



The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

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Do you have the file?
Both appeals
ALLOWED.

Savills Commercial Limited
25 Finsbury Circus
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EC2M 7EE

your reference

PDK

our references

T/APP/X5210/A/94/232732/P7

T/APP/X5210/E/94/810726/P7

date 14 JUN 1994

Gentlemen

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990,
SECTION 20 AND SCHEDULE 3
APPEALS BY KING'S COLLEGE, CAMBRIDGE
APPLICATION NOS: PL/9000286/R3 & HB/9460014

1 As you know, I have been appointed by the Secretary of State for the Environment to determine your client's appeals. These appeals are against the decisions of the London Borough of Camden to refuse planning permission for the redevelopment of land at Argyle House, 23-31 Euston Road, London NW1, to provide retail, banking and office accommodation, and to refuse conservation area consent for the demolition of the same premises, retaining the substantial part of the façade of 23-27 Euston Road. I held a local inquiry on 18 and 19 May 1994. An application for an award of partial costs was made by the council against your client; this matter is dealt with in a separate letter.

2 The planning application was made on 6 June 1990 and was the subject of substantial revisions before the council made its decision which is dated 9 July 1993. The drawings on which the decision was made are in document 4 (listed in document 8 as group D); as a result of subsequent discussions and correspondence between the council, the appellant and English Heritage, further revised drawings (doc 5) were submitted before the inquiry (listed as group F). The council agreed to the substitution of the group F drawings. With regard to the application for conservation area consent, made on 18 January 1994, the drawings originally submitted (doc 6) are listed as group E; substitutes for these were submitted at the inquiry (doc 7), and were likewise acceptable to the council. You asked me formally to make these substitutions. I am satisfied that neither set goes outside the scope of the original proposal and that there is no prejudice to any party. Accordingly, I will determine the appeal on the basis of the drawings contained in documents 5 and 7, together with the location plans contained in documents 4 and 6.

3 Floor areas, reduced from those shown in the planning application, have also been revised and more accurately calculated; the current floor areas are shown in the appellant's document 10. These were accepted by the council. The council has made no objection relating to the land uses proposed. In view of the location of the site on Euston Road and in the Central Activities Zone as proposed in the draft Unitary Development Plan, and in view of the excellent public transport available, I find the proposed mix of uses appropriate and I do not propose to examine this matter further.



APPEAL UNDER SECTION 78

4 In the light of my inspection of the site and its surroundings, and having considered the representations made at the inquiry and in writing by you, by the council, and by other bodies, I have decided that the main issues in the appeal are as follows: first, the design of the proposed building, considered on its own merits; and secondly, its effect on the King's Cross Conservation Area, within which the site lies, on the Bloomsbury Conservation Area which it adjoins, and on the setting of listed buildings to north and south. In considering the appeal, I have borne in mind the policies which were drawn to my attention in the Greater London Development Plan (approved in 1976), the London Borough of Camden Local Plan 1987, and the deposit draft Unitary Development Plan 1993, and national planning guidance and policies.

5 The site comprises two buildings of entirely different design. One, on the eastern part of the site, was designed by Edward Gabriel of Edmeston and Gabriel and built in 1914, and is in the mannerist baroque style practised by many of the leading architects of the Edwardian period, such as John Belcher, J J Joass, and J T Hare. It occupies 23 to 27 Euston Road (23 & 25 being occupied by Barclays Bank), three-fifths of the frontage of the block, with a slightly longer frontage to Belgrove Street; it has a strong corner treatment in Portland stone, and a pavilion treatment in stone with red-brick intermediate walling. It has a single roof pitch up to its ridge with one row of dormers, partly behind its high parapet, and several high chimney stacks.

6 The other building, Argyle House, designed by Val Myer and Watson-Hart in 1930, is in a neo-Georgian style, using brown brick, with cornice above second floor and otherwise subdued ornament, and occupies 29 and 31 Euston Road with a frontage to Argyle Street of about twice the main road frontage; although the front wall has the same number of storeys they are somewhat lower than Gabriel's building. As you pointed out, the design of Argyle House paid no regard to its neighbour. The southern half of the Argyle Street frontage is plainer than the main part, and is surmounted by a post-war tile-hung caretaker's flat.

