



Appeal Decisions

Site visit made on 14 March 2022

by Graham Chamberlain BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st April 2022

Appeal A - Ref: APP/X5210/W/21/3286015

14 Gray's Inn Square, London, WC1R 5JP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by The Honourable Society of Gray's Inn against the London Borough of Camden.
 - The application Ref 2021/1310/P, is dated 19 March 2021.
 - The development proposed is described as 'Replace traffic barrier to Gray's Inn Square vehicular exit with new decorative metal gates'.
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Appeal B - Ref: APP/X5210/Y/21/3286011

14 Gray's Inn Square, London, WC1R 5JP

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
 - The appeal is made by The Honourable Society of Gray's Inn against the London Borough of Camden.
 - The application Ref 2021/0516/L is dated 19 March 2021.
 - The works proposed are described as 'Replace Traffic Barrier to Gray's Inn Square vehicular exit with new decorative metal gates'.
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Decisions

1. Appeal A - The appeal is allowed, and planning permission is granted to replace the traffic barrier at the Gray's Inn Square vehicular exit with new decorative metal gates at 14 Gray's Inn Square, London, WC1R 5JP, in accordance with the terms of the application, Ref: 2021/1310/P, dated 19 March 2021 subject to the conditions in the attached schedule.
2. Appeal B - The appeal is allowed, and listed building consent is granted to replace the traffic barrier to Gray's Inn Square vehicular exit with new decorative metal gates at 14 Gray's Inn Square, London, WC1R 5JP, in accordance with the terms of the application, Ref: 2021/0516/L, dated 19 March 2021, the plans submitted with it and the conditions in the attached schedule.

Preliminary Matters

3. During the Council's consideration of the application the appellant submitted a revised drawing (HK2271 00.002 Rev A). The Council assessed these, with the Senior Conservation Officer appearing to provide comments on the 2 August 2021. That said, the Council's delegated report does not list the amended drawing. I therefore sought clarification from the Council and appellant. The Council did not respond but the appellant confirmed that the appeal should be

considered in accordance with the amended drawing. I have proceeded on this basis as the changes are minor, have been with the Council for some time and were submitted at the outset of the appeal. As such, no party would be prejudiced by this course of action. I have considered the appeals concurrently, but on their own merits, because there are common matters.

Background and Main Issues

4. The Council failed to determine the applications within the prescribed periods and therefore the appellant exercised their right to submit these appeals. The Council has confirmed through putative reasons for refusal that, had it been able to do so, it would have refused the applications due to concerns regarding the effect on heritage.
5. As a result, the main issues in both appeals are:
 - Whether the proposal would preserve the Grade II* listed building known as Greys Inn Square Nos 12, 13 and 14, or any features of special architectural or historic interest it possesses; and
 - Whether the proposal would preserve or enhance the character or appearance of the Bloomsbury Conservation Area (CA).

Reasons

Whether the proposal would preserve the listed building

6. The listed building probably dates from the late 17th Century and presents an elegant façade comprised of brickwork with banded detailing as a form of relief. It is arranged over four storeys above ground with each exhibiting symmetrically arranged sash windows. Balance and symmetry are an important part of the building's composition and is integral to the polite architectural language on show. The building is part of the composition of the square and the high level of uniformity and harmony that is part of the overall composition.
7. The cast iron railings at street level are also an important component of the building, as they provide a grandness whilst functionally dividing the public and private spaces. The arch is also an interesting detail that has been transformed into a feature due to the symmetrical gatehouse above, which is set slightly forward and accentuated by using rusticated stone, a pediment at roof level and a centrally placed griffin above the passageway.
8. Accordingly, the significance of the listed building, in so far as it relates to these appeals, is primarily found in its aesthetic value. It also has evidential/historic value as a repository of past styles, building technical and ways of life.
9. The proposed gates would be constructed from metal and painted black to match the nearby railings. The design of the gates would also incorporate sensitive detailing in the form of spikes and an urn, both of which reference features nearby and thus respond to the group harmony found within the square. The heavy-duty hinges would also echo those found on the east gate into Greys Inn Garden. As a result, the proposed gates would harmonise with the architecture of the listed building.
10. That said, the proposal incorporates some compromises. The most significant being the atypical position of the gates outside of the arch. This is a practical response because the opening would not be wide enough to accommodate the

gates and a vehicle. The wooden gates onto Greys Inn Road fit into a wall recess that is not present on the inner side of the passageway. Nevertheless, even with this limitation, the proposed gates would be a marked improvement on the incongruous traffic barrier that is currently in place. Evidence provided by the Head Porter indicates it has been *in situ* for some time and there is nothing to suggest the Council are actively seeking its removal.

