

Application ref: 2019/4522/P  
Contact: Nathaniel Young  
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**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
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WC1H 9JE

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Planning Insight  
31-35  
Kirby Street  
London  
EC1N 8TE

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**238 Gray's Inn Road**  
**London**  
**WC1X 8HB**

Proposal: Change of use of the existing property from Class A1 to Class B1(a).

Drawing Nos: EGFP0548 Rev 1 (Proposed Ground Floor Plan) & EGFP0548 Rev 1 (Existing Ground Floor Plan)

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans EGFP0548 Rev 1 (Proposed Ground Floor Plan)

Reason: For the avoidance of doubt and in the interest of proper planning.

Informatives:

- 1 Reasons for granting permission:

The application site lies outside of a designated centre but within the Central London Area.

Local Plan policy TC3 states the Council will only grant planning permission for loss of a shop outside designated centres provided alternative provision is available within 5-10 minutes' walking distance. The site is a single commercial unit, opposite a parade of shops and restaurants. Evidence has been provided by the owner that a marketing exercise has been undertaken and there is limited retail occupier interest in the existing building. Within the Central London Area, the use of the premises as offices would support the local character and would not undermine the local retail offer, viability or the quality of local amenity.

There are a number of alternative retail units within a 5-10 minutes' walking distance to the northern and southern ends of the Gray's Inn Road or within the retail centre of Marchmont Street and the Brunswick Centre

The subject, Council owned, commercial unit has been vacant for 13 years. The unit was last occupied by a furniture shop (Class A1) between 2000-2006 and has been vacant since. The property has been advertised by the Council's property team through the Council's website and with signage fixed outside the unit with minimal interest from prospective retail occupiers.

It is accepted that the subject property is not attractive to retail occupiers, with the unit being notably separated from other retail uses, with no retail units positioned either side, and the nearest being located on the opposite side of Gray's Inn Road. Officers note that this section of Gray's Inn Road is characterised by large office blocks with the majority of local retail activity occurring towards the northern and southern ends of Gray's Inn Road or within the retail centre of Marchmont Street and the Brunswick Centre which is considered draw the majority of the footfall that a prospective retailer would rely on.

Given the number of existing offices located throughout this section of Gray's Inn Road, a Class B1 office use is considered appropriate in this location and would contribute positively to local character, viability and amenity. Additionally, the proposed land use has been previously established as the subject property was in use as an office or mixed office and retail use during the 1980's.

This application seeks permission for change of use of the existing building only, without any physical redevelopment of the site, as such, there are no design considerations. The proposed office use is not considered to cause any significant increase in noise and disturbance over an A1 retail use and as such, it is not considered to cause significant harm to residential amenity beyond what has been established.

No objections were received following statutory consultation. The sites planning history and relevant appeal decisions were taken into account when coming to this decision. Special regard has been attached to the desirability of preserving or enhancing the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The proposal is in general accordance with policies A1 and TC3 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2016 and National Planning Policy Framework 2019.

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 4 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 5 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope  
Chief Planning Officer