

**38 Mount Pleasant, 156-158 Gray's Inn  
Road and 160-164 Gray's Inn Road**  
London WC1X 8EU

**Heritage and townscape appraisal**

December 2015

Consultancy for the  
Historic Built Environment

**KMIHeritage**

## Contents

<b>1</b>	<b>Introduction .....</b>	<b>3</b>
	Purpose .....	3
	Organisation.....	3
	Author .....	4
<b>2</b>	<b>The site and its context .....</b>	<b>5</b>
	Summary .....	5
	The historical development of the site.....	5
	Panther House, No 38 Mount Pleasant (originally Numbered No. 3 Little Gray's Inn Lane) .....	8
	Nos. 156-158 Gray's Inn Road (Brain Yard) .....	14
	Nos. 160-164 Gray's Inn Road.....	17
	Heritage context .....	21
	The Hatton Garden Conservation Area .....	21
	Assessing heritage significance .....	22
	Townscape character and heritage significance .....	23
<b>3</b>	<b>The policy context.....</b>	<b>25</b>
	The Planning (Listed Buildings and Conservation Areas) Act 1990 .....	25
	The National Planning Policy Framework .....	25
	Planning Practice Guidance .....	29
	Historic England's Good Practice Advice in Planning Notes.....	29
	The London Plan.....	30
	Camden Council's Local Development Framework.....	32
	Guidance on urban design and the historic built environment....	34
<b>4</b>	<b>The proposed development and its effect .....</b>	<b>38</b>
	The proposed scheme .....	38
	Effect on heritage significance and townscape character.....	40
	Conclusion .....	43
<b>5</b>	<b>Compliance with policy and guidance .....</b>	<b>45</b>
	The Planning (Listed Buildings and Conservation Areas) Act 1990 .....	45
	The level of 'harm' caused by the proposed scheme to heritage assets.....	47
	The balance of 'harm' versus benefit.....	48
	The National Planning Policy Framework .....	48
	Regional Policy: the London Plan .....	50

Camden's Local Development Framework .....	51
Guidance.....	51
<b>6 Summary and conclusion .....</b>	<b>52</b>
<b>Appendix A: Location .....</b>	<b>53</b>
<b>Appendix B: Historical mapping.....</b>	<b>59</b>
<b>Appendix C: Sources.....</b>	<b>64</b>

# 1 Introduction

- 1.1 This report has been prepared on behalf of Dukelease Properties Ltd in support of a planning application for the redevelopment of the site at 38 Mount Pleasant (Panther House), 156-158 Gray's Inn Road and 160-164 Gray's Inn Road, London WC1X 8EU. These addresses are referred to as 'the site' throughout this report, unless otherwise indicated.
- 1.2 The proposed scheme is for a mixed-use development that retains and extends existing building across the site, and which create a new pedestrian connection between Gray's Inn Road and Mount Pleasant.

## Purpose

- 1.3 The purpose of the report is to assess the effect of the proposed scheme on townscape quality and the heritage significance of heritage assets in the vicinity of the site and to measure that effect against national and local policies relating to urban design and the historic built environment.
- 1.4 This report should be read in conjunction with the drawings and Design & Access Statement prepared by Allford Hall Monaghan Morris and other application documents, notably the Planning Statement prepared by Savills.

## Organisation

- 1.5 This introduction is followed by an assessment of the site and of the nature and significance of heritage assets in the vicinity of the development site, and a description in Section 3 of the national and local policy and guidance that is relevant to this matter. Section 4 describes the proposed development and its effects. Section 5 assesses the proposed development against policy and guidance. Section 6 contains a conclusion. There are a number of appendices.

### **Author**

- 1.6 The author of this report is Kevin Murphy B.Arch MUBC RIBA IHBC. He was an Inspector of Historic Buildings in the London Region of English Heritage and dealt with a range of major projects involving listed buildings and conservation areas in London. Prior to this, he had been a conservation officer with the London Borough of Southwark, and was Head of Conservation and Design at Hackney Council between 1997 and 1999. He trained and worked as an architect, and has a specialist qualification in urban and building conservation.
- 1.7 Historical research and assistance for this report was provided by Dr Ann Robey FSA, a conservation and heritage professional with over twenty years experience. She has worked for leading national bodies as well as smaller local organizations and charities. She is a researcher and writer specialising in architectural, social and economic history, with a publication record that includes books, articles, exhibitions and collaborative research.

## 2 The site and its context

- 2.1 This section of the report describes the site and its context, and provides an assessment of its heritage significance and townscape character. Historical Ordnance Survey mapping is contained in Appendix B, and Appendix C provides a list of sources used
- 2.2 The site location and the appearance of the existing conditions in and around the site are illustrated in the Design & Access Statement.

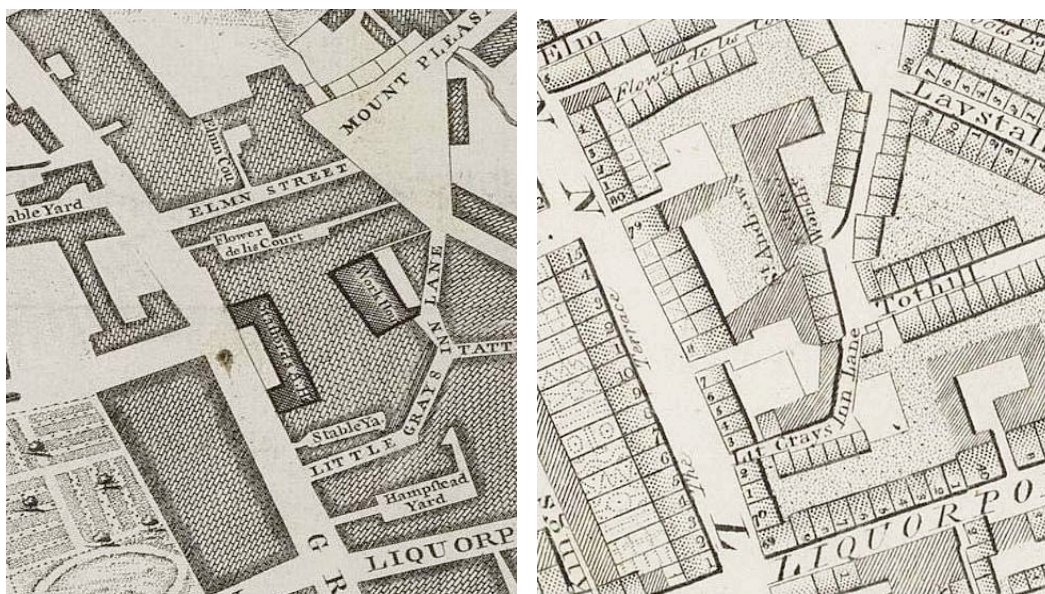
### History

- 2.3 This section of the report provides an outline of the history and evolution of the site.

#### *Summary*

- 2.4 The site occupied by Panther House and the adjacent buildings on Gray's Inn Road contains a range of former industrial and retail buildings dating from c.1906 to 1926 and which are currently used for a mixture of retail, office, residential and workshop space. The site is within the Hatton Garden Conservation Area, designated by LB Camden in 1999. Some of the buildings are partly hidden in the hinterland off Mount Pleasant and Gray's Inn Road. The buildings have differing architectural styles and a variety of heights, but overall communicate a purposeful and utilitarian architecture that befits former industrial and commercial buildings.

#### *The historical development of the site*



Figures 1 & 2: John Rocque's Map of 1746, and Horwood's Map of 1792 showing the site

- 2.5 As can be seen on John Rocque's map of 1746 (Figure 1), part of the site on Gray's Inn Road originally contained Stafford's Almshouses, and just behind them the St Andrew's and St George parish workhouse<sup>1</sup> on Little Gray's Inn Lane (which was renamed Mount Pleasant in 1936). Gray's Inn Road itself had some fine houses, including those in The Terrace opposite Stafford's Almshouses, one of which survives today at No. 55 and is Grade II listed. The area to the east towards Mount Pleasant, was poor in the early 18th century with brothels and over-crowded slum housing.<sup>2</sup> In 1855, Watts Phillips in *The Wild Tribes of London* spoke of 'Gray's Inn-lane, dismal and dirty at all times, but doubly so on an evening such as this, with its one side of dingy wall facing a row of even more dingy houses'<sup>3</sup> The Holborn Union took over Gray's Inn Lane parish workhouse and in 1838 the Poor Law Commissioners authorized £9,000 for its

<sup>1</sup> A workhouse was on this site from 1730

<sup>2</sup> Steven Denford & David Hellings, *Streets of Old Holborn*, (Camden History Society, 1999), p. 72

<sup>3</sup> <http://www.victorianlondon.org/districts/graysinnlane.htm>



enlargement.<sup>4</sup> Its location is shown on the late 19th century maps below (figure 4). By 1901 it was said to be 'vacant'.<sup>5</sup> In the same year, part of the former Gray's Inn workhouse site was redeveloped as the Little Gray's Inn Casual Wards<sup>6</sup>, to the designs of Smith and Coggan for the temporary accommodation of vagrants.<sup>7</sup> The work was completed by late 1902, as the opening of the wards was reported in the local press in January, 1903.<sup>8</sup> By 1923, it became known as 'The Hostel', where those genuinely seeking employment could reside in better conditions than in casual wards.<sup>9</sup> In 1936, *The Times* reported that the LCC Hostel helped the unemployed to actively find new employment and fitted them out for work.<sup>10</sup>



Figure 3: Stafford's Almshouses depicted in 1874. Behind the almshouses, the Holborn Union Workhouse is depicted as a tall plain brick structure

2.6 On the northern section of the site, the industrial building now called Panther House was built soon after. Stafford's Almshouses survived until the early 1890s (the site is

<sup>4</sup> <http://www.workhouses.org.uk/Holborn>

<sup>5</sup> See Goad Map of 1901

<sup>6</sup> In 1912, the casual wards in common with all those in London were taken over by the Metropolitan Asylums Board

<sup>7</sup> Kathryn Morrison, *The Workhouse*, (1999), p. 215

<sup>8</sup> *The Holborn and Finsbury Guardian*, 31 Jan 1903

<sup>9</sup> <http://www.workhouses.org.uk/Holborn>

<sup>10</sup> *The Times* 3 Mar 1936



empty on the 1894-96 OS map) and were sketched when under threat of demolition by J. P. Emslie in 1874 (figure 3). The site of the almshouses had been cleared by the time of the 1901 Goad map (figure 4). The subsequent development of the individual buildings is described below.



