

Appeal Statement

307 Gray's Inn Road,
Camden
W1X 8QS

Create Reit Ltd.

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1 Introduction

- 1.1 This Appeal Statement is prepared by Newsteer on behalf of the Appellants, Create Reit Ltd. (hereafter 'the Appellant'), in support of a planning appeal pursuant to Section 78(1)(a) of the Town and Country Planning Act (as amended). This follows the refusal of a planning application for application ref. 2020/1648/P, by the London Borough of Camden (hereafter the 'Council') for: -

"Replacement shopfront, residential entrance and access steps."

- 1.2 The site is 307 Gray's Inn Road, Camden, London (hereafter, 'the Site').

- 1.3 The application was refused on 18th January 2021 for two reasons: -

Reason for Refusal 1

The proposed shopfront, by virtue of its size, design and location, would result in an unsympathetic and incongruous frontage that would have a detrimental impact on the character and appearance of the host building and wider Kings Cross conservation area, contrary to policies A1 (Impact of development), D1 (Design), D2 (Heritage) and D3 (Shopfront) of the Camden Local Plan 2017.

Reason for Refusal 2

The proposed infilling of the light-well and removal of railings would be detrimental to the character and appearance of the host property, the wider area and Kings Cross Conservation Area contrary to policies A1 (Impact of development), D1 (Design), D2 (Heritage) and D3 (Shopfront) of the Camden Local Plan 2017.

2 Site Background

Planning History

- 2.1 The Sites planning history details a range of alterations to the existing building, this history enabled the Appellant to establish the elements of the building which are original, verses those elements which were subsequently introduced through more recent alterations.
- 2.2 Included in this planning history is a 1984 Reserved Matters Application (Council Ref. 8400638) for: -

'Approval of details of elevation and materials of shop front pursuant to condition 3 of the planning permission dated 24 November 1982 (Reg. No. .35090) together with the excavation of part of the front area and its enclosure by metal railings to a height of 1m.'

- 2.3 It is agreed in the Officers Delegated Report that the *'existing shopfront is not original and is in need of some attention'*. However, it is important to establish that based on application 8400638, along with the shopfront, the lightwell and railings are not original to the building.
- 2.4 Other planning history detailing alterations to the building are included in **Appendix 1**.

Application Subject of the Appeal (2020/1648/P)

- 2.5 The application subject to this appeal was submitted to the Council on 28th July 2020 and was determined under delegated powers on the 18th January 2021.
- 2.6 The application was supported by a covering letter prepared by the Appellants' Agents. This letter confirmed the ways in which the application, proposing an overall enhancement to a shopfront in a conservation area, complied with the applicable policies in the Camden development plan.
- 2.7 Prior the Council validating the planning application the proposal was amended to specify timber framed shop front and doorways, replacing the aluminium framing initially specified. The Council's Delegated Report agrees that timber framing is preferred over aluminium (para. 3.8).
- 2.8 The Delegated Report prepared by the Council recommended refusal, referring to the proposed development as contrary to the following policies of the Camden 2017 Local Plan:
- A1 (Impact of development),
 - D1 (Design),
 - D2 (Heritage), and
 - D3 (Shopfront).
- 2.9 The Council concluded that by virtue of size, design, and location as well as impact on the appearance of the host property, the proposal is contrary to the policies listed above. The following sections of this Appeal Statement considers the way in which this policy has been applied and evaluated.

3 Character of the Area

- 3.1 As set out in paragraph 3.9 of the Council's Delegated Report, the design was evaluated to be *"inappropriate for the host property and unsympathetic to the conservation area"*. It is important to understand the character of both the area and the host property, in order to evaluate the impact of the proposed scheme on the host property and the conservation area. This section provides a characterisation of the conservation area, with the following section considering the characterisation of the Site.

The Kings Cross/St. Pancras Conservation Area

- 3.2 As established, the Site is located in the King Cross/St. Pancras Conservation Area. Within this conservation area the Site is located to the north of Sub Area 4: *Gray's Inn Road*.

- 3.3 The Council's Conservation Area Statement describes the Gray's Inn Road sub area as: -

"[Gray's Inn Road is] ...a wide, busy street of one-way northbound traffic connecting King's Cross with Clerkenwell and Holborn to the south. The west side is fronted by a continuous early 19th century terrace (nos 251-309) running between St Chad's Street and Argyle Street, with some of the original buildings replaced by 20th century developments..."

- 3.4 As described, the building style of the surrounding area is mixed, with variety in the style of shopfronts in terms of design, functional layout, materials, quality, and colours.

- 3.5 The Western side of Gray's Inn Road, directly adjacent to the site is a modern red brick building. The ground floor is composed of large windows framed in a modern style. Further south the street is made up of a series of original terrace buildings with modern shopfronts at the ground floor. Large windows are a typical feature of the shopfronts along this terrace. On this side of Gray's Inn Road, between Chad Street and Argyle Street, there is evidence of 5 retained basement lightwells, with the predominant number of buildings without lightwells.

- 3.6 The Conservation Area Statement provides a list of building considered as 'positive contributions' to the conservation area. It is stated that these buildings are notable because of their *"value as local landmarks, or as particularly good examples of the local building traditions"*.

- 3.7 Relevant to this appeal, the following 19th century terrace buildings containing shop fronts, constructed with London Stock brick, similar to that of the Site are listed as 'positive contributions' within sub area 4, these include: -

- 251-259 Gray's Inn Road;
- 277-295 Gray's Inn Road;
- 133-139 Kings Cross Road;
- 143-147 Kings Cross Road;
- 1-3 Leake Street.

- 3.8 Classified as being 'positive contributions' to the conservation area these building provide examples of building appearance of heritage value to the area. As noted in the Conservation Area Statement these buildings are *"...particularly good examples of the local building traditions..."* (para 5.4.1), thus, can inform the design of other buildings in the conservation area. As such, shopfront alterations harmonious with these building should be evaluated as suitable for the wider conservation area.

Character of 307 Gray's Inn Road

- 3.9 The Site is identified in the Conservation Area Statement (page. 40) as being located in Sub Area 4: Gray's Inn Road. The conservation area describes no. 307 as follows (**emphasis added**): -

*"[At the junction of Gray's Inn Road and St Chad's Street]... nos. 307-309 Gray's Inn Road are three-storey buildings, part of the original terrace, with retail units at ground floor level, which are constructed of London stock brick. No. 307 Gray's Inn Road includes a mansard roof addition. No. 309 retains timber sliding sash windows at 2nd floor; **all other windows to both buildings are top hung casements with non-traditional materials and detailing.** No. 309 has first floor windows set into a deep and wide reveal, whereas those of no. 307 are set into shallow blind arched reveals. **The ground floor retail units to both properties are modern and not in keeping with the character of the Conservation Area, despite that of no. 307 being of timber in a traditional design.** No. 309 Gray's Inn Road has a handrail above the parapet wall."*

- 3.10 No. 307 Gray's Inn Road is the second building in the terrace. As described no. 307 and no. 309 (which forms the end of the terrace) are both original building comprised of traditional London stock brick on the upper floors.

- 3.11 Consistent with this description, the shopfront at no. 307 is a modern replacement, is in considerable disrepair and is not in keeping with the character of the conservation area. The current condition and character of the shopfront detracts from the street scene and reduced the unit's ability to contribute to natural surveillance. As a consequence, this has contributed to the unit sitting vacant.

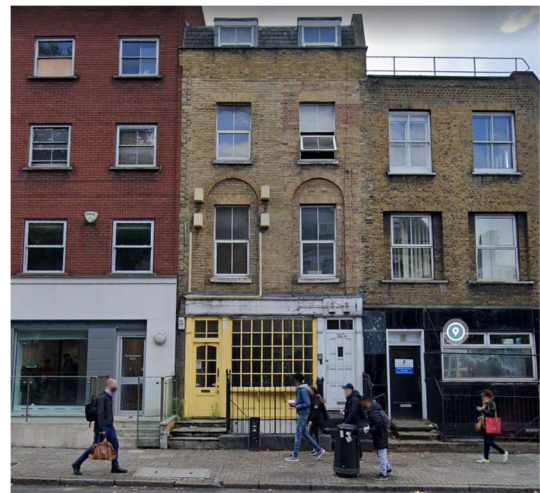


Figure 1: 306 Gray's Inn Road

- 3.12 The ground floor at no. 307 is comprised of steps to a yellow timber painted door with part multi-paned glazing and part raised and fielded panelling. This provides access to the retail unit to the left of the shopfront. To the right of the shopfront steps led to a taller white timber panelled door of differing design, this provides access to the residential accommodation on the upper floors.
- 3.13 In front of the shopfront, dividing the two entrances is a lightwell enclosed by black metal railings. The frontage is framed by a poorly maintained fascia with two burglar alarms and wiring. No signage is displayed as this unit is vacant.

4 The Development Plan and Other Material Considerations

- 4.1 Directed by Section 38(6) of the Planning and Compulsory Purchase Act (2004), Planning Applications should be determined in accordance with an up-to-date development plan unless material considerations indicate otherwise.

Development Plan

- 4.2 For the purposes of this appeal the London Borough of Camden Development Plan is made up of the following documents;
- London Plan (2016)
 - Camden Local Plan (2017)

The Council has also produced a number of supplementary planning guidance documents. The most relevant of which are;

- Design (July 2020),
 - Basements (March 2018) and, the
 - Kings Cross / St. Pancras Conservation Area Appraisal and Management Strategy (2003).
- 4.3 It should be noted that while the Council published a new Design and Basement CPG's in January 2021, this appeal focuses predominantly on the guidance adopted at the time of the application (2020).

Camden Local Plan (2017)

- 4.4 The Council cited the following policies in their reason for refusal:
- **A1 Impact of development** guides that Council will seek to protect the quality of the life of occupiers and neighbours, ensuring development contributes to strong and successful communities through the consideration of the following factors: -
 - e) *visual privacy, outlook;*
 - f) *sunlight, daylight and overshadowing;*
 - g) *artificial lighting levels;*
 - h) *transport impacts, including the use of Transport Assessments, Travel Plans and Delivery and Servicing Management Plans;*
 - i) *impacts of the construction phase, including the use of Construction Management Plans;*
 - j) *noise and vibration levels;*
 - k) *odour, fumes and dust;*
 - l) *microclimate;*
 - m) *contaminated land; and*
 - n) *impact upon water and wastewater infrastructure.*
 - **D1 Design** is the Council's design policy. This policy states the Council's desire to secure high quality design through development, requiring that development: -
 - a) *respects local context and character;*
 - b) *preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;*
 - c) *is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;*

- d) *is of sustainable and durable construction and adaptable to different activities and land uses;*
- e) *comprises details and materials that are of high quality and complement the local character;*
- f) *integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;*
- g) *is inclusive and accessible for all;*
- h) *promotes health;*
- i) *is secure and designed to minimise crime and antisocial behaviour;*
- j) *responds to natural features and preserves gardens and other open space;*
- k) *incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping,*
- l) *incorporates outdoor amenity space;*
- m) *preserves strategic and local views;*
- n) *for housing, provides a high standard of accommodation; and*
- o) *carefully integrates building services equipment.*

The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

- **D2 Heritage** aims to protect and enhance Camden's heritage assets and their settings, including conservation areas. This policy requires development in a conservation area to preserve or where possible enhance the areas character and appearance while resisting changes to unlisted buildings which make a positive contribution to the character of appearance of a conservation area.
- **D3 Shopfront** advises that the Council expects a high standard of design in new and altered shopfronts. The removal of original shopfronts will be resisted as will the removal of shop windows without a suitable replacement. When determining proposals for shopfront development the Council will consider:
 - a) *the design of the shopfront or feature, including its details and materials;*
 - b) *the existing character, architectural and historic merit and design of the building and its shopfront;*
 - c) *the relationship between the shopfront and the upper floors of the building and surrounding properties, including the relationship between the shopfront and any forecourt or lightwell;*
 - d) *the general characteristics of shopfronts in the area;*
 - e) *community safety and the contribution made by shopfronts to natural surveillance; and*
 - f) *the degree of accessibility.*

5 Response to 'Reason for Refusal 1'

- 5.1 This section sets out the Appellant's position in relation to the Council's Reason for Refusal 1, as set out in the Decision Notice for 2020/1648/P. Reason for Refusal 2 is dealt with in the next section.

Reason for Refusal 1

- 5.2 Reason for Refusal 1 is as follows:

"The proposed shopfront, by virtue of its size, design and location, would result in an unsympathetic and incongruous frontage that would have a detrimental impact on the character and appearance of the host building and wider Kings Cross conservation area, contrary to policies A1 (Impact of development), D1 (Design), D2 (Heritage) and D3 (Shopfront) of the Camden Local Plan 2017."

