

Planning Statement

4 Gray's Inn Place
London
WC1R 5DX

The Honourable Society of Gray's Inn

July 2020

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APPENDIX 1: PRE-APPLICATION RESPONSE

1 Introduction

1.1 This Planning Statement has been prepared by Newsteer Real Estate Advisers ('Newsteer') on behalf of The Honourable Society of Gray's Inn (the applicant) for the change of use of 4 Gray's Inn, which is occupied by The City Law School, from an education facility to a flexible use for both education use and or office space.

1.2 The proposals, in support of which this Planning Statement has been prepared, seeks the change of use from an existing education facility (Use Class D1) into a flexible use for use class D1 (education) and office space (Use Class B1a). The description of development is as follows:

"Change of use from existing education facility (Use Class D1) to flexible use office space (B1(a)) and use class D1 (education)".

1.3 This planning application submission follows pre-application discussions with Planning Officers at London Borough of Camden, relating to the proposed demolition of the existing building and the erection of new office building. Details of these pre-application discussions are provided at Section 4 of this Planning Statement.

1.4 This proposal, however, relates purely to the change of use of the existing building. This has been discussed informally with the Council and is expanded upon later in this statement.

1.5 In addition to this Planning Statement, this full planning application is accompanied by the following supporting documents:

- Covering Letter
- Application Form
- CIL Form
- Site Location Plan
- Existing Plans
- Existing Elevations

1.6 This Planning Statement is set out in the following sections:

- Section 2 – Site and Surroundings
- Section 3 – Planning History
- Section 4 – Pre-Application
- Section 5 – Proposed Development
- Section 6 – Planning Policy Context
- Section 7 – Planning & Other Material Considerations
- Section 8 – Conclusions

2 Site and Surroundings

- 2.1 The Honourable Society of Gray's Inn is one of the four Inns of Court which have the exclusive right to call men and women to the Bar of England and Wales. The Inn exists to support, educate, and develop its student barrister members and to provide continuing professional development to its qualified barrister members in accordance with its historic traditions. The Gray's Inn estate comprises the Hall, Treasury Office, Library, Chapel, commercial floorspace, residential units, parking, and gardens.
- 2.2 4 Gray's Inn Place is currently occupied by The City Law School however they will be vacating the property to purpose-built accommodation outside of the Borough at the end of 2020.
- 2.3 The site is located within the clustered block of buildings positioned to the south of Grade II* Gray's Inn Registered Park and Garden.
- 2.4 The building is occupied in its entirety by a law school that forms part of the City - University of London. The site is in a single use as a student university library and study area as well as administration offices, associated with university lecturer tutorial rooms. The site is considered to fall within use class D1 (non-residential institution).
- 2.5 Public transport to the site is readily available with Chancery Lane underground station (Central Line) and Holborn underground station (Piccadilly and Central lines) both within 450m of the site. In addition, numerous bus services are available within 150m of the site from Gray's Inn Road and High Holborn. In line with the site's highly accessible well-connected location the site benefits from a PTAL rating of 6a (6b being classed the highest and best rating).
- 2.6 There is no vehicle access to the site, with public access only achievable via the pedestrianised Warwick Court and Gray's Inn Place. The nearest public vehicle parking to the site is available from the roadside of Bedford Road which is subject to controlled parking zone (cpz) with restrictions of up to 2 hours between 0830 and 1830 Monday to Friday and 0830 and 1330 on Saturday. There is controlled and managed car parking within the site for the different tenants and occupants of Gray's Inn.
- 2.7 The surrounding area is generally a quasi-office (class B1(a)) use associated with the historic function of Gray's Inn as a centre of the law and legal profession, in addition to the education uses associated with the City Law School. To the south along High Holborn is an established retail frontage at ground floor, typically with offices above.
- 2.8 The many buildings of the Inn have been adapted over time and continue to do so. There are spaces and rooms that offer different functions from archives, library space, storage and redundant lofts for example for which there are projects (now on hold due to Covid-19) to improve access to such spaces and open them up for wider and more inclusive use and to support the estate and the Inn in its delivery of services to its members, which includes on-going education.

