

Delegated Report		Analysis sheet		Expiry Date:	12/01/2023
		N/A		Consultation Expiry Date:	26/02/2023
Officer			Application Number(s)		
Daren Zuk			i) 2023/4437/P ii) 2024/0052/L		
Application Address			Drawing Numbers		
Calthorpe Arms 252 Gray's Inn Road London WC1X 8JR			See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
i) Erection of two-storey infill extension at rear; part change of use from public house (Sui Generis) to residential (Class C3) for the provision of two self-contained residential units on first and second floors; reconfigurations to internal floor plan; and associated internal and external works.					
ii) Erection of two-storey infill extension at rear; reconfigurations to internal floor plan at all levels; and associated internal and external works.					
Recommendation(s):		i) Refuse Planning Permission ii) Refuse Listed Building Consent			
Application Type:		i) Full Planning Permission ii) Listed Building Consent			
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice			
Informatives:					
Consultations					
		No. of responses	12	No. of objections	12
Neighbour Consultation		Site Notice: posted 11/01/2024, expired 04/02/2024 Press Notice: published 18/01/2024, expired 11/02/2024 Twelve responses objecting to the proposed works were received following statutory consultation. The objections are summarised below: <ul style="list-style-type: none"> • Inappropriate development. • Concerns regarding the change of use to residential and impact on the viability of the pub. • Noise created by the pub would result in complaints by new residential occupants. • Loss of existing pub floorspace. • New residential units created in the immediate area need local pubs. • Proposed works, including rear extension, will cause harm to the character 			

	<p>and setting of the Grade II listed host building and the neighbouring Grade II listed terrace of 2-9 Wren Street.</p> <ul style="list-style-type: none"> • Development would result in the loss of the pub, which is a listed Asset of Community Value. • The Calthorpe Arms is the only proper community pub left in the area.
<p>Bloomsbury CAAC</p>	<p>The Bloomsbury CAAC was consulted and provided the following objection:</p> <p><i>The BCAAC objects to the above plans in the strongest terms. This is a Listed Building, subject of an ACV. It has a vital & serious place in the history of the Bloomsbury/Clerkenwell area, being the place where the first London policemen died after being taken there injured in the local up rising. It was also in this building, on the first floor, where the subsequent trial took place & where the accused was acquitted. The BCAAC's objection is not only on historic grounds. Corner buildings of significance in Bloomsbury/ Clerkenwell are often sided by a noble gap which is part of the intended line of the Georgian Architecture. The Calthorpe Arms has such a beautiful gap, with an attached lower original annex of exceptional & rare architecture. This noble gap, (planned destroyed & filled in by the above plans) leads beautifully to the wonderfully preserved & Listed Georgian houses in Wren St. On this original annex one can also see exquisite curved windows, rare & very costly; these curved windows are a rarity in Bloomsbury. The Calthorpe Arms should, without question, be preserved & protected exactly as it is.</i></p>
<p>Bloomsbury Residents Action Group (BRAG)</p>	<p>The Bloomsbury Residents Action Group (BRAG) provided the following objection:</p> <p><i>The Bloomsbury Residents Action Group (BRAG) objects strongly to the above application, in support of the many local residents who are opposed to the proposed alterations to the building, and to the negative impact on quality of life and residential amenity.</i></p> <p><i>The Calthorpe Arms has been a designated Asset of Community Value since December 2021, increasing the pub's significance.</i></p> <p><i>Pre-application advice (8.7) clearly states that "the proposals would undermine and compromise the existing public house and would adversely impact on the pub's community, historic and townscape value; thus being contrary to Policy C4 (Public houses) within Camden's Local Plan, 2017 (and other policy/guidance..) and would therefore not be supported."</i></p> <p><i>The Calthorpe Arms is an important Grade II listed historic asset and the proposed changes will cause harm to the Bloomsbury Conservation Area.</i></p> <p><i>Again, referring to the pre-application advice (9.2) "As the subject site is a Grade II listed building, the council has a statutory duty to pay special attention to the desirability of preserving the listed building and its features of special architectural or historic interest, under s.16 and s.66 of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.</i></p> <p><i>Also (9.2) "The Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area, in accordance with Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).</i></p> <p><i>It seems extraordinary that the Applicant has proceeded with this application when the pre-application advice concludes:</i></p> <p><i>14.1. It is strongly advised that this proposal is not brought forward for planning permission and listed building consent on the basis that it would cause less than</i></p>

substantial harm to the conservation area and less than substantial harm to the listed building, and that there is no public benefit of a nature adequate to outweigh the harm to designated heritage assets (namely the listed building and the conservation area).

