



NEW SQUARE, LINCOLN'S INN

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i. INTRODUCTION: BACKGROUND TO THE DOCUMENT

This Conservation Plan was prepared by Donald Insall Associates for the Honourable Society of Lincoln's Inn.

The survey was completed in July 2010 by Francis Maude and Tanvir Hasan; and the research by Carrie Maude, Katrina Royall and Ayla Lepine, all of Donald Insall Associates.

The intention of this document is to inform the Society of Lincoln's Inn by providing:

- an analysis of the history and construction of the building.
- an assessment of the significance of the building and of its various component elements.
- a conservation briefing for the future usage of the building.

ii. CONSERVATION PLAN METHODOLOGY – HOW THE DOCUMENT WORKS

The Conservation Plan seeks to both guide and advise proposals for the future usage of the buildings, and is divided into eight parts:

1. The Buildings

This section gives a basic introduction to New Square and the site, including chronology of development and use.

2. Assessment of Significance

This section addresses the aspects of New Square which contribute to their significance, and the hierarchy of the significance of its different parts and areas. A key part of this analysis is the Gazetteer, which is included in Section 6.

3. Vulnerability

This section addresses the various issues which make the building and particularly its most significant elements vulnerable, highlighting global issues such as the increasing size of contemporary Barrister's chambers and firms of solicitors, the service requirements of modern offices and residential units and the need to maintain the use of the buildings in the light of particular matters such as fire safety, access requirements, and changing weather conditions.

4. Conservation Policies

This section sets out a series of policies which are aimed at informing the process of change and at guiding future buildings management.

5. Implementation

This section is prepared following consultation with the stakeholders about the provisions of the draft document, and details how the conservation policies are to be implemented.

6. Gazetteer

This section provides a description of the buildings part by part, room by room, giving an assessment of the construction, finishes, date of execution and significance in relation to the whole building.

7. Bibliography

This section gives a list of the key secondary sources consulted in the preparation of the Conservation Plan.

8. The Plate List and Plates

This section contain illustrations key to an understanding of the site and buildings.

9. The Drawing List and Drawings

This section contains reference plans with the room numbers used in the report.

iii. ACKNOWLEDGEMENTS

We are indebted to Peter Spooner of the Honourable Society of Lincoln's Inn for sharing with us his knowledge of the building and archival material, and are grateful for the kind assistance of Guy Holborn, Librarian, and his colleagues. This Conservation Plan draws heavily on the work of Morgan Lear from 2004, which was kindly made available to us by the Honourable Society. To Pamela Morgan for facilitating access, and to all the Chambers and individuals who allowed us access to their rooms during the surveys.

Sources Consulted

The research used in this Conservation Plan draws mainly on material held by the Society of Lincoln's Inn; other sources consulted were:

- The R.I.B.A Library, and Drawings Collection.
- The London Library
- The London Metropolitan Archive
- The Guildhall Library and Department of Maps and Prints

- The Victoria and Albert Museum Department of Sculpture, Metalwork, Ceramics and Glass.
- The National Art Library
- The National Monuments Record; English Heritage
- The Courtauld Institute

1.0 THE BUILDINGS

1.1 Introduction

New Square was built by Henry Serle, Nicholas Barbon and others, between 1693 and 1697 on land to the south of the buildings then existing at Lincoln's Inn. The buildings are arranged as a continuous terrace around three sides of a square, open to the north, where the rest of Lincoln's Inn is situated. Nos 1-2 are on the east side, 4-6 along the south, and 8-11 to the west. No 3, which incorporates a carriageway through to Carey Street, fills the southeast corner, and No 7, with a passage through to the Royal Courts of Justice, fills the southwest corner.

No 11A lies immediately north of No 11 at the northwest corner of New Square, and is covered with No 11.

Nos 12 and 13 New Square form part of the range of Medieval and Tudor buildings known collectively as Old Buildings, and are covered by that report.

Built speculatively as chambers to be let to Barristers, the nine double-fronted buildings were first built on three floors above a basement, arranged around a central staircase. For Nos 1-2, 4-6 and 8-11, each floor provided two sets of chambers, each of four rooms, three for the barrister and his clerks and one bedchamber. Nos 3 and 7, at the corners of the square, were arranged with three sets of chambers on each floor.

Communal lavatories were located behind Nos 1-2 New Square.