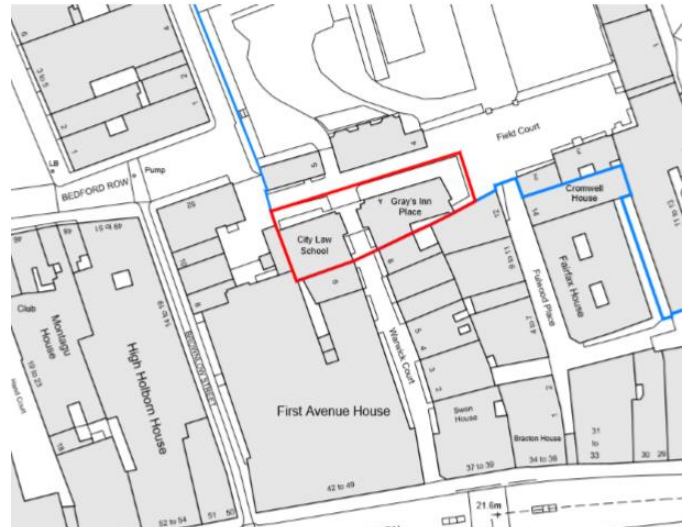


Figure 1: Site Location Plan

- 2.9 The site is located within the Bloomsbury Conservation Area. This Conservation Area was subject of an appraisal and management strategy adopted by the Council in April 2011. The special character of Gray's Inn is picked up and referred to within the Appraisal.

3 Planning History

- 3.1 The following section summarises the more recent and most relevant planning history associated with the proposed development site.
- 3.2 The most relevant planning applications for this site are detailed below following a desk-based search of the Council's database.
- 2016/4751/A, submitted 06.09.16, approved 30.10.16 for display of non-illuminated fascia sign above the walkway (facing Warwick Court)
 - 2006/2843/A, submitted 12.07.06, approved 31.08.06 for display of non-illuminated fascia sign above the walkway (facing Warwick Court)
- 3.3 Other relevant planning history is as follows:
- 2019/0657/P – Napier House 24 High Holborn – Front entrance alterations at ground floor (Granted 8th April 2019)
 - 2016/3848/P – 7 Warwick Court – Change of use from office (Class B1a) to create 5no. self-contained flats (2 x 1-bed, 2 x 2-bed, 1 x 3-bed) (Class C3); demolition and replacement of rear extension including new rear terrace at third floor level; and associated works (Granted 25th July 2019)
 - 2016/6787/L – Gray's Inn Chambers Gray's Inn 19-21 High Holborn London WC1R 5JA for Restoration and upgrade of facade including replacement windows, installation of new roof materials, thermal improvement to facade and installation of plant at roof level including 1.8m high screen. (Granted 4th August 2017).
 - 2016/6785/P – Gray's Inn Chambers Gray's Inn 19-21 High Holborn London WC1R 5JA for Refurbishment, extension and part change of use of existing building to provide a mixture of uses including retail, office and ancillary uses, involving roof, rear and basement extensions comprising 621 sq m (GEA) of additional floorspace and associated plant. Two existing residential units to be provided at 12 Gray's Inn Square as part of a land use swap (Granted 3rd August 2017)
- 3.4 The applications 2016/6785/P and 2016/6787/L were linked as the planning application and associated listed building application and follow a previous scheme 2016/0910/P and 2016/0911/L for 19-21 High Holborn and 2016/0912/P and 2016/0914/L for 12 Gray's Inn Square that were approved on 2nd September 2016. The more recent consents propose amendments to the earlier applications.

4 Pre-Application

- 4.1 The Inn entered a pre-application process with Camden Council in relation to the redevelopment of 4 Gray's Inn Place with demolition of the existing building and the erection of a new office building.
- 4.2 The formal pre-application meeting took place on 4th November 2019 and a written response was received on 16th December 2019 (**Appendix 1**). This is of relevance to this change of use application as the principle of the loss of education facilities and the principle of office space were key considerations of that pre-application meeting.
- 4.3 In summary, the pre-application response commented the following:
 - Policy C2 Community Facilities is an important policy consideration for this application – with any full planning application, submission of further information and justification should be provided to show how the application addresses Policy C2.
 - Officers will need to understand any demand for continued community and/or continued D1 use in this space.
 - Officers need to know if there are any further facilities or services within the site and understand the future of these.
 - The proposed B1 use is welcomed. We will encourage the provision of employment premises and sites in the borough.
- 4.4 This planning statement seeks to address the comments raised by officers.
- 4.5 Since the pre-application meeting the Inn has been working with its appointed team to bring forward the redevelopment proposal. However, due to the unforeseen pandemic that the country is experiencing the Inn has had to re-assess its priorities.
- 4.6 The Inn is an unincorporated membership organisation with charitable objectives. The charitable activities include the operation of its specialist Law Library, education delivery through its in-house Education Department and, most importantly, the provision of student scholarships and mentoring. This is funded from the income generated by the estate. In addition to residential and commercial lettings, mainly to barristers and allied professions, the Inn's Chapel, Hall, bar, meeting rooms and gardens are used for concerts, weddings, dinners, conferences, and a host of other events. This income has been lost due Covid-19 and will take some considerable time to replace. As a result, the Inn must focus its limited resources on its core charitable activities. This also now includes providing support to students and younger members setting out at the start of careers that have now been put on hold and many of whom are facing hardship. Set in the context of the wider economic uncertainty, this means the Inn cannot justify the substantial outlay and risks associated with a redevelopment programme of the type the Inn was progressing,
- 4.7 Given the above the Inn has taken the decision to put on hold the redevelopment until a time in the future when it has confidence to proceed. However, the Inn want to make it clear that their intention is to still proceed with this redevelopment due to the long term benefits that will bring both for the Inn, in terms of widening the quality of office accommodation it is able to offer (Cat A office space) and providing a building that is future proofed and fit for purpose for many years to come.