The Appellant's Case

- 5.3 The Council maintain that there are three contributing factors resulting in an 'unsympathetic and incongruous' frontage in relation to a) the host building and b) the wider Kings Cross conservation area. These reasons are: -

- Size;
- Design; and,
- Location.

Size of the Main Display Window

- 5.4 In reviewing the reasons for refusal, the Officers Delegated Report states that, *"The proposed main display window is [also] considered overly large for the shop in question."* (Para 3.6).
- 5.5 This specifically cites the size of the shopfront window as leading to an appearance that is 'incongruous and unsympathetic' to the building and the wider conservation area.
- 5.6 This report also states that *"The proportions of the existing shop and residential entrance are considered suitable for a building of this type in the conservation area."* (Para. 3.4).
- 5.7 The Appellant would like to highlight that as reflected in the proposed elevation drawings submitted with the application, as a proposal for a 'replacement' shopfront the proportion of the windows and doors in relation to the shopfront have not changed. Thus, the proportions of the proposed shopfront should also be suitable for the host building.
- 5.8 Policies D1 (a), D2 (e) and D3 (d) direct proposals to reflect on the character of the wider area. When considering the Site against the character of the greater area, both the proposed proportions and style can be seen reflected in other buildings. Furthermore, buildings of similar composition have been recorded as 'good contributions' to the conservation area, including 137 Kings Cross Road, and 257-259 King's Cross Road.
- 5.9 It should be considered that a design reflective of multiple buildings considered to be 'positive contributions' to the conservation area cannot also be considered as 'unsympathetic and incongruous' to the same area.

- 5.10 The Appellant would like to bring to the inspector's attention an approved application at 291 Gray's Inn Road (ref. 2015/2581/P). In this case the Officer draws attention to amendments made by the applicant in response to the Council's design comments, namely enlarging the shopfront area glazing. This Decision Notice states (**emphasis added**): -

*"Amendments were made to the original proposal which was viewed as being of an **unacceptable design which didn't reflect the style of shopfronts within the streetscape**. The amendments have addressed the issues raised by the officer and have produced a final design complying with the officer's recommendation, **namely a wider glazing which forms the major area of the shopfront**."*

- 5.11 It should be noted that this application is on the same block as the Site yet has received opposing commentary with regard to acceptable design within the streetscape. Appendix B comprises the approved plans to planning application 2015/2581/P and is important for a number of reasons. In the first instance, the shopfront material replaced a traditional stone shopfront with aluminium finish. Secondly, the design, being asymmetric and unbalanced demonstrates that the Council have been inconsistent in their decision making. This is not to say that the example at 291 is unacceptable however, that it clearly does not reflect the architecture of the immediate neighbours or upper floors. Furthermore, the primary window size is similar to that being proposed under the appeal scheme but notably lacks the traditional detail the Appellant has included in the appeal scheme.
- 5.12 Policy D3 criteria states that design should consider the 'details and materials' of the existing area, as reflected in the Officers report sensitive to the design of traditional buildings in the area, the proposal evolved from specifying aluminium framing to timber framing.
- 5.13 Beyond providing a high-quality replacement, the proposed shopfront is designed with a traditional visual balance between the shopfront and residential entrances. This includes the integration of matching well designed transoms improving the overall look of the building.
- 5.14 When evaluated against each of these criteria the Appellant wishes to make clear that the Council has applied its policies inconsistently in so far as the shop front design is similar to that of buildings listed as 'positive contributions' to the conservation area.

Design Proportions related to Fascia

- 5.15 The Officers Delegated Report states that "The proportions of the proposed alterations are not suitable for the shopfront and host building. The proposed plans show that the fascia would be positioned immediately below the first floor windows, and would not allow any space for visual breathing between different elements of the building" (Para. 3.5). When the Officers approach is considered with Policy and Supplementary Guidance the approach should be seen as inconsistent.

5.16 The Design CPG guides that “*Fascia signs should not obscure or damage existing architectural features*”. Although larger than the existing fascia, it should be seen that the proposed fascia sign does not obscure or damage any existing architectural elements.

5.17 Further, the Officer states that the fascia “*breaches fascia level and interrupts the windowsills of the fenestration at first floor giving an unbalance appearance to the overall whole property*”. It should be considered that while the proposed fascia panels extend above their current level there is no cornice or architectural element to the building limiting the fascia height.



Figure 2: 279-281 Gray's Inn Road

5.18 Both the current and proposed shopfronts provide distinct articulation at the ground floor maintaining the visual balance of the building as a ground floor shopfront with 2 storeys of London Stock yellow brick and a mansard roof addition. It should be concluded that the visual balance of the building from top to bottom is not materially changed through the proposed design.

5.19 Policy D3 states that designs should consider “(c) *the general characteristics of shopfronts in the area*”. When reviewing shopfronts in the area, notably those considered to be a ‘positive contribution’ to the conservation area, there are 5 examples of buildings with similar architecture featuring fascia reaching immediately below the first-floor windows (See Figure 1, 2 below).

5.20 Policy D2 directs development to preserve and enhance heritage assets and their setting. Using the conservation area statement as a guide ‘positive contributions’ should be looked upon to inform the buildings design.

5.21 In the case of 257-259 Gray's Inn Road (shown in Figure 3), the architectural features of the upper floors are strikingly similar to that of the Site, with regard to arch brick features to the first-floor sash windows, and soldier courses to the second-floor sash windows. Notably, this building also shares a similar ground floor design, with fascia reaching to the first-floor windows. It should however be observed that the materials of 257-259 Gray's Inn Road appear to be non-traditional. Additionally, it should be noted that the neighbouring building, approved under the same 2017 Policies reflects this design.

5.22 Further to this example, both 291 and 283 Gray's Inn Road share these characteristic architectural features at the upper floors. Similarly, both applications (detailed in Appendix B and C respectively), have approved drawings for fascia signs reaching to the first-floor windowsills. The Appellant asserts that while these applications were decided consistently considering the areas character, these cases highlight the inconsistency in decision with regard to this Appeal.

5.23 It is the Appellant's case that the design of the proposed fascia is consistent with Camden Policies, supplemental guidance and maintains a strong sense of place reflective of other buildings notable to the conservation area.

Location

- 5.24 The proposal is for the replacement of an existing shopfront. It seems illogical to state that the location of the shopfront would become unsympathetic and incongruous based on location in the case that the location remains unchanged by the application. As such it should be evaluated that the location of the shopfront is not in question in this application.



Figure 3: 257-259 Gray's Inn Road;



Figure 4: 133 - 139 King's Cross Road

6 Response to 'Reason for Refusal 2'

Reason for Refusal 2

6.1 Reason for Refusal 2 is as follows:

"The proposed infilling of the light-well and removal of railings would be detrimental to the character and appearance of the host property, the wider area and Kings Cross Conservation Area contrary to policies A1 (Impact of development), D1 (Design), D2 (Heritage) and D3 (Shopfront) of the Camden Local Plan 2017. "

The Appellant's Case

6.2 The Council maintain that the removal of the lightwell and railing would be detrimental to the character and appearance to the host building and the wider Kings Cross Conservation Area. As well as being contrary to policy.

6.3 The area's Conservation Area Statement defines character and appearance and the evaluation of each, as follows (emphasis added): -

*"The character and appearance of an area depends on a variety of factors. Whilst **the appearance of an area derives from its physical and visual characteristics** (i.e. materials, heights of buildings, types and relationship of built form), **character includes other less tangible effects relating to the experience of an area. This may include levels and types of activity and patterns of prevailing land uses.**" (para 4.1.1, pg 19)*

6.4 Based on this definition, the appearance of the building would be changed by the removal of a lightwell and railings, however, character would not. The Appellant maintains that the Conservation Area Statement as well as evaluation of the buildings present in the conservation area should be used to define both the areas appearance and character.

Appearance

6.5 CPG 4: Basement and Lightwells asserts that *"The presence or absence of lightwells helps define and reinforce the prevailing character of a neighbourhood."* The Officers report cited policy D2 (heritage) in its reasons for refusal, this policy guides that *"...development within conservation areas preserves or, where possible, enhances the character or appearance of the area and will seek to manage change in a way that retains the distinctive characters of our conservation areas..."*.

6.6 In order to comply with this, the character of the conservation area must first be established. Following a review of the Kings Cross/ St. Pancras Conservation Area Statement at no point is the presences of lightwells cited as characteristic of the area.

6.7 A detailed evaluation of the Sites appearance with regard to the Conservation Area Statement and evaluation of photographs is detailed in Section 3 of this Statement. When describing the original physical characteristic of the building the Statement does not mention the lightwell and railings. Furthermore, the buildings planning history asserts that the buildings lightwell and railing are not original features of the building and were added in 1984 (ref. 8400638).

- 6.8 The Appellant considers that the architectural merit of the building, as a building in the conservation area, is related to the building's original features and the removal of the added railings and lightwell would return the building to its original form.
- 6.9 As the proposal maintains the characteristic appearance of the conservation area while enhancing the properties ongoing shopfront function it should be evaluated as consistent with policy D2.

Character

- 6.10 The Officer's Delegated Report states that the proposed removal of railings and stone covered landing will have the following impacts: -

"The removal of railings and creation of a stone landing covering the lightwell is considered to entirely change the character of the shop frontage in such a way as to have a negative impact on the host building."

- 6.11 Firstly, it should be stated that based on the Conservation Area Statement definition of character, the proposal should be considered to improve the site with the prevailing land use remaining unchanged (shopfront, with residential upper floors).
- 6.12 The proposed covering of the lightwell and removal of railings are both measures that aim to enhance the shopfronts design. As guided by the Design CPG "...open lightwells with railings in front of a shopfront is not generally considered acceptable as in prevents window shopping and disrupts the buildings relationship to the rhythm of the street...". Through the removal of the shopfront lightwell and railings the proposal aims to activate the shopfront window to add 'visual interest, quality and vitality' to the street scene.
- 6.13 The Appellant believes removal of the lightwell and railings intended to re-vitalize a currently vacant shopfront should be supported in line with Policy D1 as it "a) respects local context and character;" when viewed as part of the conservation area as a whole.
- 6.14 Through reducing the shopfronts vacancy by way of provision of high-quality space and by removing the none-original lightwell and railings the proposal should be considered to persevere and enhance the quality of the overall heritage environment.



Figure 5: 255 Gray's Inn Road

- 6.15 The Council believe that: -

"The proposed covered landing also mixes the private and public entrances in an undesirable manner, removing a sense of privacy currently enjoyed by those accessing the residential space, i.e.) residents/ visitors to the flat are currently segregated from the general public by virtue of the railings arrangement, but the removal of railings would remove the sense of security they provide." (para 3.7).

- 6.16 The Appellant ascertains that there is no policy precedent for the need for barrier separation between public and private spaces, especially in the case where a shopfront window provides visual separation between the two spaces. A similar arrangement is seen at 255

Gray's Inn Road (shown in Figure 5), as well as on drawings approved in 2018 at 283 Gray's Inn Road.

- 6.17 Notably the 2018 approved application for "Change of use of 1st, 2nd and 3rd floors from Class A2 use to create 2no. residential units 1 x 1 bed & 1 x 2 bed (Use Class C3) together with extensions and alterations including mansard roof extension with 2 front dormers, rear extension, roof terrace to the rear of 2nd floor, **infill of ground floor lightwell, and shopfront alterations** " at 283 Gray's Inn Road, was approved under the same Camden Local Plan (2017) policies as this Appeal (ref. 2018/5175/P).
- 6.18 As can be seen from the plans and Decision Notice at Appendix C, the Council has not only accepted a similar arrangement with regard to shopfront and residential entrances with the approved lightwell removal, but the decision report went further to state that this design was appropriate for the area. Section 2 of the Decision Notice States: -
- "Overall due to the appropriate design, it is considered that the proposed works do not detract from the character and appearance of the host building or the wider conservation area." (Section 2. Design)*
- 6.19 The Appellant asserts that the Officers conclusion with regard to 283 Gray's Inn Road was correct. As can be seen from this example, there is clear evidence of traditional terrace buildings on Gray's Inn Road with dual entrances divided by a shopfront and infilled lightwell.
- 6.20 Similarly, in the example referenced at 291 Gray's Inn Road, with plans at Appendix B, the approved plans show the replacement of a traditional style residential ground floor with of a shopfront of similar design to that proposed at 307 Gray's Inn Road. The difference in this approved scheme is that the shopfront entrance is added directly adjacent to the residential entrance without the separation of the shopfront window, this arguably provides greater risk of 'undesirable' mixing than that of the proposed scheme.
- 6.21 The Appellant asserts that these two cases provide clear evidence of inconsistent decision making, with the arrangement of adjacent commercial and residential entrances atypical to the street evaluated as suitable for the area. While the areas typical arrangement of commercial and residential entrances divided by a shopfront, approved at 283 Gray's Inn Road (and shown in Figure's 4 and 5) was deemed to 'mix[es] the private and public entrances in an undesirable manner' in the case of this Appeal.
- 6.22 Contrary to the Officers characterisation of undesirable mixing of entrances, the enhancements to the shopfront should be seen improve the Sites contribution to the area as a whole. Improvements to the quality of the retail space will help to reduce shopfront vacancy, which will in turn increase security and reduce crime through improved overlooking and healthy ground floor activation. The privacy of the residential space is maintained through the visual separation of the shopfront between the public and private entrances.
- 6.23 Based on these examples, as well as other examples in the conservation area detailed in Table 1, the Appellant maintains that the application of policy has been inconsistently applied in evaluating the character and appearance of 307 Gray's Inn Road. For the benefit of the Inspector we have listed below those we consider appropriate to review on the site visit.

