

# 28 King's Mews London WC1N 2JB

Applications for Planning Permission  
and Conservation Area Consent  
26, 27, 28 & 29-30 King's Mews, WC1N 2JB  
Overarching Planning Statement



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Prepared 15th June 2012 by:

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# 1 Introduction

1.1 Tibbalds Planning and Urban Design has prepared this overarching planning statement to accompany planning and conservation area consent applications being advanced by the individual freehold owners of 26,27,28 and 29-30 King's Mews, situated within the Bloomsbury Conservation Area.

1.2 The four separate applications involve:

- The demolition of buildings at 26, 27 and 28 King's Mews and their replacement with three individual new buildings to provide a mix of residential accommodation.
- The retention and extension of 29-30 King's Mews to provide two studio flats at ground floor and a four-bedroom flat at first, second and third floors.

1.3 The applications in respect of 26, 27 and 28 have been the subject of a pre-application discussion with LB Camden (12th April 2012). A key issue raised during the course of this discussion was the relationship of the proposed buildings to each other, the Mews and the wider conservation area.

1.4 Based on these pre-app discussions the owners of these three properties, together with the owner of 29-30 decided that it would be appropriate to work together to develop a shared understanding in terms of the scale, massing and appearance of each building and to submit their applications in parallel with one another.

1.5 Each of the four applications is accompanied by sufficient material to enable them to be registered and determined, including:

- Application and conservation area consent area consent forms.
- The requisite fee.
- Site location plan.
- Plans, sections and elevations.
- Design and Access Statement.
- Daylight and Sunlight report.
- Overarching Planning Statement.
- Construction & Management Plan.

1.6 We confirm that as part of the process of developing their respective proposals each owner has been mindful of the recent relevant planning history as contained within the now expired permission 2009/0710/P.

1.7 This previous permission, which covered 23-30 King's Mews & 43-45 Gray's Inn Road involved the demolition of the King's Mews buildings and the erection of a part 3, part 4 storey building to accommodate 18 private residential flats and the erection of a rear extension at first to third floor levels and a mansard roof extension at fourth floor level at 43-45 Gray's Inn Road and a change of use from part office and part residential to a wholly residential to accommodate 7 affordable flats.

1.8 Whilst the permission expired in May of this year it provides useful guidance in terms of what might be considered acceptable in terms of the principle of demolition and redevelopment of the various King's Mews properties, their change of use to residential, and a scale and massing for redevelopment.

1.9 In addition we confirm that the four individual planning applications are being advanced in parallel with an application submitted on 39-41 Gray's Inn Road (2012/1670/P), which backs onto King's Mews and hence the four application sites. The application involves a rear extension, an additional new storey to the top of each building and the creation of 8 flats.

1.10 Given the proximity of the properties and the nature of the proposed use, the King's Mews owners are of the view that it would be appropriate for the various applications at 39-41 Gray's Inn Road and the four King's Mews applications to be considered in parallel.

1.11 Representations in respect to the application for 39-41 Gray's Inn Road have already been submitted on behalf of the four King's Mews applicants and as part of these representations the owners confirmed that it would be their intention to submit planning applications on their respective sites to enable their applications to be considered alongside application 2012/1670/P.

1.12 This overarching planning statement has been prepared in order to identify and consider the main planning issues that are relevant to the four individual planning and conservation area consent applications submitted in respect of nos. 26, 27, 28 and 29-30 King's Mews.

1.13 The key planning issues may be summarised as follows:

- Loss of employment use;
- Principle of residential use;
- Demolition of buildings in a conservation area;
- Height bulk and design; and
- Amenity issues.

1.14 Each of these issues is considered further below.

## 2 Planning considerations

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with policies of the statutory Development Plan, unless material considerations indicate otherwise. In this case, the statutory Development Plan comprises the:

- Spatial Development Strategy for Greater London (The London Plan) (July 2011);
- Camden Core Strategy 2010-2025;
- Camden Development Policies 2010-2025; and
- The saved site specific policies of the UDP.

2.2 In addition a number of Supplementary Planning Guidance documents prepared in support of Camden's LDF are relevant to these applications including CPG1 Design, CPG2 Housing and CPG5 Town Centre, Retail and Employment.

### Loss of an existing employment use

2.3 The existing buildings comprise of the following floorspace.

	Former retail warehouse storage/ ancillary office sqm (GIA) (Existing)	Residential sqm (GIA) (Proposed)
26 King's Mews	150	197
27 King's Mews	170	220
28 King's Mews	146	210
29 & 30 King's Mews.	212	113

2.4 Most of the existing floorspace is vacant apart for 30A King's Mews, which comprises a residential flat, which is occupied by the owner of 29 & 30 King's Mews.