7 Neither building is listed. Gabriel, though capable of considerable imagination, is not in the first rank of Edwardian architects, while the architects of Argyle House have done themselves no favours with its mundane design. Together, they form the focal point of the southward view along the well-used Pancras Road, between St Pancras and King's Cross stations. Their different styles and their asymmetry are very conspicuous, particularly in this view from the north in which they occupy the whole frontage of a street block in a fortuitously formal position, which makes them, and any replacement, a very significant feature of the King's Cross Conservation Area. They are also an important element in the general street scene, where they face across Euston Road towards the two stations, both listed Grade I. While I would hesitate to call this a 'national set piece', as it is described in the GLDP Report of Studies and GLC report on the King's Cross Conservation Area, because that term implies a designed formality in the total layout, there is no doubt that the area in which the appeal site lies is of national significance as an example, *par excellence*, of the close encounter of the advancing nineteenth-century railway with the late-Georgian character of this part of London lying within its eighteenth-century by-pass, including the early nineteenth-century terraces of Argyle Street and Belgrove Street. The two stations themselves, of course, are of outstanding importance, as is indicated by their grading.

8 Your client's proposal is to demolish all but the stone-bound façades of Barclays Bank facing Euston Road and Belgrove Street, thus retaining all the important stonework with the intermediate brickwork, to replicate the design on the western portion of the site, with a modified and lengthened version of the Belgrove Street façade in Argyle Street, a new formal central frontispiece in place of the two existing subsidiary brick bays, and a high roof containing two rows of dormer windows; the upper slope is very slightly lower in pitch. I would not call it a mansard roof, in which normally there is a more marked difference in pitch between

the two slopes and the upper slope rising to a ridge does not contain dormers. You explained in detail the derivation and reasoning for the various elements of the new frontispiece and of the other amendments to the earlier versions of the proposal.

9 The council accepted the principle of replicating Gabriel's design in reverse on the western part of the site (as did English Heritage and the King's Cross Action Group), with the infilling of the gap between Barclays and 1 Belgrove Street, the extension of the design down Argyle Street to abut 7 Argyle Street, and a new central frontispiece and entrance; the elevational treatment now being put forward was acceptable. However, it objected to the extra height of the roof both in relation to the design of the new building and in its effect on the conservation areas and the setting of the listed buildings. The council was supported by the King's Cross Action Group, represented at the inquiry, and by the King's Cross Conservation Areas Advisory Committee in its written representations. The difference between the appellant and those opposing the scheme, though fundamental, is limited. I shall, therefore, consider the two issues which I have identified as they are affected by the additional height and bulk of the new building.

10 In relation to the first issue, the council argued that the higher roof would be top-heavy for the new building. While it accepted (and English Heritage had conceded in discussion with your consultant) that other architects of the period had used double-dormered roofs, it could find no record of Gabriel having used roofs such as that now proposed. The council also considered that the lift motor room would be prominent in views from the surrounding streets, a view held by English Heritage.

11 You pointed to numerous examples of double-dormered, or even higher, roofs in the work of eminent architects of the period practising in the Edwardian baroque, much of it listed. In your view, the doubling of the main façade would create a building which could accommodate architecturally and visually a higher roof than Nos 23-27 now had; the relationship of length to height of roof was not a simple mechanical one, but was a matter of architectural judgment. You considered that Gabriel's work was safe but rather out-of-date; this building was well-composed as far as it went. It was appropriate to look at the work of the leading architects of the period for precedents. The additional height was justified in the own right, not by reference to the greater stature of the Town Hall extension; it was demanded by the doubling of the façade. The lift motor room would not be visible to the extent suggested: it was set at the back of the new roof, centrally between Argyle Street and Belgrove Street, so that it would not show at all from either street, would be concealed from further view by Derbyshire House, and would only just come into view from the far end of Pancras Road.