From the 1720s onwards, the second floor tenants began to colonise the roofspace, adding dormer windows to provide light to the new rooms. These were reached by secondary staircases from the second floor sets, rather than by extending the central staircase upwards. This process was largely complete by the 1750s; later in that century, the facades began to be extended upwards, allowing third floor rooms to match the extent of the floors below. New roofs were constructed above. More recently, fourth floor rooms have been added to many of the houses within the newer roofs, particularly where houses have been extensively refurbished at 4, 5, 6 and 8 New Square.

Besides progressive re-development, many of the houses have been visited by fire or other disaster, necessitating extensive re-construction; No 2 and part of No 3 in 1849, 3 and 4 in 1782, No 9 around 1870, Nos 10 and 11 in 1752, No 11 again in World War Two.

This report describes in detail the history, significance and present arrangement of Nos 1-11 New Square.

1.2 The Basis of the Research

The desk-top research which has been undertaken to inform this Conservation Plan draws, in the main, on secondary sources which are listed in the Bibliography. Primary material such as maps and contemporary periodicals, and information held by the Estates Department and in the Archive has been sought to add to the history of the

buildings as detailed in the Chronologies. Historians of Lincoln's Inn are helped in their study by the existence of the magnificent Black Books.

1.3 A Building Chronology Drawn From Key Secondary Sources

Abbreviations used:

- | | |
|--------------|--|
| AH | Angela Holdsworth (ed) "A Portrait of Lincoln's Inn" – The Buildings, R Fookes and R Wallington, 2006 |
| BBV | The Honourable Society of Lincoln's Inn – The Black Books
Vol 1 1422-1586 (ed W P Baildon)
Vol 2 1586-1660 (ed W P Baildon)
Vol 3 1660-1775 (ed W P Baildon)
Vol 4 1776-1845 (ed W P Baildon)
Vol 5 1845-1914 (ed Sir R Roxburgh)
Vol 6 1914-1965 (ed P V Baker) |
| EH | English Heritage listing description 1951
(available www.imagesofengland.org.uk) |
| ML | Morgan Lear "Building History and Estates Overview" 2004 |
| RCHME | London II West London (1925) |

NINE NEW SQUARE

General Chronology

"Fickett's Fields and New Square (Serle Court)

South of the Inn was once an open space of about 15 acres, known as Fickett's fields, or later, Little Lincoln's Inn fields. It had once belonged to the Templars, and it was probably used for martial exercises by them, and also by the Knights of St. John, who later owned the fields. Part of it became the property of the Society, and was used as a kitchen garden, the rest of it was claimed by Henry Serle, a member of the Inn, who in 1682 entered into an agreement with the Society to build three ranges of buildings there, to be called Serle's Court. One range was to extend southwards from the wall of the kitchen garden ; another was to run from the North end of the gardener's house (which was to be pulled down) and to be in line with the Society's wall running southwards from the Turnstile ; and the third was to join the first range to the second at the Southern end. Serle was to have the right to sell all the Chambers built upon his land, but only limited rights in those built upon the Society's land. The Chambers were to be for the use of members of Lincoln's Inn only, and to be regulated by the rules of the Society. The freehold title to Serle's own land was to remain with him.

Disputes soon broke out between Serle and the Society about boundaries, and also between Serle and other persons who claimed to be interested in the project ; and they had not been resolved before Serle died in 1690, and Dr. Barbon stepped into his shoes. Nos. 1 to 11 Serle Court were built between 1691 and 1693. All of them except No. 11 were built upon Serle's land, and tablets still on the walls of Nos. 1 and 11 record how the boundary disputes were settled. A carriage gateway was made leading into Carey Street, and a footway leading to Serle Street. The "Terrace Walk" was extended as far as No. 11 in 1694 by arrangement between Dr. Barbon and the Society. No. 11a was built as part of the Hall and Library project in 1845. Nos. 12 and 13 had formed part of Kitchen Garden Court, and merely accrued to Serle Court by change of address. Between No. 13 and No. 1 there was a wooden Porter's Shelter and also a low building, let as a Stationer's shop. Part of it was used as the orderly room of the Inns of Court Rifle Volunteers during part of the period. The shelter and the shop were pulled down in 1927, when "Garden House", Nos. 14 and 15 were built on a new site at the back of the kitchen garden, and the Tomlin Gates and Railings were set up.

There were two serious fires in Serle Court during the 18th century. In 1752 Nos. 10 and 11 were involved. No. 11 was rebuilt in 1787, and again after the Second World War in 1951, when the Canadian Bar Association presented the panelling and doors which adorn the entrance. In 1782 there was a fire at Nos. 3 and 4.