2.5 It is understood that the space, apart from 30A, was last used as storage/ ancillary office linked to an electrical wholesale retail unit on Gray's Inn Road. The use ceased prior to the grant of a planning consent for comprehensive redevelopment for residential at 23-30 King's Mews & 43-45 Gray's Inn Road (2009/0710/P). The King's Mews warehouse buildings were subsequently broken up and sold to individual buyers.

2.6 Development Plan policy DP13 states that the Council will resist a change to non-business use unless it can be demonstrated that a site or building is no longer suitable for its existing business use and there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time.

2.7 Para. 13.5 of Camden's Development Policies Document states that when a change of 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. The property should be marketed at realistic prices, include consideration of alternative business uses and layouts and marketing strategies, including management of the space by specialist third party providers'*.

2.8 Such marketing evidence accompanied the previous 2009 application. The marketing exercise ran for a continuous period from 2006 to the point of permission in 2009. The evidence confirmed that details of the premises, which included the four King's Mews application properties, were distributed to over 500 agents, seeking interest in the site. The only responses received were from developers seeking to redevelop the entire site. No prospective tenants were, however found.

2.9 The application identified one of the key constraints associated with the existing premises was the fact that it had been knocked through over the years but not in any comprehensive manner. The planning statement that accompanied the original 2009 planning application stated that as a result of this subdivision:

*'...a piecemeal collection of spaces, all different in size and on different levels. The access between the spaces is inconsistent, with different shaped openings/ doors and ramps of differing angle. The result is a 'rabbit warren' of small enclosed spaces, unsuited to today's modern storage standards. These problems would apply to a single occupier or a series of occupiers trying to adapt the current space'.*

2.10 The marketing exercise was accompanied by additional evidence, which assessed the suitability of the site for continued employment use. The assessment highlighted a number of problems associated with level changes, restricted eaves heights, inadequate floor loadings, lack of 'clean' open spaces, inadequate vertical circulation, insufficient parking space for service vehicles and the inability to service from King's Mews.

2.11 The application also included an assessment of other available premises in the area, which showed that there were a number of buildings, which provided better quality accommodation.

2.12 Based on this evidence the officer's report to Committee confirmed that the premises would be exceedingly difficult to re-let. The report stated that whilst the location could accommodate small businesses they would require substantial offsite loading and servicing space to serve them effectively, which would reduce the actual lettable space to an amount that *'would not be considered viable'* (para 6.9).

2.13 The report concluded that based on the detailed marketing assessment and the appraisal of the existing site constraints that sufficient information had been provided to justify the loss of business use.

2.14 In the period since the granting of the 2009 consent UDP policy has been replaced by Local Development Framework Core Strategy and Development Plan Policies. In addition a change of use application has been submitted in respect of 43 Gray's Inn Road (2011/6278/P). The proposal sought a change of use from office to residential.

2.15 In relation to this change of use and in the context of the replacement LDF policies the officer's delegated report confirmed in early 2012 that the based on the content of the officer's report in respect of the 2009 consent that, *'the principle of the loss of employment space and the provision of new residential units had been accepted'*.

2.16 In terms of the individual properties that comprised the original 2009 consent they now have been sold into multiple ownership. Thus the relationship between the existing Gray's Inn electrical business has been broken and the additional subdivision has further comprised the ability of the space to be used for continued employment use. For example:

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## 26 Kings Mews

26 Kings Mews comprises a third of a lightweight construction building, constructed in the late 1960's. The ground floor was originally used as an office. A corridor originally connected the property to the retail premises on Gray's Inn Road, which the property was once linked. There is neither a doorway, nor goods vehicle entrance to the space from King's Mews. Access is only possible either via a single doorway through to the retail units 43/5 Gray's Inn Road, or via 27 King's Mews. The sale of the adjoining sites to other owners means that access via either adjoining site is no longer possible.

The building is not heated, apart from electrical heating to the B1 ground floor. In addition floor loadings are lightweight and the roof comprises an asbestos panel roof, which is not insulated. There is no goods lift or stairway to gain access to the first floor.

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## 27 King's Mews

27 King's Mews comprises the central third of the same lightweight construction building. The ground floor has a history of use as B1 offices, plus an interconnecting corridor route to the retail premises, which the property was once linked, and a small amount of B8 storage at the rear.

There is a single narrow doorway but no goods vehicle entrance to the space from King's Mews. Access is also possible via a single doorway through to 28 King's Mews, and to 26 King's Mews, but neither access is legally possible following the sale of the adjoining sites to other owners.