14.2. These matters are too serious to be mitigated by revision to design, materials, form, or scale; the building appears to be fundamentally unsuitable for any further extension without harm being caused to its significance.

Please ensure the Application is refused in view of the obvious harm to community value, heritage and residential amenity

Site Description

The Calthorpe Arms, located the junction of Gray's Inn Road and Wren Street, is a Grade II listed public house in the Bloomsbury Conservation Area. It is attached to the east to a ground of Grade II listed terraces at 2-9 Wren Street, and to the south to a ground of Grade II listed terraces at 244-250 (even) Gray's Inn Road. The building makes a positive contribution to the character and appearance of the Bloomsbury Conservation Area. As a listed building its significance includes its architectural design and materials, plan-form, evidential value as a C19th public house, and its townscape contribution.

Relevant History

2021/6233/PRE – Retention of public house, change of use of ancillary public house uses, reconfiguration of internal layout (all floors), and erection of side extension at first, second and third floors to provide 1 x studio unit and 3 x 1 bed units and associated cycle parking. **Advice Issued 22/03/2022**

The advice concluded there was harm to designated heritage assets including the building itself, and that it was inappropriate for it to be extended in this manner.

Relevant Policies

National Planning Policy Framework 2023

The London Plan 2021

Camden Local Plan 2017

Policy G1 Delivery and Location of Growth
Policy H1 Maximising Housing Supply
Policy H2 Maximising the supply of self-contained housing from mixed-use schemes
Policy H4 Maximising the Supply of Affordable Housing
Policy H6 Housing Choice and Mix
Policy H7 Large and Small Homes
Policy A1 Managing the impact of development
Policy A4 Noise and Vibration
Policy D1 Design
Policy D2 Heritage
Policy C1 Health & Well-being
Policy C4 Public Houses
Policy T1 Prioritising Walking, Cycling, and Public Transport
Policy T2 Parking and Car-Free Development
Policy CC1 Climate Change Mitigation
Policy CC2 Adapting to Climate Change
Policy CC5 Waste
Policy DM1 Delivery and Monitoring

Camden Planning Guidance (CPG)

CPG Access
CPG Community use, leisure and pubs
CPG Design
CPG Amenity

Assessment

1. Proposal

1.1. The applicant seeks planning permission and listed building consent for the following:

- Erection of part one-/part two-storey infill extension at rear, between the subject site and no.2 Wren Street;
- Part change of use from public house (Sui Generis) to residential (Class C3) for the provision of two self-contained residential units to be located on the second floor;
- Retention of the ancillary residential unit (manager's suite) on the third floor;
- Reconfigurations to internal floorplan at all levels;
- Associated internal and external works including window replacement and cycle storage.

2. Planning Considerations

2.1. The material considerations in the determination of this application are as follows:

- Land Use
- Asset of Community Value
- Dwelling Mix
- Affordable Housing
- Standard of Accommodation
- Design & Conservation
- Amenity
- Transport
- Sustainability
- Refuse & Recycling
- Planning Balance
- Section 106 Obligations

3. Land Use

Loss of public house (Sui Generis) floorspace

3.1. Public houses (pubs) are considered to play an important community and cultural role. As places where members of the community meet and gather, they support social well-being and strengthen community cohesion. They sometimes provide important community meeting space and host local meetings, events and entertainment. Many pubs contribute to local culture, character, and identity, and this is often closely related to a pub's long-standing presence in the locality. The closure of a pub can lead to the loss of an area's vibrancy as well as its diversity and interest. Some pubs hold further importance as statutorily designated heritage assets and their function, as well as their architectural presence, can make important contributions to the character of conservation areas (see heritage section below).

3.2. Pubs also have an important economic function in contributing to the vitality of towns or neighbourhood centres and providing a hub for the surrounding neighbourhoods. Pubs support local employment and entrepreneurship, provide valuable work experience for young people and support jobs in the wider economy through the pub supply chain. They provide an important outlet for breweries in Camden and London to sell their products.

