

Address:	275 Gray's Inn Road London WC1X 8QT		
Application Number:	2012/6163/P	Officer: Craig Raybould	
Ward:	Kings Cross		
Date Received:	16/11/2012		
Proposal: Change of use of part of the ground floor from office use (Class B1a) to use as a café (Class A3) and associated alterations to the front elevation at ground floor level.			
Drawing Numbers: Site Location Plan (12-32-00A), 12-32-231A, 12-32-232A, 12-32-233A, 12-32-230B, 12-32-234A, 12-32-SO/01, 12H123/002A.			
RECOMMENDATION SUMMARY: Grant Planning Permission			
Applicant:		Agent:	
NUS Holdings Ltd 4 th Floor 184-192 Drummond Street London NW1 3HP		Manning Elliott Architects Suite 1 Cumbria House Gilwilly Road Penrith, Cumbria CA11 9FF	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing		Office use (Class B1a)	1525 sqm
Proposed		Office use (Class B1a)	1347sqm
		Café (Class A3)	178 sqm

OFFICERS' REPORT

Reason for Referral to Committee: This application involves a change of use to A3 (restaurant/cafe) use.

1. SITE

- 1.1 The application site is a five storey (plus basement) purpose built office block constructed in the 1980's. It is located on Gray's Inn Road between St Chad's Street and Argyle Street, directly opposite the junction with Swinton Street. The building is finished in a red brick with a lead-clad mansard roof extension and plant equipment at roof level. Visually, the front of the building laid out into four sections each with glazing at ground floor level. The entrance to the building is located adjacent to no. 277.
- 1.2 The character of the surrounding area is mixed, with a variety of residential, office, café/restaurants, backpacker hostels and other commercial workshops all found within close proximity to the site.
- 1.3 The application site is located in the protected site line (designated view) from Parliament Hill to St Paul's Cathedral, is in the Central London Area and is within the Kings Cross Conservation Area. This part of Gray's Inn Road is not within a central London frontage, neighbourhood or town centre designation.

2. THE PROPOSAL

- 2.1 The application proposes a change of use of part of the ground floor from office use (Class B1a) to use as a café (Class A3) with an independent access onto Gray's Inn Road. The change of use pertains to 178sqm at ground floor level but would not include the main entrance to the building as a whole. To facilitate the change of use, three new aluminium shopfronts would be installed at ground floor level with a new plate glass structural bridge over the lightwell to provide access to the café entrance. Seven heat recovery exhaust grilles (300 x 500 mm) are proposed, one at each floor level on either side of the front elevation.

3. RELEVANT HISTORY

- 3.1 2006/4694/P – Planning permission was granted on 07/12/2006 for the replacement of the existing door and additional alterations to the entrance to the office building (Class B1).
- 3.2 2012/4745/P – An application for planning permission was submitted on 27/09/2012 for the Erection of a fifth floor level on top of existing roof level to accommodate new offices (Class B1) and associated alterations to existing windows; installation of new plant and louvred screen enclosure within the recess to the rear at fifth floor level. The application was subsequently withdrawn before a decision was made.
- 3.3 2012/5584/P – Planning permission was granted on 17/12/2012 for the replacement of aluminium framed single glazed windows with double glazed windows, alterations to entrance doors, installation of a new door on the front elevation and replacement of the door on the front elevation (southern side) with a glass window; removal of the existing lightwell bridge and balustrading on the front elevation, installation of a rainwater harvesting system on the rear elevation and associated works, creation of a cycle store in the rear lightwell, and installation of 2 x living wall panels on the rear elevation in connection with existing use for offices (Class B1).

- 3.4 2012/6523/P – An application was submitted on 11/12/2012 for the replacement of the existing roof mounted plant, service equipment, screens and structures and installation of new acoustic plant enclosure with equipment and photovoltaic panels all at the existing roof level. The application is currently pending consideration.

4. **CONSULTATIONS**

Statutory Consultees

- 4.1 A notice was placed in the Ham & High newspaper from 20/12/2012 to 10/01/2013.
- 4.2 Site notices were displayed from 14/12/2012 to 04/01/2012.

Conservation Area Advisory Committee

- 4.3 Kings Cross CAAC were consulted on 11/12/2012. No response has been received.

