

Our Ref: 4912

Your ref:

35 Old Queen Street
London
SW1H 9JA

Tel: 0207 222 8345
Fax: 0207 222 0488

support@alliance-plan.co.uk
www.alliance-plan.co.uk

22 June 2014

Mr Neil Quinn
Development Management
Camden Council
Camden Town Hall Extension
Argyle Street
London
WC1H 8ND

Email: sdf@alliance-plan.co.uk

Dear Mr Quinn,

Town and Country Planning Act 1990 (as amended). Proposed change of use and conversion of existing retail premises to residential use at 195-199 Gray's Inn Road, London, WC1X 8UL

Introduction

We write further to our recent meeting to discuss your pre-application advice and provide commentary below on how each of the matters have been addressed in the proposed application. In light of your comments, our clients have further refined the proposal where possible in line with points raised or clarified the proposals where no further change was felt necessary. Accordingly, this letter provides a response in line with the proposed scheme, which we trust is now acceptable.

We are grateful for your time in considering the proposals and understand that there is now agreement in relation to:

- the principle of residential use being appropriate in this location
- the loss of retail use on the basis of the evidence presented
- the acceptability of the residential mix proposed
- the positive contribution of the frontage to the conservation area (subject to consideration of the degree of benefit being defined based on the detailed comments below and in the statement of Kristian Kaminski)

We have also agreed the provision of reports on basement excavation/structure, highways/parking, sustainability and CIL, which are now included as part of the application.

Each of the outstanding items above is addressed below.

1. Land Use

Loss of retail floorspace

As discussed, the existing lawful use of the building is as a retail showroom, as confirmed by the recent CLEUD (ref. 2013/7526/P). The proposal would be for the change of use from Class A1 (retail) to Class C3 (residential). Therefore we agreed policy DP10 will be of relevance. The advice identifies specific information requirements, as set out in paragraph 2.10 of CPG5 'Town centres, retail and employment'.

We noted that the retail use ceased as it was no longer viable for the owner. This is clearest evidence possible that it could not be sustained. There was insufficient activity to support the use.

The unit was also marketed for 6 months, with no viable retail interest, as outlined in the attached statement by the commercial agents.

We discussed this at our meeting and it appeared that there was good level of agreement and that you were content with the loss, particularly in the light of the circumstances of this case and the location of the unit, isolated from any other centre. We have attached with this submission the marketing letter and advertisement that was referred to as evidence of the marketing activity undertaken.

It is also relevant that the Government introduced new permitted development rights for residential conversions from office accommodation and from retail premises. While this may not apply in this case, because of the location of the exempt area, the principle is relevant and is a material consideration since it seeks to provide for a freeing of the change of use to provide new homes where premises are vacant or underused, a situation that applies in this case.

The main considerations relevant to the loss of this retail unit are below:

No Loss of Retail Office Showroom

There is no practical loss of the office furniture retail showroom, which remains a few doors further along Grays Inn Road. They previously occupied two sets of premises on Gray's Inn Road and remain a part of the retailing in the area. The business could not however, sustain the second set of premises, hence the need to re-let the space and then consider alternatives.

This second unit, was not permanently manned and did not provide any significant level of activity on the street. There is no real loss of activity either in retail or conservation area terms as a result.

Marketing

Where the premises were advertised (shopfront; media, web sources etc.) and when:

The premises were advertised on the agent's website, by a large estate agents board on the buildings flat roof and sited on an obviously very busy main road and on Estate Agents Clearing House – a national inter commercial estate agency property broad cast network, Estates Gazette Interactive, a property portal from Estates Gazette. The building was marketed in 2013.

How long the premises were advertised for and whether this was over a consistent period (generally considered to be 18-24 months)

The building was advertised for over 6 months.

Rental prices quoted in the advertisement (which need to be realistic, taking into account alternative premises in the area)

The agents were quoting £60,000 PA which is the equivalent of £55.00 per sq. ft. This reflects the property's poor trading location. This is an isolated retail unit, outside of any identifiable parade or retail frontage. Hence it lacks footfall and attraction for potential retail occupiers.

Properties at either end of Gray's Inn Road command rental values significantly higher at up to £100 per sq ft because of the stronger retail frontage, busier locations and greater consumer footfall.

Copies of adverts (document 5.13)

Attached with agents report with this letter.

Estate agents details: David Shapiro, Fresson & Tee Chartered Surveyors, 1 Sandwich Street, London, WC1H 9PF

Any feedback from interested parties outlining why they were unsuitable for their purposes

There was no interest in the property that led to viable offers being made.