Figures 4, 5 & 6: OS Map of 1895 and the Goad Plan of 1901 and block plan of Panther House

*Panther House, No 38 Mount Pleasant (originally Numbered No. 3 Little Gray's Inn Lane)*

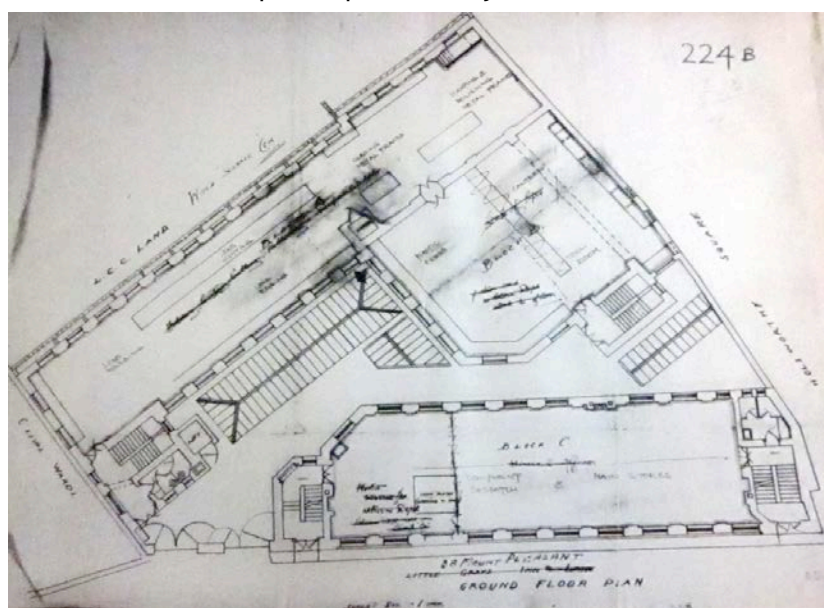
- 2.7 Malby & Sons<sup>11</sup>, Lithographers were present on the site from 1907 until at least 1923 (and perhaps a little later)<sup>12</sup> and it is quite likely the current three-range structure was purpose-built for the company. As outlined above, the site on which Panther House was built was previously home to buildings used by the Holborn Union Workhouse, which covered much of the site (see figures 4 & 5). The footprint of the current building is quite similar to that of the old workhouse, but the physical structures are

<sup>11</sup> Thomas Malby founded Malby & Sons, globe makers and printers of maps and Admiralty charts in 1810. In the late 19th century the firm specialised in lithographic printing, and the company moved to new premises at No. 3 Little Gray's Inn Road c.1907 (when they first appear in the Post Office Directory at that address). They undertook work for Government Departments, as well as many private commissions and specialised in maps and charts

<sup>12</sup> See Post Office Directory (POD) entries Malby & Sons are first there in 1907 and last listed in 1923

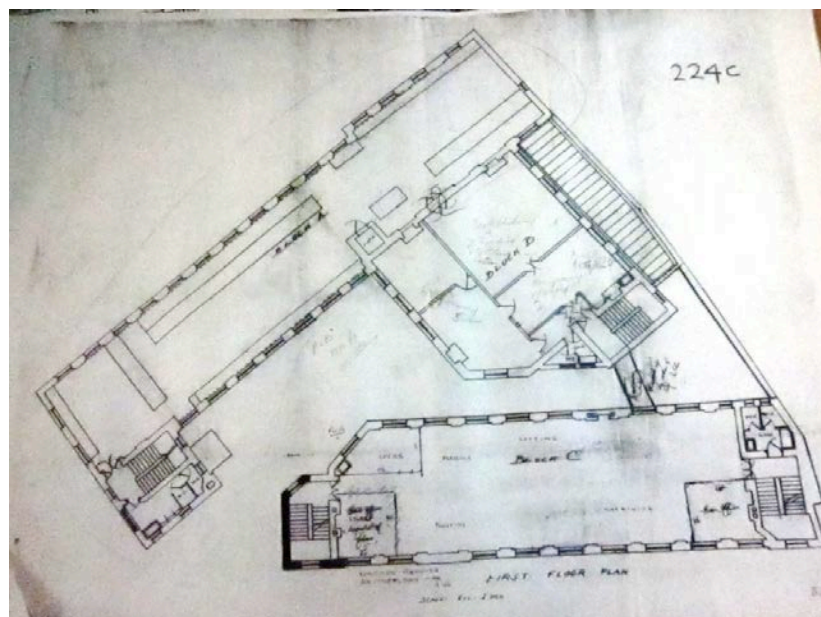
unrelated and probably date from c.1905-6, soon after the demolition of the older buildings.

- 2.8 A series of undated plans survive in LB Camden Archives that show all floors of the building, and are labelled 'New Premises for Malby & Sons, '.<sup>13</sup> No architect has been identified, and it is likely that none was associated with what is a very typical and generic industrial building for the period. They were said to be 'lent by Malby & Sons, March 1927', presumably to the new or prospective occupants of the building - World Service, Ltd. The ground and first floor plans are reproduced below. In 1919 bridges between blocks B & C were designed by Max Clarke, FRIBA for Malby & Sons.<sup>14</sup> They are actually shown on the plans, presumably as later annotations.



<sup>13</sup> Camden Local Studies and Archives B/HO/00001/MP/9

<sup>14</sup> Camden Local Studies and Archives, drainage plans (microfiche)



Figures 7 & 8: Ground and first floor plans of Panther House, n/d but pre-1907 [© Camden Local Studies and Archives B/HO/00001/MP/9]

- 2.9 World Service Ltd. occupied the premises from 1928, and a number of additional WCs were added to the basement, ground floor and third and fourth floors in the same year, and more still in 1931 and 1938.<sup>15</sup> World Service Ltd was a publisher (and had nothing to do with the BBC World Service), and remained at No. 38 Mount Pleasant until February 1941, when it went into liquidation.<sup>16</sup> By 1930 there were eight firms using the premises and in 1933, there were seven; including two printers, two publishers including World Service Ltd., Sun Films Ltd., Sami Naglar's costume warehouse and Jagger and Co. wholesale blouse manufacturers.

<sup>15</sup> Camden Local Studies and Archives, drainage plans (microfiche)

<sup>16</sup> *The London Gazette*, 14 Feb 1941



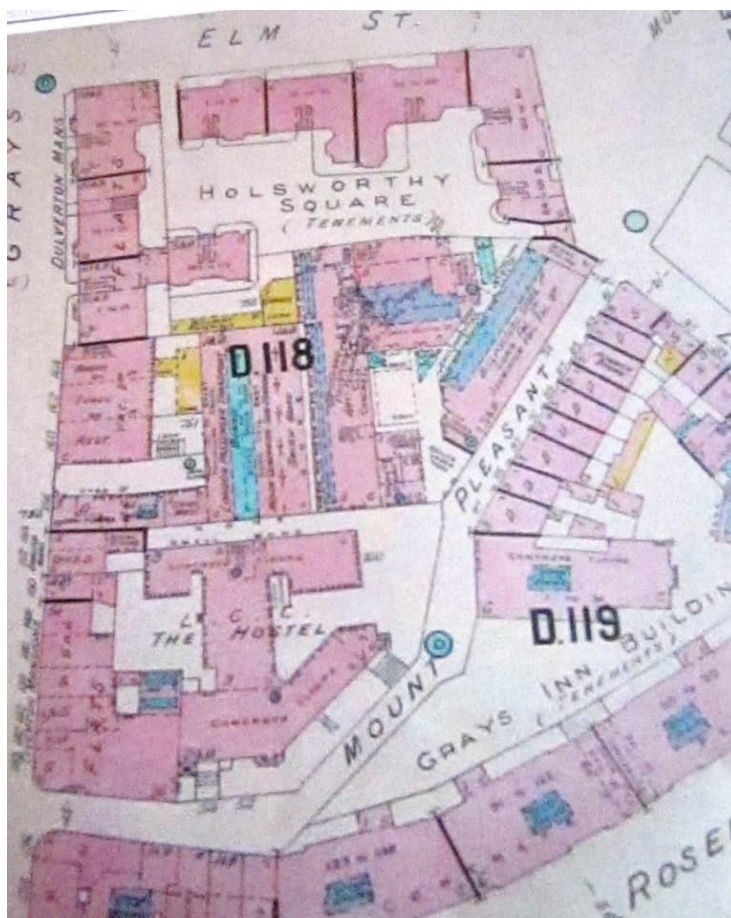


Figure 9: Goad Plan 1942

- 2.10 Therefore sometime soon after 1928, the building had gone into multiple occupancy and remained as such until the 1950s, even after the Levers Optical Co. Ltd. occupied the building from the early 1940s.<sup>17</sup> In 1938, Messrs. A. Burnett Browne requested permission on behalf of World Service Ltd to retain a steel enclosed conveyor running between blocks B and C. Permission was refused.<sup>18</sup> A snapshot of the building on the 1942 Goad plan, shows it contained an opticians, a printers, an artificial flower factory, a clothes factory and a photographers in one building and a billposters store, a dress factory and an aluminium foil factory in the other (figure 9).

---

<sup>17</sup> PODs

<sup>18</sup> LB Camden planning online TPBR/24534

- 2.11 Levers Optical Co. Ltd, manufacturers of spectacle frames and lenses, moved into the building sometime between 1940-1945. They were still listed at No. 2 Mount Pleasant in 1940.<sup>19</sup> Levers Optical Company reputedly bought the building for £35,000, out of funds raised when it went public in 1934.<sup>20</sup> The premises were renamed Leveroptic House. By 1946, MS Blanchfield was designing a new canteen for Levers Optical Co. Ltd. in the basement, but the work was probably not done at the time, as a later drainage plan for a proposed canteen in the basement was made in 1954.<sup>21</sup> In 1950 an application was made for the erection of an electric hoist on the roof of No. 38, Mount Pleasant, Holborn, and the carrying out of alterations to the elevation, which were granted for Levers.<sup>22</sup> In 1968 the use of the premises by Levers was described by architects Craig Hall & Co.:

*'The premises are occupied by our clients, who carry on there the business of manufacturing opticians, and they find that the floor space is in excess of their requirements. The accommodation is in three interconnected multi-storey blocks. Our clients propose to concentrate their business activities in the two rear blocks, and to make the front block facing Mount Pleasant available for letting. This block is currently used for a showroom on the ground floor, offices and manufacturing on the first floor and the second (top) floor is let on a short term tenancy for manufacturing purposes.-It is proposed that this front block containing approximately 6,400 square feet (out of a total of 35,000 square feet' for the premises as a whole) should be let for use for office purposes'.*<sup>23</sup>

- 2.12 In 1969 and 1973 permission was refused for office use.<sup>24</sup> In 1972 Andrew Perloff, a commercial property agent,

---

<sup>19</sup> PODs

<sup>20</sup> <http://www.pantherplc.com/about-us/company-history/>

<sup>21</sup> Camden Local Studies and Archives, drainage plans (microfiche)

<sup>22</sup> LB Camden planning online planning application 1898

<sup>23</sup> LB Camden planning online M16/46/1/6361

<sup>24</sup> LB Camden Planning online CTP/M16/46/11/6361; CTP/M15/29/A/16803

together with his associates, acquired control of Levers Optical. The original intention had been to relocate the optical business and realise the value of the company's building in Mount Pleasant for re-development purposes. But the company continued to operate as an optical business and also as a property investment business until 1980, when the optical business was sold so that the company could concentrate on property investment and development. The group retained the Mount Pleasant building and changed the company's name to Panther Securities Ltd.<sup>25</sup> In 1977, parts of the building were vacant as *The Times* reported that 'the group is considering prospective tenants for taking of its vacant space at 38 Mount Pleasant'.<sup>26</sup> It hoped for a substantial income when the building was fully let. The new layout was to include small crafts workshops and ancillary office extension to the existing industrial user on the upper floor.