[The] 1720 edition of Stow's Survey of London [shows] "the Prospect of Lincoln's Inn, looking towards the North", and it affords a striking picture of Serle's Court in its early days, and of the walks beyond, while the illustration looking to the South, pinpoints the Serle Gateway and the Serle Street Passage, though it propounds a remarkable degree of architectural symmetry.

Ralph, writing in 1734, allowed the Society to boast of one of the neatest squares in town, "though it is imperfect on one side, yet that very defect produces a beauty, by giving a prospect to the gardens, which fill the space to abundantly more advantage. I may safely add that no area anywhere is kept in better order, either for cleanliness and beauty by day, or

illumination and decorum by night". For a description of this Square in 1804 there is no need to look beyond Herbert. "In the midst of this Square, which is covered with gravel and neatly kept, is a fountain (as it is called) consisting of a small handsome column of the Corinthian order from a design of Inigo Jones : the top supported a sun-dial, and the four corners of the pedestal infant tritons holding shells, which formerly spouted water." The column was taken down as far as the pedestal, and mounted with "handsome" gas lamp, in 1817.

In 1804, Mary Andrews of Turnstile having twice fallen into an area, and broken first a leg, and then a thigh, directions were given for a lamp to be mounted over the arch of the passage into Serle Street, and for half-gates to be put up at the top of the areas on each side of the passage "in the same manner as the one erected at No. 4 in Serle Court". In 1807 the Society bought the shops in "Serle Passage", leading from the west side of Serle Court into Serle Street, and in 1845 closed it altogether and converted it into Chambers. The Society in 1818 made some alterations to the Serle Gateway, as appears from the tablet designating N.G. Clarke as Treasurer. In 1824 it bought the piece of ground below the Gate, and in 1848 modified it so as to exclude vehicular traffic, as by then the new principal entrance from Lincoln's Inn Fields was available.

A fire broke out at No. 2 Serle Court early in the morning of January 14th, 1849, at which a Badge Porter "meritoriously distinguished himself".

By 1860 the difficulties of managing and keeping in repair the common roofs, staircases, entrances and areas of the ranges of buildings still officially known as Serle's Court, but endowed by the public with the name of New Square, had become so acute that the Society promoted the Lincoln's Inn Act 1860. The short effect of this Act was to vest all the Chambers built on land which had belonged to Serle in the persons who owned them in 1860, subject to rent charges in favour of the Society to cover paving, lighting and watching charges, and to vest the garden and the rest of the Square in the Society's trustees.

Under this Act, which still constitutes the charter for the government of New Square, a Committee of Proprietors is appointed, which has power to execute or direct repair and other building work in the Square, to charge and apportion the cost of such work upon and among the Proprietors, and to settle disputes arising out of such work.

Section 13 of the Act provides that the Society "shall at their own proper cost... pave, light, watch, drain, cleanse, keep, repair and maintain the said uncovered piece of ground (i.e. the uncovered space of ground within the Quadrangle: section 9), ornamental garden, and all existing ways, paths and passages... except the iron railings enclosing the areas, and the stone coping thereof, and the railings on the entrance steps and area steps to the said several sets of Chambers" (Nos. 1-11), which were to be repaired by the Society at the expense of the Proprietors. No alteration can be made in the exterior of any of the buildings without the consent of the Society.

A difficulty occurred in 1908 over the rent-charges payable by the Proprietors under this Act. It was claimed that they had been absolved from paying them by the Borough of Holborn (Lincoln's Inn) Scheme 1901, made under the Local Government Act 1899. But in view of a Joint Opinion of Counsel in favour of the Society, the claim was not further pursued.

The passage from the South-west corner of New Square to the Law Courts, known as

"More's Passage", was constructed under arrangements made with Messrs. Arnold and Co., between 1887 and 1889. Mr George Arnold built and owned 51 and 52 Carey Street, and he erected the statue of Sir Thomas More at the corner. In 1924 the Society bought these premises, and also the part of No. 7 New Square which Mr. Arnold owned.

[BBV5]

1693-97

1-11 New Square was built as nine double fronted buildings on a basement and three floors, with two corresponding "L plan" form buildings (numbers 3 and 7) in the southeast and southwest corners.

The double fronted buildings contained two suites or sets of barristers' accommodation on each floor, with an entrance door onto a central timber common staircase to the rear of the building.

Each set had four rooms (a bed chamber and three rooms for barrister and his clerk).

[ML]

1693-1697

New Square was built between 1693 and 1697 on Ficket's Field to the south of Lincoln's Inn. It was built by Henry Serle and others as a speculative development and with the agreement of the Master of the Bench it was intended to be let to barristers.