- 3.3. Policy C4 of the Camden Local Plan seeks to protect public houses which are of community, heritage, or townscape value. Policy C4 states that “in some cases the loss of part of a pub may lead to its continuing operation being undermined by the greater likelihood of complaints relating to noise and nuisance from occupants of new non-ancillary uses”. A particular problem is the potential harm to residential amenity which cannot be overcome through mitigation measures to the building’s fabric.
- 3.4. In this instance, the development would result in a minimal loss of pub floorspace which is wholly located within the existing ancillary residential unit (manager’s suite) which will be re-provided on the third level; this in itself is not considered to undermine the long-term viability of the pub. Whilst this space is ancillary to the pub, it still provides a residential receptor close to the active pub use (where the customers and noise sources are). It would not be as sensitive as an independent residential use given its association with the pub, but the change would not significantly increase the risk of undermining the long-term pub use, subject to the use of other controls to minimise impact (see below).

Creation of new residential (Class C3) floorspace

- 3.5. Self-contained housing is regarded as the priority land-use of the Camden Local Plan and Policy H1 states that the Council will make housing its top priority when considering the future of underused land and buildings. Policy H2 requires 50% of any addition to floorspace to be residential in Central London.
- 3.6. Although housing is the Council’s priority land use, residential accommodation could only be supported on this site subject to policy compliance in all other respects. Any application that proposes self-contained residential accommodation adjacent to a public house will need to demonstrate that there will be no impact on the amenity of future occupiers of the flats, and what mitigation measures would be adopted to ensure the success of these uses are considered together in line with Policy D13 (Agent of change) of the London Plan.
- 3.7. Policy D13 of the London Plan sets out the Agent of change principle which places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development.
- 3.8. A noise report outlines that measures such as use of a double-glazing system, as an alternative means of ventilation such as MVHR to allow adequate ventilation without the requirement to open windows and sound insulation could address this requirement. While this is welcomed it is considered that more could be done to mitigate and manage any noise impacts for neighbouring residents and businesses. If the development was acceptable additional design measures would be sought. Use of informatives and even planning obligations could minimise the risk of complaints by establishing a reasonable expectation of disturbance for future occupiers, notifying them of the implications of living next to and above a pub in central London.

4. Asset of Community Value

- 4.1. The nomination to list the Calthorpe Arms as an asset of community value was made on 19 October 2021 by the Calthorpe Street Residents’ Association (CSRA).
- 4.2. In order for a property to be listed as an asset of community value, it must be nominated by an eligible body (under s88 of the Localism Act 2011 and regulations 4 and 5 of the Assets of Community Value (England) Regulations 2012) and the Council must be satisfied that it is an asset of community value as defined in the legislation (in s89 of the Localism Act 2011). In considering the nomination the Council concluded that the Calthorpe Arms met both conditions.
- 4.3. The organisation which nominated The Calthorpe Arms, the Calthorpe Street Residents Association is an ‘unincorporated body’ whose membership includes at least 21 individuals living in Camden or a neighbouring local authority area.

4.4. The following extract from the Council's decision letter (dated 06/12/2021):

“The overall impression from the nomination and from the Council’s own visit is that The Calthorpe Arms is popular and well-used and occupies a pivotal role for the community that is based around it. Groups holding meetings and activities at the pub are numerous and wide ranging. They will to varying extents help to consolidate cultural, recreational and/or sporting interests. The pub has clearly been instrumental in bringing people together and helping people to get to know one another and a positive force for social cohesion. It is highly respected not just by residents but local employees and visitors as well. Its purpose and reason for existing would appear to be principally the strong links it enjoys with the community, which has helped to shape the pub’s evolution and its offer to patrons over the years. Activities held in the pub mirror local interests and the various clubs and meetings described have been able to develop over time from having access to these facilities. There is a sense of members of the community returning to the Calthorpe many times to fulfil their social life. The pub has contributed to the community’s connections and belonging/group identity and its patrons and staff have been able to live out their lives within its walls. No evidence has been provided that leads the Council to conclude that The Calthorpe Arms does not meet the criteria for being designated as an Asset of Community Value.”

4.5. The above stated decision declares the site as an asset of community value; thus, this would need to be considered as a material planning consideration. The Council considers the public house to be a community asset and the designation of the property as an ACV further serves to demonstrate that the pub is highly regarded by the local community, helps to support the community’s sustainability and contributes to residents’ social interests and wellbeing. In addition, the site’s value includes ancillary uses such as ancillary accommodation which is regarded as an important and established part of historic pubs. Ancillary accommodation, typically for use by pub managers or other service staff, continue to be important elements of a pub’s viability. This is particularly evident in central London, where the cost of accommodation for service industry workers is high. The impact of the proposals on the local community and the pub’s designation as an ACV must therefore be explored.