Table 1: Details of Approved Replacement Shopfronts on the block of 251-309 Gray's Inn Road

Application Number	Address	Development Description	Commentary
2012/2278/P	295 Gray's Inn Road	Change of use from offices (Class B1) to beauty salon (Sui Generis) at ground floor level and associated alterations to the shop front.	An example of a replacement shopfront where the shopfront reached to the first-floor windows.
2015/2581/P	291 Gray's Inn Road	Installation of a shopfront and lowering of existing forecourt flush with the pavement following the removal of existing railing and steps to provide disabled access in connection with offices (Class B1a).	As detailed in para.'s 5.10, 5.22 and 6.20.
2018/5175/P	283 Gray's Inn Road	for change of use of 1st, 2nd and 3rd floors from Class A2 use to create 2 residential units (Class C3) together with extensions and alterations including mansard roof extension with 2 front dormers, rear extension, roof terrace to the rear of 2nd floor, infill of ground floor lightwell, and shopfront alterations	As detailed in para.'s 5.22 and 6.16.
N/A	253 Gray's Inn Road	N/A	This building provides an example of a lightwell in the area that has been enclosed.
N/A	309 Gray's Inn Road	N/A	This building should be considered as part of the conservation area, showing a design that adds little to the areas character and detracts from the active frontage.

7 Conclusions

- 7.1 This Appeal Statement seeks to address the two reasons for refusal of Application 2020/1648/P:
-
1. The design of the proposed shopfront by virtue of its size, design and location having a detrimental effect on the host building and the wider conservation area; and,
 2. The proposed infilling of the lightwell and removal of railings having a detrimental effect on the host building and wider conservation area.
- 7.2 It is the Appellants case that the proposed shopfront alterations would not have a detrimental effect on the host building and the Officers evaluation of the scheme is inconsistent with the Councils evaluation of the host building and conservation area and thus the application of policies D1 Design, D2 Heritage and A1 Shopfronts. The proposed development would be visually attractive and sympathetic to the site and the heritage of the conservation area due to the use of materials common to the area and emphasis on good architecture.
- 7.3 In considering this appeal, the Appellant wishes to draw the Inspector to the following benefits of the scheme: -
- Preservation of the integrity of the overall building as a traditional building in the conservation area.
 - Improved visual balance and connection to the rhythm of the street;
 - Create improved access routes to both current uses;
 - Replacement shopfront will undoubtedly improve the chances of securing a tenant; and,
 - Reducing Crime and antisocial behaviour through improved natural surveillance.
- 7.4 For these reasons it is respectfully requested that the appeal is allowed.

8 Planning Conditions

8.1 Should the Inspector be minded to allow the appeal, the Appellant would agree to the planning conditions to be attached to the decision notice:

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:

- 1279-P-003A (Site location Plan, Elevation, Sections and Plan.)

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

APPENDIX A: Full Planning History

- **AS9804514** - Display of external projecting and fascia sign, (Plans submitted). **(Withdrawn, 23/07/1998)**
- **8900502** - The erection of a fourth floor mansard roof extension in connection with the use of the first floor as a studio flat and the second and new third floor as a maisonette and a rear ground floor extension for office use as shown on drawing numbers 225/89/5 & 6A. **(Approved, 05/04/1990)**
- **8900501** - The erection of a fourth floor mansard roof extension in connection with the use of the first floor as a studio flat and the second and new third floor as a maisonette and a rear ground floor extension for office use as shown on drawing numbers 225/89/5 & 6A. **(Approved 05/04/1990)**
- **8480164** - The display of an internally illuminated fascia sign measuring approx. 4.9m wide by 0.7m high and an internally illuminated double sided projecting box sign 0.6m by 0.6m by 0.3m on the NW side of the shopfront at a height to the underside of 3.0m. (Granted on 22/08/1984)
- **8400638** - Approval of details of elevation and materials of shop front pursuant to condition 3 of the planning permission dated 24 November 1982 (Reg. No. .35090) together with the excavation of part of the front area and its enclosure by metal railings to a height of 1m. **(Approved 22/08/1994)**
- **35090** - Change of use from retail to building society offices on the ground floor and basement and a maisonette on first and second floors. **(Approved 24/11/1982)**
- **34222** - Change of use from retail to building society offices on the ground floor with ancillary storage in the basement, local professional offices on the first floor and residential on the second floor, the installation of a new shopfront, and the erection of a rear extension at basement level. **(Refused 05/08/1982. Appeal Dismissed 28/02/1983)**

APPENDIX B: Decision Notice and Elevation Plans for 291 Gray's Inn Road
(2015/2581/P)

Mr Ed Shinton
AtelierWest
Suite 2
26 Cadogan Square
London
SW1X 0JP

Application Ref: **2015/2581/P**
Please ask for: **Matthias Gentet**
Telephone: 020 7974 **5961**

24 July 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
291 Gray's Inn Road
London
WC1X 8QJ

Proposal:
Installation of a shopfront and lowering of existing forecourt flush with the pavement following the removal of existing railing and steps to provide disabled access in connection with offices (Class B1a).

Drawing Nos: Planning Statement; Design and Access Statement (revised on 18/06/2015); [355/] 001 RevB; 002; 006 RevA; 010.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Planning Statement; Design and Access Statement (revised on 18/06/2015); [355/] 001 RevB; 002; 006 RevA; 010.

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

Informative(s):

- 1 Reasons for granting permission.

The proposed shop front is considered to be acceptable in terms of its scale, size, design, materials and location. It is a replacement of a non-original frontage that was the result of alterations from a traditional commercial frontage to a residential style frontage. The proposal is permitting for the re-instatement of the commercial frontage present throughout Gray's Inn Road at ground floor level.

Amendments were made to the original proposal which was viewed as being of an unacceptable design which didn't reflect the style of shopfronts within the streetscape. The amendments have addressed the issues raised by the officer and have produced a final design complying with the officer's recommendation, namely a wider glazing which forms the major area of the shopfront.

Although the council wouldn't approve the lowering of the forecourt in usual circumstances, it is part of the streetscape and similar elevated forecourts and lightwells are present along this part of Gray's Inn Road. Being integrated features of the streetscape, the council would ensure that these are preserved in their current states and would refuse any application seeking for their removal.

However, the lowering of the forecourt area, flush with the pavement and paved with new portland stone, is to provide a disabled access ramp providing easy access to the building to wheelchair users. As such, the lowering of the elevated forecourt is considered to be acceptable in terms of design, materials and location.

The proposal, in terms of size, scale, design, material and location is considered to preserve and enhance the character of the host and adjacent buildings, the streetscape and the conservation area.

The site's planning and appeal history has been taken account when coming to this decision. No objections have been received following statutory consultation.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP24, DP 25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 7.4, 7.6 and 7.8 of the London Plan March 2015, consolidated with alterations since 2011; and paragraphs 14, 17, 56-66 and 126-141 of the National Planning Policy Framework.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 3 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 Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

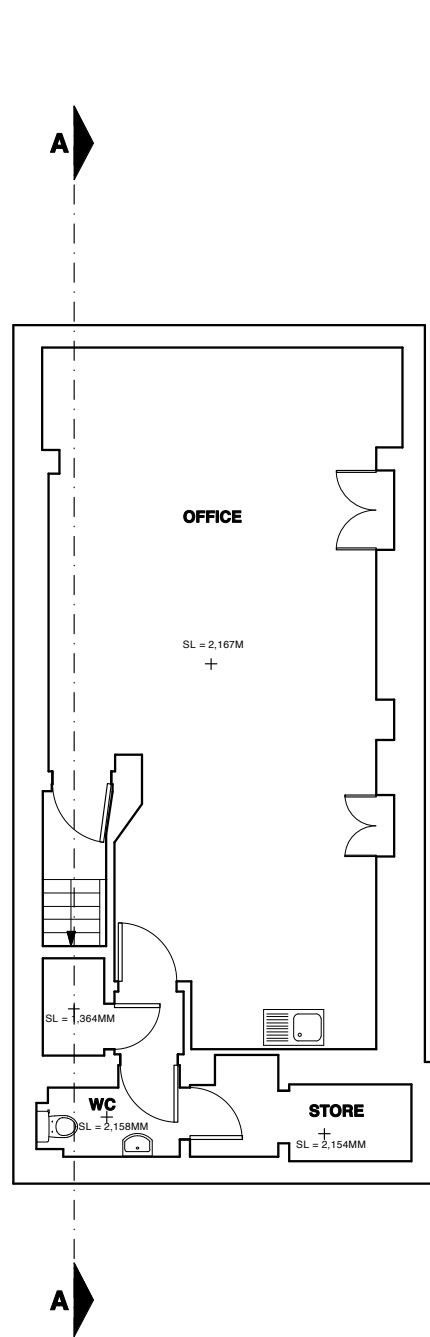
You can find advice about your rights of appeal at:

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

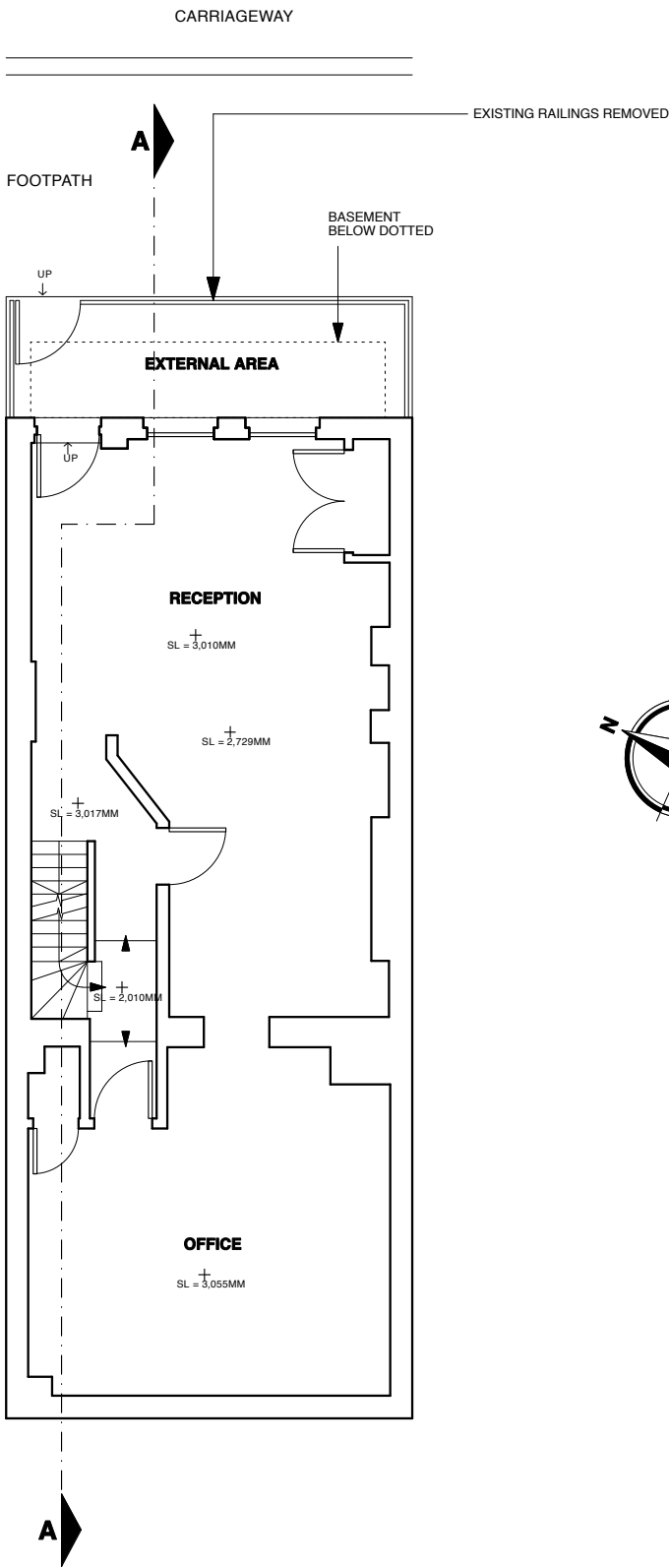
Yours faithfully



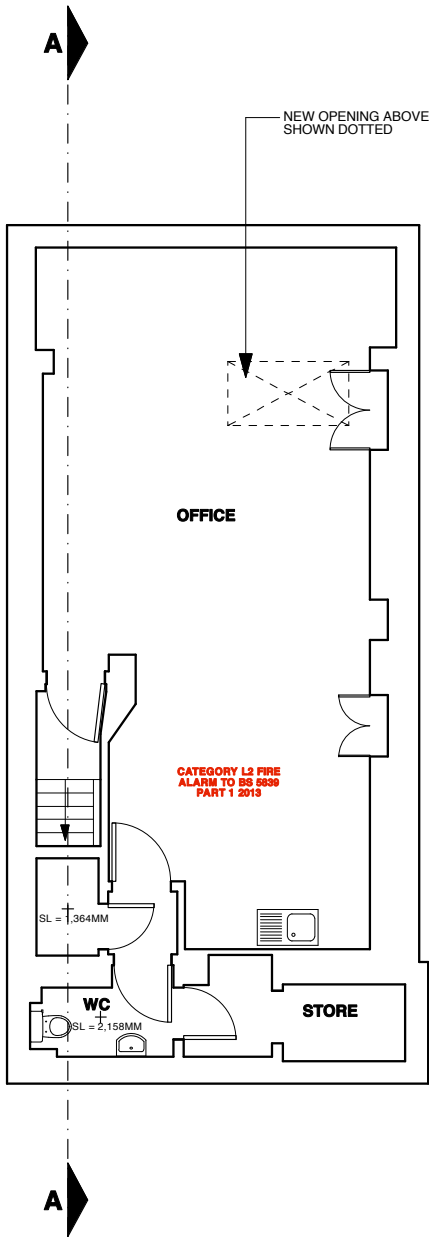
Ed Watson
Director of Culture & Environment