12 I do not consider that the absence of any example of a double-dormered roof designed by Gabriel is inherently a bar to the additional height proposed here. In the first place, Gabriel's Euston Road elevation is, unlike the Belgrove Street elevation, patently an incomplete composition, whether or not there is any evidence of an original intention to carry the design to Argyle Street; the proper inference is that the roof has been designed to suit the building as erected, and that an alteration in the proportion of the building justifies a re-appraisal. Secondly, the building has not been judged to be of listable quality (an opinion which I share), so that it would be wrong to apply the high degree of sensitivity to it that would be applied to a listed building. Thirdly, the rules of Edwardian baroque, though derived from the classical tradition, are quite different from those of the traditional classical buildings of the eighteenth and earlier nineteenth centuries addressed, for example, by Summerson in *The Classical Language of Architecture*. It was a period of the lively and imaginative extension of classical principles reacting against the run-of-the-mill Victorian classicism, and took advantage of technical advances in construction. The rules were not rigid. In my view, the proposal should be judged as a design on its own merits.

13 It seems to me that the new building, stretching the full width of the street block, would be an imposing and well-composed structure: it would have not only a

strong emphasis in the new frontispiece, but also a lively rhythm in its pavilion treatment to left and right of the centrepiece. With its dormers of varied width and pattern (reduced in number in the upper range) helping to reinforce the central emphasis, I consider that the mass of the new roof is of a reasonable proportion to the front elevation and that the new building will be of sufficient interest and weight to be able to carry the additional height; I note that this was the view of the council's Director of Environment in his report to committee, and that English Heritage had no comment to make on the planning application. The dormers themselves are not excessive in size for the period and style. The intersections of the front and side roofs have been splayed to reflect the original and replicated corner treatments below in a satisfactory manner. The heightened roof is also acceptable on the other three sides of the building. I am satisfied from the drawings that the lift motor room would be an insignificant feature in any long view and would not be seen from nearer viewpoints; it certainly would not be prominent. I conclude, therefore, that the design of the building as now proposed, considered in isolation on its own merits, is acceptable.

14 I turn, therefore, to the second issue. In relation to the King's Cross Conservation Area (originally designated in 1986 and extended in 1991), the council considered that the additional height of the building on the appeal site would produce a top-heavy building; this would affect the subordinate role of the buildings on the south side of Euston Road. The existing building on the appeal site was appropriate in height in relation to the other buildings in the conservation area which contributed to the conservation area, including the Town Hall (1937); the Town Hall extension of 1973 was an intrusion which should not be a precedent in determining the height of a building on the appeal site. The additional height would give it an undue prominence, but it was conceded that in other respects the proposal would enhance the King's Cross Conservation Area.

15 In your view, the new building, acceptable in its own right, would enhance the King's Cross Conservation Area in which the central focus was the two stations and their setting and the appeal site played a passive supporting role to that setting. Argyle House did not make a contribution to the area. The new building would enhance the townscape of Euston Road between the relatively small and insignificant brick-faced Belgrove House to the east and the gross and overwhelming Town Hall extension to the west which dwarfed Argyle House; further west lay the dull classicism of the Town Hall. In the shadow of the magnificent buildings opposite, the breadth of the proposal was in the right vein. The Town Hall extension, a grotesque mistake, was relevant from the fact of its existence as a part of the urban fabric and could not be ignored. The objectives of designating the extension of the conservation area, set out in the report to Committee, would be satisfied.

16 I observed that the new building on the appeal site would be most prominently seen, almost in isolation, in the axial view along Pancras Road; it would also be seen obliquely in the context of the surrounding buildings. On the south side of Euston Road these are the varied buildings which include the highly obtrusive Town Hall extension, which cannot be ignored, the Town Hall, which appears to me to have a central and substantial roof rising at least as high as the proposed building, and the more modest buildings to the east. I take the view that the greater height of the new roof in this line of buildings, which would certainly be noticeable, would have little impact on the general character of the area, and that the building itself, which, as I have already stated, would be acceptable in its design, would be an enhancement of the south side of Euston Road. Though a strong design, and a more positive statement than the existing buildings on the site, it would in no way challenge the overwhelming dominance in the area of the station buildings. I conclude that the proposal would preserve the character and enhance the appearance of the King's Cross Conservation Area.