Consideration of alternative retail uses and layouts

None given during our marketing period, the building is not suited to alternative layouts due to limited size.

Further observations from the agent were given based on the knowledge of the area. He specialises in the Kings Cross/Holborn property market and has almost 20 years' experience

of this market. The location of this property is extremely difficult as a retail/trading location being neither Kings Cross nor Holborn. It has limited footfall / pedestrian passing trade. This property would probably be vacant for an extended period if a new retail tenant were sought from the market.

Part f of policy DP10 is also cited in the letter and has been addressed specifically within the response by Kristian Kaminski, attached with this letter. It confirms that the loss of retail use will be significantly outweighed by other benefits by the replacement residential use, which will add more activity to the street frontage than the old retail premises and will bring activity outside of retail hours, adding to the vitality of the area.

2. Design, conservation and impact on setting of adjoining listed buildings

We are grateful for confirmation that the proposals overall have the potential to enhance the character and appearance of the conservation area, subject to the detailed comments set out. Essentially the existing buildings have a neutral or negative impact on the conservation area and the proposals will enhance this appearance and the contribution of the site overall.

The impact in terms of visibility and setting of the listed buildings is enhanced and views of the rear facades change only very marginally and this and a number of detailed concerns that relate to the degree of enhancement offered by the proposals and the issues raised are addressed in detail within the supporting statement by Kristian Kaminski, but in brief:

a) Conservation Area

The detail of the frontage panes and the structure behind them has been revised in light of your comments, to ensure that the perception is of a traditionally designed shop front that has been sensitively converted to residential use, without sight of clumsy or inappropriate structure being visible within the dwellings themselves. While the interior of the dwellings may be visible and would indicate activity, the wall structure has been designed to sit behind the glazing bars and structure of the frontage. The upper floor structure has been designed so as – in the main - to sit back by 600 mm away from the window, with the section of floor next to the window being only 20mm thick. It is therefore perceived as a shelf structure from the exterior, which is in keeping with similar Victorian shop fronts.

This demonstrates greater activity and coherence than the present façade and is much more appropriate to the conservation area.

b) Character of retail activity

The activity generated by the 3 residential dwellings is significantly greater than the former showroom, which acted as an overflow for the other unit which remains further along the street and much more than a vacant retail unit, which is the likely scenario if the site is not redeveloped.

The previous office furniture showroom did not lead to significant activity on the street frontage. It was not generating footfall or activity and was not permanently manned and could no longer sustain its presence. No other retail interest has been secured in over 6 months of marketing. This is consistent with other units in the central part of Grays Inn Rd which have been converted.

The reuse of the building for residential use is consistent with its location and the NPPF and introduces significant new activity and extends the hours in which there is activity beyond the working day. It significantly reinvigorates the street frontage and compliments the positive contribution made by the period design.

It is entirely in line with the emphasis of Government policy to reinvigorate and reintroduce residential uses into former retail areas.

c) Listed buildings

We have agreed as set out in your earlier advice, that the proposals are acceptable in relation to the listed hospital, cattle trough and houses on Mecklenburgh Street. The only issue raised

was in relation to the visibility from Grays Inn Road of the rear brickwork elevations and fenestration of the listed houses on Mecklenburgh Street.

We have enclosed with the accompanying assessment a series of views that address this point. These clearly demonstrate that there is no material change to that visibility; the brickwork and fenestration remain largely visible, as does the wider appreciation of their form. It is a material consideration that these elevations are the rear ones to the listed buildings and that they have been altered with non-original brickwork and windows.

The visibility of the listed building in large measure is retained when viewed from the street and their context is actually enhanced by the replacement of a bland shop front with a collection of traditionally designed shop fronts that would have been typical of the area. All of the key features of the listed buildings remain unaffected and can be appreciated from the street. The setting is therefore, enhanced.

d) **Design**

The height and proportions of the frontage and the dwellings themselves are now in line with what might be expected in this location. They have been reduced from those originally proposed but cannot be reduced further and, as proposed, sit well in terms of their proportion and relationship with the adjoining structures.

It is also right in design terms that they are not the same height as the hoardings on either side, which would appear rather uniform and inappropriate and their proportions are comparable to similar frontages in the locality. The proposed properties should therefore, be slightly taller than the hoardings to draw the eye away from the hoardings themselves.

The detailing of the roof form has been altered in line with discussions to incorporate parapet walls dividing each shop and reflecting the upstands on the main elevation.

