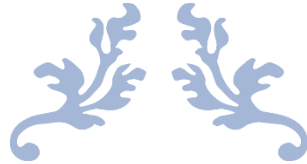




SE&SE CONSULTANCY LTD.



DESIGN AND ACCESS STATEMENT

329-331 Grays Inn Road, London, WC1X 8PX

January 2022



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1.0 Introduction

1.1 This Design and Access Statement accompanies the application for Installation of an extraction and ventilation system including works to the existing shopfront at 329-331 Grays Inn Road, London, WC1X 8PX.

1.2 It explains the concept and principles of the proposed development in relation to key issues such as surrounding context, amenity and noise impact. It also examines how the proposal accords with relevant National and Local Planning Policy and other material planning policy considerations.

1.3 This document is divided into six main sections and has the relevant information included on the context of the site, the proposed development, planning history, planning policy context, appraisal and conclusions.

1.4 In addition, this Statement is supported by the application submissions sent electronically via the Planning Portal.

2.0 Site description

2.1 The application site is located at 329-331 Grays Inn Road, London, WC1X 8PX.

2.2 The property is located within the Kings Cross / St. Pancras Conservation Area, but the building is not listed.

2.3 The ground floors on Grays Inn Road are occupied by a range of commercial properties whilst some of the upper floors are in residential use.

2.5 The site is within Flood Zone 1, the area least at risk from flooding.

2.6 Grays Inn Road is a busy commercial road, well served by public transport. Kings Cross Station is a 2-minute walk from the property and there are several bus routes serving the area. Cycle hire is available on Birkenhead Street as well as in other locations surrounding the site.

3.0 The proposal

3.1 The proposal is for a new extraction system, as well as a new fire exit to be installed to the rear to support a proposed restaurant use. The existing shopfront will be modified, namely the two doors to the front will be replaced with one single door placed to the left-hand side, with five glass panes installed to the right-hand side of this door.

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3.2 A full kitchen extraction and odour control system will be in place to reduce fumes and odours to acceptable levels. An impact assessment and report by Fan Services has been submitted with the proposal. It includes the provision of an extractor hood canopy above the cooking equipment.

3.3 Primary grease filters are the first stage of filtration of a re-usable stainless-steel baffle type design. There will be enough primary grease filters fitted to cover the complete length of the canopy face above the cooking ranges which are highly efficient at grease removal.

3.4 The ductwork from the canopy hood will connect to the odour filtration unit heavy duty activated carbon filtration unit which is accommodated in a housing box with G4 Pleated Panel Pre-Filters. The filter housing unit will be designed to ensure ease of access for maintenance and to provide a good seal around the filters to prevent gases bypassing the filters.

3.5 The odour system is then connected to an insulated box extractor fan unit with a transformer speed controller to reduce the harmonic of the fan when used on low speed. The fan is mounted on using anti vibration rubber mountings to eliminate any vibration noise. A 500 mm ductwork will run vertically to terminate one meter over the roof level with high velocity jet accelerator.

3.6 DAA Group has been appointed to carry out a Noise Impact Assessment. The purpose of the survey was to assess the level of noise emanating from the proposed kitchen extraction system to the nearest noise sensitive residential window and to advise on the level and type of mitigation that will be required. It has been concluded that noise emissions from the proposed plant would not have an adverse impact on the nearest residential receivers provided that the mitigation measures are followed. These include an attenuator that will be fitted to the fan. In addition, the duct will be isolated from the structure of the building using anti-vibration pads. The isolators shall incorporate rubber or neoprene high-frequency isolation pads. The fan should be installed with flexible connections to adjacent structures.

4.0 Planning History

4.1 Ref 8701948 - Demolition of existing single storey covered area at the rear of the property and construction of a part-1 and part-2 storey rear extension for toilets and staff room and offices and storage ancillary to the shop. Granted on the 17-06-1987 subject to conditions.

5.0 Key Planning Policy

National Planning Policy

5.1 In the first instance it is necessary to consider the national planning policy context which is the National Planning Policy Framework (NPPF) published in 2021.

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5.2 The NPPF is clear that Planning Permission should be granted for development where it accords with planning policy. To this end in **Paragraph 7** of the NPPF the point is made that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

5.3 **Paragraph 8** of the NPPF outlines the three strands to sustainable development namely economic, social and environmental objectives. It includes an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

5.4 **Paragraph 9** reinforces the point that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

5.5 The National Planning Policy Framework at **Paragraph 11** makes it clear that a presumption in favour of sustainable development is at the heart of national planning policy and where a proposal accords with planning policy then it should be permitted without delay.