Figure 10: Panther House from Mount Pleasant

## 2.13 Reputedly Panther Securities converted the whole building (with many breezeblock partitions) over 18

<sup>25</sup> Panther Securities PLC Final Results Year Ended 31 December 2009

<sup>26</sup> *The Times*, 24 Nov 1977

months, and it became an early business centre. In 1997 further refurbishment to the existing buildings was undertaken, including a new lift core, render, glazed screens, slate cladding panels, new roofs, lead finish steel decking, new doubled-glazed windows with powder-coated aluminium frames.<sup>27</sup> Extensions to the existing buildings included a new entrance, a third floor addition to the block on Mount Pleasant and fourth and fifth floor additions to the rear block.<sup>28</sup>

- 2.14 In 2004, Panther Securities sold Panther House and Nos. 156 -164 Gray's Inn Road for £8.8m.<sup>29</sup> In 2009, Octagon Assets Ltd. made an application to redevelop the site and at various times since then; plans have been forwarded and permissions obtained for works but not acted on by the owners. Today the building is arranged as three interlinking wings, around a central courtyard providing bike storage and private parking.

*Nos. 156-158 Gray's Inn Road (Brain Yard)*

- 2.15 The Brain Yard property is set back from Gray's Inn Road, and is accessed via a private, cobbled streetscape. The property comprises a large warehouse-style building arranged over ground and basement levels. It is yellow brick structure, single storey with a part basement, and with a part mezzanine floor. It has a steel framed roof partly covered with corrugated sheeting, and with a glass roof lantern running along much of its ridge. The Goad Plans of 1942 shows that feature and it was probably part of the original design (figure 9).
- 2.16 This structure was built in 1906-7 as an 'electricity motor generating substation' for the London Country Council Tramways (later London Passenger Transport Board), though no evidence of power generation survives in the

---

<sup>27</sup> LB Camden Planning online M16/46/A

<sup>28</sup> LB Camden Planning online M16/46/A

<sup>29</sup> <http://citywire.co.uk/money/panther-ready-to-pounce/a260595>



structure.<sup>30</sup> The tram route serving Gray's Inn Road was electrified in 1907, and is associated with the new tram subway which began in Kingsway and extended under the Strand, which was opened in 1906 and housed two tram stations - Aldwych and Holborn. The LCC was the largest operator of electric trams (which were first seen in London in 1901) and by 1914, the city had the largest network in Europe. The LCC operated with lines equipped with an unusual form of electricity supply, via an underground conduit located between the running rails (see figure 11); hence the need for substations along the routes to supply power. In the London Metropolitan Archives are a number of photographic images showing the building of the sub-station in 1906.<sup>31</sup>

- 2.17 The 1914 OS map shows the recently constructed substation with vacant land in front to Gray's Inn Road. Associated with the substation was the building now numbered No. 156 Gray's Inn Road (figure 13), which was said to have been built to accommodate the supervisor (before the days of automatic control).<sup>32</sup> It may have functioned more as a staff-room and office in conjunction with the substation. The 1942 Goad map annotates part of this building as a 'mess' for London Transport employees (figure 9). The building faces onto Gray's Inn Road, to the south of Nos. 160-164 and the entrance to the former electricity sub-station. On historic plans it is numbered No. 156, but the numbering of this building seems to have changed over time and it has two front doors.
- 2.18 The 1950s Goad plans identify the warehouse structure as still being occupied by the London Transport Executive as a motor generator sub-station, and a drainage plan from

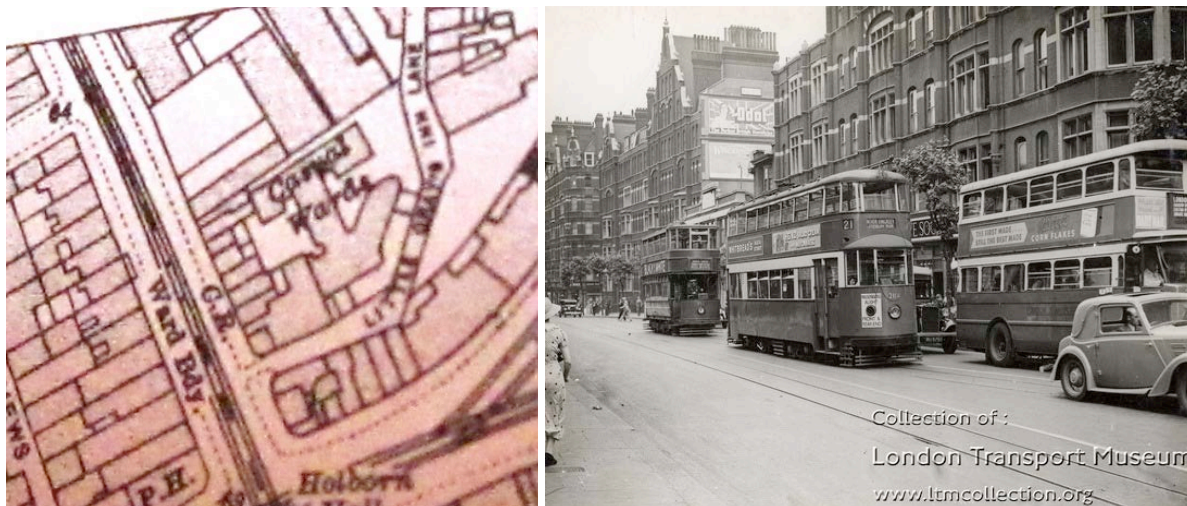
---

<sup>30</sup> Steven Denford & David Hellings, *Streets of Old Holborn*, (Camden History Society, 1999), p.93

<sup>31</sup> Copies of the images have not been obtained, but they are reproduced in a 2009 Heritage Assessment for Octagon Assets Ltd. by CgMs Ref: JuL/JE/105672009 found in the online planning files. They also show a pristine and newly-built Panther House to the rear

<sup>32</sup> *Ibid*

1964 describes the premises as the 'Gray's Inn Road Depot, London Transport Board, Works and Building Department Holborn Area'.<sup>33</sup>



Figures 11 & 12: The OS map of 1914 showing the newly constructed electricity substation and No. 156 and electric trams running along Grays Inn Road in 1937, with the parapet of Nos. 160-164 Gray's Inn Road just visible behind [© London Transport Museum U24507]

- 2.19 The Brain Yard structure has been considerably altered and is currently used for commercial/light industrial purposes.<sup>34</sup> In 2008, Octagon Assets Ltd. instructed Gaunt Francis Architects to prepare outline proposals for the Grays Inn Road site including the demolition of Nos.156-164 Gray's Inn Road and the old substation building to rear.<sup>35</sup> The application was withdrawn.

<sup>33</sup> Camden Local Studies and Archives, drainage plans (microfiche)

<sup>34</sup> Steven Denford & David Hellings, *Streets of Old Holborn*, (Camden History Society, 1999), p.93

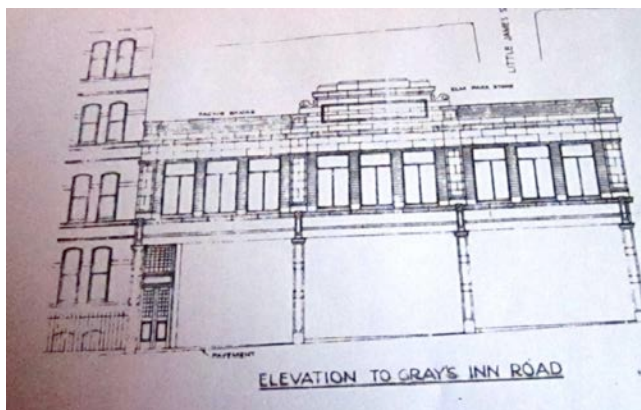
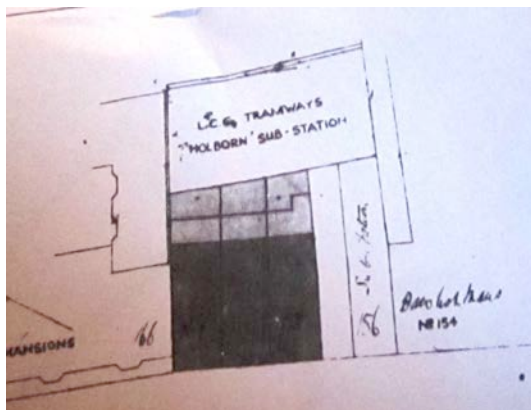
<sup>35</sup> LB Camden Planning online 2009/4253/C



Figure 13: Nos. 160-164 Gray's Inn Road, the entrance to Brain Yard and No. 156 Gray's Inn Road

#### *Nos. 160-164 Gray's Inn Road*

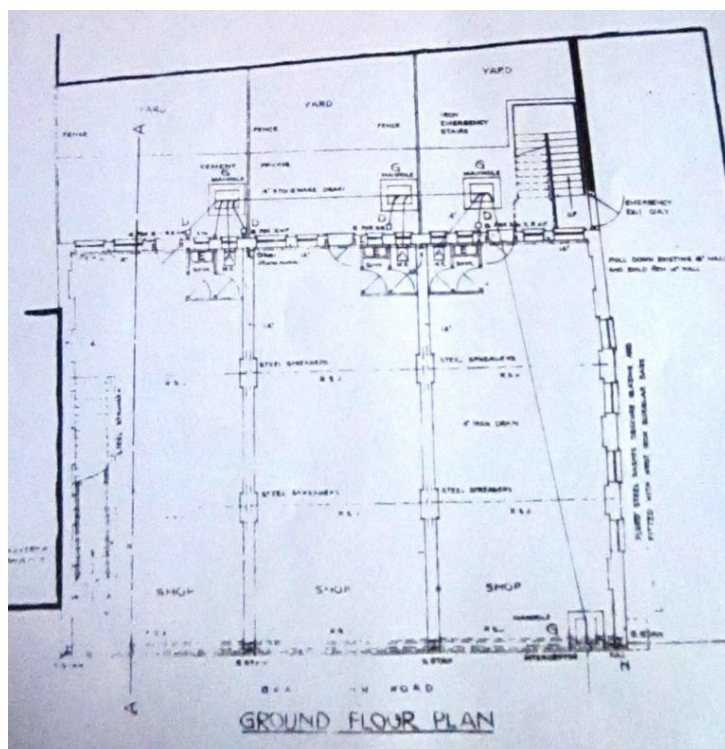
- 2.20 In 1924, proposed new shop premises were designed by the architects North Robin & Wilsdon<sup>36</sup> of Maddox Street, W1 between Dulverton Mansions and the LCC Tramways Holborn Sub-station, Gray's Inn Road.<sup>37</sup>



<sup>36</sup> Sydney Vincent North was born at Acton, London, in 1872, the son of an architect to whom he was articled between 1889 and 1897. He attended the AA, passing the RIBA qualifying examination in 1900. North entered into partnership with Charles C Robin in 1903. The partnership enjoyed almost immediate success, being awarded first premium in the Heywood Library competition from the 62 sets of drawings submitted. After 1915 they had been joined by William John Wilsdon to form North, Robin and Wilsdon. They were prolific designers of shops and worked for C & A (Modes) in both Scotland and England after 1922

<sup>37</sup> Camden Local Studies and Archives, drainage plans (microfiche)





Figures 14, 15 & 16: Plans and elevations of Nos. 160-164 Gray's Inn Road [© Camden Local Studies and Archives Drainage Plans 1924]

- 2.21 They were planned in a quasi 'moderne' style with a flat roof and were designed as a two-storey brick building, probably with a steel-frame, with a roof concealed behind a parapet made of facing bricks and 'Elm Park Stone'.<sup>38</sup> There were three shops on the ground floor with an external emergency staircase to the rear for the upper premises<sup>39</sup>, which were entered by a door to the left hand side of the shop fronts. On the first floor was a large well-lit space that at various times has been a billiards hall, factory and a showroom. During the Second World War, the upper floor was used as temporary offices.<sup>40</sup> The building was erected by 1926, as in the Post Office Directory of that year the upstairs premises at Nos. 160-164 were occupied as billiard rooms, which it remained

<sup>38</sup> Camden Local Studies and Archives, drainage plans (microfiche) - a Bath limestone often used on fireplace surrounds in the 1920s

<sup>39</sup> Probably purpose-built as a billiards hall

<sup>40</sup> LB Camden Planning online TP16263/3885

until c.1940.<sup>41</sup> The 1951 Goad map refers to the first floor of the building as a cinema screen factory. From 1926 onwards, No. 160 was a restaurant.