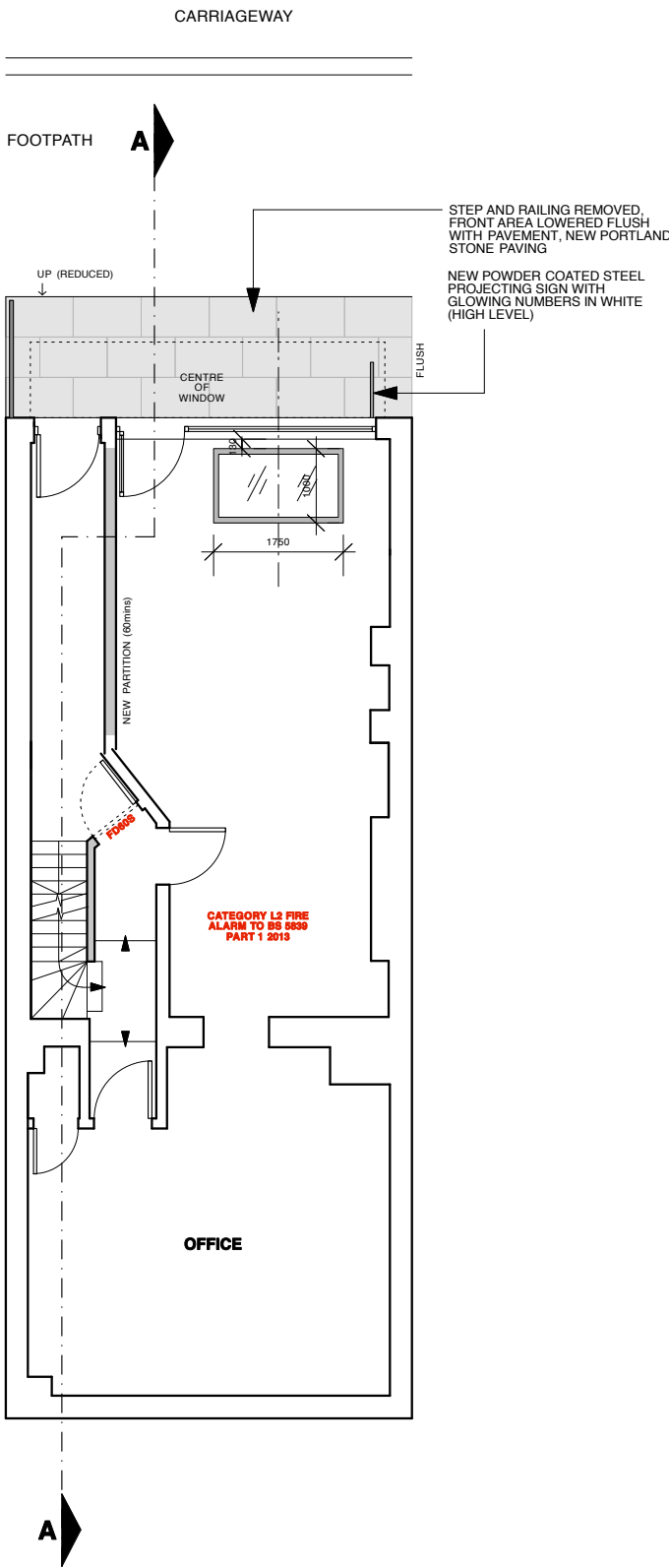
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EXISTING**



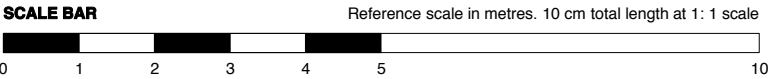
**GROUND LEVEL
EXISTING**



**LOWER GROUND
PROPOSED**



**GROUND LEVEL
PROPOSED**



Rev. Comments

Date

Project **291 GRAYS INN ROAD • LONDON • WC1X 8QJ**

Drawing Title **EXISTING & PROPOSED PLANS**

Dwg No. **355 / 001**

Scale **1:100@A3**

Revision **B**

Date **AUG 2014**

Drawn by **ES**

ATELIERwest
ARCHITECTURE / DESIGN / PROJECT MANAGEMENT
SUITE 2 / 26 CADOGAN SQUARE / LONDON / SW1X 0JP
INFO@ATELIERWEST.CO.UK / WWW.ATELIERWEST.CO.UK
07862 708 972
07801 650 531

DO NOT SCALE FROM THIS DRAWING. USE FIGURED DIMENSIONS ONLY. ANY DISCREPANCIES ARE TO BE REPORTED TO AW IMMEDIATELY. PRIOR TO THE EXECUTION OF THE WORKS ON SITE ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE ANY WORK IS PUT IN HAND



FRONT ELEVATION EXISTING



SECTION AA EXISTING



Rev. Comments

Date

Project **291 GRAYS INN ROAD • LONDON • WC1X 8QJ**

Drawing Title **EXISTING ELEVATIONS & SECTIONS**

Dwg No. **355 / 002**

Revision **-**

Scale **1:100@A3**

Date **AUG 2014**

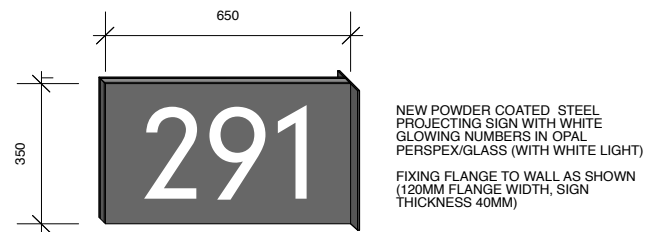
Drawn by **ES**

ATELIERwest
ARCHITECTURE / DESIGN / PROJECT MANAGEMENT

SUITE 2 / 26 CADOGAN SQUARE / LONDON / SW1X 0JP
INFO@ATELIERWEST.CO.UK / WWW.ATELIERWEST.CO.UK

07862 708 972
07801 650 531

DO NOT SCALE FROM THIS DRAWING. USE FIGURED DIMENSIONS ONLY. ANY DISCREPANCIES ARE TO BE REPORTED TO AW IMMEDIATELY. PRIOR TO THE EXECUTION OF THE WORKS ON SITE ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE ANY WORK IS PUT IN HAND



SIGN DETAIL
1:20@A3

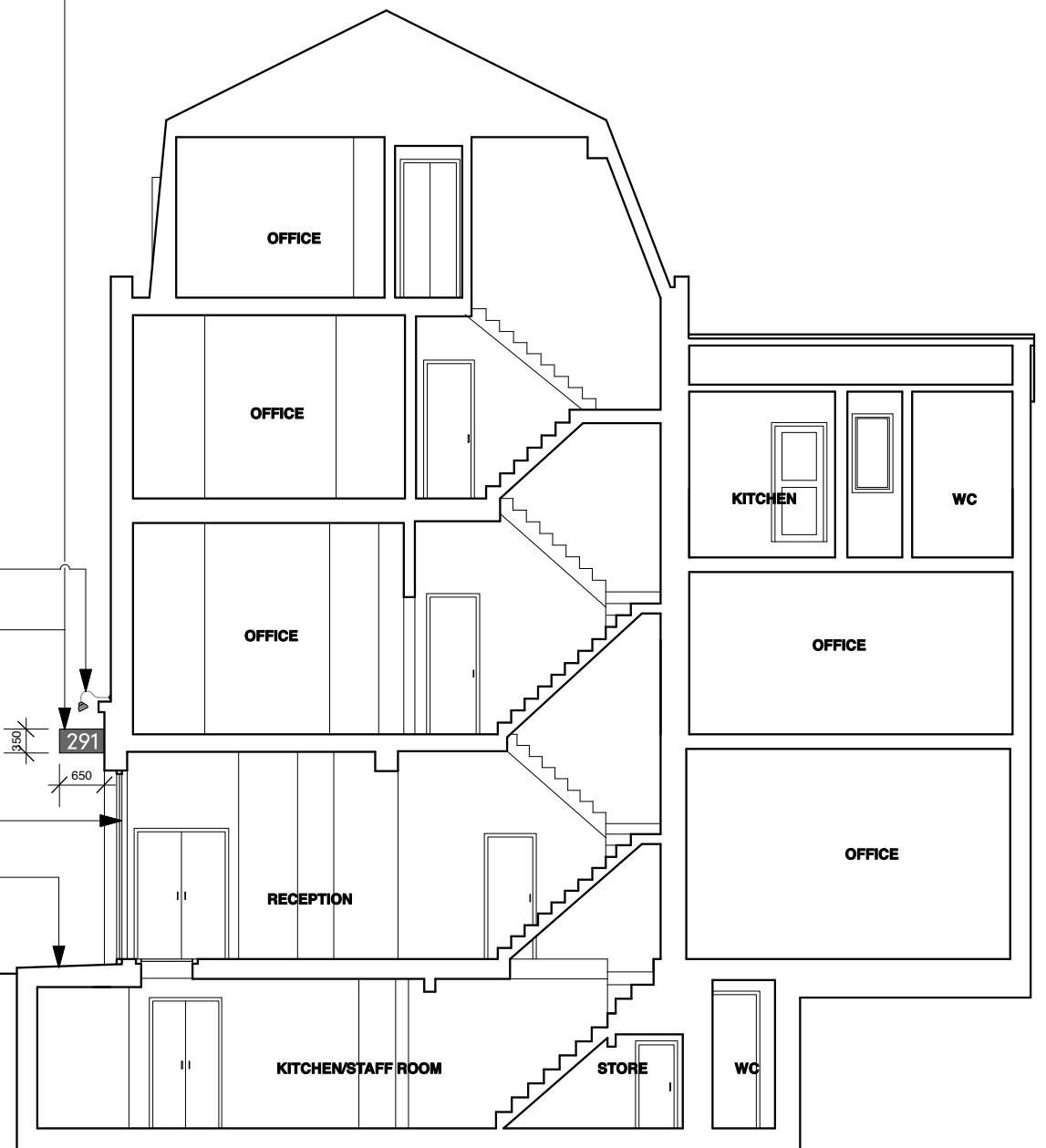
THIRD FLOOR

SECOND FLOOR

FIRST FLOOR

GROUND FLOOR

LOWER GROUND FLOOR



FRONT ELEVATION PROPOSED



Rev. Comments

Date

Project

291 GRAYS INN ROAD • LONDON • WC1X 8QJ

Drawing Title

PROPOSED ELEVATIONS & SECTIONS

Dwg No.