4.6. On 7 January 2022, the Council received a request from the Calthorpe Arm’s landowner for an internal review of its decision. During an internal review or an appeal to the First-tier Tribunal, the listing of the property as an ACV remains in force. Therefore, the implications of a property being designated as an ACV continue to apply unless and until an asset is removed from the list of assets.

4.7. Having considered the above position and assessing the current proposals, the subject site is deemed a community asset and the proposals would undermine and compromise the existing public house and would adversely impact on the pub’s community, historic and townscape value; thus being contrary to Policy C4 (Public houses) within Camden’s Local Plan, 2017 (and other policy/guidance stated below) and would therefore not be supported.

5. Dwelling Mix

5.1. The Council requires development to contribute to the creation of mixed and inclusive communities by containing a mix of large and small homes. Policy H7 of the Local Plan includes a Dwelling Size Priorities Table as set out below:

	1-bedroom (or studio)	2-bedroom	3-bedroom	4-bedroom
Social-affordable rented	Low	High	High	Medium
Intermediate affordable	High	Medium	Low	Low
Market	Low	High	High	Low

5.2. Policy H7 seeks to ensure that all housing development: (a) contributes to meeting the priorities set out in the Dwelling Size Priorities Table; and (b) includes a mix of large and small homes. The proposal includes the creation of 1x studio and 1x one-bedroom self-contained flats, which are regarded as low priority in the above table. No larger homes would be provided but given the relatively low number of units provided overall, this is acceptable. Therefore, the proposed unit mix is welcomed and complies with Policy H7 of the Local Plan.

6. Affordable Housing

- 6.1. Policy H4 (maximising affordable housing) requires a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more. The policy states that where developments have a capacity for fewer than 10 additional dwellings, the Council will accept a payment in lieu of affordable housing.
- 6.2. Targets are based on an assessment of development capacity whereby 100 sqm GIA of housing floorspace is generally considered to create capacity for one home and a sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% for each home added to capacity.
- 6.3. In this case, the proposal seeks convert a portion of the existing pub ancillary (manager's suite) flat and utilise a second-floor extension to create two self-contained dwellings that together are less than 100sqm in size in total. The proposal is therefore not liable to the affordable housing contribution.

7. Standard of Accommodation

- 7.1. Policy H6 outlines how the Council will seek to secure high quality accessible homes in all developments that include housing. We will:
- encourage design of all housing to provide functional, adaptable and accessible spaces;
 - expect all self-contained homes to meet the nationally described space standard;
 - require 90% of new-build self-contained homes in each development to be accessible and adaptable in accordance with Building Regulation M4(2); and
 - require 10% of new-build self-contained homes in each development to be suitable for occupation by a wheelchair user or easily adapted for occupation by a wheelchair user in accordance with Building Regulation M4(3).
- 7.2. The proposal consists of 1x studio and 1x one-bedroom self-contained residential units. Each of the new flats meets minimum national space standards as outlined in the table below:

Unit	Unit Type	Minimum GIA	Proposed GIA
Flat 1	1Bed/1Person	39(37)sqm	38sqm
Flat 2	1Bed/2Person	50sqm	52sqm

- 7.3. Both flats are dual-aspect, with Flat 1 featuring windows facing north and south and Flat 2 featuring windows facing north and west. It is considered each of the new units would be provided with a satisfactory degree of privacy, outlook, ventilation, and provision of daylight/sunlight.
- 7.4. A separate ground-floor access would be provided for the residential portion of the building which would comprise a stairwell accessed from Wren Street. The floors of the building utilised for the pub (and ancillary accommodation) would retain their existing access and have a separate stairwell.
- 7.5. Neither of the flats would be provided with private external amenity space. Although it is the aim for all new residential dwellings to feature private outdoor amenity space, it is appreciated that due to site constraints this is not achievable in this instance.

8. Design & Conservation

- 8.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 states that the Council will require all developments to be of the highest standard of design and to respect the character, setting, form and scale of neighbouring buildings, and the character and proportions of the existing building. Policy D2 sets out the approach to designated heritage assets and says the council will refuse schemes that cause less than substantial harm to the significance of an asset unless the public benefits of the proposal convincingly outweigh that harm. It states that within conservation areas, the Council requires development that 'preserves or, where possible, enhances' its established character and appearance. It goes on to say the council will resist proposals for a change of use or alterations and extensions to a listed building where this would cause harm to the special interest

of the building, and resist development that harms the significance of a listed building through an effect on its setting.