- 2.22 In 1930, *The Times* reported that Nos. 160, 162 and 164 Gray's Inn Road were for sale with an LCC Lease of 80 years at £150 per annum and the three shops and eight table billiard hall were let for £975 per annum.<sup>42</sup> By 1940, J E Sexton & Co. Ltd., wireless engineers had opened at No. 164. The firm was to remain in the block of shops for many years, developing their stock and specialities as technology progressed. In 1950, they were described as sellers of 'domestic electrical appliances' and had expanded to No. 162 as well.<sup>43</sup> By 1972, they expanded into a new showroom at No. 152 Gray's Inn Road selling Hi Fi equipment, which was said to be adjacent to their main showroom at Nos. 162 - 164, and it seems likely that they were using the upstairs of the properties as a showroom.<sup>44</sup> *The Times* reported that Nos. 160-164 Gray's inn Road was used by Sexton as a 'demonstration area for Hi-Fi' from 1973 and 1975.<sup>45</sup>

---

<sup>41</sup> POD 1926

<sup>42</sup> *The Times* 1 Sept 1930

<sup>43</sup> POD, 1950

<sup>44</sup> [http://www.gracesguide.co.uk/J.\\_E.\\_Sexton](http://www.gracesguide.co.uk/J._E._Sexton)

<sup>45</sup> *The Times*, 13 Oct. 1973



Figure 17: aerial photography, 1940s



Figure 18: View of Nos. 160-164 Gray's Inn Road with former tram substation behind

- 2.23 By 1984, an application was made to install a new shop front at No. 164, including the erection of a canopy at ground floor level for retailers *Silicon Valley*.<sup>46</sup> A toilet block extension to the same property was added in the same year. In 2009 Octagon Assets Ltd made an application to redevelop the site, along with Panther House. Today the property comprises three retail/restaurant units at ground floor level with a single floor of offices on the first floor level.

### Heritage context

- 2.24 All three components of the overall site are located in the Hatton Garden Conservation Area, at its western boundary with the Bloomsbury Conservation Area. On the western side of Gray's Inn Road is 55 Gray's Inn Road, listed Grade II. Slightly further north is 63-69, 75-81 and 81A Gray's Inn Road, also Grade II. At the junction of Theobald's Road and Gray's Inn Road is the Grade II Yorkshire Grey Public House. There are no locally listed buildings in the vicinity of the site.

#### *The Hatton Garden Conservation Area*

- 2.25 The Hatton Garden Conservation Area was first designated in December 1968, and the current Heritage Appraisal dates from August 1999. We understand that a new Heritage Appraisal has been drafted and will be consulted upon in the near future. The western part of the conservation area, and its relationship with the Bloomsbury Conservation Area, is shown in Figure 19.

---

<sup>46</sup> LB Camden Planning online 8401059



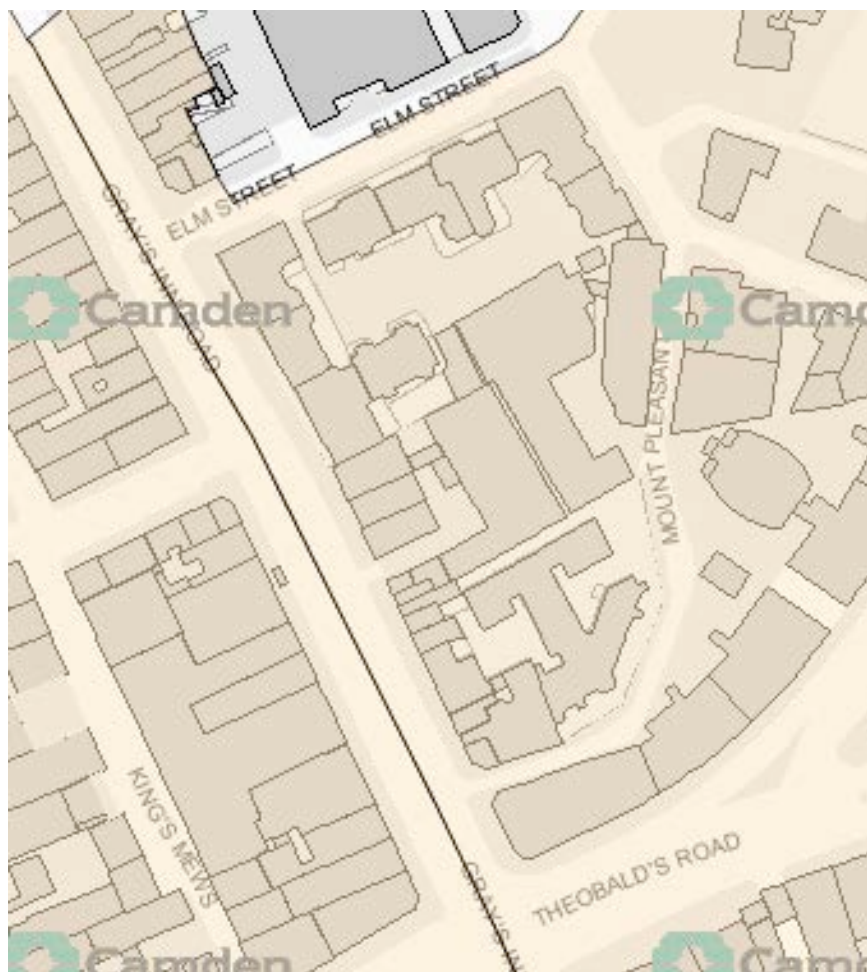


Figure 19: The Hatton Garden Conservation Area in the vicinity of the site  
(©London Borough of Camden)

- 2.26 The conservation area appraisal identifies 38 Mount Pleasant (Panther House) as making a positive contribution to the character and appearance of the conservation area.
- 2.27 The conservation area appraisal identifies 160 Gray's Inn Road as possessing a 'shopfront of merit'.

### Assessing heritage significance

- 2.28 The Hatton Garden and Bloomsbury Conservation Areas and nearby listed buildings are 'designated heritage assets', as defined by the National Planning Policy Framework (the NPPF). Locally listed buildings are 'non-designated heritage assets'.

- 2.29 'Significance' is defined in the NPPF as 'the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic'. The English Heritage 'Planning for the Historic Environment Practice Guide' puts it slightly differently – as 'the sum of its architectural, historic, artistic or archaeological interest'. 'Conservation Principles, Policies and Guidance for the sustainable management of the historic environment' (English Heritage, April 2008) describes a number of 'heritage values' that may be present in a 'significant place'. These are evidential, historical, aesthetic and communal value.

#### **Townscape character and heritage significance**

- 2.30 The three components of the site have historical and evidential value in that they show how this part of London has evolved over a number of centuries, and in particular during the late 19<sup>th</sup> century and in the 20<sup>th</sup> century. 38 Mount Pleasant has historical interest as illustrating the formerly industrial and commercial character of the area and how it changed during this period, and it tells a story of the nature of commercial activity and its evolution during the pre-and post-WWII periods. Brain Yard and 156 Gray's Inn Road have historical interest by virtue of the connection with the tram system. 160-164 Gray's Inn Road has only minor historical interest; there is nothing notable about its being built on Gray's Inn Road at the time of its construction.
- 2.31 38 Mount Pleasant is a generic Edwardian warehouse or workshop building; there is nothing notable about its design and appearance other than that it conforms to a very standard model in terms of this building type from this period. The building is, in effect, vernacular in its character. Notwithstanding the extensive alterations that have occurred, the present contribution that it makes to the street scene and the conservation area derives from this typological quality, rather than any specific aesthetic or architectural merit.

- 2.32 The Brain Yard shed is just that - a shed that, notwithstanding its date and purpose, is singularly unremarkable in terms of its construction and has been considerably altered. It displays no ingenuity or novelty in its engineering, nor does it contain any physical reminder - machinery, fittings, signage, etc. - of its original purpose. Its sole value lies in the association it has with the former tram network.
- 2.33 Though possessing an architectural design, 156 Gray's Inn Road is not of significantly greater aesthetic interest; it is a mundane and unremarkable use of an approximate Arts & Crafts style that is more reminiscent of suburban semi-detached housing than an Edwardian building in central London. It offers a rather deadening appearance to Gray's Inn Road, with its solid, double-doored ground floor.
- 2.34 In contrast, 160-164 Gray's Inn Road is a cheerful and considered building, with two shortcomings - it is significantly lower than the general scale in this part of the eastern side of Gray's Inn Road (this failing is shared with 156 Gray's Inn Road) and thus it disrupts the general street scale, and later shop front alterations are of very poor quality. While modest, its 'moderne' style is well-handled and, despite its perverse scale, sits comfortably in the street scene. The side wall, visible through the yard opening, is without any merit.

### 3 The policy context

- 3.1 This section of the report briefly sets out the range of national and local policy and guidance relevant to the consideration of change in the built environment.

#### **The Planning (Listed Buildings and Conservation Areas) Act 1990**

- 3.2 The legislation governing listed buildings and conservation areas is the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act'). Section 66(1) of the Act requires decision makers to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses' when determining applications which affect a listed building or its setting. Section 72(1) of the Act requires decision makers with respect to any buildings or other land in a conservation area to pay 'special attention... to the desirability of preserving or enhancing the character or appearance of that area'.

#### **The National Planning Policy Framework**

- 3.3 Paragraph 56 of the NPPF says that 'the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'.
- 3.4 Paragraph 60 says:
- Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.*
- 3.5 Paragraph 61 continues:

*Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.*

- 3.6 Paragraph 63 says that 'In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area'.

- 3.7 The NPPF says at Paragraph 128 that:

*In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.*

- 3.8 A description and analysis of the heritage and townscape significance of 38 Mount Pleasant, 156-158 Gray's Inn Road and 160-164 Gray's Inn Road, and their surroundings, is provided in this report. Diagrammatic and textual analysis of the site in townscape and heritage terms is also provided in the Design & Access Statement.

- 3.9 The NPPF also requires local planning authorities to 'identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal'.

- 3.10 At Paragraph 131, the NPPF says that:

*In determining planning applications, local planning authorities should take account of:*

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *the desirability of new development making a positive contribution to local character and distinctiveness.*

3.11 Paragraph 132 advises local planning authorities that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting'.

3.12 The NPPF says at Paragraph 133 'Good design ensures attractive, usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning.' Paragraph 133 says:

*Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*

- *the nature of the heritage asset prevents all reasonable uses of the site; and*
- *no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*

- *conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- *the harm or loss is outweighed by the benefit of bringing the site back into use.*

3.13 Paragraph 134 says that 'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

3.14 Further advice within Section 12 of the NPPF urges local planning authorities to take into account the effect of an application on the significance of a non-designated heritage asset when determining the application. It says that 'In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

3.15 Paragraph 137 of the NPPF advises local planning authorities to 'look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably'.