3. Design Standards of the Residential Accommodation

a) Daylight

A BRE daylight assessment is attached. This shows that the dwellings meet an acceptable standard of light to each of the habitable rooms including the second bedrooms.

b) Sunlight

A sun-path diagram is attached. This shows that, at the equinox, the accommodation receives about 4 hours of sunlight through the front windows facing Grays Inn Road, and through the continuous strip roof light that runs along the rear of the living / kitchen area.

c) Cross-Ventilation

The continuous strip roof light to the rear of the living room is openable to a limited degree to allow ventilation whilst preventing overlooking into the neighbouring dwellings. As such, cross ventilation is facilitated when used in conjunction with the openable windows to Grays Inn Road. There are similarly openable windows at the rear elevation also providing dual aspect and ventilation.

d) Outlook

The living / dining / kitchen areas and the main bedrooms have a wide outlook on to Grays Inn Road. The second bedrooms each have an outlook with a vertical window looking into its courtyard space. This is little different than many of the ground/lower ground flats in the adjoining listed properties on Mecklenburgh Street and offers an outlook through a vertical window, with good light levels and the ability to provide container planting and visual interest. This is commonplace and perfectly acceptable in central London in depth and proportion.

e) Space Standards.

The accommodation satisfies L.B. Camden space standards, including that for, and provides storage and cycle stores in line with L.B. Camden requirements. The layout accommodates life time homes requirements.

f) Conclusion on residential design standards

We agreed that the purpose of the encouragement of dual aspect dwellings is to ensure that accommodation receives good levels of sunlight and cross ventilation. We agreed that these policy aims have been properly met in this scheme. We agreed in conclusion that in terms of light, sunlight, cross- ventilation, outlook, and space standards, the scheme delivers a good quality of accommodation.

4. Amenity of Neighbouring Dwellings

a) Daylight and Enclosure to Neighbouring Dwellings at Rear.

The overall height of the proposal and slope of the roof to the rear has been further reduced from the earlier proposals. The height of the wall to the rear with the properties on Mecklenburgh Street is consistent with the existing wall and no higher.

The roof slope to the rear is set at an angle that is below the viewing plane from the ground and lower ground windows, and hence will not in any way add to any sense of enclosure within these properties. The windows at first floor look out over the roof which will not be materially different to the present position.

A BRE daylight calculation is attached which shows that the neighbouring dwellings at the rear continue to receive acceptable levels of daylight.

b) Privacy/overlooking

You referred to the rear ground floor bedroom balcony/opening in the northern end dwelling opening out to look over the adjoining property's garden in an unneighbourly manner. This has been amended in light of your comments to not have amenity space and be a window only, which is recessed within the unit and has shutters on the outside. This allows daylight and a 'box' view of the end of the garden but prevents views of the adjoining property itself and therefore, maintains a good level of amenity.

The present building 5 contains windows that open out over the gardens of the neighbouring properties, each of which provides a wide view of the garden and of the residential interiors. This proposal removes these opening windows. Notwithstanding the introduction of this one new window that looks on to the end of garden of the neighbouring residential property, the overall level of overlooking is therefore radically reduced from the present position.

5. Construction Management Plan

A construction management plan would be submitted as part of any application in accordance with your comments.

Conclusions

We would note in the context of these proposals that they have been prepared with care and have taken account of and been modified in the light of officer advice, for which we are grateful. The scheme as a result present a positive response to the circumstances of the site, that enable the premises to be brought back into use in a manner that enhances the conservation area and the appearance of Grays Inn Road at this location. It also enhances the setting of the adjoining listed buildings and represents a form of development that has a positive form and design character.

The application therefore, benefits from clear policy support at the national and local level and, in accordance with the presumption in favour of sustainable development, should be considered positively. The contribution of 3 additional homes for the community is fully in line with the priority for London and the pressing need to deliver more housing to house a growing population.

The very real benefits for housing and for regeneration should be given due weight alongside the clear heritage benefits the scheme design will deliver. In particular, in addition to the construction related investment, the activity on Grays Inn Road generated by 3 additional homes will bring life to a part of the frontage that has for some years been in decline. It reinvigorates the frontage and brings activity and footfall at times when daytime uses cease.

For all of these reasons, it is respectfully suggested that the application proposals should be supported and should be permitted.

We trust the detail included above and in the enclosed supporting information provide you with sufficient information but should you require anything further, please do not hesitate to ask.

Yours faithfully



Steven Fidgett

Director

Enc.