The upper floor of 27 King's Mews is not heated, with light floor loadings and a lightweight un-insulated asbestos panel roof. There is a stairway to gain access to the first floor.

Without access, the B1 ground and B8 first floor premises can neither be occupied nor let.

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## 28 King's Mews

28 King's Mews comprises the last third of the lightweight construction building. The ground floor has a history of use as garaging and warehouse access, plus B8 storage on the first floor. Access is possible via internal doorways through to 27 & 29/30 King's Mews but neither access is legally possible following the sale of these adjoining properties to other owners.

The upper floor of 28 King's Mews is not heated, with light floor loadings and a lightweight un-insulated asbestos panel roof. There is no goods lift or stairway to gain access to the first floor.

Without access, the B8 first floor premises can neither be occupied nor let.

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## 29/30 King's Mews

29/30 King's Mews comprises a heavy concrete frame building constructed in the mid 1970's. The ground floor has a history of use as small car garaging and B1 use, plus B8 on the first floor. The second floor is a C3 residential dwelling, accessed by its own street exit door and stairwell.

Access to the ground floor garaging is via a 1.8m high 2m wide roller shutter door onto King's Mews, this only permits car access as goods vehicles are too high/wide to gain access. The access is onto an extremely narrow part of the King's Mews roadway, normally by making a 3-point turn and reversing in – this is not practical for B8 commercial use.

There is an internal doorway at ground and first floor level through to 28 King's Mews but this access is not legally possible following the sale of this adjoining property to another owner. There is a fire exit door from both the ground & 1st floor units into the residential stairwell, for access during emergencies only.

The first floor of 28 King's Mews is unheated and is not insulated.

2.17 The principle of the loss of employment was established by the 2009 consent. Since the granting of the consent the buildings have deteriorated and their subdivision has further undermined their ability to function as viable business units. Thus in the context of current LDF policy a change of use should not be an issue in this particular case.

## Principle of residential use

2.18 Housing is regarded as the priority land use of the LDF and DP2 states that the Council will seek to maximise the supply of additional homes on sites that are underused or vacant sites.

2.19 The various application proposals will result in the delivery of new high quality individual family housing and flatted accommodation as follows:

	Proposed residential sqm (GIA)
26 King's Mews	197 (single family dwelling house)
27 King's Mews	220 (single family dwelling house)
28 King's Mews	210 (single family dwelling house, comprising 1 x 1 bed and 1 x 2 bed flats)
29 & 30 King's Mews.	420 (2 x studios and 1 x 4-bed flat)

2.20 The proposed residential accommodation advanced by each individual application exceeds the required size standards and satisfies the various design requirements set by current and emerging policy and guidance (see individual Design and Access statements).

2.21 In addition the provision of residential accommodation has already been accepted on the site as a result of the 2009 consent.

2.22 Given the above the principle of providing new residential accommodation should not be an issue in the case of these four applications.

## Demolition of buildings in a conservation area

2.23 The application buildings are located in the Bloomsbury Conservation Area. They comprise a group of buildings dating from the last half of the 20th century.

2.24 The officer's report in respect of the previous 2009 planning permission noted that whilst the form and scale of the existing King's Mews buildings are in keeping with scale and form of the Mews that:

*'...the quality and detailed design are unremarkable. The group of buildings are considered to make a neutral contribution to the character and appearance of the Hatton Garden Conservation Area to which they (then) form(ed) a part. As such their demolition is considered acceptable subject to the replacement buildings preserving or enhancing the character and appearance of the Conservation Area'.*

2.25 Thus the principle of the loss of the buildings has already been accepted, provided that any replacement buildings preserve or enhance the character and appearance of the Conservation Area.

2.26 The application buildings are now included within the Bloomsbury Conservation Area. The CA statement for this area breaks the area up into a series of character area. The application buildings are included within Sub Area 10. In relation to this character area the CA statement describes the Mews streets as comprising the following key characteristics:

*'The mews were developed as service streets for the larger houses in the principal streets. Their distinctive character derives from the smaller scale of the street, the footprint and scale of the mews buildings (mostly of two storey, their elevational treatment reflecting their original use with large ground-floor openings and small openings on the upper floors, and building lines immediately behind the street edge'.*

2.27 The D&A statements that accompany each individual application describe the component parts of each proposal in detail. In summary and in the context of the CA character statement each building has sought through their detailed design to both preserve and enhance the existing character and appearance of the Mews and the Bloomsbury Conservation Area in terms of the:

- Siting of each building within its respective plot boundary;
- The proposed height and massing of each building;
- The proposed arrangement of each elevation;
- The solid to void relationships; and
- The proposed use of materials.