8.2. Camden's Design CPG emphasises Camden's commitment to design excellence, and expects development schemes to consider:

- The context of a development and its surrounding area;
- The design of the building itself;
- The use and function of buildings;
- Using good quality sustainable materials;
- Creating well connected public spaces and good quality public realm;
- Opportunities for promoting health and well-being; and
- Opportunities for improving the character and quality of an area.

8.3. Paragraph 5.28 in the Bloomsbury Conservation Area Appraisal and Management Strategy (2011) (the 'Management Strategy') requires that proposals must preserve or enhance the character or appearance of the conservation area. Paragraph 5.29 continues, outlining that high quality design and execution will be required of all new development at all scales.

8.4. Paragraph 5.31 of the Management Strategy outlines that the appearance of all buildings of historic interest, whether listed or unlisted, within the conservation area are harmed by the removal or loss of original architectural features and the use of inappropriate materials. In all cases, it is expected that original architectural features and detailing are to be retained, repaired, protected, or refurbished in the appropriate manner. Full replacement will only be permitted when it can be demonstrated that the features are beyond repair.

8.5. Paragraph 5.4 of the Management Strategy states that alterations and extensions to existing buildings can have a detrimental impact either cumulatively or individually on the character and appearance of the area. This includes inappropriate design of extensions including the size and proportion of openings, and extensions of excessive scale, massing, or height.

Significance of Conservation Area and listed buildings

8.6. The Calthorpe Arms is a Grade II listed public house in the Bloomsbury Conservation Area. It is attached to the Grade II listed terrace at nos.244-250 Gray's Inn Road and backs onto another Grade II listed terrace at nos.2-9 Wren Street. It makes a positive contribution to the character and appearance of the Bloomsbury Conservation Area. As a listed building its significance includes its architectural design and materials, plan-form, evidential value as an early C19th public house, and its townscape contribution which includes the gap at the rear, separating it from the terrace on Wren Street. In this regard, it also derives its significance from its immediate setting on Wren Street, as well as its setting in the wider conservation area (see below). The public house is an asset of community value, and its function also contributes to its significance as a surviving and thriving early C19th pub.

8.7. The adjacent listed terrace of eight houses on Wren Street is also a fine example of the early C19th housing that contributes to much of the character of the wider conservation area. Amongst other things, their significance derives in part from their domestic form and function, contrasting with the listed pub on the corner. The delineation is emphasised by the gap between the two, and so this setting also contributes to their significance, just as the setting they provide contributes to the pub.

8.8. Bloomsbury conservation area represents a period of London's early expansion northwards, dating from Stuart times (around 1660), which continued through the Georgian and Regency periods to around 1840. The quintessential character of the Conservation Area derives from the grid of streets enclosed by mainly three and four storey development which has a distinctly urban character of broad streets interspersed by formal squares which provide landscape dominated focal points. The townhouses arranged in terraces is the predominant form across the area, reflecting the speculative, (mainly) residential development of the Stuart, Georgian, Regency and early Victorian periods. This gives a distinctive, repeated grain to large parts of the area.

8.9. Development occurred between 1801 and 1832 to the east of Gray's Inn Road, on land sloping down to the River Fleet. The scale of these streets is lesser than those to the west. Calthorpe Street, Wren Street, and Pakenham Street is an area of consistent terraces, adhering to a plainer form of classicism than their neighbours to the north. Properties date from the 1820s in the west to the 1840s in the east.

8.10. The Bloomsbury Conservation Area derives its significance from these forms of development, and its survival as an example of Georgian town planning of international importance. The conservation area is also significant for the mix of uses that have become established over time, with the planned residential settlement complemented by small commercial development, including shops and pubs, and major institutional uses like the British Museum, building the area's distinctive and culturally rich character. The subject site's gap at upper stories to the rear provides a clear separation between it and its commercial character on Gray's Inn Road, and the quieter residential character of Wren Street with St Andrew's Gardens (locally listed) opposite. As a corner pub, and an ACV, the subject site makes a notable contribution to the character of the conservation area, not just through its architectural quality, form, and layout as described above, but also through its function and use.

Assessment: Exterior Works

8.11. Para 5.12 of the CPG Design states that proposals should assess the impacts of the scheme from a design perspective and the contribution it makes to townscape character including: having regard to the scale, form, and massing of the neighbouring buildings; using materials and detailing that are sympathetic to the host building and buildings nearby; respecting and preserving existing architectural features, such as projecting bays or chimney stacks; respecting and preserving the historic pattern where it exists, and the established townscape of the surrounding area, including the ratio of built to unbuilt space; the effects of the scheme on important local views; making use of sustainable materials wherever possible taking into account their lifespan, environmental performance (e.g. U values) and durability, e.g. changes to the visual appearance of materials from weathering.