3.16 Paragraph 138 says that:

*Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element*



*affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.*

### **Planning Practice Guidance**

3.17 In 2014 the government published new streamlined planning practice guidance for the National Planning Policy Framework and the planning system. It includes guidance on matters relating to protecting the historic environment in the section entitled 'Conserving and Enhancing the Historic Environment'. It is subdivided into sections giving specific advice in the following areas:

- Historic Environment Policy and Legislation
- Heritage in Local Plans
- Decision-taking: Historic Environment
- Designated Heritage Assets
- Non-Designated Assets
- Heritage Consent Processes and
- Consultation Requirements

3.18 Specific aspects of Planning Practice Guidance in relation to the historic built environment will be referred to later in this report.

### **Historic England's Good Practice Advice in Planning Notes**

3.19 The NPPF incorporates many of the essential concepts in Planning Policy Statement 5 'Planning for the Historic Environment'. PPS5 was accompanied by a 'Planning for the Historic Environment Practice Guide', published by English Heritage 'to help practitioners implement the policy, including the legislative requirements that underpin it'. In the light of the introduction of the NPPF, Good Practice Advice notes 1, 2 and 3 supersede the PPS

5 Practice Guide, which was been withdrawn on 27 March 2015. These notes are:

- Historic Environment Good Practice Advice in Planning Note 1: The Historic Environment in Local Plans
- Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment
- Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets

3.20 The advice provided in the notes largely echo that of the former Practice Guide. At Paragraph 26, Practice Note 2 says:

*Successful sustainable development achieves economic, social and environmental gains jointly and simultaneously through planning decisions (NPPF, Paragraph 8 ). If there is any apparent conflict between the proposed development and the conservation of a heritage asset then the decision-maker might need to consider whether alternative means of delivering the development benefits could achieve a more sustainable result, before proceeding to weigh benefits against any harm.*

### **The London Plan**

3.21 The current London Plan, the spatial development strategy for London, was published on 22 July 2011. It replaced the plan (consolidated with alterations since 2004), which was published in February 2008, and contains various policies relating to architecture, urban design and the historic built environment. Policy 7.4 deals with 'Local character', and says that a development should allow 'buildings and structures that make a positive contribution to the character of a place, to influence the future character of the area' and be 'informed by the surrounding historic environment'.

- 3.22 Using the language of the NPPF and its predecessor, Planning Policy Statement 5: Planning for the Historic Environment, Policy 7.8 talks of 'Heritage assets and archaeology', and says:

*London's heritage assets and historic environment, including listed buildings, registered historic parks and gardens and other natural and historic landscapes, conservation areas, World Heritage Sites, registered battlefields, scheduled monuments, archaeological remains and memorials should be identified, so that the desirability of sustaining and enhancing their significance and of utilising their positive role in place shaping can be taken into account.*

*B Development should incorporate measures that identify, record, interpret, protect and, where appropriate, present the site's archaeology.*

*C Development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate.*

*D Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.*

*E New development should make provision for the protection of archaeological resources, landscapes and significant memorials. The physical assets should, where possible, be made available to the public on-site. Where the archaeological asset or memorial cannot be preserved or managed on-site, provision must be made for the investigation, understanding, recording, dissemination and archiving of that asset.*

- 3.23 Policy 7.9 deals with 'Heritage-led regeneration', and says:

*Regeneration schemes should identify and make use of heritage assets and reinforce the qualities that make them significant so they can help stimulate environmental, economic and community regeneration. This includes buildings, landscape features, views, Blue Ribbon Network and public realm.*

*B The significance of heritage assets should be assessed when development is proposed and schemes designed so that the heritage significance is recognised both in their own right and as catalysts for regeneration. Wherever possible heritage assets (including buildings at risk) should be repaired, restored and put to a suitable and viable use that is consistent with their conservation and the establishment and maintenance of sustainable communities and economic vitality.*

### **Camden Council's Local Development Framework**

- 3.24 Camden Council adopted its Core Strategy and Development Policies on 8 November 2010. Core Strategy Policy CS14 deals with 'Promoting high quality places and conserving our heritage' and says:

*'The Council will ensure that Camden's places and buildings are attractive, safe and easy to use by:*

- a) requiring development of the highest standard of design that respects local context and character;*
- b) preserving and enhancing Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens;*
- c) promoting high quality landscaping and works to streets and public spaces;*
- d) seeking the highest standards of access in all buildings and places and requiring schemes to be designed to be inclusive and accessible;*
- e) protecting important views of St Paul's Cathedral and the Palace of Westminster from sites inside and outside the borough and protecting important local views'.*

- 3.25 The commentary to the policy says:

*'Our overall strategy is to sustainably manage growth in Camden so it meets our needs for homes, jobs and services in a way that conserves and enhances the features that make the borough such an attractive place*

*to live, work and visit. Policy CS14 plays a key part in achieving this by setting out our approach to conserving and, where possible, enhancing our heritage and valued places, and to ensuring that development is of the highest standard and reflects, and where possible improves, its local area'*

3.26 It goes on to say

*'Development schemes should improve the quality of buildings, landscaping and the street environment and, through this, improve the experience of the borough for residents and visitors'*

3.27 Regarding Camden's heritage, the Core Strategy refers to Policy DP25 in Camden Development Policies as providing more detailed guidance on the Council's approach to protecting and enriching the range of features that make up the built heritage of the borough.

3.28 Policy DP25 is as follows:

*Conservation areas*

*In order to maintain the character of Camden's conservation areas, the Council will:*

- a) take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas;*
- b) only permit development within conservation areas that preserves and enhances the character and appearance of the area;*
- c) prevent the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area where this harms the character or appearance of the conservation area, unless exceptional circumstances are shown that outweigh the case for retention;*
- d) not permit development outside of a conservation area that causes harm to the character and appearance of that conservation area; and*

*e) preserve trees and garden spaces which contribute to the character of a conservation area and which provide a setting for Camden's architectural heritage.*

*Listed buildings*

*To preserve or enhance the borough's listed buildings, the Council will:*

*e) prevent the total or substantial demolition of a listed building unless exceptional circumstances are shown that outweigh the case for retention;*

*f) only grant consent for a change of use or alterations and extensions to a listed building where it considers this would not cause harm to the special interest of the building; and*

*g) not permit development that it considers would cause harm to the setting of a listed building.*

*Archaeology*

*The Council will protect remains of archaeological importance by ensuring acceptable measures are taken to preserve them and their setting, including physical preservation, where appropriate.*

*Other heritage assets*

*The Council will seek to protect other heritage assets including Parks and Gardens of Special Historic Interest and London Squares.*

**Guidance on urban design and the historic built environment**

- 3.29 The English Heritage/CABE (now the Design Council) guidance 'Building in Context' gives guidance on the design of new development which affects the historic environment, and particularly conservation areas. It sets out good practice guidance on the design of new development in historic areas. It has subsequently been

developed by Historic England and Design Council into a dedicated website on Building in Context<sup>47</sup>.

3.30 The eight Building in Context principles are:

- *A successful project will start with an assessment of the value of retaining what is there.*
- *A successful project will relate to the geography and history of the place and lie of the land.*
- *A successful project will be informed by its own significance so that its character and identity will be appropriate to its use and context.*
- *A successful project will sit happily in the pattern of existing development and the routes through and around it.*
- *A successful project will respect important views.*
- *A successful project will respect the scale of neighbouring buildings.*
- *A successful project will use materials and building methods which are as high quality as those used in existing buildings.*
- *A successful project will create new views and juxtapositions which add to the variety and texture of the setting.*

3.31 The guidance explains the importance of basing designs on thorough analysis of the context, and warns against the application of simple formulae such as 'fitting in' or 'contrasting the new with the old'. It advises that successful projects will:

- Relate well to the geography and history of the place and the lie of the land;
- Sit happily in the pattern of existing development and routes through and around it;
- Respect important views;

---

<sup>47</sup> <http://www.building-in-context.org/>



- Respect the scale of neighbouring buildings;
- Use materials and building methods which are as high in quality as those used in existing buildings; and
- Create new views and juxtapositions that add to the variety and texture of the setting.

3.32 The guidance contains a number of case studies and draws a number of specific conclusions from them:

- The best buildings result from a creative dialogue between the architect, client, local planning authority and others; pre-application discussions are essential;
- The local planning authority and other consultees can insist on good architecture and help to achieve it;
- Difficult sites should generate good architecture, and are not an excuse for not achieving it;
- With skill and care, it is possible to accommodate large modern uses within the grain of historic settings;
- High environmental standards can help generate good architecture;
- Sensitivity to context and the use of traditional materials are not incompatible with contemporary architecture;
- Good design does not stop at the front door, but extends into public areas beyond the building;
- High-density housing does not necessarily involve building high or disrupting the urban grain and it can be commercially highly successful;

- Successful architecture can be produced either by following historic precedents closely, by adapting them or by contrasting with them;
- In a diverse context a contemporary building may be less visually intrusive than one making a failed attempt to follow historic precedents.

## **4 The proposed development and its effect**

- 4.1 This section of the report describes the proposed scheme for the sites of 38 Mount Pleasant, 156-158 Gray's Inn Road and 160-164 Gray's Inn Road and its effect on the heritage significance and townscape character described in the previous section.
- 4.2 The proposed scheme is illustrated in the drawings and Design & Access Statement prepared by Allford Hall Monaghan Morris.
- 4.3 The proposed development of the site has been the subject of a series of an extended series of pre-application discussions with Camden Council. The evolution of the scheme is illustrated in the Design & Access Statement. The design of the scheme has been altered in response to the Council's comments.

### **The proposed scheme**

- 4.4 There is an indisputable need to regenerate the site and its buildings, and this is evident in their condition and in the nature of their present uses. The site does not presently make the contribution to local life and the local economy that it could and should make, nor does the site make the contribution to the Hatton Garden Conservation Area that it could and should make. The overall site offers not just an opportunity to repair the harm caused by incremental change and inappropriate alteration that has been caused. It also offers very significant social and economic benefits - the creation of jobs and homes, as well as creating greater life and activity in the area. This is what the proposed scheme does.
- 4.5 156 Gray's Inn Road is the only part of the overall site that is proposed for full removal; all other elements - Panther House, the Brain Yard shed and 160-164 Gray's Inn Road are retained, albeit altered and extended. It is proposed to retain the north and south end walls of the Brain Yard shed, but remove the east and west flank walls.

Excavation will be undertaken to increase the height of existing basement. The western flank wall will be removed and reinstated, using salvaged material and replicating existing details in the wall. The Design & Access Statement explains the complex structural, constructional, cost, programme and safety reasons why it is necessary to do this.