#### Height bulk and design

2.28 The existing elevations to King's Mews are a mix of two and three storey heights. At either end of the street are buildings that step up in height.

2.29 At the southern end is no. 6-10 Theobold's Road, which is approximately 6 storeys in height, and considerably taller than the adjacent buildings.

2.30 On the opposite side of the street two recently permitted infill schemes at 7-8 King's Mews and 14/15 King's Mews, both have either a mansard or set back third floor. Again the Theobold's Road properties to the south are 5 storeys in height.

2.31 The 2009 consent envisaged the replacement of the existing 2/3 storey buildings with a part 3 and part 4-storey building, arranged over two blocks. Block A, located to the northern part of the site was proposed to be 2 storeys with a set back third floor. Block B, located to the south of Block A and adjoining the existing 6-storey building fronting Theobold's Road comprised a two storey building with two further set back levels.

2.32 In considering these proposals the officer's report stated that;

*'there is some scope for increased height in replacing the existing two storey industrial mews buildings on this part of the site without adversely affecting the existing character and appearance of the area. The general characteristic of the mews lends itself to a development of two storeys in height with a significantly subordinate roof storey. This has been achieved through the current design where the building is two storeys in height and contains a set back third storey'.*

2.33 In relation to the additional fourth storey the officer's report stated that;

*'...there is scope for stepping up in height towards the southern end of the mews towards the six storey building at the corner of Theobold's Road'.*

2.34 The consented proposals were seen to be, *'visually consistent with the traditional building hierarchy in the street, and to the character and appearance of the Hatton Garden Conservation Area and the setting of the adjoining Bloomsbury Conservation Area'.*

2.35 Given the conclusions in relation to the 2009 consent the individual owners have sought to respect the massing and height parameters set by the 2009 consent. The only exception, in terms of height is the proposal advanced for 28 King's Mews.

2.36 As part of the 2009 consent the proposed fourth storey extended across only part of the plot occupied by 28 King's Mews (see Design and Access Statement for 28 King's Mews). This arrangement was possible as a result of the flatted nature of the proposal and the siting of blocks A and B.

2.37 The current proposals comprise of individual houses and in order to make sense of the various plot boundaries and to establish an appropriate transition between the proposals for 29 & 30 King's Mews it has been necessary to slightly extend the fourth setback storey on 28 King's Mews to the north beyond the envelope established by the 2009 consent.

2.38 The arrangement of the set back at this level will, however mean that this fourth storey will not be visually apparent in views up and down the mews and will remain subordinate to the building below.

2.39 The approach to height and massing taken by each individual owner reflects that of the 2009 consent and remains visually consistent with the traditional hierarchy of the street and the character of the Conservation Area.

## Amenity issues

2.40 DP26 states that the Council will only grant permission for development that does not cause harm to the amenity of occupiers and neighbours in terms of factors including:

- Privacy and overlooking;
- Overshadowing and outlook;
- Sunlight and daylight;
- Noise and vibration levels;
- Odour fumes and dust; and
- Microclimate;

2.41 In pursuit of this policy the applicants commissioned in the first instance a sunlight daylight study to consider the impact of the proposals on sunlight and daylight levels to the properties fronting Gray's Inn Road and Theobald's Road.

2.42 This study confirms the daylight and sunlight results show that all rooms and windows in the surrounding properties will meet or be sufficiently close to the BRE Guidelines' daylight and sunlight criteria so as to be acceptable in planning terms and in accordance with planning policy.

2.43 In relation to privacy there is expectation that there should be a minimum distance of 18 metres between the windows of habitable rooms of different units that directly face each other. It is recognised that in dense urban environments that a more flexible approach should be applied in recognition of the dense urban gain of city locations.

2.44 In advancing their proposals the applicants have sought to limit the level of glazing on the rear elevations, to place bathrooms/ bedrooms on the rear elevations and to include screening to windows and terraces prevent overlooking

2.45 In relation to the control of dust and emissions from construction each applicant will expect to sign up to the Considerate Contractors Scheme.

## ■ 3 Planning benefits

3.1 The four individual proposals will, together deliver a number of planning benefits to the sites and their surroundings:

- Provide appropriate replacement development for redundant storage units.
- Provide high quality residential accommodation, in accordance with LBC objectives.
- Provide appropriate replacement buildings that will both preserve and enhance the character of the Bloomsbury Conservation Area.
- Improve the residential environment for surrounding residential uses.
- Respect the amenity of surrounding residential uses; and
- Accord with the environmental requirements of LB Camden.

3.2 Given compliance with the prevailing policy context and the delivery of the above benefits the proposals should be granted planning and conservation area consent.