355 / 006

Revision

A

Scale

1:100@A3

Date

AUG 2014

Drawn by

ES

ATELIERwest
ARCHITECTURE / DESIGN / PROJECT MANAGEMENT

SUITE 2 / 26 CADOGAN SQUARE / LONDON / SW1X 0JP
INFO@ATELIERWEST.CO.UK / WWW.ATELIERWEST.CO.UK

07862 708 972
07801 650 531

DO NOT SCALE FROM THIS DRAWING. USE FIGURED DIMENSIONS ONLY. ANY DISCREPANCIES ARE TO BE REPORTED TO AW IMMEDIATELY. PRIOR TO THE EXECUTION OF THE WORKS ON SITE ALL DIMENSIONS TO BE VERIFIED ON SITE BEFORE ANY WORK IS PUT IN HAND

APPENDIX C: Decision Notice and Elevation Plans for 283 Gray's Inn Road
(2018/5175/P)

Application ref: 2018/5175/P
Contact: David Fowler
Tel: 020 7974 2123
Date: 24 June 2019

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

GL Hearn
65 Gresham Street LONDON EC2V 7NQ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
283 Gray's Inn Road
London
WC1X 8QF

Proposal:

Change of use of 1st, 2nd and 3rd floors from Class A2 use to create 2no. residential units 1 x 1 bed & 1 x 2 bed (Use Class C3) together with extensions and alterations including mansard roof extension with 2 front dormers, rear extension, roof terrace to the rear of 2nd floor, infill of ground floor light well, and shopfront alterations.

Drawing Nos: Existing: 22960-00, 22960-01, 22960-02, 22960-03, 22960-04, 22960-05.

Proposed: 22960-P01 D, 22960-P02 G, 22960-P03 C, 22960-P04 G, 22960-P05 I, 22960-P06 E.

Supporting documents: Daylight & Sunlight (Surrounding Properties) and Scheme Internal Daylight Report (Point Surveyors) May 2018, Planning Statement (GL Hearn) October 2018, Design and Access Statement (Fresson & Tee) 23rd October 2018, Energy Statement (Ensphere Group) March 2018.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 [and D2 if in CA] of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

22960-P01 D, 22960-P02 G, 22960-P03 C, 22960-P04 G, 22960-P05 I, 22960-P06 E.

Reason:

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

- 4 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Details including sections at 1:10 of all windows (including jambs, head and cill)).

b) Manufacturer's specification details of all facing materials including roof slates (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 (and D2 if in CA) of the London Borough of Camden Local Plan 2017.

- 5 Prior to first occupation of either of the new flats hereby permitted, details of an enhanced sound insulation value $D_{nT,w}$ and $L'_{nT,w}$ of at least 5dB above the Building Regulations value, for the floor/ceiling structures separating different types of rooms/uses in adjoining units (i.e. between ground floor commercial unit and first floor dwelling and between bedroom of unit 1 and living room of unit 2), shall be submitted to and approved in writing by the Local Planning Authority.

The insulation details as approved shall be implemented prior to first residential occupation of the relevant building and thereafter be permanently retained.

Reason: To safeguard the amenities of future and adjoining residential occupants and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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).
- 2 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.

3 Reasons for granting permission.

1. Land use

The applicant has submitted sufficient information to demonstrate that the lawful use of the premises is Class A2 - recruitment agency. This information consists of leases for the recruitment agency dating from 2002 to 2016 and a statutory declaration. The loss of Class A2 use on the upper floors is considered acceptable in land use terms.

The ground floor (25.9sqm) and basement (43sqm) would remain in Class A2 and would retain an active frontage, contributing to the Central Activities Zone.

Policy TC2 supports the conversion of the upper floors of commercial premises to residential accommodation within centres and Central London including above and below shops where this does not prejudice the town centre function and particularly the ability of the ground floor. Housing is the Council's priority land use and welcomed in principle. 110.3sqm of housing would be provided. Given the increase in residential floorspace, an affordable housing payment in lieu is required of £8,723.80, which is secured via section 106 obligation.

2. Design

The site is located within the King's Cross St Pancras Conservation Area. The existing roof form and shopfront are poorly designed and the proposals would be an improvement. The mansard would be have an angle of 70 degrees, in

line with CPG Design and would match the neighbouring mansard. The proposals have been reviewed by a Conservation Officer who considers them acceptable.

The alteration and extensions at the rear would not be readily visible and would respect the original building.

Overall due to the appropriate design, it is considered that the proposed works do not detract from the character and appearance of the host building or the wider conservation area.

Special attention has been paid to the desirability of preserving the special interest of the listed building and preserving or enhancing the character or appearance of the conservation area, under s. 66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

3. Amenity of occupants

Two flats would be created under the proposals, a flat on the first floor and a duplex on the second and third floors. Both of these flats would be dual aspect and would meet the nationally described space standards. Both flats would benefit from external space; the first floor would have an external lightwell at the rear and the duplex flat would have a terrace at second floor level. Given the above, the proposed flats would have acceptable levels of amenity.

4. Amenity of neighbours

The proposed works are not considered to adversely impact upon the residential amenity of adjoining occupiers. This is by reason of the location and scale of the works. Screening would be erected on either side of the second floor terrace which would ensure that there are no direct views into windows to the properties to the rear on Hand Axe Yard. A condition is attached that the screens would be erected and maintained prior to occupation.

5. Transport

The new flats are secured as car-free under a section 106 agreement.

Given the new flats are to be located on the upper floors of an existing building; officers accept that it is not possible to provide cycle parking on site. Given that only two units are involved, there is no requirement for a financial contribution towards cycle parking.

No objections have been received to the proposals.

Given the above, the proposed development is in general accordance with policies H1, H4, A1, D1 and D2 of the London Borough of Camden Local Plan

2017. The proposed development is also in accordance with the London Plan 2016 and the National Planning Policy Framework 2018.

- 4 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

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.

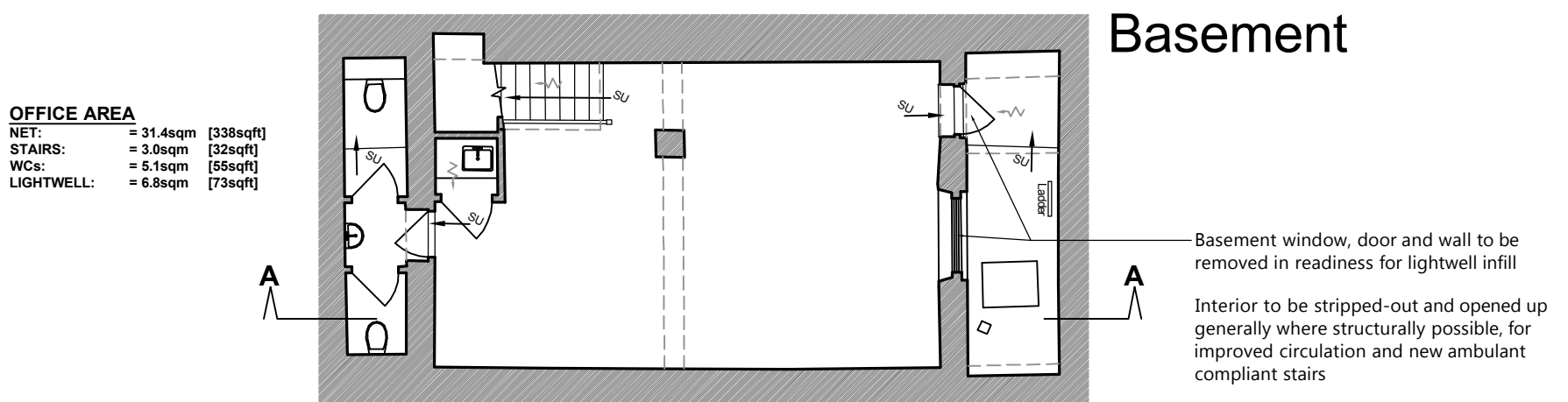
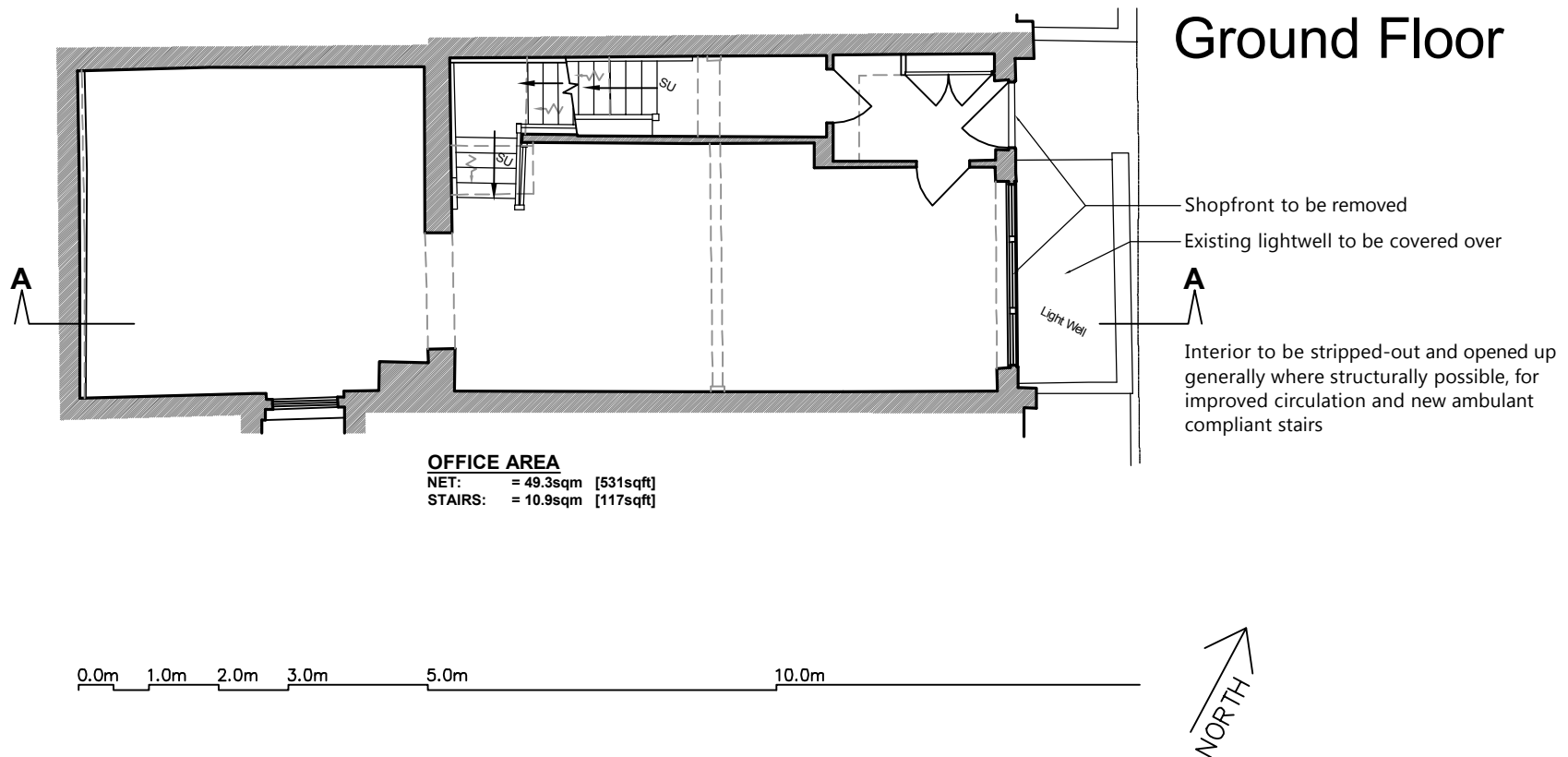
You can find advice about your rights of appeal at:


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

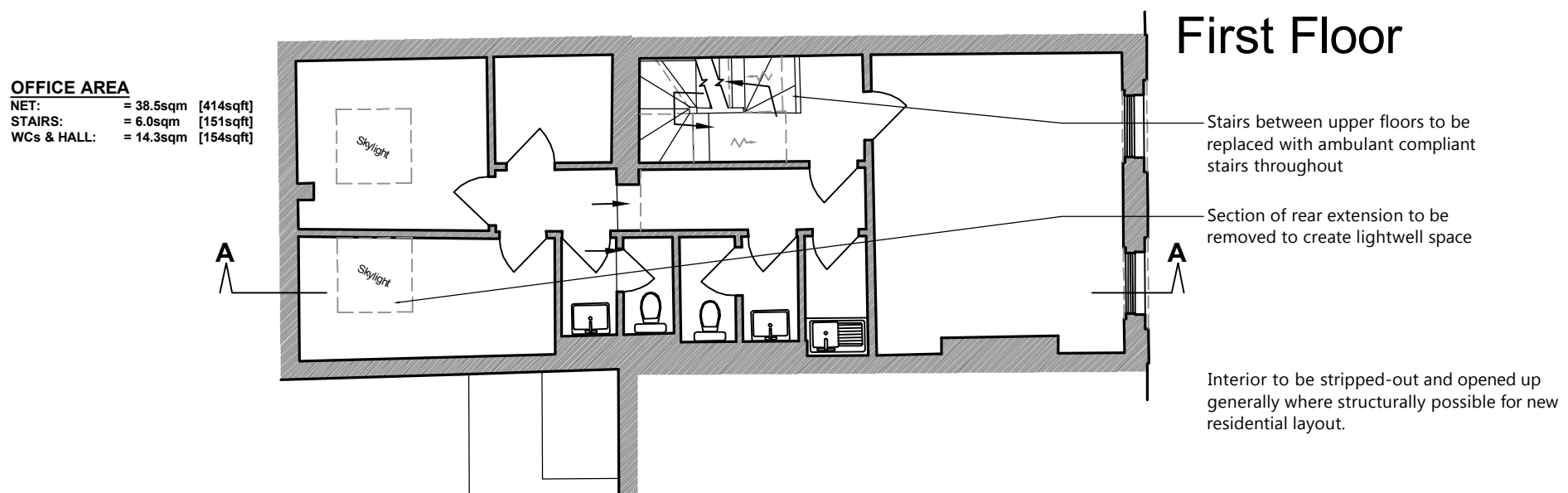
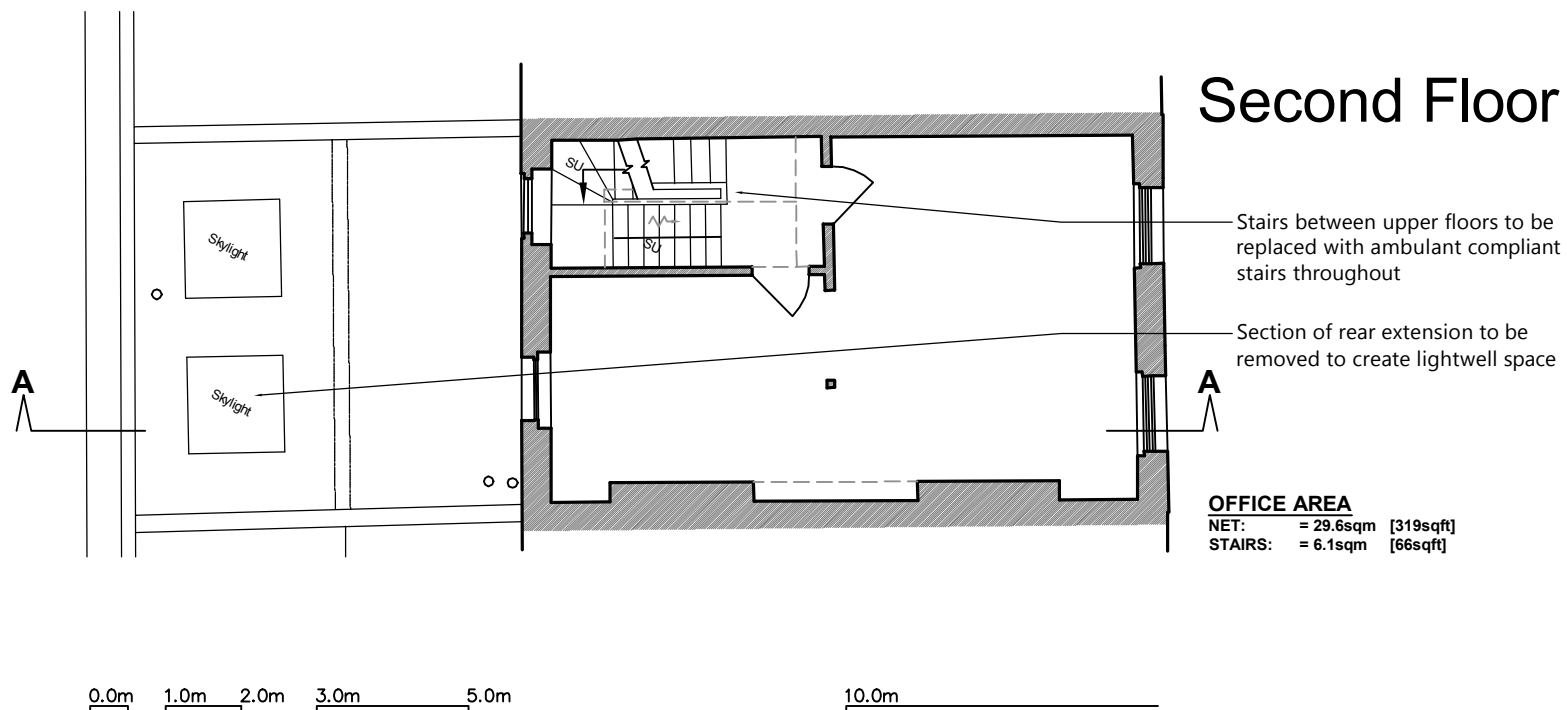
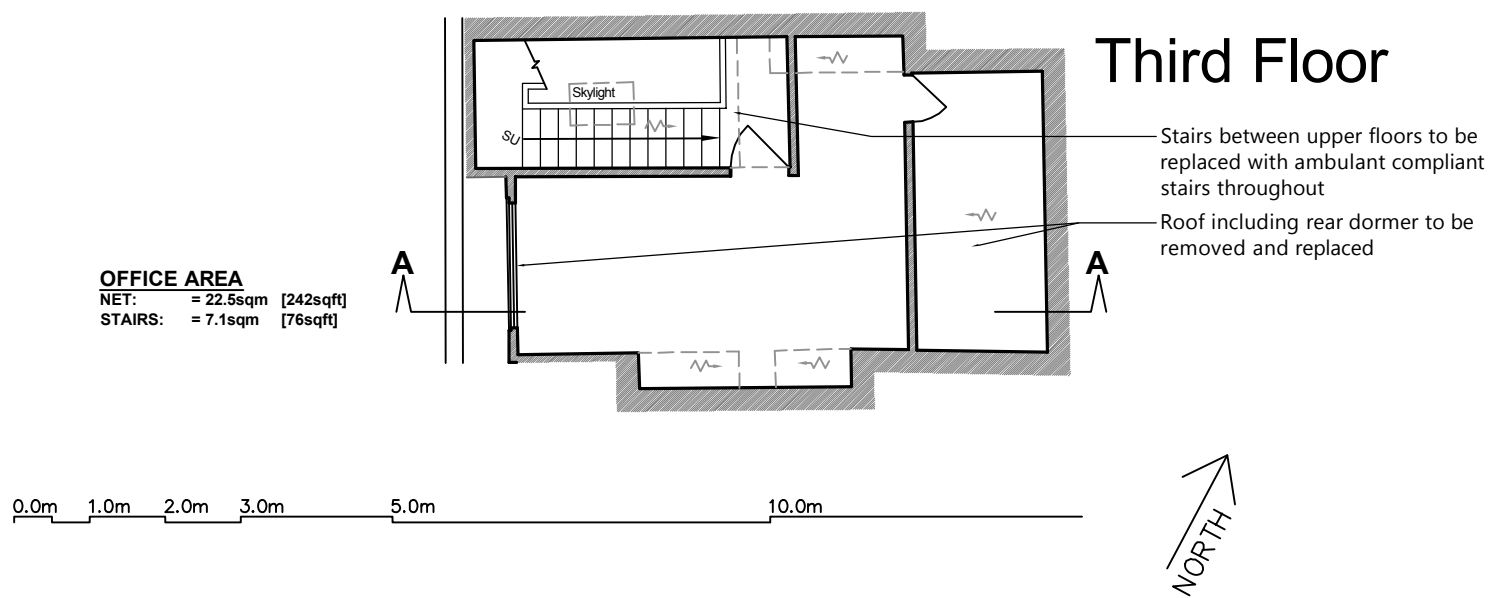
Yours faithfully


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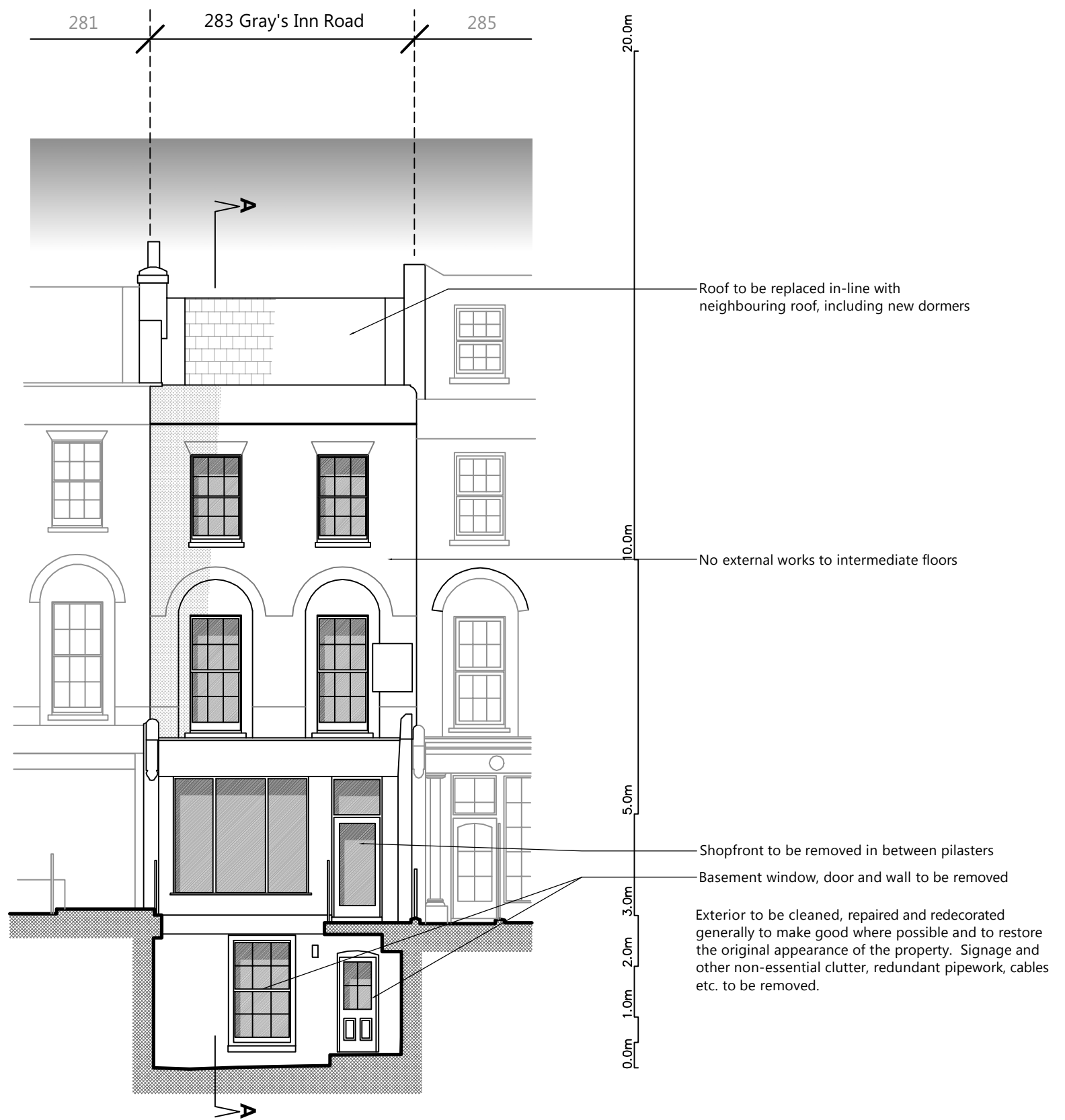
Daniel Pope
Chief Planning Officer