- 4.6 The façade of 160-164 Gray's Inn Road will be retained while the building behind will be removed. Initial visual investigation has shown that a large proportion of steel work, particularly to upper sections, requires replacement. Notably, cracking is only apparent in the structure to the side and rear, which is proposed for removal in any case. A recommendation for façade cleaning as a means of making a fuller assessment of the façade condition is presently being considered. It is nonetheless expected that the façade will be finally assessed when the building is vacant, by means of opening up its fabric in order to better understand its condition and the true extent of repair required.
- 4.7 The space between 156 and 160-164 Gray's Inn Road is also retained, and what is at present a dead-end will be transformed into a new route from west to east through the site, creating new permeability and connection between Mount Pleasant and Gray's Inn Road and beyond. This is a central objective of the proposed scheme. Connected with this is the creation of a distinctive 'place' in this part of the borough, and the connection of a series of spaces within the urban block is part of achieving this. There is considerable opportunity for east-west pedestrian traffic to pass through the site by this means, thus helping to reinforce links between the emerging quarter around Mount Pleasant (and Exmouth Market beyond) with Bloomsbury and Holborn.
- 4.8 A new two-storey addition building will sit above the reinstated Brain Yard shed, visibly contained within the masonry volume of the shed and thus allowing the original structure to read beneath the new intervention.

- 4.9 38 Mount Pleasant (Panther House) will be reconfigured internally, and additional floors will be added. As with Brain Yard, the additions will be in a contemporary style, contrasting with the retained buildings. The Design & Access Statement illustrates the careful selection of materials for the new elements of the scheme: on Gray's Inn Road, the primary structure of the new building above 156 and 160-164 Gray's Inn Road will be in precast concrete, and the new 'building' to replace 156 Gray's Inn Road will be in a similar material. In Brain Yard and Panther House, metal and glass will be used for the new floors above the brickwork mass of the existing building.

**Effect on heritage significance and townscape character**

- 4.10 The intervention in each part of the overall site preserves retained structures while altering and extending them in an intelligent way that respects their form and presence as unlisted buildings in the conservation area. The new building above 156 and 160-164 Gray's Inn Road draws upon the rhythm of the plots below and the scale and profile of the eastern street wall of Gray's Inn Road at this point. It is a direct response to its context, in a contemporary style that does not seek to pretend as to how the site has evolved - the contrast of new and old creates a legible and honest expression of change at the site and in Gray's Inn Road.
- 4.11 The new building 'knows its place' - it holds itself above the retained 160-164 Gray's Inn Road, allowing the latter to read as the 'privileged' existing occupant of the site, while the new element defers to its symmetrical composition in the ordering of its bays. This is, in turn, reinforced by the use of materials and fenestration to mark the pedimented central bay of 160-164 Gray's Inn Road and the entrance to Brain Yard and the new route to Mount Pleasant.
- 4.12 The proposal for the Brain Yard shed places a new, contemporary structure within the walls of the shed,

preserving the masonry shape and profile of the structure while creating new accommodation in what are quite difficult structural circumstances. The result is something similar to the proposal for Gray's Inn Road - an extension whose scale and impact is strongly mitigated by the way in which the new volume responds to its host structure.

- 4.13 The proposal for Panther House continues this strategy to the easternmost part of the overall site. Where the extension emerges above the existing Mount Pleasant elevation of the building, the use of the host building's structural grid is evident. This extension is set back from the existing parapets of the building. The Design & Access Statement shows how the revised core option leaves more of the central courtyard open than previously. The solution for Panther House is familiar from other schemes involving former factory or warehouse buildings - it is a powerful and robust industrial building that is more than capable of being extended in a contemporary fashion to provide improved and additional work space. The glass and metal additional storeys and infill will provide a simple, modern counterpoint to the heavy red brick masonry, clearly reading as subservient to the host structure.
- 4.14 The removal of 156 Gray's Inn Road is a carefully considered and necessary part of the proposed scheme. The building's contribution to the conservation area is, at best, neutral. It is not so significant or of such architectural merit that its retention should be allowed to prevent the best possible solution for Gray's Inn Road. That solution would be compromised by having to incorporate an existing building at 156 Gray's Inn Road that is singularly ill-fitting with its context, and which does not lend itself to economically efficient alteration or extension.
- 4.15 As agreed with the Council in pre-application discussions, the replacement building does not seek to replicate the existing 156 Gray's Inn Road. Instead it creates a consistency of ground and first floor expression on Gray's Inn Road by echoing the design of 160-164 Gray's Inn



Road, and made using the precast concrete proposed for the new 'floating' building above.

- 4.16 The use of precast concrete offers a superb opportunity for the scheme on Gray's Inn Road to possess integrity and clarity as a new intervention, while responding contextually in terms of massing, form and elevational design. Pre-cast concrete can, in this era, be a highly sophisticated and high-quality way of building, and, as the Design & Access Statement points out, it can be articulated in many different ways from textured formwork to sand blasting / bush hammering or cutting and polishing to expose the aggregate and vary the visual appearance. Good quality pre-cast concrete can have stone-like qualities (a certain formality and status) while evidently not being stone, thus avoiding the explicit urban and architectural implications of using stone in certain contexts where it is not presently a significant material.
- 4.17 While the extension of Panther House and the brain Yard shed using metal and glass is relatively straightforward in architectural terms, the far more complex townscape of Gray's Inn Road suggests that it is more appropriate that the new built form on Gray's Inn Road has a solid, masonry-like expression. However, the use of, say, brick, could create an uncomfortable relationship with the existing context, blurring the relationship between new and old, neither sufficiently distinctive nor sufficiently close to the brick of its context. It is preferable the new elements of the Gray's Inn Road frontage are unmistakeably a discrete and emphatic intervention with their own clear architectural quality, but which have also been considered in terms of skyline, rhythm, proportions and levels.
- 4.18 The scheme proposes to building densely on the available site by adding to the existing buildings. This will help to deliver the maximum public benefits from the scheme and it will also create a successful piece of townscape that will recover the urban grain of the site. It will help to

reinstate a scale on the eastern side of Gray's Inn Road that is appropriate for the street and consistent with good urban design. It is completely appropriate that such development - whether it be the additional height on Gray's Inn Road or on Mount Pleasant - will be seen in views along streets: the location of the scheme is pivotal and prominent. The site is located near the major junction of Theobald's Road, Gray's Inn Road and Roseberry Avenue, in an area that is the subject of a number of development proposals (notably that for the Mount Pleasant sorting office site).

### **Conclusion**

- 4.19 The scheme is sensitive and responsive to its context. It proposes urban form that is appropriate for the site and its context. It is deliberately dense, and the scale is deliberately more than that which exists at the moment in order to achieve important urban design objectives and to deliver the significant benefits the site can provide. It is well designed and provides high-quality commercial and residential accommodation in a scheme that responds carefully and intelligently to its specific location to its surroundings. It enhances the Hatton Garden Conservation Area and the setting of the listed buildings on Gray's Inn Road, and helps to create a sense of place that will help to regenerate the broader area.
- 4.20 In addition to the benefits of the design in heritage, architectural and urban terms, the proposed scheme also delivers more general planning benefits. In summary, these are:
- The scheme will provide a greater number of uses, adding increased life and vitality to the site as well as its surroundings;
  - The scheme extends this mix of uses across the site, so that each part of the site has a balance of activity and use;

- The scheme enlivens the ground level street frontages with active uses; this enhances the pedestrian experience of the site and the area, making the use of the streets around the site a safer and more pleasant experience;
- The scheme creates upper floor, twenty four hour, residential use that ensures that life and activity - and the security and place-making that they bring - continues around the clock.

## 5 Compliance with policy and guidance

- 5.1 This report has provided a detailed description and analysis of the site and its heritage and townscape context, as required by the National Planning Policy Framework. In addition, the report also describes (in Section 3 'The proposed development and its effect') how the proposed scheme will affect that heritage significance and townscape character. The effect is positive, and for that reason, the scheme complies with policy and guidance. This section should be read with Section 4.

### **The Planning (Listed Buildings and Conservation Areas) Act 1990**

- 5.2 The conclusion of our assessment, contained in previous sections in this report, is that the proposed scheme preserves and enhances the character and appearance of the Hatton Garden Conservation Area and the setting of the Bloomsbury Conservation Area by virtue of the positive effect that the development will have on the setting of the conservation area, as well as preserving and enhancing the setting of the Grade II listed buildings on the western side of Gray's Inn Road.
- 5.3 The proposed development thus complies with S.66(1) and S.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. In our opinion, it does not lead to 'substantial' harm or any material level of 'less than substantial' harm to any heritage assets.
- 5.4 In considering the proposed scheme for the site it is worth noting Historic England's online guidance regarding 'Legal Requirements for Listed Building and Other Consents'<sup>48</sup>. English Heritage points out that 'Most of the principles that should be adhered to when making planning and other consent decisions affecting the historic environment are set out in policy and guidance.

---

<sup>48</sup> <http://historicengland.org.uk/advice/hpg/decisionmaking/legalrequirements/>

However, the law introduces some important and inescapable considerations for certain applications’.

5.5 Historic England continues:

*When considering any conservation area consent or planning permission decision that affects a conservation area a local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of that area....*

*The House of Lords in the South Lakeland case decided that the “statutorily desirable object of preserving the character or appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed, that is to say preserved.”*

*A development that merely maintains the status quo, perhaps by replacing a building that detracts from the character and appearance of the conservation area with a similarly detrimental building, would satisfy the statutory consideration. This is notwithstanding that the existing detrimental building presents an opportunity, when it is being redeveloped, to improve the environment.*

*However, in a number of ways the policies in the NPPF seek positive improvement in conservation areas. Most explicitly paragraphs 126 and 131 require that local planning authorities should take into account "the desirability of new development making a positive contribution to local character and distinctiveness". Paragraph 9 says that pursuing "sustainable development involves seeking positive improvements in the quality of the...historic environment...". The design policies further reinforce the objective of enhancement of an area's character and local distinctiveness, concluding that "Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area..." (paragraph 64).*

*Compliance with both the statutory consideration and the NPPF policies therefore, generally speaking, requires account to be taken of the desirability of taking opportunities to enhance the character and appearance of a conservation area. As such, whilst the South Lakeland case is still relevant to the interpretation of statute, its effect on decision-making has apparently been negated in this respect by the policies in the NPPF.*

- 5.6 The key word in the final paragraph of this extract is 'apparently'. This carefully chosen word makes it abundantly clear that it is far from certain that the South Lakeland decision has been definitively altered by the National Planning Policy Framework. One reason is that it, as a legal decision, cannot be altered without a similar decision or legislation that overturns it – policy, even national planning policy guidance, cannot overturn legal decisions such as South Lakeland. Planning decisions are ultimately made in a legal and policy context – not just in a policy context alone.
- 5.7 The implication is this: it would be extremely difficult to portray the proposed scheme for 38 Mount Pleasant, 156-158 Gray's Inn Road and 160-164 Gray's Inn Road as doing anything less than maintaining the 'status quo' in heritage and townscape terms, given the evident shortcomings of what exists on the site and the quality of architectural design that is present in the proposal. In our view, it is far from obvious that a reliable assessment of 'harm' can be convincingly articulated in respect of the proposed scheme. It is obviously possible to make a robust and reliable case for enhancement brought about by the proposed scheme, and that case is made earlier in this report.

#### **The level of 'harm' caused by the proposed scheme to heritage assets**

- 5.8 As outlined in Section 5, the NPPF identifies two levels of potential 'harm' that might be caused to a heritage asset by a development: 'substantial harm...or total loss of



significance' or 'less than substantial'. Both levels of harm must be caused to a *designated* heritage asset – in this case, the Hatton Garden Conservation Area, the Bloomsbury Conservation Area or the listed buildings on the western side of Gray's Inn Road.

