



## Planning Inspectorate

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REF:

The Comprehensive Design Group  
17 Compton Terrace  
London  
N1 2UN

Your Reference:

RV1/2440

Our Reference:

T/APP/X5210/E/91/808250/P2

A/91/191776

Date

20 FEB 1992

Gentlemen

TOWN & COUNTRY PLANNING ACT 1990 SECTION 78 & SCHEDULE 6 PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990 SECTION 20  
APPEALS BY VIJAY CONSTRUCTION (UK) LTD  
× APPLICATION NOS PL9100842 & HB9170148

1. As you know, I have been appointed by the Secretary of State for the Environment to determine your clients' appeals against the failure of the London Borough of Camden to determine, within the appropriate period, applications for listed building consent and planning permission in respect of the refurbishment of No 77 Grays Inn Road and the demolition and rebuilding of Nos 2 and 3 North Mews, London WC1, both for class B1 business use. I have considered the written representations made by you on behalf of your clients, together with the material submitted by the council. I visited the site and the surrounding area on 7 January 1992.

2. For the avoidance of any doubt, I shall determine these appeals on the basis of the scheme shown in drawings 2440(D) 23(B), 24, 26(B) and 25(D) which shows Nos 2-3 North Mews replaced by a building containing a sub-basement, basement, ground and three upper floors.

3. No 77 Grays Inn Road forms one of a terrace of early C19 buildings on the west side the road. It is listed Grade II. Whilst the building is not yet occupied, renovation work in connection with its use as offices has been largely completed. This aspect of the proposal is not controversial, nor is the principle of the redevelopment of 2 and 3 North Mews for B1 use. Planning permission has been obtained for a scheme in which the 3rd floor was omitted. The site has already been cleared and construction work in relation to the alternative approved scheme is in progress. From all that I have read and seen, including the relatively complicated planning history of the site, I consider that the main issue is whether a four rather than a three storey building would have unacceptable consequences to the character and appearance of the area or to the setting of a listed building.

4. Policy UD11 of the adopted Borough Plan indicates that the council will retain, conserve and enhance areas and individual buildings of architectural quality or character, including the historic pattern of streets and spaces and



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promote activities and functions which contribute to their character and variety. Policy UD15 indicates in relation to listed buildings that alterations which adversely affect their character or setting will not normally be permitted.

5. North Mews is currently varied in character. On the west side there are large relatively modern 4 and 5 storey office blocks. On the east side there are smaller scale 4 storey buildings at Nos 1 and 9 (that at No 1 appeared to have an additional plant room). At No 4 is a 3 storey building and from 5-8 are single and 2 storey garage and commercial premises. At present the east side largely retains a scale of building which reflect its traditional relationship with the taller buildings on the Grays Inn Road frontage which the mews formerly served.

6. However the scale and appearance of the mews would be markedly changed if an approved proposal for the redevelopment of Nos 6-8 with a 4 storey building is implemented; then around 60% of the frontage on the east side would be 4 storey. Bearing in mind that the adjoining existing post war building at No 1 would be taller, I do not consider that your clients' proposed building, which would reflect the scale and proportion of the development permitted at 6-8, would be out of character with the remainder of the street scene.

7. I have also carefully considered the relationship of the proposed building at 2-3 North Mews with the rear of the buildings on Grays Inn Road of which Nos 75 to 81 (odd) are listed. Although the most important feature of these structures is their facade to Grays Inn Road, having regard to the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the advice of Circular 8/87 and also policies UD 11 & 15 of the Borough Plan, I consider it important to protect the buildings from development at the rear that would have an unacceptable effect on their setting.

8. Although the proposed building would be substantially larger than the accommodation traditionally associated with mews development, I do not consider that it would have serious consequences to the setting of No 77 when viewed from the listed building itself. I say this having regard to the relative impact of the approved 3 storey building, the distance between the structures, the set back of the upper floors, the visual effect of nearby development including the offices on the west side of North Mews and also the height and bulk of the proposed structure.

9. In view of the narrow width of North Mews, the rear of No 77 would not be seen from the mews in the immediate vicinity of Nos 2 & 3 with a 3 storey building on the site. To the north, views are restricted by the existing building, taller than the appeal proposal, at the corner of North Mews and Roger Street. More distant views from further to the south along North Mews would be obstructed by the proposed development at Nos 6-8. It is my opinion that, particularly as the roof level would be below that of the listed building, your clients' proposal would not have an overbearing effect that would be detrimental to the setting of No 77 or to the other listed buildings on Grays Inn Road.

10. It is my conclusion that your clients' proposal would not have unacceptable consequences to either the character and appearance of the area or to the setting of the listed building. Furthermore I do not consider that it would be contrary to the objectives of the relevant policies of the Borough Plan.

11. Whilst I am aware that a similar proposal was dismissed on appeal in 1990, I do not consider that a parallel can be drawn between the two cases. The height of the proposed building has been reduced by around 2m and there has been a significant change in circumstances with the planning permission in respect of 6-8 North Mews. In saying this I appreciate that the site of Nos 6-8 North Mews does not back onto listed buildings along Grays Inn Road.

12. I have taken account of all the other matters that were raised in the representations, including the letter from English Heritage, but these do not alter my conclusion that these appeals should be allowed.

13. As works have already commenced it would be inappropriate to impose the standard time limit condition. I consider that a condition would be required in relation to agreement of external facing materials and details of external architectural features of the roof and 3rd floor of the building on the site of 2-3 North Mews.

14. For the above reasons, and in exercise of the powers transferred to me, I hereby allow these appeals and;

i. grant planning permission for the refurbishment of No 77 Grays Inn Road and the demolition and rebuilding of Nos 2 and 3 North Mews, London WC1, both for class B1 business use in accordance with the terms of application PL9100842 dated 24/7/91 and the drawings submitted therewith as amended subject to the following condition;

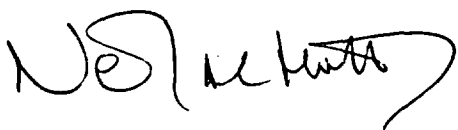
1. before construction of the third floor commences, external facing materials and architectural details of windows and roof junctions affecting the external appearance of this part of the building shall be agreed with the council and implemented in accordance with the agreed scheme

ii. grant listed building consent for the refurbishment of No 77 Grays Inn Road and the demolition and rebuilding of Nos 2 and 3 North Mews, London WC1, both for class B1 business use in accordance with the terms of application HB9170148 dated 24/7/91 and the drawings submitted therewith as amended.

15. 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 granted conditionally or if the authority fail to give notice of their decision within the prescribed period.

16. This letter does not convey any approval or consent which may be required under any enactment, byelaw, order or regulation other than Section 57 of the Town and Country Planning Act 1990 and Sections 7 and 8 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

I am Gentlemen  
Your obedient Servant



N A C HOLT TD BArch[Hons] DipTP  
DipArchCons RIBA MRTPI  
Inspector