which is offices (Class E).</p> <p>Reason: In order to protect the existing business use and so that the long term use of the site may be properly considered in accordance with policies DM1 and E2 of the London Borough of Camden Local Plan 2017.</p>
4	<p>Hours of use</p> <p>The temporary use hereby permitted shall be carried out only during the hours of 08:00 to 22:00 on Mondays to Fridays and 09:00 to 21:00 on Saturdays and Sundays.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and</p>

	A4 of the London Borough of Camden Local Plan 2017.
5	<p>Cycle parking</p> <p>Cycle parking storage for 153 bicycles as shown on drawing no. (PL)099 shall be made available for the proposed temporary use prior to occupation and retained for such use throughout UCL's occupation of the site.</p> <p>Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.</p>

16 Planning Informatives

1	<p>Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).</p>
2	<p>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)</p> <p>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.</p>
3	<p>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</p>

	agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
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Application No: 2021/5595/P

**40 Bernard Street
London
WC1N 1LE**

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Date:
11-Jan-22**



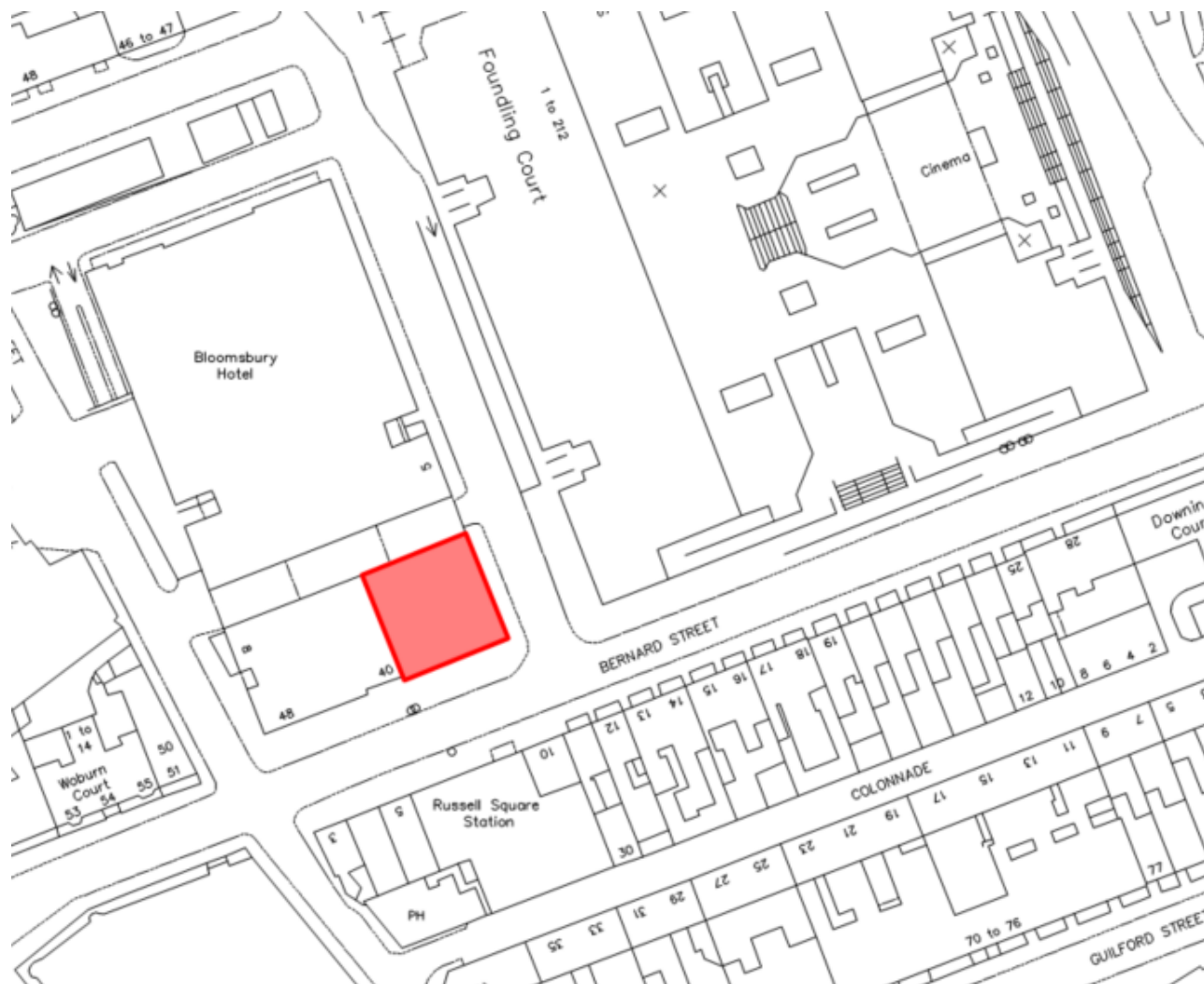
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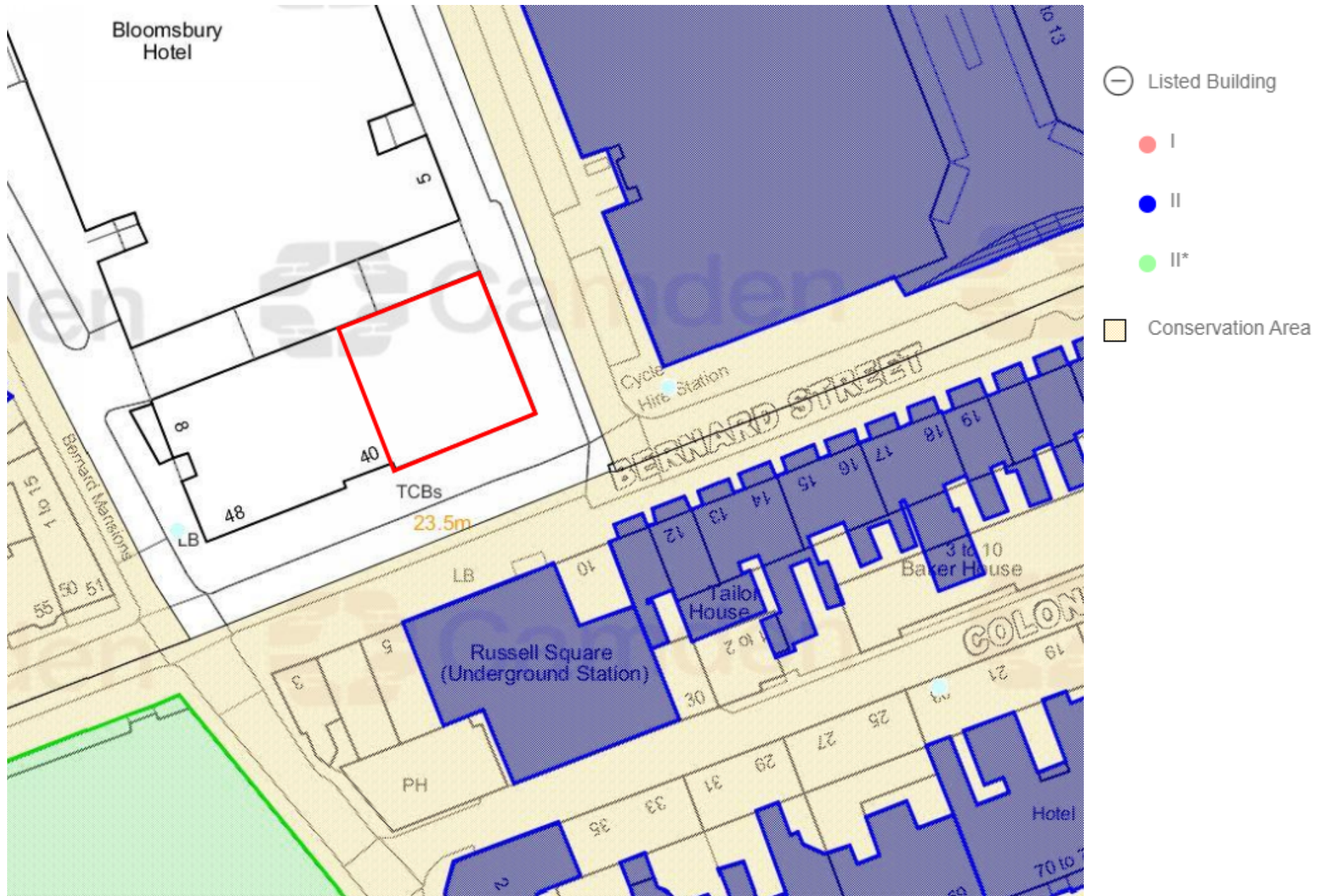
Planning Committee

20th January 2022

2021/5595/P

40 Bernard Street,
London,
WC1N 1LE









- Office / Class E
- Educational Facilities / Class F1