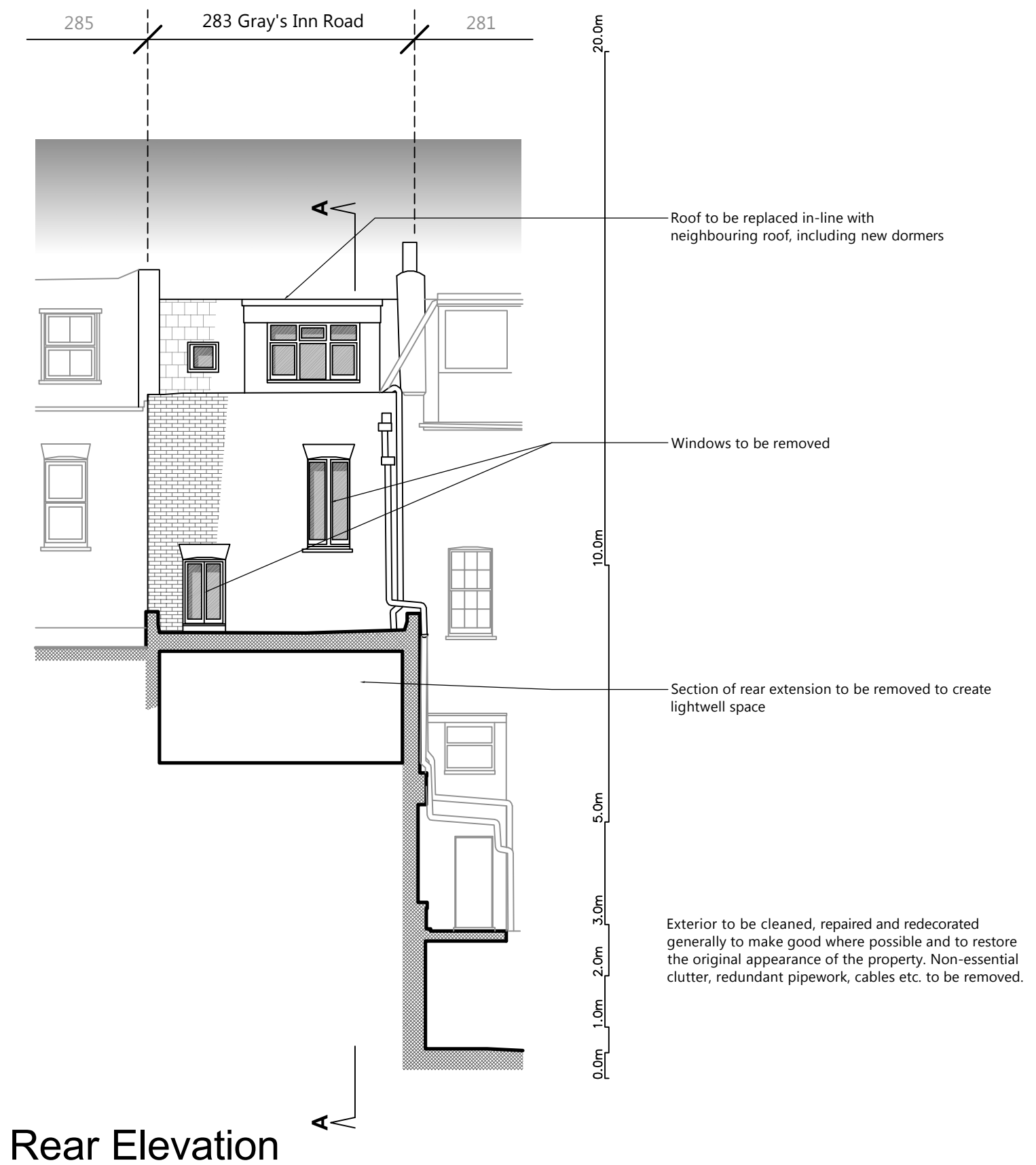
<div><p>1 SANDWICH STREET LONDON WC1H 9PF</p><p>Tel: (020) 7391 7100 Fax: (020) 7391 7121</p></div>	<div><p>NOTES: ALL SCALES/DIMS FOR PLANNING PURPOSES ONLY.</p></div>			DRAWING TITLE	Basement to First Floor Plans as Existing	PROJECT NAME	Alterations	DATE	Sept. 2015
				ADDRESS	283 Gray's Inn Road London WC1	CLIENT	Create REIT Ltd	SCALE	1:100@A3
						DRAWING NO.	22960-01		




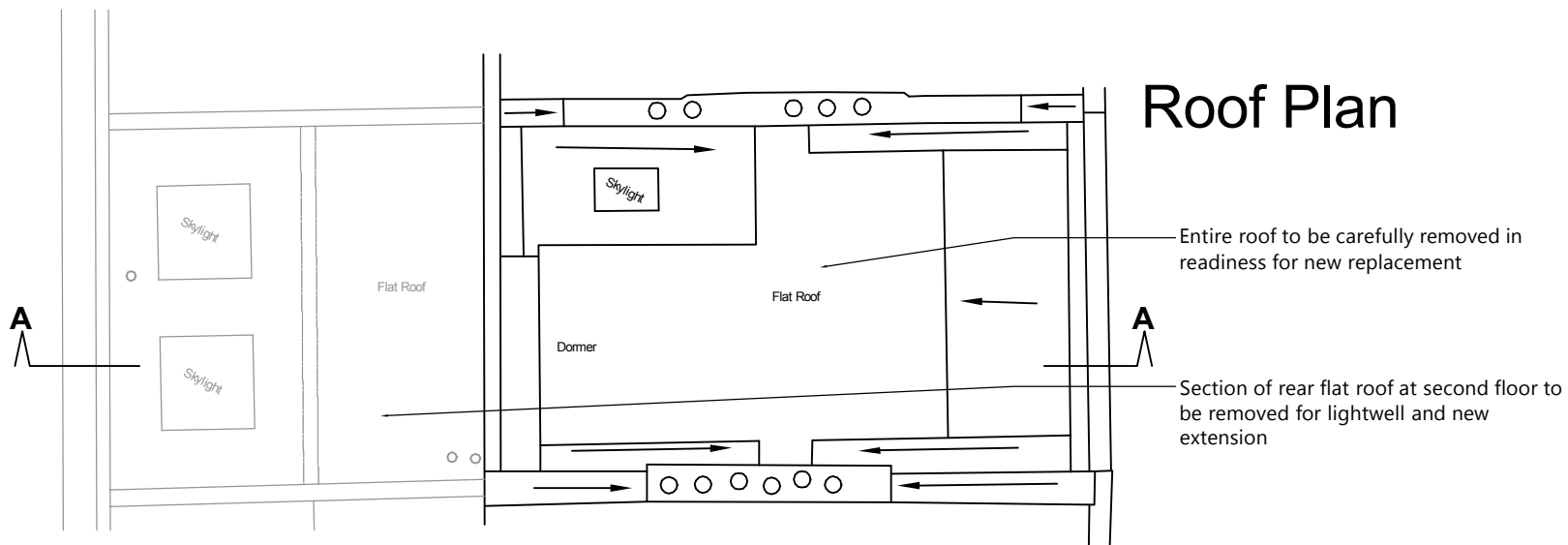
 <p>1 SANDWICH STREET LONDON WC1H 9PF</p> <p>Tel: (020) 7391 7100 Fax: (020) 7391 7121</p>	<p>NOTES: ALL SCALES/DIMS FOR PLANNING PURPOSES ONLY.</p>	<p>DRAWING TITLE</p> <p>Second Floor to Roof Plans as Existing</p> <p>ADDRESS</p> <p>283 Gray's Inn Road London WC1</p>	<p>PROJECT NAME</p> <p>Alterations</p> <p>CLIENT</p> <p>Create REIT Ltd</p>	<p>DATE</p> <p>Sept. 2015</p>
				<p>SCALE</p> <p>1:100@A3</p> <p>DRAWING NO.</p> <p>22960-02</p>



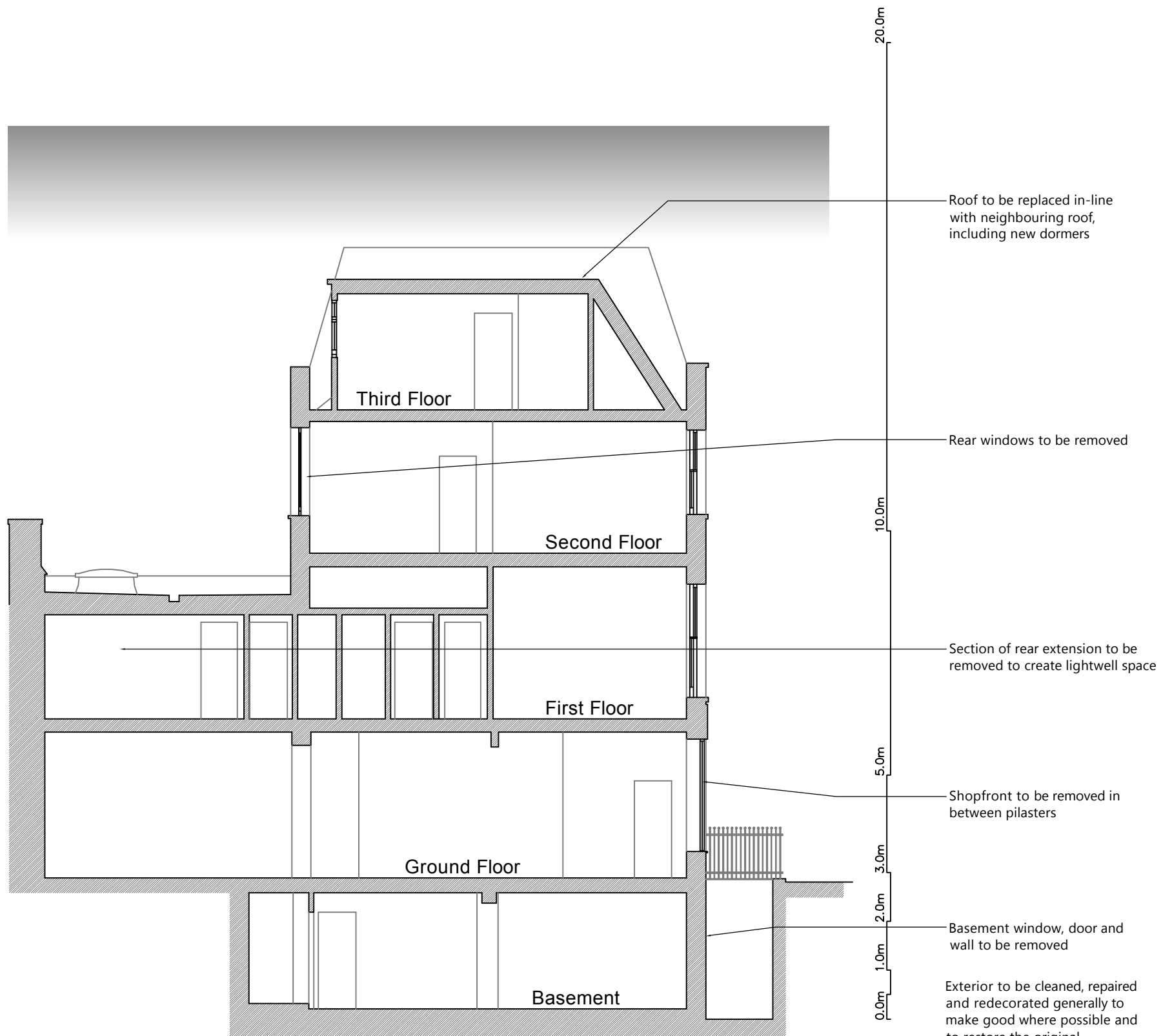
<div><p>1 SANDWICH STREET LONDON WC1H 9PF</p><p>Tel: (020) 7391 7100 Fax: (020) 7391 7121</p></div>	<div><p>NOTES: ALL SCALES/DIMS FOR PLANNING PURPOSES ONLY.</p></div>	<div><p>DRAWING TITLE</p><p>Front Elevation as Existing</p></div>	<div><p>PROJECT NAME</p><p>Alterations</p></div>	<div><p>DATE</p><p>Sept. 2015</p></div>
				<div><p>SCALE</p><p>1:100@A3</p></div>
		<div><p>ADDRESS</p><p>283 Gray's Inn Road London WC1</p></div>	<div><p>CLIENT</p><p>Create REIT Ltd</p></div>	<div><p>DRAWING NO.</p><p>22960-03</p></div>



<div></div> <div>1 SANDWICH STREET LONDON WC1H 9PF</div> <div>Tel: (020) 7391 7100 Fax: (020) 7391 7121</div>	<div>NOTES:</div> <div>ALL SCALES/DIMS FOR PLANNING PURPOSES ONLY.</div>	<div>DRAWING TITLE</div> <div>Rear Elevation as Existing</div>	<div>PROJECT NAME</div> <div>Alterations</div>	<div>DATE</div> <div>Sept. 2015</div>
		<div>ADDRESS</div> <div>283 Gray's Inn Road London WC1</div>	<div>CLIENT</div> <div>Create REIT Ltd</div>	<div>SCALE</div> <div>1:100@A3</div>
		<div>DRAWING NO.</div> <div>22960-04</div>		




