

30 November 2021

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

**Newsteer**  
**Real Estate Advisers**

C/O HubHub London  
20 Farringdon Street  
London EC4A 4AB



Dear Sir/ Madam,

**RE: 307 Gray's Inn Road, London, WC1X 8QS**

**Planning Application for Full Planning Permission for replacement shopfront, residential entrance and access steps.**

#### Introduction

On behalf of our client, Create Reit Ltd, please find enclosed a planning application relating to the above site.

This application is submitted electronically via the Planning Portal under reference PP-10384589 and seeks full planning permission for the following:

*"Replacement shopfront, residential entrance and access steps."*

In line with validation requirements, the following documentation is submitted in support of this application:

- Application Form (ref. PP-10384589)
- Cover Letter
- Composite Plan dwg no.P-003 B
- Planning Statement – including access (within this Letter)

As a resubmission of planning application 2020/1648/P (dismissed at appeal in October 2021), no fee is payable<sup>1</sup>.

#### Site Background

No. 307 is located on the western side of Gray's Inn Road, close to the junction with St Chad's Street. It is a four-storey terraced building having previously benefited from a mansard roof extension and it also features a sub-terranean basement. The ground floor/basement retail unit is

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<sup>1</sup> PPG Paragraph: 040 Reference ID: 22-040-20141017

currently vacant but the upper floors are in residential use. The site is located within the Kings Cross St Pancras Conservation Area but the building is neither locally nor statutorily listed.

The site is also located within the Central London Area and is surrounded by a mix of commercial uses, with some residential uses at upper floors. It is in a highly accessible location with Kings Cross underground and train station located less than 500m away. The road is also well served by a number of bus services and, consequently, the site has a PTAL rating of 6B - the highest possible rating.

The property is located within Flood Zone 1, and therefore has a low probability of flooding.

The building style of the surrounding area is mixed, and the shopfronts vary in terms of their style, materials, quality and colours.

The planning history of the site is set out below:

- **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)**
- **2020/1648/P** - replacement shopfront, residential entrance and access steps. **(Refused 18/01/2021. Appeal Dismissed 20/10/2021 - APP/X5210/W/21/3268650)**

### Proposed Development

Full planning permission is sought for the following:

- Removal of both existing entrance steps, the railings, light well stair and plinths
- Removal of both existing entrance doors and surrounds, along with the shopfront, stall riser panels and fascia sign
- Installation of a water-proof structural slab over the existing light well, configured to accept pavement lights and new semi-ambulant steps across the frontage
- Installation of new wooden framed shopfront and door sets to provide a co-ordinated solution and improved 'visibility' to the commercial space

It is considered that the shopfront and associated entrance alterations are in keeping with the established character of the area and do not have a detrimental impact on the conservation area. It is considered that the development responds the concerns raised by the Inspector when assessing APP/X5210/W/21/3268650. Further justification for this is set out below.

### Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that planning applications for development should be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

For the purposes of this application, the Development Plan comprises the following:

- London Plan (2021)
- Camden Local Plan (2017)

The Camden Local Plan was adopted on 3rd July 2017 and replaced the Core Strategy and Camden Development Policies documents as the basis for planning decisions and future development in the borough.

The Council has also produced a number of supplementary planning guidance documents. The most relevant of which are; Camden Planning Guidance (CPG) on Design (2021) and the King's Cross Conservation Area Statement 22 (December 2003).

On 20 July 2021, the Government published its revised National Planning Policy Framework ('the Framework'). It replaces the previous version published in February 2019. The Framework represents the Government's up-to-date planning policies for England and how they should be applied; it is therefore a material consideration of considerable weight.

The most relevant policies are set out below.

### Camden Local Plan (2017)

- **Policy A1** guides that Council will seek to protect the quality of the life of occupiers and neighbours, ensuring development contributes to strong and successful communities.

- **Policy D1** states that the council will seek to secure high quality design in development which also respects local context and character, preserves or enhances the historic environment and comprises details and materials that complement the local character.
- **Policy D2** states that the Council will preserve and enhance Camden's heritage assets, including conservation areas and will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas.
- **Policy D3** advises that the Council will expect 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.*

*Camden Planning Guidance: Design (2021)*

Section 6 sets out the key guidance regarding shopfronts:

- Shopfronts should be designed to a high standard and should consider the character and design of the building and its context
- Shopfront alterations to existing buildings should respect the detailed design, materials, colour and architectural features of the shopfront and building itself.
- Shopfronts in newly designed buildings should be designed to integrate well with the surrounding area and contribute positively to the public realm.
- The Council strongly encourages shopfront security measures to be internal rather than external. Solid shutters will only be considered acceptable in exceptional circumstances.
- Vibrant and well-designed shopfronts animate and activate the street scene and contribute to creating healthy places.

The guidance also states that 'Creating open lightwells with railings in front of a shopfront is not generally considered acceptable as it prevents window shopping and disrupts the buildings relationship to the rhythm of the street. This also applies if the shopfront has been converted into residential accommodation'.