17 In relation to the Bloomsbury Conservation Area the council considered that the new building was one storey too high and would dominate the modest terrace houses in Argyle Street and Belgrove Street. There was no objection to extending the main façade to meet the houses in the latter or of introducing the same façade as far as

7 Argyle Street, but the additional height of the double-dormered roof would be out of scale with the terraced houses and too intrusive in longer views, thus damaging the conservation area. In Belgrove Street, the new building would be both closer and higher than before, while the present lining through of features on Argyle House and the terraced houses in Argyle Street would be lost.

18 You referred to the common hierarchy of buildings relating to major and minor streets. One would expect to find modest houses in side streets and more dominant buildings in more highly exposed sites such as the appeal site; this was evident in areas of Georgian houses which had not been redeveloped, such as in and near Pentonville Road, and would apply particularly in the juxtaposition of a major road such as Euston Road and the side streets alongside the appeal site. It was accepted that the new building would be higher, but it would not dominate the smaller houses, nor would it be harmful to the Bloomsbury Conservation Area.

19 In considering the Bloomsbury Conservation Area I consider that it must be seen, not in isolation, but in conjunction with the abutting buildings. The conservation area is in essence small in scale, consisting largely of modest terraced houses in several streets and in Argyle Square. There are, however, a number of intruders within this area, including Derbyshire House, a five-storey office building at the southern end of the same street block as the appeal site, and Argyle House itself, though comparable in height in its main façade with houses in Argyle Street, is clearly a larger building, surmounted by the caretaker's flat. Argyle House and the return of the Gabriel building are part of the larger scale of the main road, and with the redevelopment of Argyle House (to which there is no objection) this scale would be more firmly established in Argyle Street. In both streets, therefore, there would be a building noticeably higher, by amounts carefully set out by the council, than the existing ridges of the terraced houses, but it seems to me that, even with the slight setback of the double-dormered roof behind the parapet line, these would not be significantly dominated or overwhelmed; while the change in scale would be greater than in the traditional hierarchy, I am not convinced that this would be harmful to a material degree to the character and appearance of the Bloomsbury Conservation Area. I consider that the character of the conservation area would be preserved.

20 With regard to the effect on the setting of the listed buildings, the council's case depended largely on the same matters as in the effect on the conservation areas. The harm to the King's Cross Conservation Area would be reflected in harm to the setting of the listed buildings on the north side of Euston Road; in addition, the view of the clock tower of St Pancras station from Argyle Square, part of its broader setting, would be altered because the new roof would obscure the tower to a greater height and be a harmful intrusion. The harm to the Bloomsbury Conservation Area would be reflected in harm to the setting of the terraced houses.

21 In your view, the effect on the view of St Pancras clock tower would not cause any harm; the obstruction was not significant; it was not a view which one stood and admired. There would be very little change in Belgrove Street, and no adverse effect on the setting of the listed buildings. The new roof form would be an improvement and the infilling in Belgrove Street an enhancement and therefore would benefit the setting of the listed buildings; the new roof dormers were better related to the dormers on the terraced houses than was the high exposed gable wall of Gabriel's building. In Argyle Street the setting would be enhanced by the replication of Gabriel's design. The new roof would appear bigger but it would not dominate the houses. If the new building was a better building, albeit larger, then it was wrong to say that it would have an adverse effect. The modest character of the houses was not diluted by the proposal.

22 It seems to me that the scale of the stations, especially St Pancras which is the closer building, is so great because of their height, breadth and design that the increase in height on the appeal site would be insignificant. While the building would become more prominent in the various views of it from Pancras Road and elsewhere, I do not consider that this would have any effect on the setting of

either Grade I building or of the Great Northern Hotel, listed Grade II, situated well away from the site between the two stations. In the view from Argyle Square slightly less of the clock tower would be seen, but this is not a setpiece view, but one of the many chance oblique views which add to the street scene; its value in the streetscape as a landmark or as a component of the street scene would not be lessened. Similar considerations apply to the setting of the listed buildings to the south as to the effect on the Bloomsbury Conservation Area; I have set out my views above, and therefore conclude here that there would not be material harm to the setting of the listed houses in Argyle Street Belgrove Street.