Adjoining Occupiers

	Original
<i>Number of letters sent</i>	8
<i>Total number of responses received</i>	0
<i>Number of electronic responses</i>	0
<i>Number in support</i>	0
<i>Number of objections</i>	0

- 4.4 8 letter were sent to neighbouring properties for comments. No responses have been received.

5. **POLICIES**

5.1 **LDF Core Strategy and Development Policies**

Core Strategy (2010)

CS2 (Growth Areas)

CS5 (Managing the impacts of growth and development)

CS7 (Promoting Camden's centres and shops)

CS8 (Promoting a successful and inclusive Camden economy)

CS9 (Central London)

CS14 (Promoting high quality places and conserving our heritage)

CS18 (Dealing with our waste and encouraging recycling)

Development Policies (2010)

DP10 (Helping and promoting small and independent shops)

DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses)

DP13 (Employment sites and premises)

DP18 (Parking standards and limiting the availability of car-parking)

DP24 (Securing high quality design)

DP25 (Conserving Camden's Heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

DP28 (Noise & vibration)

DP29 (Improving access)

5.2 **Supplementary Planning Policies**

CPG1 – Design

CPG5 – Town Centres, Retail and Employment

CPG6 - Amenity

Revised Planning Guidance for Central London - Food, Drink and Entertainment, Specialist and Retail Uses (2007)

The NPPF 2012

The London Plan (2011)

6. **ASSESSMENT**

6.1 The principal considerations material to the determination of this application are summarised as follows:

- (i) The loss of existing business floorspace (Class B1a)
- (ii) The acceptability of the proposed café use (Class A3)
- (iii) The design of the proposed alterations
- (iv) Highways / access

The loss of existing business floorspace (Class B1a)

- 6.2 The application proposes the change of use of 178sqm of existing office floorspace (Class B1a) at ground floor level to use as a café (Class A3). The proposed café will have a separate entrance to the street at ground floor level and will, essentially, create a new planning unit.
- 6.3 Policies CS8 and DP13 seek to protect existing business floorspace throughout the Borough. Policy DP13 states that changes of use will only be permitted where it can be demonstrated that:
- a) the site or building is no longer suitable for continued business use; and
 - b) there is evidence that the possibility of retaining, reusing or redeveloping the site for a similar or alternative business use has been fully explored over a period of time.
- 6.4 The applicant has not put forward evidence to substantiate that the proposals meet the tests set out under DP13. A statement has been provided explaining that following a financial business appraisal, the proposed A3 use at ground floor level will ensure the long term viability of the main building as an office (Class B1a).
- 6.5 Whilst this does not meet with the tests set out by policy DP13, regard is had to the relatively small floor area taken up by the proposals (178sqm) and that the main office use of the building will be retained. It is also relevant the proposals would contribute towards creating a more active frontage in this part of Gray's Inn Road.
- 6.6 The Camden Employment Land Review (2008) forecasts that the demand for offices in the Borough between 2006 and 2026 will be met by new business development growth. There is therefore no expected shortfall of office space (Core Strategy paras 8.5 and 8.6). Having regard to this, the relatively small amount of office space that would be lost, and that the

existing business use would be retained across the remainder of the site, the loss of 178sqm of existing office floorspace (Class B1a) is considered acceptable in this instance.

The acceptability of the proposed café use (Class A3)

