

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	29/07/2022
		N/A		<b>Consultation Expiry Date:</b>	
<b>Officer</b>			<b>Application Number(s)</b>		
Sam FitzPatrick			2022/2323/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
1 Atkin Building Gray's Inn London WC1R 5BQ			Refer to decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Use of basement, ground, first, and second floors for educational purposes (Class F1)					
<b>Recommendation(s):</b>		Grant certificate of lawfulness			
<b>Application Type:</b>		Certificate of Lawfulness (Existing)			
<b>Conditions or Reasons for Refusal:</b>		Refer to Decision Notice			
<b>Informatives:</b>					

## Site Description

The host building is a five-storey building on the western side of Gray's Inn, at the south end of a terrace that lies perpendicular to Theobalds Road. The site comprises of educational uses such as a lecture theatre and tutorial rooms in the basement, ground, first, and second floors.

The application site is located within the Bloomsbury Conservation Area. The property itself is not listed, but it is attached to the Raymond Buildings, which are Grade II listed.

## Relevant History

**2014/3502/L:** Internal alterations including relocation of openings between 6 Raymond Buildings and 1 Atkin Building at ground level and insertion and removal of partitions from basement to second floor. **Granted 23/07/2014**

**2013/8222/L:** Internal alterations at 1<sup>st</sup> and 2<sup>nd</sup> floor levels including formation of two new openings within party walls and reopening a blocked doorway. **Granted 11/03/2014**

**LSX0005163:** Formation of internal door opening at ground floor level to link existing offices. **Granted subject to conditions 09/01/2001**

**LS9804468R1:** Formation of opening between unlisted and grade II listed building. **Granted 07/09/1998**

**LS9804468:** Formation of opening between unlisted and grade II listed building, with no external alterations. **Withdrawn 20/07/1998**

## Relevant legislation

**Town and Country Planning Act 1990**

**Town and Country Planning (Use Classes Order) 2015**

**The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020**

## Assessment

A certificate of lawfulness for proposed development has been submitted to establish whether the existing use of the basement, ground, first, and second floors at 1 Atkin Building for educational purposes (Class F1) would be lawful.

The applicant's supporting information supports that building has been in educational use since at least 1987. The Council does not have any evidence which counters this assertion.

On 1 September 2020, the Town and Country Planning (Use Classes Order) 2015 was amended and introduced new use classes. Educational facilities were previously within use Class D1. This is confirmed in the Land Use Gazetteer.

The planning history at the application site does not include any conditions restricting the use of the premises.

Class D1 has been revoked and a new class F was introduced on 1 September 2020. Schedule 2, Part B, of the amended use classes order has resulted in the uses previously falling within the following classes: D1 and some D2 uses, being under the same use class, Class F (Local Community and Learning use), which is comprised of F1 (Learning and non-residential institutions) and F2 (Local Community). The applicant's evidence to substantiate the lawful use are records to show the granting of a 50-year lease for the purposes of education use in 1987, as well as the registering of The City Law School, University of London as proprietor of the leasehold interest.

On the basis of the documents provided by applicant, the local planning authority agrees that the existing lawful use of the basement to second floor is within Class F1, as it has been operating under F1(a), 'Provision of Education' for over thirty years. The lease document clearly shows continued use for educational purposes from 1987, and no planning history suggests a change of use since. Therefore, the existing use of the site for educational purposes (Class F1) is deemed not to constitute development and to be lawful.

**Recommendation: Grant Certificate of Lawful development.**