5 Proposed Development

- 5.1 The proposals – in support of which this Planning Statement has been prepared – seeks the change of use from an existing education facility (Use Class D1) into a flexible use maintaining the D1 use, with the inclusion of office space (Use Class B1a). The description of development is as follows:

"Change of use from existing education facility (Use Class D1) to flexible use office space (B1(a)) and use class D1 (education)".

- 5.2 The change of use relates to the entire building which provides 2,192 sqm gross floor space over a part basement, ground, 1st, 2nd, and 3rd floors.
- 5.3 Given the comments in the previous section in relation to the redevelopment it is worth noting that the proposal would result in a building that has been the subject of a more cosmetic refurbishment, and not subject of significant investment cost, i.e. no new windows, no new plant equipment, maybe new carpets and painting only. Minimal work is to be undertaken, only if necessary, to achieve the minimum standard for short, low cost occupation.
- 5.4 As such the office space would not be the Cat A level space that will be provided via the future redevelopment, but will be space that can be made readily available at short notice as and when people do start returning to the work place and in the interim are reviewing their occupancy requirements. Given the requirements of best practice and with regards to social distancing it is considered that many existing tenants of the estate and other businesses may require additional flexible space to enable employees to safely return to work.
- 5.5 The change of use seeks a flexible use away from the sole D1 (education) use to D1 (education) / B1(a) office to allow a mix of the space either vertically or horizontally.
- 5.6 The Inn is seeking to attract a new D1 occupier however the building is not used for 'education' purposes directly as no typical teaching takes place in the building. The building contains a library (accessible by students) however the rest of the building is ancillary management space for the law school or offices for lecturers where students may occasionally attend for meetings and not for teaching.
- 5.7 The B1(a) use is to allow a greater flexibility in the market and support the wider function of the Inn.
- 5.8 The building can be used either on a floor by floor basis or via a vertical split given there is a clear separation in the building between the east and west elements, with the western end home to the library and the east end more akin to an office floor plan.

6 Planning Policy Context

- 6.1 A key role of the planning system is to regulate the development and use of land in the public interest. At the heart of the planning framework are Statutory Development Plans, which seek to guide the decision-making process.
- 6.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires, that where the Development Plan contains relevant policies, applications for planning permission shall be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 6.3 In this case, the London Borough of Camden Development Plan comprises:
- Camden Local Plan Policies map (2017)
 - Camden Local Plan (2017)
 - The London Plan (2016)
- 6.4 In addition to the Camden Development Plan documents (above) the following supplementary guidance are relevant:
- Bloomsbury Conservation Area Appraisal and Management Strategy
 - Camden Planning Guidance Documents
- 6.5 The National Planning Policy Framework 'NPPF' (2019) and National Planning Practice Guidance 'NPPG' are also considered to be material considerations.
- 6.6 The New London Plan has been through Examination and an 'Intend to Publish' (hereafter 'ITP') London Plan was issued to the Secretary of State taking account of the Inspector's recommendations on 9th December 2019. The response from the Secretary of State dated 13th March 2020 requested updates to the Plan to be made before approval for adoption, primarily relating to housing target uplifts, increased densities, and less restrictions on industrial land. This is likely to result in a delay to adoption which was originally due for summer 2020.
- Camden Local Plan Policies Map (2017)
- 6.7 The site is subject of policy designations including the Bloomsbury Conservation Area; Central London Area Archaeological Priority Area; and a Designated View (Greenwich Park Wolfe statue to Tower Bridge). The western part of the site is contained within the Holborn Growth Area, with the Grade II* Registered Park and Garden (Gray's Inn Garden – to the north).
- Camden Local Plan (2017)
- 6.8 The relevant policies with this site are:
- Policy G1, Delivery and location of growth
 - Policy C1, Health and Wellbeing
 - Policy C2, Community Facilities
 - Policy E1, Economic development
 - Policy E2, Employment premises and sites
 - Policy D2, Heritage
- 6.9 Given the proposal seeks the change of use from a use class D1 establishment to a flexible use, use class D1 / use class B1(a) reference has been had to policy C2 Community facilities. However, it must be reiterated that the Inn is not seeking to remove the D1 use, but to widen the options available for the building and provide a dual use, therefore the D1 use would remain, but the flexible use would allow a widening of the possible use of the building.