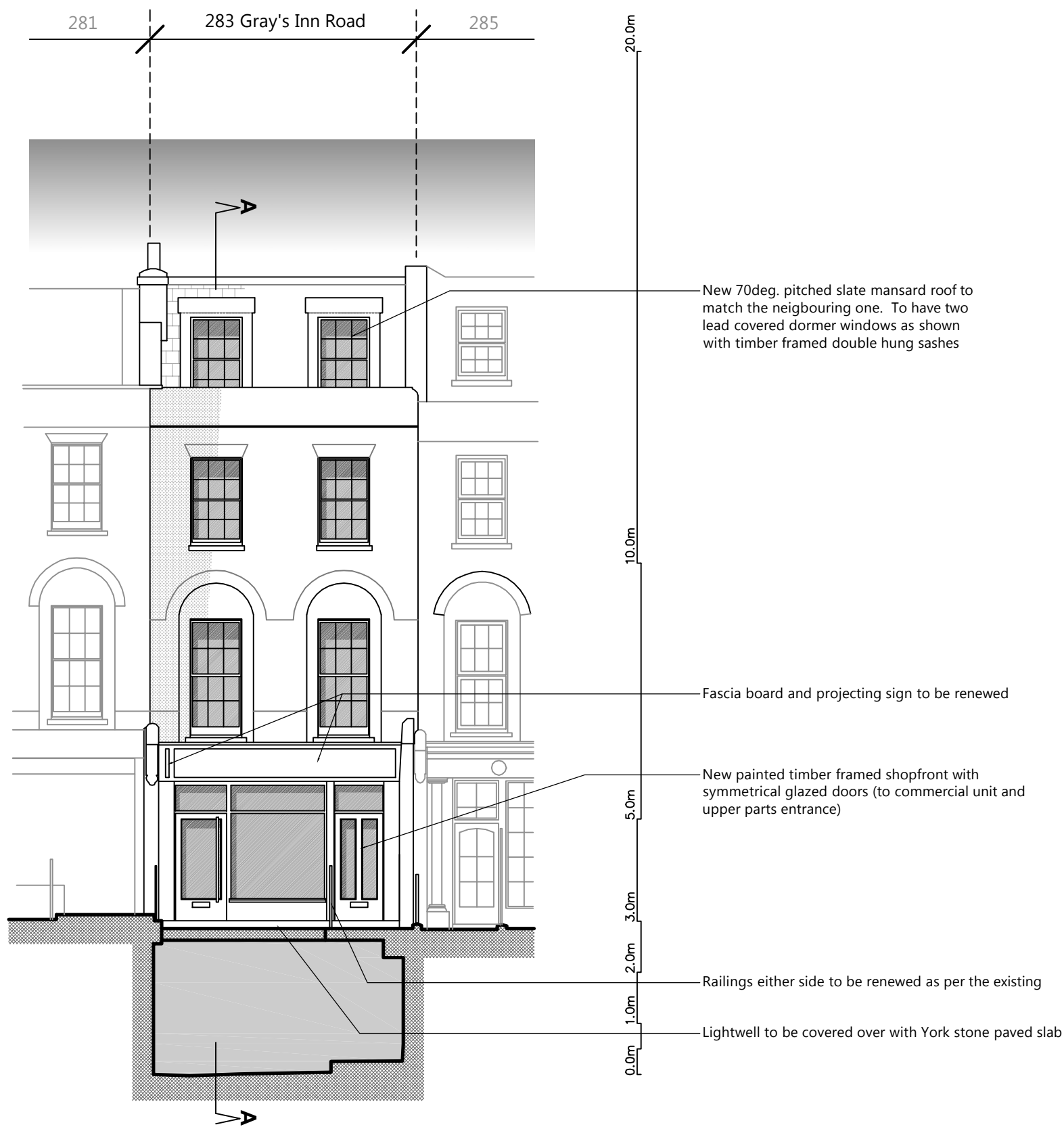
Roof Plan




Section A-A

Exterior to be cleaned, repaired and redecorated generally to make good where possible and to restore the original appearance of the property. Signage and other non-essential clutter, redundant pipework, cables etc. to be removed.

<div><p>1 SANDWICH STREET LONDON WC1H 9PF</p><p>Tel: (020) 7391 7100 Fax: (020) 7391 7121</p></div>	<div><p>NOTES: ALL SCALES/DIMS FOR PLANNING PURPOSES ONLY.</p></div>	<div><p>DRAWING TITLE</p><p>Roof Plan & Section A-A as Existing</p></div>	<div><p>PROJECT NAME</p><p>Alterations</p></div>	<div><p>DATE</p><p>Dec. 2015</p></div>
		<div><p>ADDRESS</p><p>283 Gray's Inn Road London WC1</p></div>	<div><p>CLIENT</p><p>Create REIT Ltd</p></div>	<div><p>SCALE</p><p>1:100@A3</p></div>
		<div><p>DRAWING NO.</p><p>22960-05</p></div>		



Front Elevation

<div><p>1 SANDWICH STREET LONDON WC1H 9PF</p><p>Tel: (020) 7391 7100 Fax: (020) 7391 7121</p></div>	<p>NOTES: ALL SCALES/DIMS FOR PLANNING PURPOSES ONLY.</p>	DRAWING TITLE	PROJECT NAME	DATE
		Front Elevation as Proposed	Alterations	Sept. 2015
		ADDRESS	CLIENT	SCALE
		283 Gray's Inn Road London WC1	Create REIT Ltd	1:100@A3
				DRAWING NO.
				22960-P03 revB

APPENDIX D: Officers Delegated Report

Delegated Report		Analysis sheet		Expiry Date:		14/09/2020	
		N/A		Consultation Expiry Date:		30/08/2020	
Officer				Application Number(s)			
Matthew Dempsey				2020/1648/P			
Application Address				Drawing Numbers			
307 Gray's Inn Road London WC1X 8QS				Refer to draft decision notice.			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Installation of replacement shopfront, residential entrance and access steps with covering over of light-well.							
Recommendation(s):		Refuse Planning Permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:		A site notice was displayed 31/07/2020, which expired 24/08/2020. A press notice was published 08/08/2020, which expired 30/08/2020. No comments were received during public consultation.					
CAAC comments:		The King's Cross Conservation Area Advisory Committee were consulted on the proposal, however at the time of writing the report, no response has been received.					

Site Description

The host property is a well proportioned three storey, plus roof space, London stock brick building fronting Gray's Inn Road, near to the corner of St Chad's Street on the west side of the road. There is an existing shop at ground floor and basement levels with a frontage of traditional appearance, which is accessible up three steps and via the main entrance door to the left hand side. There are residential spaces to the upper floors, which are accessible up three steps and through the door to the right hand side. Separating these entrances is a light well which is enclosed by black metal railings. The shop front is painted yellow in colour, the residential door is painted white. Above the entire frontage is a plain fascia panel which is displaying no signage.

The site is not listed, but is within the King's Cross St Pancras Conservation Area and also in close proximity to listed buildings opposite the site on Gray's Inn Road and also at St Chad's Street nearby.

Relevant History

There is no relevant planning history for this site.

Relevant policies

National Planning Policy Framework 2019

The London Plan 2016

Camden Local Plan 2017

A1 – Managing the impact of development

C6 – Access for all

D1 – Design

D2 – Heritage

D3 – Shopfront

Camden Planning Guidance

CPG Amenity (March 2018)

CPG Design (March 2019)

CPG Employment Sites and Business Premises (March 2018)

CPG Town Centres and Retail (March 2018)

King's Cross / St Pancras Conservation Area Statement 2003

Assessment

1.0 Proposal:

- 1.1 Planning permission is sought for alterations to the shopfront, residential entrance and access step at ground floor including installation of:
- i) Glazed shopfront with painted timber frame, with render to pilasters and stall riser.
 - ii) Glazed door to commercial entrance, and; obscured glazed door to residential entrance with stainless steel handrail, standards and spindles to sides.
 - iii) Pavement lights to new stone stair landing, with stone treads and risers, to cover existing light well, also with removal of metal railings and installation of aluminium louvre.
 - iv) New decorative numbering above each new door '307'.
 - v) Installation of new fascia panel spanning width of shopfront.
- 1.2 The application has been amended during the course of the decision making process to specify a timber framed shop front and doors, as opposed to aluminium.

2.0 Assessment:

- 2.1 The principal considerations material to the determination of this application are:
- i) Design & heritage,
 - ii) Access,
 - iii) Amenity, the impact on neighbours.

3.0 Design and Heritage:

- 3.1 Policy D1 (Design) of the Camden Local Plan 2017 states that 'Good design takes account of its surroundings and preserves what is distinctive and valued about the local area. Careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development which integrates into its surroundings. The Council will seek to secure high quality design in development and will require that development respects local context and character, preserves or enhances the historic environment and heritage assets.'
- 3.2 Policy D2 (Heritage) of the Camden Local Plan 2017 states that 'The Council places great importance on preserving the historic environment. Conservation areas are designated heritage assets. The Council will require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area and will seek to manage change in a way that retains the distinctive characters of our conservation areas and will expect new development to contribute positively to this.'
- 3.3 Policy D3 (Shopfronts) of the Camden Local Plan 2017 also states that 'Shopfronts contribute greatly to the character of centres and their distinctiveness. The Council will expect a high standard of design in new and altered shopfronts and other features. When determining proposals for shopfront development the Council will consider the design of the shopfront or feature, including its details and materials, the existing character, architectural

and historic merit and design of the building and its shopfront’.

- 3.4 The proposal is to replace an existing shopfront in the same location. The existing shopfront in place, although in need of some attention, is of a design style considered appropriate for the host building. The proportions of the existing shop and residential entrance are considered suitable for a building of this type in the conservation area.
- 3.5 The replacement shopfront proposed here, is considered to be out of character with the host property and unsuitable for the terrace in which it sits, as well as the wider conservation area. The proportions of the proposed alterations are not suitable for the shopfront and host building. The proposed plans show that the fascia would be positioned immediately below the first floor windows, and would not allow any space for visual breathing between different elements of the building.
- 3.6 The removal of railings and creation of a stone landing covering the light well is considered to entirely change the character of the shop frontage in such a way as to have a negative impact on the host building. The proposed main display window is also considered overly large for the shop in question. This is exacerbated by the proposed installation of a new fascia panel which breaches fascia level and interrupts the window sills of the fenestration at first floor giving an unbalance appearance to the overall whole property. Although the existing shop front is not original, it is considered to have a sense of propriety within the street scene and as part of the host building. As confirmed within the Conservation Area Statement, new shop fronts are expected to preserve or enhance the visual character of the area, and Officer consider that this proposal fails to achieve this.
- 3.7 The proposed covered landing also mixes the private and public entrances in an undesirable manner, removing a sense of privacy currently enjoyed by those accessing the residential space, i.e.) residents/ visitors to the flat are currently segregated from the general public by virtue of the railings arrangement, but the removal of railings would remove the sense of security they provide.
- 3.8 It should be noted that although the revised proposal to specify a timber framed shopfront and doorways is preferable to an aluminium framed version, the proportion of the design are not appropriate.
- 3.9 Council Conservation and Design Officers stated that they considered the design to be inappropriate for the host property an unsympathetic to the conservation area.
- 3.10 It is noted that the site is both within a conservation area and in close proximity to listed buildings at; Willing House, Nos.356-364 Gray’s Inn Road, and ; Nos.1-7 St Chad’s Street. This proposed development is considered to neither preserve or enhance the character of the King’s Cross/ St Pancras Conservation Area. Although there are listed buildings as noted above in close proximity, it is not considered that this would be a reason for refusal in and of itself.
- 3.11 In terms of size, design and materials to be used, the proposal provides no improvement on the current shopfront. It is unsympathetic and detracts from the conservation area, contrary to policies D1 and D2, and is also contrary to policy D3.

4.0 Access

- 4.1 Policy D1 (Design) of the Camden Local Plan 2017 states that ‘The Council requires new buildings and spaces to be inclusive and accessible to all. As accessibility is influenced by perceptions as well as physical factors, buildings should also be designed to appear, as well as be, fully accessible.
- 4.2 Policy C6 (Access) also states that ‘The Council will seek to promote fair access and remove the barriers that prevent everyone from accessing facilities and opportunities. The

Council will expect all buildings and places to meet the highest practicable standards of accessible and inclusive design so they can be used safely, easily and with dignity by all.'

4.3 The new shopfront should ideally be step-free access to be DDA compatible and in line with CPG1 (Design) whereby 'Entrance doors should be accessible to all, particularly wheelchair users and people with limited manual dexterity. 1000mm minimum clear door width in new buildings and 775mm door width in existing buildings where a new shop front or alterations to a shop front are proposed.'

4.4 The proposed doors are both approximately 1000mm in width, and being an existing building, will meet the requirement of CPG (Design). The existing stepped entrance would be made no worse by the new stone steps and landing, as such the proposal is acceptable in terms of access.

5.0 Impact on Amenity:

5.1 Due to the nature of the proposal, replacing an existing arrangement in the same location, this proposed development is not considered to have any impact on the amenity of neighbouring residential occupiers in terms of loss of light, privacy or outlook.

5.2 It should be noted that the proposed alterations are considered to have a negative impact on the privacy of the residential entrance which forms part of the host site.

6.0 Recommendation:

6.1 Refuse Planning Permission.

- i) The proposed shopfront, by virtue of its size, design and location, would result in an unsympathetic and incongruous frontage that would have a detrimental impact on the character and appearance of the host building and wider Kings Cross conservation area, contrary to policies A1 (Impact of development), D1 (Design), D2 (Heritage) and D3 (Shopfront) of the Camden Local Plan 2017.
- ii) The proposed infilling of the light-well and removal of railings would be detrimental to the character and appearance of the host property, the wider area and Kings Cross Conservation Area contrary to policies A1 (Impact of development), D1 (Design), D2 (Heritage) and D3 (Shopfront) of the Camden Local Plan 2017.