

Application ref: 2022/3534/P
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Date: 24 November 2022

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Hybrid Planning & Development
21 Vyner Street
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Refused

Address:

**133 Gray's Inn Road
London
Camden
WC1X 8TU**

Proposal:

Partial change of use from pub (Sui Generis) and ancillary accommodation to pub (Sui Generis) and residential (C3) involving the creation of 7 residential units. Erection of three storey rear extension at 1st-3rd floor and two storey roof extension. Erection of rear terraces at 1st-5th floor and ground floor fenestration alterations

Drawing Nos: 754-001; 754-010; 754-011; 754-012; 754-013; 754-014; 754-015; 754-020; 754-030; 754-031; 754-032; 754-033; 754-050; 754-051; 754-052; 754-053; 754-054; 754-055; 754-060; 754-070; 754-071; 754-072; 754-073; 754-100 Rev.P2; 754-101 Rev.P2; 754-102; 754-103; 754-104; 754-105; 754-106; 754-107; 754-110; 754-111; 754-120; 754-121 Rev.P2; 754-122 Rev.P2; 754-123 Rev.P2;

Supporting documents:

Air Quality Assessment dated April 2022 by Syntegra consulting; Energy & Sustainability Report dated 20/4/22 by Environmental economics; Noise Impact Assessment rev.B dated May 2022 by Environmental economics; Kitchen Odour Assessment dated April 2022 by Environmental economics; Daylight, Sunlight &

Overshadowing Assessment dated August 2022 by NRG Consulting; Financial Viability Assessment dated August 2022 by Town Centre Regeneration Ltd;

Fire statement dated 16/3/22 by Vemco consulting; Heritage assessment dated April 2022 by Icení and Josta 2-tier High Capacity Racks by cycle works

The Council has considered your application and decided to **refuse** planning permission for the following reason(s):

Reason(s) for Refusal

- 1 The proposed development, as a result of the loss of public house ancillary accommodation, storage space and access to outside amenity space, would adversely affect the operation of the public house, contrary to policy C4 (public houses) of the Camden Local Plan 2017.
- 2 The proposed development, as a result of the detailed design, height, scale, massing and form of the proposed extensions and alterations, and the loss of important architectural features through demolition, would cause harm to the character and appearance of the building and the Bloomsbury Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.
- 3 The proposed development, has failed to demonstrate that it is not possible to retain and improve the existing building, and as such has not satisfactorily justified the proposed substantial demolition, contrary to policy CC1 of the London Borough of Camden Local Plan 2017.
- 4 The proposed development, by reason of the potential overlooking between flats 01 and 02 at 1st floor and flats 04 and 05 at 3rd floor, and in absence of a comprehensive daylight/sunlight report, would provide poor quality accommodation for future occupants, contrary to policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.
- 5 The proposed development, by reason of its location, design and scale, would result in a loss of privacy to nos. 20a, 21 and 21a Brownlow Mews, to the detriment of the occupiers' amenities, contrary to policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.
- 6 In the absence of a comprehensive and adequate daylight and sunlight impact report to demonstrate otherwise, it is considered likely that the development would result in a harmful loss of daylight to residential properties at no. 20a, 21 and 21a Brownlow Mews, contrary to policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.
- 7 In the absence of a basement impact assessment (or a screening and scoping exercise which demonstrates a full basement impact assessment would not be required), it has failed to be adequately demonstrated that the proposed basement excavation would not cause harm to neighbouring properties or the structural, ground or water conditions of the area, , contrary to policies A1 (Managing the impact of development) and A5 (Basements) of the London Borough of Camden Local Plan 2017.
- 8 The proposed development, in the absence of a legal agreement for car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area and fail to promote more sustainable and efficient forms of

transport, contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and Car Parking) and A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

- 9 The proposed development, in the absence of a legal agreement securing contributions to pedestrian, cycling and environmental improvements in the area, would fail to make sufficient provision in a sustainable manner for the increased trips generated by the development thus causing a cumulative detrimental impact on the borough's transport network, contrary to policies A1 (Managing the impact of development) and T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017.
- 10 The proposed development, in the absence of a legal agreement securing financial contributions towards highways works, would fail to secure adequate provision for and safety of pedestrians, cyclists and vehicles, contrary to policies T3 (Transport infrastructure) and A1 (Managing the impact of development) of London Borough of Camden Local Plan 2017.
- 11 The proposed development, in the absence of a legal agreement to secure a construction management plan, construction impact bond and a financial contribution for construction management plan monitoring, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.
- 12 The proposed development, in the absence of a legal agreement securing a payment in lieu of affordable housing, would fail to maximise the site's contribution to the supply of affordable housing in the borough, contrary to policy H4 (Maximising the supply of affordable Housing) of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Without prejudice to any future application or appeal, the applicant is advised that reasons for refusal nos. 8-12 could be overcome by entering into a Section 106 Legal Agreement for a scheme that was in all other respects acceptable.
- 2 Without prejudice to any future application or appeal, the applicant is advised that the reason for refusal no.7 could be overcome by providing a basement impact assessment (or a screening and scoping exercise which demonstrates a full basement impact assessment would not be required), in line with advice in Policy A5 and CPG 'Basements' for a scheme that was in all other respects acceptable.

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 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision.>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DP', is positioned above the printed name and title.

Daniel Pope
Chief Planning Officer