23 In summary, I have reached the following conclusions: the proposed design is acceptable; notwithstanding the alterations to the building and to the street scene, the character of both conservation areas would be preserved; the appearance of the King's Cross Conservation Area would be enhanced; the setting of the listed buildings on the north side of Euston Road would not be affected at all; and the setting of the terraced houses to the south would not be materially affected. Accordingly, I shall give planning permission; this will need to be subject to conditions. You and the council agreed a schedule of conditions; with the exception of that listing the drawings, which I have specified in a different manner, these conditions appear to me to be appropriate.

24 I note that English Heritage were notified of the planning application in October 1992, and that at that time English Heritage had no observations to make on the scheme. In reaching my conclusions I have borne in mind also the comments made by English Heritage in subsequent letters to the council in February and May this year; none of them appears to amount to more than reservations or preferences as far as they relate to the current design. I have considered all the other matters which have been raised, including the recommendation of approval to the Committee, the benefits of the scheme claimed by you and accepted by the council, and other appeal decisions, but none of them affects my decisions.

APPEAL UNDER SECTION 20

25 The main issue under section 20 is whether or not the proposal preserves or enhances the character or appearance of the two conservation areas. The arguments relating to the effect on the conservation areas have been set out above. In my view, the proposal does not preserve the appearance of either conservation area, because it is a substantial new building, most of which is of a new design and it is materially higher than the existing buildings. However, I have concluded above that the proposal preserves the character of both conservation areas and enhances the appearance of the King's Cross Conservation Area, and that the proposal is an acceptable replacement for Argyle House and the parts of Nos 23-27 which are to be demolished. I propose, therefore, to grant conservation area consent, subject to the usual time limit and to a condition prohibiting demolition until a suitable contract for redevelopment has been let.

DECISIONS

26 For the reasons given above, and in the exercise of the powers transferred to me, I make the following decisions:

appeal under section 78 of the Town and Country Planning Act 1990

27 I hereby allow your client's appeal under section 78 of the Town and Country Planning Act 1990 and grant planning permission for redevelopment to provide retail, banking and office accommodation at 23-31 Euston Road, London NW1, in accordance with the terms of the application (No PL/9000286/R3) dated 6 June 1990 and the plans contained in document 5 (drawings ABC 1057/1 to 12 inclusive), subject to the following conditions:

1 the development hereby permitted shall be begun not later than five years from the date of this letter;

2 details of facing materials and of doors and windows used on all elevations and the roof shall be submitted to and approved by the local planning authority before the commencement of the development, and the works shall be carried out in accordance with the approved details;

3 the whole of the car parking accommodation shown on the drawings shall be provided and retained permanently for the parking of vehicles of the occupiers and users of the remainder of the building;

4 London Underground Limited shall be notified before any work, including demolition, is begun on the site;

5 no construction work shall take place until a detailed design and method statement for all foundations and other developments more than 3 metres below ground level, taking account of the proposed running tunnels of the Chelsea-Hackney Line Project and including any ground movement rising from the construction and operation of the said project, has been submitted to and approved by the local planning authority.

28 Your attention is drawn to the fact that an applicant for any consent, agreement or approval required by a condition of this permission has a statutory right of appeal to the Secretary of State if approval is refused or is granted conditionally or if the authority fails to give notice of its decision within the prescribed period. Attention is drawn also to the enclosed note relating to the requirements of the Building (Disabled People) Regulations 1987.

appeal under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990

29 I hereby allow your client's appeal under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and grant conservation area consent for the demolition of 23-31 Euston Road, London NW1, retaining the significant part of the façade of 23-27 Euston Road in accordance with the terms of the application (No HB/9460014) dated 28 January 1994 and the plans contained in document 7 (drawings ABC 1057/2A, 8A, 9A, 12A), subject to the following conditions:

1 the demolition hereby permitted shall be begun not later than five years from the date of this letter;

2 no work of demolition shall take place until contracts have been exchanged for the redevelopment of the site in accordance with a scheme for which full planning permission has been granted.