- 6.7 Policy DP12 seeks to manage the impact of food, drink, entertainment and other town centre uses. DP12 part 'b' states that consideration will be given to the cumulative impact of food, drink and entertainment uses, taking into account the number and distribution of existing uses, non-implemented planning permissions and any record of harm caused by such uses. In this regard, 'Central London Planning Guidance 2007' advises that 'clusters' of 3 or more entertainment uses located adjacent or opposite one another should be resisted.
- 6.8 The application site is located adjacent to a Clink 261 backpacker hostel directly to the south, the entrance to the NUS offices of the main building to the north, followed by an empty workshop. The nearest other 'entertainment' uses are Costa Coffee at nos. 257-259 Gray's Inn Road and the Madeira Café at no. 279 Gray's In Road. The proposals would not therefore create a cluster of A3 or other 'entertainment' uses and complies with the 2007 guidance and DP12 part 'b' in this respect.
- 6.9 Policy DP12 also requires consideration to be given to: the impact of any proposed entertainment uses on the amenity of nearby residents (part 'c'); the impact of any parking, stopping and servicing (part 'd'); noise and vibration (part 'e'); and any fumes generated (part 'f'). These criteria are also supported by policies CS5 and DP26 which seek to protect the amenity of the Borough's residents from the harmful aspects of new development.
- 6.10 There are no residential properties bordering the site. But regard is had to the adjacent backpacker hostel which would be considered a noise sensitive property. The shopfronts proposed to the ground floor frontage are glazed and closed and not expected to give rise to any noise or disturbance. Patrons visiting and leaving the site could be liable to cause noise and disturbance. It is therefore considered reasonable and proportionate to attach a condition to any consent limiting the hours of operations to between 07:00 and 22:00 Mon-Sat and 08:00-22:00 on Sundays and bank holidays. This complies with DP12 parts 'c' and 'e'.
- 6.11 No parking is proposed on or near to the site and the adjacent highway is a TfL 'red-route' therefore not permitting stopping at any time. Any loading/unloading/servicing would have to take place in the nearby designated bay to the front of 285 and 287 Gray's Inn Road, as is the case for other businesses located on this frontage. The proposals are not considered to cause any significant cumulative impact in this respect and complies with DP12 part 'd'.
- 6.12 The application proposes seven no. exhaust grilles, 300mm x 500mm at each floor level on the front elevation of the building. Some of these grilles will serve the cooking apparatus of the proposed café at ground floor level. As the main building projects forward from the building line with no. 261 Gray's Inn Road (Clink backpackers hostel), the grilles are not considered to discharge fumes in a manner that would affect the amenity of visitors. The property is located at a sufficient distance from any residential premises to ensure that discharged fumes do not affect residential amenity. This complies with DP12 part 'f'.
- 6.13 No separate details have been submitted in respect of the storage of waste and recyclable materials, however, the existing arrangements for the building as a whole are considered acceptable.

The design of the proposed alterations

- 6.14 Policies CS14 and DP24 require new development to be of the highest standards of design. In conservation areas, development must 'preserve and enhance' the special character of the area (Policy DP25).
- 6.15 The application proposes the replacement of the existing glazing at ground floor level with new aluminium framed, tripartite shopfront openings. The central opening would include the entrance to the proposed café and would be accessed via a new plate glass structural bridge over the existing lightwell. The existing railings bordering the lightwell would be amended to allow access over the new bridge and to infill the absent section on the southernmost opening where an existing fire-door is located. The extract grilles proposed on the front elevation are relatively small in size (300mm x 500mm) and would be powder coated to match the new glazing frames.
- 6.16 Taken as a whole, the proposed alterations are minor in nature, would be in-keeping with the design and appearance of the main building and would preserve and enhance the character and appearance of the King's Cross Conservation Area. This complies with policies CS14, DP24 and DP25 and the guidance set out in CPG1.

Highways / Access

- 6.17 The site has a public transport accessibility level (PTAL) rating of 6b ("excellent") and is located within 5 minutes walking distance of King's Cross / St Pancras London Underground and mainline railway stations. No car-parking is proposed as part of the development and servicing arrangements are considered acceptable (discussed above in para 6.11). With a floorspace of 178 sqm, no additional cycle parking is required. The proposals comply with policy DP18.
- 6.18 The internal approach from the entrance lobby of the main building will remain the same. The new access from Gray's Inn Road will be over a level approach and threshold with an entrance door with a width greater than 800mm, making it accessible to wheelchair users. The proposals comply with DP29.

7. CONCLUSION

- 7.1 The proposed café (Class A3) will contribute towards creating a mix of uses and a more active frontage at ground floor level without compromising the existing office use of the main building. Subject to conditions limiting its hours of operations, the café is not considered to undermine the character of the area or the amenity of nearby noise sensitive properties by way of noise, fumes or servicing. The proposed alterations are considered to be sympathetic to the main building and to the character of the King's Cross Conservation Area. The proposals comply with LDF policies CS5, CS8, DP12, DP24 and DP26 and are considered acceptable in planning terms.

8. LEGAL COMMENTS

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