8.12. Para 5.14 of the CPG Design relates to roof extensions and states that a roof alteration or addition is likely to be unacceptable in the following circumstances where there is likely to be an adverse effect on the skyline, the appearance of the building, or the surrounding street scene: buildings which have a roofline that is exposed to important London wide and local views from public spaces; buildings whose roof construction or form are unsuitable for roof additions; buildings designed as a complete composition where its architectural style would be undermined by any addition at roof level; the impact on adjoining properties both in terms of bulk and design and amenity of neighbours would be detrimental, e.g. due to a loss of light from the additional height; buildings that are part of a group where differing heights add visual interest and where a roof extension would detract from this variety of form; and where the scale and proportions of the building would be overwhelmed by an additional extension/storeys.

8.13. The proposals fail to meet the majority of these criteria for acceptable development, as outlined above, even if the proposal were not for a Grade II listed building.

8.14. The character of the site and its immediate surroundings are identified as being a consistent area of terraces dating from the C19th. This is important in design and townscape terms, as well as heritage terms. As well as forming part of the setting of listed buildings the existing gap has townscape value. It is a typical town planning device of the C18th and C19th and is seen across many such developments in London and elsewhere. In this instance it also distinguishes the commercial terraces facing Gray's Inn Road from the residential terraces on Wren Street and therefore acts as a distinguishing break in mediating the nuanced character of the two streets visually and spatially. Although the gap has been built on in the last C19th most of it still remains undeveloped. The development which has occurred is in the form of an ancillary extension to the main terraced building and steps down towards the residential terrace at Wren Street. None of that crucial visual relationship would survive the proposed scheme.

8.15. Elements of the existing building which contribute to its C19th appearance would be removed, including the chimneystacks of the existing extension. The scale, location and design of the proposed development disrupt the historic form and appearance of the site and its neighbours, and thereby fail to preserve or enhance the character and appearance, and the positive contribution which the subject site otherwise makes to the character and appearance of the Conservation Area.

8.16. Although the extension on the Wren Street frontage dates from the late C19th it is clearly part of the significance of the building and benefits from the same degree of statutory protection as the older part of the building and is mentioned within the list description. The proposals substantially alter the late C19th extension through the loss of its silhouette and chimneys. In addition to this, the rear elevation of the original early C19th building is partly obscured by the proposed new extension.

8.17. A pre-application scheme was presented to the Council which proposed greater alteration to the interiors of the listed building, a taller infill and different facing materials. These elements have been amended under this application:



Fig 1. Existing Wren Street (north) elevation



Fig 2. Existing Wren Street (north) elevation when viewed from St Andrew's Gardens (locally listed)



Fig 3. Proposed extension submitted under the pre-application.



Fig 4. Current proposal

8.18. As can be seen in the proposed images the works will also have an impact on the setting of adjacent listed buildings, especially the terrace at nos.2-9 Wren Street, where a historic gap and blank flank side wall would be largely removed and replaced with built form.

Assessment: Internal Works

8.19. At pre-application stage the impact of the proposed works on the plan-form and circulation of the listed building was considerable, and harmful. This has been amended and there is now little harm to the significance of the interior of the listed building. Where such harm would be caused, such as the installation of a dumb waiter, it can be generally accepted as allowing the building to reasonably function as a public house, which is its optimum viable use.

8.20. Some alterations have been proposed as potential heritage benefits by the applicants. These relate to the instatement of 6/6 sash windows in place of the extant modern double glazed 1/1. While there would be no objection to the creation of 6/6 single glazed timber sashes the benefit is ultimately unrelated to the harm, i.e. it is not interdependent on the harm being caused and it is almost certain that the existing windows will need to be replaced at some point, whether the proposed extension is built or not. It also noted that the building has likely had 1/1 sash windows since the late- C19th so the design is certainly the historic condition of the building, even if not the original condition. There has been a suggestion that some of the extant chimneypieces in the listed building could be replaced with more “appropriate” replicas. Given the extant chimneypieces are c.1900 and were likely installed at a similar time to the 1904 extension and late C19th pub frontage their replacement would represent harm to evidential significance rather than enhancement of architectural significance.