- 5.9 The proposed scheme does not lead to 'substantial' harm or any level of 'less than substantial' harm to any designated heritage asset. As has been explained earlier, the proposal does very evidently not result in the 'total loss of significance' of the conservation area or any listed building.
- 5.10 The only potential for 'less than substantial' harm would be if the proposed scheme for the site caused the loss of something central to the special interest of the Hatton Garden Conservation Area, the Bloomsbury Conservation Area or the setting of nearby listed buildings. There is nothing about the proposal that would give rise to this level of harm.

#### **The balance of 'harm' versus benefit**

- 5.11 A series of tangible and distinct public benefits flow from the proposed development – in terms of urban and architectural design, in terms of the character and appearance of the conservation area, in terms of the setting of the designated and undesignated heritage assets and in economic and use terms. These are set out earlier in this report, in the Design & Access Statement and in the Planning Statement. These more than outweigh any very low - and non-material - level of 'harm' that *might* be asserted as being caused by the proposed development.

#### **The National Planning Policy Framework**

- 5.12 The proposed scheme is, undoubtedly, a very good example of the 'outstanding or innovative designs which help raise the standard of design more generally in the area' that is sought by Paragraph 63 of the NPPF, and it

certainly 'promote[s]' and 'reinforce[s] local distinctiveness'.

- 5.13 In respect of Paragraph 131 of the NPPF, the proposed scheme can certainly be described as 'sustaining and enhancing the significance of heritage assets'. It removes the effect of the existing site condition on the Hatton Garden Conservation Area and the setting of listed buildings and the Bloomsbury Conservation Area at present, and creates a development that, though different from its surroundings, will make a highly positive contribution to that context. It preserves and enhances the significance of the designated and undesignated heritage assets in question.
- 5.14 The proposed scheme complies with Paragraph 133 of the NPPF - it certainly does not lead to 'substantial harm to or total loss of significance of a designated heritage asset'. It also complies with Paragraph 134 for the reasons given in detail earlier in this report – the scheme cannot be considered to harm the heritage significance that has been described and analysed in Section 2, but rather alters the site in a fashion that has a positive effect on that overall heritage significance. Any 'less than substantial harm to the significance of a designated heritage asset' (Paragraph 134) that can be ascribed to the scheme is outweighed by the benefits of the scheme that are set out here, in the Design & Access Statement and in the Planning Statement.
- 5.15 However, it is our view that the proposals cannot reasonably be considered to cause harm to any of the designated or undesignated heritage assets affected. The scheme very definitely strikes the balance suggested by Paragraph 134 of the NPPF – it intervenes in the conservation area and the broader heritage context in a manner commensurate to their heritage significance. This balance of intervention versus significance is described in detail earlier.

### **Regional Policy: the London Plan**

- 1.1 The proposed scheme for the site is exactly what the London Plan envisages when it talks (in Policy 7.4) about developments having 'regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings'. The design of the proposed scheme is inherently responsive to these things, and it is designed to minimise its impact on the context in which it finds itself. It inherently 'allows existing buildings and structures that make a positive contribution to the character of a place, to influence the future character of the area'.
- 1.2 By responding as it does to its location, the scheme will build on 'the positive elements that can contribute to establishing a character for the future function of the area'. The massing and scale of the proposed scheme undoubtedly 'has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass', and does so with 'a high quality design response'. The proposed development is certainly 'human in scale', related as is shown earlier, to traditional means of scaling the elevations of buildings in cities. It is of 'the highest architectural quality' and includes 'details and materials that complement... the local architectural character'. The scheme thus complies with Policies 7.4 and 7.6.
- 1.3 The proposed scheme transforms the site from its less than attractive present state, and in doing so also adds life and vitality to the broader context in which heritage assets around it exist. The scheme clearly – by not affecting them in direct visual terms - 'conserve[s] the significance of heritage assets'. For these reasons, the scheme is consistent with Policy 7.8 of the London Plan.
- 1.4 It is also consistent with Policy 7.9 of the Plan – the 'significance' of the heritage assets in the context of the site has been 'assessed'.

### **Camden's Local Development Framework**

- 5.16 As has been shown, and for the same reasons that are given in respect of the NPPF, the scheme would provide new buildings that would make a positive contribution to the surrounding townscape and thus preserve *and* enhance the character and appearance of the Hatton Garden Conservation Area, the setting of the Bloomsbury Conservation Area and the setting of the listed buildings on the western side of Gray's Inn Road.
- 5.17 For these reasons, and those given earlier, the proposed development is consistent with Camden's Local Development Framework policies regarding demolition and new development in conservation areas, specifically Policy DP25(b) in relation to new development in conservation areas and DP25(d) concerning the setting of conservation areas.
- 5.18 The scheme also preserves the setting of nearby listed buildings, and thus also complies with Policy DP25(g) in this respect.

### **Guidance**

- 5.19 The proposed scheme exemplifies all that 'Building in Context' seeks to achieve. The scheme will undoubtedly 'sit happily in the pattern of existing development and routes through and around it', 'respect important views' and 'respect the scale of neighbouring buildings'. It will certainly 'use materials and building methods which are as high in quality as those used in existing buildings'. It will also 'create new views and juxtapositions that add to the variety and texture of the setting'.

## 6 Summary and conclusion

- 6.1 The scheme will create useful, well-designed and attractive buildings between which will occur equally attractive and useful new and regenerated urban space. It will transform a largely hidden and under-appreciated urban block, refreshing the existing work space for 21<sup>st</sup> century use, and providing more up-to-date work space in addition to a range of new homes. The scheme creates permeability and reinforces the urban grain by means of a high-quality new public realm. It will create jobs and homes, and help to secure the contribution of the site to the borough and London over the long term.
- 6.2 The scheme will alter the site and its surroundings, but do so in a highly positive manner. The scheme, designed by the Stirling Award-winning practice of Allford Hall Monaghan Morris, is an excellent example of how to regenerate our cities by means of contemporary architecture that is nonetheless highly contextual, and which is visually pleasing and imaginative while delivering commercially viable development.
- 6.3 The proposed scheme will preserve and enhance heritage assets and townscape, and will deliver clear and substantial public benefits for Camden and its residents. The scheme will enhance the character and appearance of the Hatton Garden Conservation Area, the setting of the Bloomsbury Conservation Area and the setting of listed buildings. For these reasons the proposed scheme will therefore comply with the law, and national and local policies and guidance for urban design and the historic built environment.

## Appendix A: Location

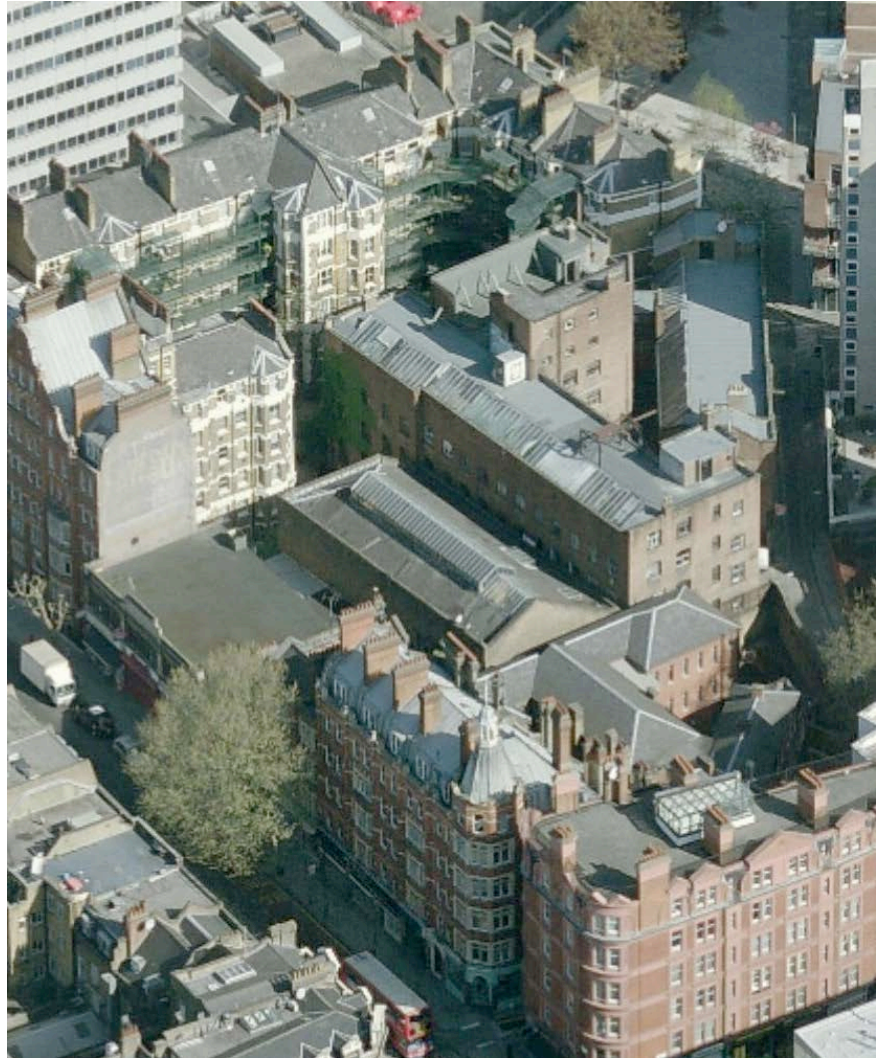


Current Ordnance Survey (not to scale)