*Kings Cross Conservation Area Statement (2003)*

The Conservation Area Statement advises that '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'. It goes on



to say that '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.'

Part 6.3 of the Statement advises that alterations and extensions to existing buildings can have a detrimental impact on the character and appearance of the area. Examples of inappropriate changes include:

- Replacement shopfront elements that are unsympathetic to the proportions, scale and materials of the building or street into which they have been added
- Loss of original details such as traditional shopfront elements, frontage railings and balconies, corning at parapet level, chimneys and chimney stacks

Para. 7.18.2 stipulates that any shop front of historic interest or architectural quality should be retained and advises that the loss of historic/ original shop fronts will be strongly resisted. Proposals for new shop fronts will be expected to preserve or enhance the visual character and appearance of the shopping streets, through respect for the proportions, rhythm and form of the original frontages.

#### *National Planning Policy Framework (2021)*

The National Planning Policy Framework (NPPF) which was adopted in February 2021 sets out the overarching planning guidance to which all Development Plan Documents should comply. As such, the NPPF is a material consideration of considerable weight. Guidance as to how the NPPF, Planning Policy and Planning Law should be used in practice is provided within the National Planning Practice Guidance (NPPG).

At the heart of the new NPPF as with the last lies a presumption in favour of sustainable development. For decision taking, Paragraph 11 sets out that, this means expediently approving development proposals which accord with an up-to-date development plan without delay or, where there are no relevant policies or those policies are out of date, permission be granted unless the application of policies within the Framework which protect assets of importance provide a clear reason for refusing development, or any adverse impacts of approving the proposal would significantly and demonstrably outweigh the benefits.

Section 12 of the NPPF provides guidance on the design of development. It states that developments should be visually attractive and sympathetic to local character and history whilst Section 16 provides guidance on conserving and enhancing the historic environment.

## Planning Considerations

The main planning considerations for the purposes of this planning application are addressed below.

### *The Principle of the Development*

The principle of a replacement shopfront and associated works was not contested by the Council when assessing planning application 2020/1648/P, nor was it challenged by the appointed Inspector (APP/X5210/W/21/3268650).

The principle of the development is therefore considered to be acceptable.

### *The design of the proposed development*

#### The Shopfront

The design of the replacement shopfront has been considered carefully following the dismissed appeal (APP/X5210/W/21/3268650) and alongside more modest detail changes, also replaces the 'bland' and 'uninspiring' design proposed under the appealed scheme with one that provides notable detail in the main window.

As required by the Inspector, the shopfront retains balance and symmetry. The proposals also retain the existing fascia so that the shopfront would not 'creep' into the upper floors of the building, thus retaining the brick arch window surrounds of the first floor (APP/X5210/W/21/3268650, paragraph 8).

Accordingly, the proposal will both preserve and enhance the character and appearance of the KCCA in accordance with Policies D1, D2 and D3 of the Camden Local Plan (2017).

#### The Stairs & Basement Lightwell

It is proposed to remove both of the existing entrance steps, the railings and the light well stair. In their place, it is proposed to install a new water-proof structural slab over the basement light well which will be configured to accept pavement lights and to introduce one new set of semi-ambulant steps across the whole frontage with stainless steel handrails, standards and spindles.

The step alterations represent a modest alteration to the building and would have no adverse impact on the character of the property or the wider street scene. It is also proposed to install a new water-proof structural slab over the basement light well which will be configured to accept pavement lights. This will allow customers to 'window shop' and will improve the building's relationship to the rhythm of the street in accordance with the council's shopfront design guidance (2021).

In reaching their decision, the appointed Inspector (APP/X5210/W/21/3268650) concluded that the covering of the lightwell would not cause harm (paragraph's 10 & 13). The Inspector also concluded that the railings were not a hugely positive characteristic of this part of the KCCA (paragraph 11) and their removal would also not cause harm (paragraph 13).

It is for this reason that these elements of the proposal remains unchanged.

#### Access

The current access to both of the existing uses is via sets of irregular steps and landings. The proposals will create access routes to both current uses, via the provision of semi-ambulant steps and landings, of equal rise and going, with anti-slip and contrasting nosing details, and appropriate guarding. The proposal therefore represents an improvement to the existing access arrangements to both the commercial and residential premises.

#### CIL

The proposal does not result in the creation of any additional floorspace and as such, the development is not CIL liable.

#### Conclusions

The Site is located within an established commercial area and the age, design and finish of shopfronts along Gray's Inn Road is highly varied. The existing shopfront is not original and the building is not listed. The proposed shopfront has been designed to incorporate traditional features in accordance with the Council's design guidance and the infilling of the basement light well will allow customers to 'window shop' and improve the building's relationship to the rhythm of the street. The replacement of the stairs will improve accessibility to the commercial and residential premises and on balance, the replacement of the existing, mis-matched and non-original shopfront with a wooden replacement would be acceptable in planning terms.

We trust that the above provides sufficient information for you to consider the application, but should you have any queries or require any further information, please do not hesitate to contact me.

Yours faithfully,



**David Brown**

Planning Director