Assessment: Conclusion

8.21. When considering whether to grant listed building consent for any works, s16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“LBCA Act”) the council must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 66 of the LBCA Act also sets out that when considering planning applications, special regard must be given to the preservation of a listed building, its setting or its features of special architectural or historic interest. Section 72 of the same Act sets out a general duty that special regard must be given to preserving or enhancing the character or appearance of a conservation area. All are relevant to the proposal.

8.22. Paragraph 208 of the NPPF states:

208. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

8.23. Considerable weight and importance should be given to that harm, and it should be outweighed in the balance by considerable public benefits.

8.24. As advised at pre-application stage, the matter of harm arising from the creation of an extension to the building are too serious to be mitigated by revisions to design, materials, form, or scale; the building appears to be fundamentally unsuitable for any further extension without some degree of harm being caused to its significance. The proportion of the significance of the assets that derives from its physical presence, and the proportion that derives from setting, is high.

8.25. The elements of the setting of the asset that contribute to its significance are its form and scale, its visual relationship with adjacent heritage assets and its positive contribution to the character and appearance of the conservation area which in this area is chiefly defined by its late C18th and C19th character.

8.26. The proposed development would result in some loss of the significance which the asset derives from its setting and would also have a harmful impact on the setting of adjacent assets, especially the listed terrace at nos. 2-9 Wren Street. The level of harm caused is less than substantial but is at a medium level on the scale of less than substantial harm.

8.27. The proposals cause less than substantial harm to the subject Grade II listed building (medium), less than substantial harm to the adjacent Grade II listed terrace (medium), and less than substantial harm to the Bloomsbury Conservation Area (medium). There are no public benefits of a nature adequate to outweigh the level of harm caused, including the provision of two low-priority residential units.

8.28. Overall, the proposal is in conflict with Policy D2 of the Local Plan. There are public benefits to the scheme, but these do not proposal convincingly outweigh that harm identified.

9. Amenity

- 9.1. Policies A1 and A4 of the Local Plan seeks to protect the quality of life of occupiers and neighbours. The factors to consider include visual privacy, outlook; sunlight, daylight and overshadowing; artificial lighting levels; noise and vibration; odour, fumes and dust; and impacts of the construction phase, including the use of Construction Management Plans.
- 9.2. The proposed part one-/part two-storey rear extension and new residential units are not considered to create any new amenity impacts upon neighbouring residential occupiers. The rear extension, given its height and location between the subject site and the side flank wall of no.2 Wren Street, is not considered to create any new impacts with regards to loss of daylight/sunlight, outlook, or privacy. The nearest residential dwellings, located to the east at no.2 Wren Street, no.6 Green Yard to the south, and no.250 Gray's Inn Road to the south, are provided with sufficient distance from the proposal to be negatively impacted.
- 9.3. Therefore, the proposed extension and new residential units will not result in any loss of daylight/sunlight, outlook, or privacy to neighbouring residential properties, complying with Policy A1 of the Camden Local Plan 2017 and CPG Amenity.

10. Transport

- 10.1. Policy T1 aims to promote sustainable transport by prioritising walking, cycling, and public transport. This is achieved by improving pedestrian friendly public realm, road safety and crossings, contributing to the cycle networks and facilities, and improving links with public transport. All these measures are in place to ensure the Council meets their zero carbon targets.
- 10.2. In line with Policy T1 of the Local Plan, it is expected cycle parking at developments to be provided in accordance with the standards set out in the London Plan. For studio flats the requirement is for 1 space per unit, whilst for 1 bedroom 2 person flats the requirement is for 1.5 spaces per unit, which gives a requirement for 2.5 spaces, or 3 spaces when rounded up to the nearest whole number. Given the lack of available space on site to provide cycle parking, a contribution ($\text{£}4,320/6 \times 3 =$) $\text{£}2,160$ towards the provision of an off-site (on-street) cycle parking hanger in the vicinity of the site should be secured by means of a Section 160 Legal Agreement. In the absence of a legal agreement, this would be a reason for refusal.
- 10.3. In accordance with Policy T2 of the Local Plan, both new residential flats should be secured as on-street residents parking permit (car) free by means of the Section 106 Legal Agreement. This will prevent the future occupants from adding to existing on-street parking pressures, traffic congestion and air pollution whilst encouraging the use of more sustainable modes of transport such as walking, cycling and public transport. No off-street parking is currently provided, and none is proposed. The manager's flat at third floor should be exempt from the car free restriction. In the absence of a legal agreement, this would be a reason for refusal.
- 10.4. Given the relatively modest nature of the construction works, it is considered that a Construction Management Plan and associated contribution and bond are not necessary in this instance. The single yellow lines outside the site on Wren Street can be used for the storage of skips and for deliveries to take place. Any scaffolding required for the side/rear extension can be placed on the private forecourt on Wren Street without needing a scaffolding licence, although one would be required for the Gray's Inn Road frontage.
- 10.5. A highways contribution is not considered necessary from this development as any damage that occurs to the adjacent footway will be covered by the scaffolding bond that is secured under the scaffold licensing process.