5.6 Further attention is drawn to **Paragraph 38** of the NPPF which encourages local planning authorities to approach decision-taking in a positive way by looking for solutions rather than problems. Decision-takers at every level should seek to approve applications by using the full range of planning tools available to them and working proactively with applicants.

5.7 **Paragraph 51** of the NPPF, which identifies local circumstances as a relevant factor to take into account when making decisions. Further **Paragraph 55** makes it clear that planning conditions should be kept to a minimum and only imposed where necessary.

5.8 **Paragraph 54** states Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

5.9 **Paragraph 81** mentions that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

5.10 **Paragraph 86** adds that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

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Camden Local Plan 2017

5.11 Policy A4 Noise and vibration - The Council will seek to ensure that noise and vibration is controlled and managed. Development should have regard to Camden's Noise and Vibration Thresholds.

5.12 Planning permission will not be granted for:

- a. development likely to generate unacceptable noise and vibration impacts; or
- b. development sensitive to noise in locations which experience high levels of noise, unless appropriate attenuation measures can be provided and will not harm the continued operation of existing uses.

5.13 Planning permission will only be granted for noise generating development, including any plant and machinery, if it can be operated without causing harm to amenity. We will also seek to minimise the impact on local amenity from deliveries and from the demolition and construction phases of development.

5.14 The site is within a primary frontage area. The Council aims to protect the primary frontages as locations with a high proportion of shops (A1) in order to maintain the retail function of the centre. This policy is somewhat out of date given the permitted development changes introduced in September 2020. The 2020 Regulations only apply in England and revoke the long-standing "retail" use classes A1 to A5, introducing a single class E which includes a wide range of uses including retail, food, financial services, gyms, healthcare, nurseries, offices and light industry. Consequently, any change of use of a building or land between those uses falling within the new E use class will not constitute development and therefore will not require planning permission.

5.15 Policy D2 Heritage - The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.

5.16 Conservation areas are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. In order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas. The Council will:

- e. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;
- f. resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;
- g. resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and

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h. preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden's architectural heritage.

6.0 Appraisal

Principle of development

6.1 Local and National planning policy directs main town centre uses, such as restaurants, towards the defined centres. In principle, it is therefore considered that this is an appropriate location for this use provided the proposal would not cause any unacceptable harm to vitality and viability of the area.

Impact on Residential Amenity

6.2 There are residential flats surrounding the application site and therefore the proposal has been designed to ensure the amenity of these nearby occupiers is protected.

6.3 DAA Group has been appointed to carry out a Noise Impact Assessment. The purpose of the survey was to assess the level of noise emanating from the proposed plant to the residential units and to advise on the level and type of mitigation that will be required.

6.4 It has been concluded that noise emissions from the proposed plant would not have an adverse impact on the nearest residential receivers provided that the mitigation measures presented above are followed.

6.5 A full kitchen extraction and odour control system will be in place to reduce fumes and odours to acceptable levels.

Highways and Parking Considerations

6.6 The site is in a highly sustainable town centre location. There are several bus stops as well as King's Cross nearby. This is a highly accessible site and the proposal would not result in any dangerous parking which would be detrimental to highway safety.

Design

6.7 The site is located in a Conservation Area.

6.8 The ventilation system will not be seen from the main elevation or surrounding viewpoints and as such it would not have a detrimental impact on the Conservation Area.

6.9 The proposed shopfront will result in a minor change, however this is unlikely to result in a detrimental change to the Conservation Area. The current shopfront is not of particular design or

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heritage merit and its replacement with a simplified, contemporary design should not be harmful to the shopfront character in the surrounding area, which is in itself made up of mix of different styles, materials and designs.

Access

6.10 As previously mentioned, the site is in a sustainable location and is easily accessible via foot and public transport with there being bus and tube stops in easy walking distance.

7.0 Conclusion

7.1 Having analysed the planning policy context and material considerations the proposals don't present with significant issues which would warrant a refusal.

7.2 The planning proposals for the change of use at the application site are entirely appropriate for the locality, in accordance with the planning policy documents. The proposals would enable the delivery of positive economic effects from the application site, including the associated element opportunities and investment to expand. These positive economic benefits are wholly in accordance with the objectives of planning policies in respect of the area at national and local levels.

7.3 The proposed development represents an acceptable land use and, subject to mitigation would not have a significant adverse impact upon visual amenity and character, neighbour amenity, highway safety and the viability and vitality of Grays Inn Road. The development is therefore in conformity with the requirements of the National Planning Policy Framework and Local Plan Policy.

7.4 Having regard to the above, it is considered that the proposed development accords with the policy objectives of the Local Plan and the NPPF. Planning Permission should therefore be granted for this proposal having regard to the benefits outlined in this statement.

END

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