Current aerial photography



Oblique aerial view from south





Oblique aerial view from east



Oblique aerial view from north



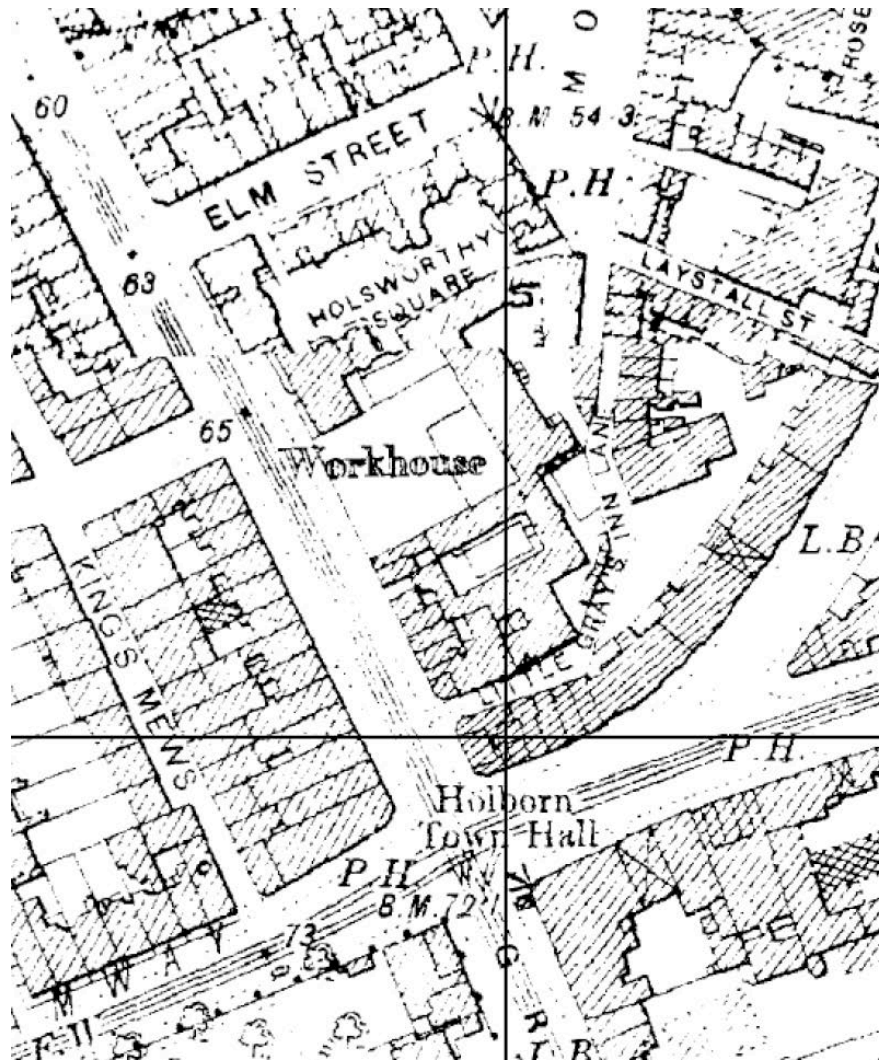
Oblique aerial view from west



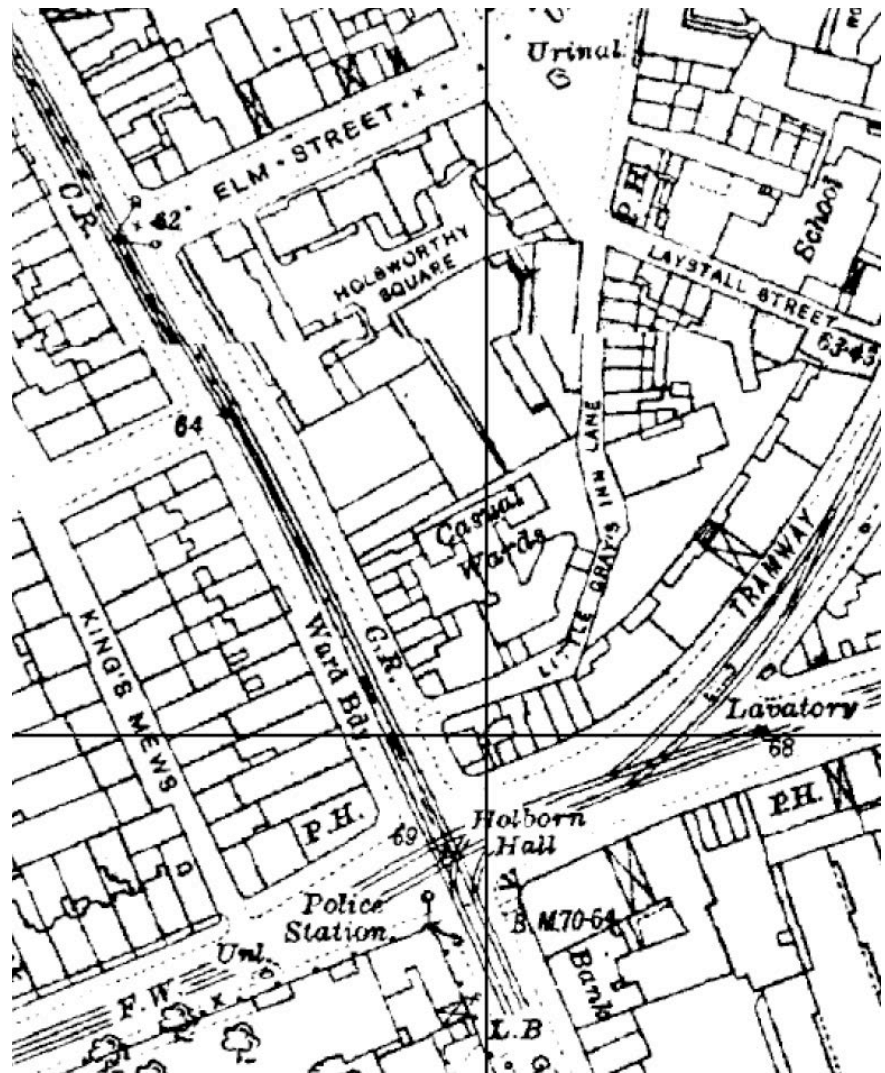
[illegible]

## Ordnance Survey, 1877-78

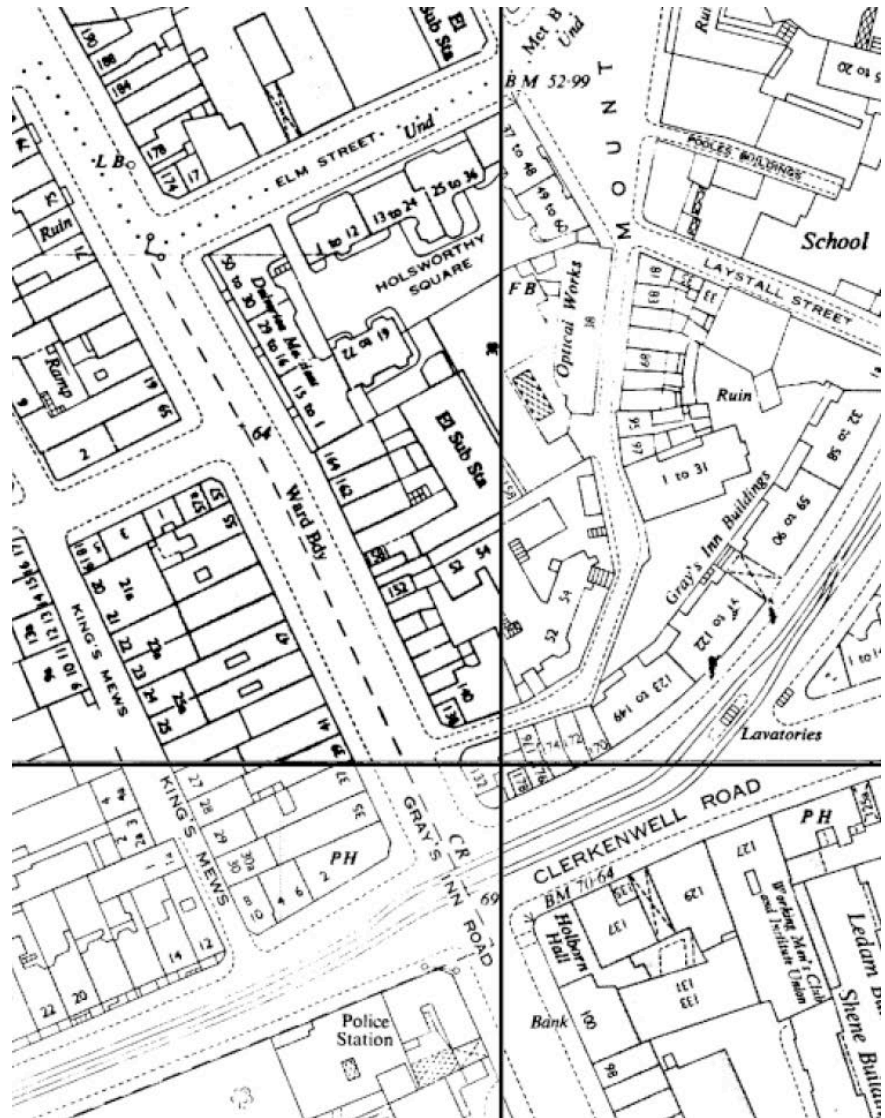




Ordnance Survey, 1896

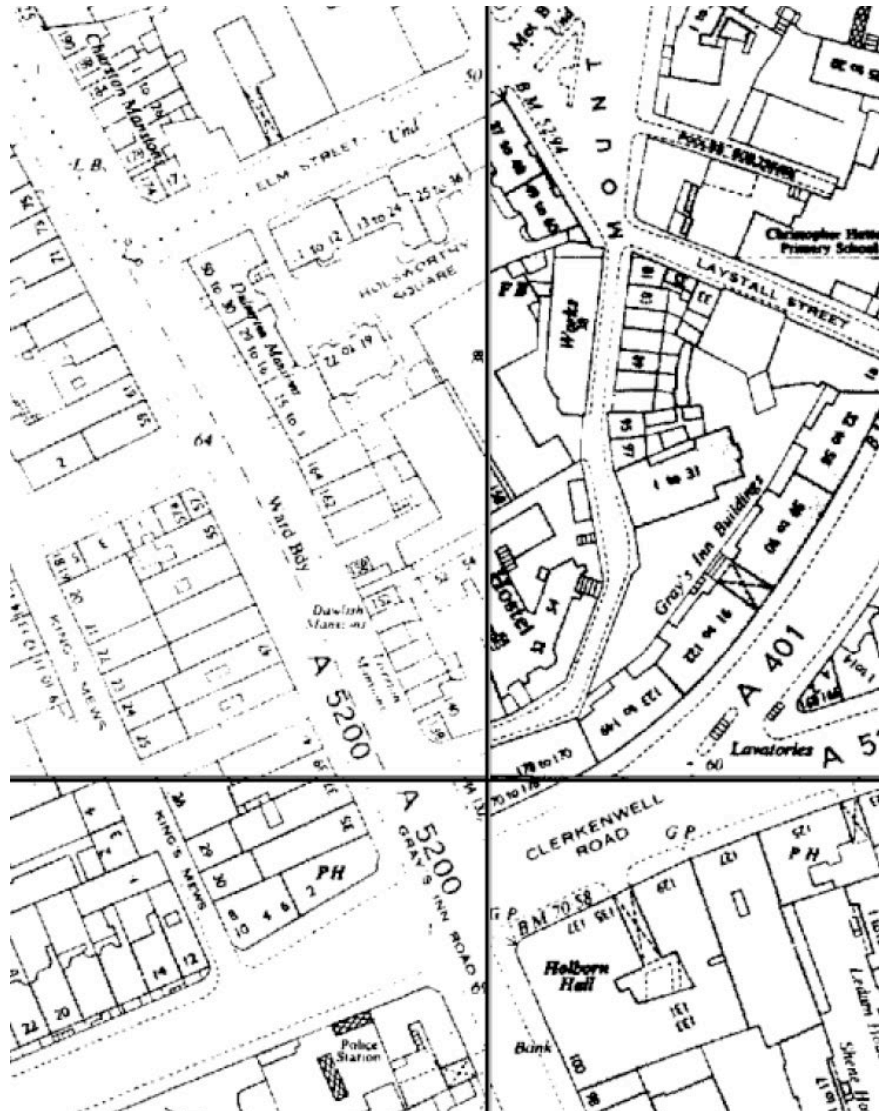


Ordnance Survey, 1916



Ordnance Survey, 1952-53





Ordnance Survey, 1965-68

## Appendix C: Sources

Camden Local Studies and Archives

Greater London Record Office

Camden Planning online

RIBA Library

*The Times* online

# KMHeritage

72 Pymer's Mead

London SE21 8NJ

T: 020 8670 9057

F: 0871 750 3557

[mail@kmheritage.com](mailto:mail@kmheritage.com)

[www.kmheritage.com](http://www.kmheritage.com)

© 2015