



Appeal Decision

Site visit made on 14 February 2023

by Claire Searson MSc PGDip BSc (Hons) MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3rd March 2023

Appeal Ref: APP/X5210/W/22/3307837
307 Gray's Inn Road, London WC1X 8QS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Create Reit Ltd against the decision of London Borough of Camden.
 - The application Ref 2021/5885/P, dated 10 November 2021, was refused by notice dated 22 September 2022.
 - The development proposed is replacement shopfront, residential entrance and access steps.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on the character and appearance of the area, with particular reference to the Kings Cross Conservation Area (KCCA).

Reasons

3. Located at the busy junction of Gray's Inn Road and St Chad's Street, No 307 is a 3-storey property with mansard roof and attic level rooms and basement. It dates from the 19th Century and is of London stock brick construction. The upper floors have modern uPVC windows, which at the first floor are set into arched reveals.
4. To the ground floor level is a modern bow fronted glazing bar shopfront with moulded and panelled stallriser and a fascia above. The shopfront is flanked by two doorways, one leading into the ground floor unit, and another serving as an access to the upper floors. These include fluted pilasters. The ground floor is elevated from the street level and there is stepped access up to the entrances. There is also a lightwell to the basement area, which is surrounded by modern railings in a traditional design.
5. The appeal property forms part of a terrace, with No 309 of the same age and construction type, with a modern tiled shopfront and railings around a lightwell area. No 305 Gray's Inn Road is a modern infill development located between the appeal property and No 295. It is 4-storey in height (plus attic level), is of red brick construction and has stepped and ramped access with modern glazed railings to the pavement edge. Beyond this is the remainder of a 19th Century terrace, again some with poor quality alterations.
6. The appeal site is located within the KCCA which contains the area for the Victorian railway stations of Kings Cross and St Pancras. KCCA contains a

number of 19th Century terraces which developed around the stations, along the main arterial routes towards Euston Road. These are typical of London architecture and form an important part of the character of the area. While the appeal property suffers from poor quality modern alterations, the building makes a positive contribution to the character and appearance of the KCCA.

7. The replacement shopfront would be in painted timber with fascia and rendered pilasters. It would incorporate stallrisers and toplights with decorative powder coated metal grills. The appellant has sought to address the comments made by the previous Inspector for a previous scheme at the site¹ including through reducing the height of the fascia and the introduction of mullions and transom lights to break up the area of glazing.
8. However, in assessing the scheme before me based on its own merits, the design would, in my view, cause harm to the character and appearance of the building and the wider KCCA. Although the existing shopfront is modern, it has some appropriate detailing which would typically be found in a historic unit. The proposed shopfront would not incorporate many detailed elements of traditional shopfront design, such as mouldings and through the introduction of plain rendered pilasters. The fascia would have little detailing to it and in combination with the pilasters would provide a poor 'frame' to the shopfront.
9. The flank doors would appear as a basic, modern design through the incorporation of glazing to the bottom panels with very simple beading profiles. These panels would be at different heights to the stallriser which would be visually incongruous and would jar.
10. The KCAA Statement (2004) notes that alterations and extensions can have a detrimental impact and specifically references the replacement of shopfront elements that are unsympathetic to the proportions, scale and materials of the building or street. The analysis for Gray's Inn Road talks about shopfronts with a poor design quality which detract from the appearance of the host buildings and terraces. Although each element of poor design is somewhat subtle, when taken together the poor detailing of the proposed development would further contribute to the incremental erosion of traditional detailing in the KCAA. The proposed shopfront would be unsympathetic and unsuccessful in this regard.
11. Moreover, I also consider the loss of the lightwell and railings would be a harmful aspect of the proposed development. While it does not specifically reference lightwells, the KCAA Statement makes a number of references to basement areas of historic buildings, stepped accesses across these into the ground floor areas, as well as front areas and railings which enclose these areas. Paragraph 6.5.1 also makes specific reference to the loss of frontage railings and streetscape elements which can have an overall detrimental impact.
12. The existing railings are clearly a modern addition, but they are in a traditional design with arrow top finials and provide enclosure. Along this side of Gray's Inn Road there is a distinctive line which demarcates the small front areas serving the buildings from the pavement. This includes the immediate properties surrounding the appeal site due to the presences of basement level accommodation, a lightwell to No 309, and railings to this property and No 295. This would be punctuated and lost by the proposed development. The

¹ APP/X5210/W/21/3268650

introduction of tubular stainless-steel handrail, standards and spindles to the sides would also fail to respect the character of the host building and would be incongruous in this regard.

13. I accept that further down Gray's Inn Road some of the historic terraces have had their lightwells infilled and thus their presence is more sporadic. However this serves to confirm the harm caused by the loss of these front areas, as a feature of the KCCA.
14. I appreciate that I am coming to a different view to the previous Inspector, however I must pay special attention to the desirability of preserving or enhancing the character or appearance of the KCCA.² Moreover, in terms of lightwell there is nothing before me to suggest that the Inspector's attention was drawn to the KCCA Statement in specific regard to basements and railings, whereas I consider that it is clear that the loss of frontage railings and streetscape elements is a clear part of the KCCA statement.
15. I have also reviewed the Camden Planning Guidance on Design (2021) which states at 6.16 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.*" However, this relates to the creation of new lightwells, and not the loss of existing ones. In any case, that loss here would clearly disrupt the building's relationship to the rhythm of the street, which is characterised by the presence of these lightwells, enclosed by railings.
16. Overall, I find the development would cause harm to the character and appearance of the KCCA. Accordingly, the development would conflict with Policies D1 and D2 of the Camden Local Plan (2017) which seek to ensure development is of high-quality design, preserves or enhances the character and appearance of the area. The development would also conflict with Policy D3 relating to shopfronts which requires high standards of design and the consideration of detailing and materials, the existing character, architectural and historic merit of the building and shopfront, and the relationship between the shopfront and any forecourt or lightwell.
17. That harm is classified as less than substantial in terms of paragraph 202 of the National Planning Policy Framework, however this harm is not outweighed by purported benefits. The property appeared to be in use at my visit and there is also no evidence of how the development would reduce crime and antisocial behaviour through improved natural surveillance. Nor has evidence been produced explaining what the current issues are and how the new arrangement would improve them. The remaining benefits cited relate to design matters, to which I have dealt with above.

Conclusion

18. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

C Searson
INSPECTOR

² S72 of the Planning (Listed Building and Conservation areas) Act 1990