30 This letter does not convey any approval or consent which may be required under any enactment, by-law, order or regulation other than section 57 of the Town and Country Planning Act 1990 and section 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Your attention is drawn to the provisions of sections 7 and 8 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires consent to be obtained for works for the demolition, alteration or extension of a listed building.

Yours faithfully



STEPHEN MARKS MA FSA RIBA
Inspector

APPEARANCES

FOR THE APPELLANT

Mr Keith Lindblom of counsel instructed by Savills Commercial Limited
witnesses

Mr J M Dyke Associate Director, Savills Commercial
MA(Oxon) MA MRTPI Limited
Mr A Blee FRIBA FRSA Anthony Blee Consultancy

FOR THE PLANNING AUTHORITY

Mr Jonathan Clay of counsel instructed by Mr Isaac Carter, solicitor to
London Borough of Camden
witness

Mr B Methven Architect planner for South Area of Camden
DipArch DipTP RIBA MRTPI

FOR KING'S CROSS ACTION GROUP AND KING'S CROSS CONSERVATION AREAS ADVISORY COMMITTEE

Mr William Lee barrister 9 Midland Road, London NW1 2AG
(on behalf of Mr Ian Hayward)

DOCUMENTS

- 1 Lists of persons present at the inquiry (2 days).
- 2 Notice of the inquiry and list of those notified.
- 3 Written representations relating to the appeal from King's Cross Conservation Areas Advisory Committee.

DOCUMENTS SUBMITTED BY THE APPELLANT

- 4 Application plans for planning application: location plan, drawings FLG.01, FG.01, F1.01, F2.01, F3.01, F4.01, F5.01, R.01, EL/ER.01, EL/AS.01, EL/BS.01, EL/S.01, SE/W.01.
- 5 Substituted application plans for planning application: drawings ABC 1057/1-12, with schedule.
- 6 Application plans for conservation area consent: location plan, drawings FG.01, EL/ER.01, EL/BS.01, SE/W.01, EL/ER.01A, EL/BS.01A, SE/W.01A.
- 7 Substituted application plans for conservation area consent: drawings ABC 1057/2A, 8A, 9A, 12A.
- 8 Schedule of drawings.
- 9 Appendices to evidence of J M Dyke.
- 10 Floorspace schedule of substituted scheme.
- 11 Notes of meeting of 20 April 1994.
- 12 Appendix AB2 to evidence of A Blee: Photographs.
- 13 Appendix AB3 to evidence of A Blee: Historical information.
- 14 Appendix AB4 to evidence of A Blee: Substituted drawings and historic architectural references.
- 15 Appendix AB5 to evidence of A Blee: Buildings of the era with double[-dormered] roofs.
- 16 Sketch perspective from Euston Road (AB6).
- 17 Computer perspective from Argyle Street (AB7)
- 18 Appeal decision letter relating to Ebury Bridge House, London SW1 (T/APP/X5990/E/804560/P3, etc), with letter from Clifford Chance.
- 19 Appeal decision letter relating to 10 Lower Grosvenor Place, London SW1 (T/APP/X5990/89/805246, etc).

DOCUMENTS SUBMITTED BY THE COUNCIL

- 20 Appendices to evidence of B Methven, including colour photographs and additional photographs of buildings designed by Edward Gabriel.
- 21 Extracts from application drawings with dimensions (LPA1).
- 22 Perspectives and overlays relating to the substituted drawings (LPA2)
- 23 Correspondence with English Heritage: a. fax dated 28 April 1994 from B Methven to Jane Corfield (EH); b. letter dated 10th May 1994 from English Heritage to B Methven (the 'shorter letter'); c. letter dated 10 May 1994 from English Heritage to B Methven (the 'longer letter').

OTHER DOCUMENTS

- 24 Statement of King's Cross Action Group in support of the council, with documents.
- 25 Schedule of draft conditions, agreed between the council and the appellant.