6.10 Policy C2 states:

"The Council will work with its partners to ensure that community facilities and services are developed and modernised to meet the changing needs of our community and reflect new approaches to the delivery of services.

The Council will:

- a. seek planning obligations to secure new and improved community facilities and services to mitigate the impact of developments. The Council may also fund improvements to community facilities using receipts from the Community Infrastructure Levy where this is identified on the Council's CIL funding list;*
- b. expect a developer proposing additional floorspace in community use, or a new community facility, to reach agreement with the Council on its continuing maintenance and other future funding requirements;*
- c. ensure that facilities provide access to a service on foot and by sustainable modes of travel;*
- d. facilitate multi-purpose community facilities and the secure sharing or extended use of facilities that can be accessed by the wider community, except for facilities occupied by the emergency services due to their distinct operating needs;*
- e. support the investment plans of educational, health, scientific and research bodies to expand and enhance their operations, taking into account the social and economic benefits they generate for Camden, London and the UK. In assessing proposals, the Council will also balance the impact proposals may have on residential amenity and transport infrastructure;*
- f. seek the inclusion of measures which address the needs of community groups and foster community integration;*
- g. ensure existing community facilities are retained recognising their benefit to the community, including protected groups, unless one of the following tests is met:*
 - i. a replacement facility of a similar nature is provided that meets the needs of the local population or its current, or intended, users;*
 - ii. the existing premises are no longer required or viable in their existing use and there is no alternative community use capable of meeting the needs of the local area. Where it has been demonstrated to the Council's satisfaction there is no reasonable prospect of a community use, then our preferred alternative will be the maximum viable amount of affordable housing;*
- h. take into account listing or nomination of 'Assets of Community Value' as a material planning consideration and encourage communities to nominate Assets of Community Value."*

7 Planning & Other Material Considerations

7.1 The following section provides a detailed analysis of those principle issues with regards to the proposed change of use at 4 Gray's Inn. The following assessment considers the relevant national and local planning policy, as well as other material considerations. The principle issues associated with the development proposals are as follows:

- Flexible use of space for Educational Facilities (Use Class D1)
- Principle of Offices (Use Class B1(a))

Educational Facilities (Use Class D1)

7.2 Given the proposal will result in the flexible use of the space in use class D1 and B1(a) reference has been had to policy C2 'Community facilities' of the Camden Plan. This is seen as the key policy, albeit this policy focuses on the loss of such space which is not fully relevant here due to the dual use being sought. The most relevant part of Policy C2 is section G, the policy states:

"The Council will work with its partners to ensure that community facilities and services are developed and modernised to meet the changing needs of our community and reflect new approaches to the delivery of services. The Council will:

g. ensure existing community facilities are retained recognising their benefit to the community, including protected groups, unless one of the following tests is met:

i. a replacement facility of a similar nature is provided that meets the needs of the local population or its current, or intended, users;

ii. the existing premises are no longer required or viable in their existing use and there is no alternative community use capable of meeting the needs of the local area. Where it has been demonstrated to the Council's satisfaction there is no reasonable prospect of a community use, then our preferred alternative will be the maximum viable amount of affordable housing;"

7.3 Firstly, it is important to note that the primary reason behind the proposed change of use, resulting in the introduction of a dual use of D1/B1(a), is due to the current occupier, City - University of London vacating the property to purpose-built accommodation outside of the Borough. As such, there is no longer the demand for D1 space in this setting. This is in the context of the original use arising from occupation by a connected party, The Inns of Court School of Law, that subsequently became City Law School and now a department within City - University of London. Apart from this connection the D1 use is otherwise out of character in this legally orientated location.

7.4 In addition, whilst falling within the D1 use class, it is notable that this building is primarily used as office space for lecturers and educational staff and administration staff and only the western end of the building which occupies the library is readily used and accessible by students.