11. Sustainability

- 11.1. Policies CC1 (Climate change mitigation) and CC2 (Adapting to climate change) require all developments to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards. The current proposal would result in the retention and refurbishment of the existing Grade II listed building, which is welcomed. The submitted Energy and Sustainability Statement outlines the proposed energy strategy which include high performance building fabric, high efficiency light-emitting diode (LED) lighting, wastewater heat recovery systems applied to each shower, high efficiency ASHPs supplying space heating and hot water to the two units, low water consumption fixtures, and passive design measures.
- 11.2. Given the relatively small scale of the development and the proposed energy strategy, it is considered the proposals comply with policies CC1 (Climate change mitigation) and CC2 (Adapting to climate change) of the Local Plan 2017.

12. Refuse and Recycling

- 12.1. Camden Local Plan Policy CC5 (Waste) and CPG (Design) are relevant with regards to waste and recycling storage and seek to ensure that appropriate storage for waste and recyclables is provided in all developments. The proposal includes refuse and recycling storage located at the residential entrance on Wren Street, at ground floor level. This is deemed acceptable and compliant with policy CC5 (Waste).

13. Planning Balance

- 13.1. Significant weight has been given to the additional housing, albeit there are only two additional units. Significant weight has also been given to the heritage harm to three designated assets. Although the proposed scheme would provide public benefits, including two additional new homes, it is not sufficient to outweigh the harm caused to the Grade II listed host building, Grade II listed neighbouring buildings on Wren Street, and wider Bloomsbury Conservation Area due to the proposed rear extension. Thus, the application is recommended for refusal on this basis.

14. Section 106 Obligations

- 14.1. If the proposals were supported, the following heads of terms would need to be secured by Section 106 legal agreement to make the development acceptable.
- Car-Free Development
 - Cycle Parking Contribution £2,160

15. Conclusion

- 15.1. The proposed works, by reason of their harmful effect on the significance of the Grade II listed building, the adjacent listed buildings, and the Conservation Area, would fail to comply with policies D1 and D2 of the Local Plan. The harm has been given considerable importance and weight. In this instance the public benefits are somewhat limited. They comprise an uplift of two low-priority residential units and minor improvements to the host building including internal refurbishments and window replacement. Whilst new housing is a priority land use, and has been given significant weight in this case, that must be viewed in the fact that there are only two units, and some is through conversion of already existing residential floorspace. There would be some limited benefit from the economic activity associated with the development. The works have the potential to impact on the pub's function through removing ancillary floorspace, as well as changing its overall character. As an ACV, its character and function are important and also contribute to its heritage significance and continuing optimum viable use.
- 15.2. When considering the overall planning balance, the public benefits of the scheme are not considered to outweigh the identified harm. The scheme conflicts with the development plan as a whole. It is contrary to policies G1, D1 and D2 of the Camden Local Plan 2017.

16. Recommendation

16.1. Refuse planning permission and listed building consent on the following substantive ground:

- The proposed works, by reason of their harmful effect on elements of the of the asset that contribute to its significance: chiefly its form and scale, historic fabric, evidential value, its historic visual relationship with adjacent heritage assets and its positive contribution to the character and appearance of the Conservation Area; would have a detrimental impact on the special architectural and historic interest of the Grade II listed host building, the setting of adjacent Grade II listed terrace at nos. 2-9 Wren Street, and would fail to preserve or enhance the character or appearance of the Bloomsbury Conservation Area, contrary to Policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.

16.2. Refuse planning permission for the additional following reasons in relation to planning obligations:

- The proposed development, in the absence of a legal agreement securing a off-site cycle parking contribution, would fail promote sustainability modes of transport in line with the London Plan, contrary to Policy T1 (Prioritising walking, cycling and public transport) of the Camden Local Plan 2017.
- The proposed development, in the absence of a legal agreement securing car-free housing, would contribute to parking stress and congestion in the surrounding area and fail to promote more sustainable and efficient forms of transport and active lifestyles, contrary to Policies T2 (Parking and car-free development) and DM1 (Delivery and monitoring) of the Camden Local Plan 2017.