11. Moreover, the gates would be tight to the arch and thus behind the adjoining railings. They would also respect the symmetry of the gatehouse, with the opening below the griffin. In addition, they would not be discordantly oversized, thereby reflecting the proportions of the opening. The posts would also align with the stonework pointing, which would be a sensitive touch. On balance, the position of the gates would not harm the architectural and aesthetic value of the listed building and thus its significance.
12. The bi-fold nature of the gates would not be a traditional opening method. However, this would mark the gates out as a modern intervention, albeit one that is harmonious due to the material, design, and finish. Furthermore, the motor would be underground, and the transmitter arm disguised by the lower gate bar. As a result, the method of opening, and the infrastructure required to do so, would not harm the significance of the listed building.
13. In conclusion, the proposal would preserve¹ the significance, value, and special interest of the listed building. As a result, it would adhere to the expectations set out in The Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act')² and the National Planning Policy Framework³. The proposal would also adhere to Policy D2 of the London Borough of Camden Local Plan 2017 in so far as relevant, which seeks to preserve the significance of listed buildings.

Whether the character or appearance of the CA would be preserved or enhanced

14. The Bloomsbury Conservation Area Appraisal and Management Strategy explains that an important aspect of the CA is the evidential value it provides as part of London's expansion into its rural environs in the 17th Century. The appeal building is therefore part of this historic layer of development. That said, the Inns of Court at Gray's Inn continued the tradition of developing in a courtyard form, reflecting their Medieval origins. This has resulted in an enclosed, collegiate character with a private, internalised feel. The internal courts are hidden from view from the main surrounding streets except at key locations where there are glimpsed views, sometimes along passageways. The sense of privacy of the Inns of Court is reinforced by the continuous enclosed street frontages with gateways or arches.
15. Within the Gray's Inn courtyard, there is a notable character created by the consistent use of cast iron railings along frontages. The details of the railings vary with an interesting variety of classically derived motifs including urns and spears. The high quality of public realm is reinforced by numerous elements of historic interest including York stone paving and 19th century lamp-posts.
16. Accordingly, the significance of the CA, in so far as it relates to these appeals, is primarily found in its historic, evidential, and aesthetic value as a section of evolved cityscape with predominately early modern origins.

¹ Preserve in this context means to do no harm.

² See s16(2) and s66(1) as relevant

³ Paragraphs 189, 190, 195 and 197 in particular

17. For the reasons already given, the gates would respect the historic context of the site and would exhibit appropriate detailing. They would also reinforce the private internalised feel of Gray's Inn. Although the visually permeable nature of the gates would allow views into the square when they are closed, which is not the case with the solid timber gates. As a result, the proposal would preserve the character and appearance of the CA.
18. In conclusion, the proposal would preserve the character and appearance of the CA. Its significance would not be harmed. As a result, the appeal scheme would adhere to the expectations set out in the Act⁴ and the National Planning Policy Framework. The proposal would also adhere to Policy D2 of the London Borough of Camden Local Plan 2017 in so far as relevant, which seeks to preserve or enhance conservation areas.

Other Matters

19. Due to their sensitive and contextually led design, the proposed gates would preserve the setting of other listed buildings in the square. The route under the gatehouse is not a public right of way and signage activity discourages pedestrians from using it. This is due to safety concerns arising from the narrow form of the arch and its function as a vehicular exit. Instead, pedestrians are directed to a route a short distance further along Greys Inn Road. As a result, the proposal would not obstruct any pedestrian desire line and thus undermine the Council's transport strategy to prioritise walking.

Conditions

20. I have had regard to the advice in the Planning Practice Guide and the conditions suggested by the Council. It is necessary to impose a plans condition on Appeal A in the interests of certainty. I have however removed reference to the design and access statement because this is not a drawing, and updated the plans list to reflect those considered by the Council.
21. It is unnecessary to impose a plans condition in respect of Appeal B because the approved works are those shown on the plans. Any variation would require a fresh application for listed building consent.
22. The materials are identified on the drawings so a condition specifying them is unnecessary. However, it is necessary to control the colour of the gates, which is not detailed. The approved drawings include a typical section of the gates and its detailing so a condition in this regard is unnecessary. To ensure any making good is undertaken sensitively a condition in this respect is necessary.

Conclusion

23. For the reasons given, the appeals are allowed.

Graham Chamberlain
INSPECTOR

⁴ See s72(1)

Schedule of Conditions

Appeal A - Ref: APP/X5210/W/21/3286015

- 1) The development hereby permitted must be begun not later than the end of three years from the date of this permission.
- 2) The development hereby approved shall be painted in a colour that matches the existing adjoining railings.
- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: HK2271- 00.001 and HK2271- 0.002 Rev A.

Appeal B - Ref: APP/X5210/Y/21/3286011

- 1) The works hereby permitted shall be begun not later than the end of three years from the date of this consent.
- 2) The works hereby approved shall be painted in a colour that matches the existing adjoining railings.
- 3) All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.