7.5 As previously set out, the Honourable Society of Gray's Inn is one of the four Inns of Court which have the exclusive right to call men and women to the Bar of England and Wales. The Inn exists to support, educate, and develop its student barrister members and to provide continuing professional development to its qualified barrister members in accordance with its

historic traditions. The Gray's Inn estate comprises the Hall, the Treasury Office, Library, Chapel, meeting rooms, commercial floorspace, residential units, parking, and gardens.

- 7.6 In addition, the Inn, along with the other Inns of Court offer and provide education and training for students. Gray's Inn have a programme of converting underutilised space in exiting mixed use buildings into high quality education and training facilities to support the new Bar Courses that it will be taking forward with the other 3 Inns from Spring.
- 7.7 Whilst the City of Law School was an appropriate community use for the Inn, it is considered that no alternative community use capable of meeting the needs of the local area would be suited to the site given that the site and wider Gray's Inn estate has a very specific occupancy linked to the legal profession. As such, other community uses would be counter to the views and aspirations held for this site and immediate area and would not sit well within a ring fenced and walled estate with restricted access.
- 7.8 It is therefore contended that the widening of the use at 4 Gray's Inn Place to include use class B1(a) alongside the D1 use is acceptable in this location given the sites specific nature and history.

Principle of Offices (Use Class B1(a))

- 7.9 Policy G1 'Delivery and location of growth' sets out that the Local Plan seeks to meet Camden's objectively assessed needs to 2031 for 695,000 sqm of office floorspace. The change of use would result in the creation of 2,192 sqm office space (gross) as set out below.

Floor		Net*	Gross
		sq. m.	sq. m.
-1	Basement	163	369
L0	Ground	342	485
L1	First	449	538
L2	Second	390	455
L3	Third	284	345
Total		1628	2192

- 7.10 The most significant growth is expected to be delivered through a concentration in the growth areas of Holborn – the site partially falls within this growth area.
- 7.11 The creation of office space in this location would contribute to the objectively assessed need for office space.
- 7.12 Through discussions as part of the redevelopment of the site there has been demand / interest in the site as use for offices by tenants within the legal industry, however this was focussed on a new Cat A office and not a change of use. The Inn is just in the process of commencing a marketing campaign for the space created by the change of use. This will contribute to the growth of the Inn and will protect the estates specific occupancy and history. This is supported by Policy E1 'Economic Development' which encourages the concentration of professional and technical services.
- 7.13 Furthermore, the pre-application response received in relation to the redevelopment proposal states the following with regards to the proposed B1(a) space:

"The proposed B1 use is welcomed. We will encourage the provision of employment premises and sites in the Borough".

- 7.14 It is strongly contended therefore that there is clear policy and council support for office use in this location.

Other matters for consideration

- 7.15 Given that there will be no external alterations to the building, such as new windows etc. it is considered that there are no relevant design policies to be considered. It is unlikely that new plant equipment will be installed, and if it is required this would be subject of a separate planning application with associated noise report.
- 7.16 The Inn has its own refuse management collection system whereby rubbish is collected from each building (including 4 Gray's Inn Place) and this is taken to locations for collection under contract with the Council operated by Veolia. Each building separates waste for general waste and recycling.
- 7.17 The Inn has its own car parking including several electric vehicle charging bays that are likely to be increased in number. The building is proximity to numerous bus stops two underground stations and other public transport all in easy walking distance. The Inn does not consider allocating any car spaces to the building.
- 7.18 The Inn provides cycle parking across the estate with additional facilities currently being installed, with numerous cycle spaces directly adjacent to 4 Gray's In Place.

8 Conclusions

- 8.1 This Planning Statement has been prepared by Newsteer on behalf of The Honourable Society of Gray's Inn (the applicant) for the change of use of 4 Gray's Inn, which is occupied by The City Law School, from an education facility to office space.
- 8.2 The proposals – in support of which this Planning Statement has been prepared – seeks the change of use from an existing education facility (Use Class D1) into a flexible use of office space (Use Class B1a) and D11 (education). The description of development is as follows:
- “Change of use from existing education facility (Use Class D1) to flexible use office space (B1(a)) and use class D1 (education)”.*
- 8.3 The dual use proposed is seen as being consistent with national, regional, and local policy and guidance.
- 8.4 Accordingly, the planning policy assessment in this statement indicated a high degree of compliance with relevant Development Plan policies, particularly considering the sites unique context and history.
- 8.5 It is therefore requested that planning permission is granted for this application without delay.