The Square comprised three ranges laid out in a rectangle, numbers 1-3 to the southeast, numbers 4-6 to the south and numbers 7-11 to the west. The north was (and is) open and the northeast occupied by 16-19 Old Buildings.

[ML]

1693-1697

The structure was traditional, brick spreaders at basement level with walls rising and stepping back internally at each level to provide bearings for the internal timber structure and to reduce weight. The external basement walls are cellular with rubble infill, whilst the upper external and party walls are solid. Each building has a central brick spine wall running parallel with the front and rear elevations, cranked in the case of the corner buildings and which contains, as do the party walls, the chimney flues.

The entrance corridor from the front of the building to the rear common stair is constructed as a timber box beam with a central supporting wall at basement level. Much of the timber used in the construction was second hand ships' timber.

[ML]

c1693 and 18th century

The original appearance of the buildings is best seen in Nos 6-9. Even then these were altered in the 18th century when the original casement windows were replaced by sash windows, the original wooden cornice was removed and an extra storey was added.

[AH]

1694

The Terrace Walk was extended as far as No 11 by 1694.

[BBV5]

1720

c1720 a further floor was added to all the buildings by their tenants. This work was carried out in a variety of styles and materials, mostly brick. Secondary staircases were built into the second floor sets to give access to the new third floor.

[ML]

1720

Third floor added.

[ML]

1720

The roofs principally date from the 1720 work, although there are some surviving examples of the 1693/7 roofs where those were incorporated into the extension or the rear of the building was not extended (as at No 4 New Square).

[ML]

19th century

Second and third floor northernmost two bays were re-built with a simple pitched slated hip roof running east west, at right angles to the earlier roofs over the other seven bays which run north south. The four windows onto the Square from this re-built are slightly different size from the others and have a lower cill.

[ML]

19th/early 20th century

The basement (north and south) originally served by doors onto the basement area to the east, but both linked to the ground floor by two internal stairs.

[ML]

1843-46

Chambers at No 9 New Square formed out of the closed Serle Street passage.

[BBV5]

1849

Mr Hardwick's statement included notice that:

"In January 1845 the Council decided to enclose New Square and the Old Gardens from the New Building as far as Stone Buildings with an iron railing". The cost was £1254.

... The double set of Chambers adjoining the South Entrance [No 11A New Square] was built in 1845 at the cost of £785. "Serle Street Passage was enclosed as had been always arranged to complete the scheme of making New Square as private as possible, and to remove the nuisance arising from the passage, the public having access to the Inn through the new Entrance. These works were done in January 1846."...

"In 1845 it was agreed that the Steward should have rooms in the New Building, and it was at first proposed to fit up the ground floor and basement under the Library ; but from insufficiency of the accommodation that could be obtained, it was determined to fit up the ground floor of the Library, and in addition to build some offices to the North of the Building, and the Works were executed."

[BBV5]

1870s

Partly re-built.

[ML]

1885

Report by Richard Horton Smith Esq Q.C. upon the property of the Society including New Square states that:-

"In early times the Society seems to have exercised rights of ownership over a strip of land, 3 feet in width, running along outside, and to the north of, its north garden wall. These rights however appear in part to have been the subject of controversy between the Society and St. Bartholomew's Hospital, the owners of the adjoining property, and to be now lost ; except as to the westernmost end abutting on the Great Turnstile and now called Garden Place ; where a strip of 72 feet or thereabouts in length and 3 feet in breadth was leased in 1711 by the Society to one Charles Lawton for 99 years at a Fine of One Guinea and a yearly rent of a "good fat turkey of 10 pounds weight" since commuted into a money payment of twelve shillings at Michaelmas in each year. This rent is still paid, although the lease has never been renewed."...

After referring to the Agreement with Henry Serle, the Report continues:

"With reference to the name of the buildings erected by Mr. Serle the public has been stronger than the parties to the Agreement, and has given to them, their present name of New Square in preference to that of Serle Court, by which however so far as the Society is concerned they are still designated. The Agreement between Mr. Serle and the Society was confirmed by an Act of Parliament which received the Royal Assent on the 6th August, 1860 and which constitutes the existing Charter for the Government of New Square. The preamble to this Act give a minute history of what Mr. Serle did, and what he did not do, in connection with the Agreement of 1682, and what changes in the property had taken place in the interval between that year and 1860, and the effect of the Act, speaking shortly, is to vest the Chambers in Nos. 1 to 10 both inclusive and certain Chambers in No. 11 New Square in the then proprietors of them, subject to certain rent charges to the Society to cover the charges it would be at for paving, lighting and watching (which it undertook to do) and to vest the centre of the square, and all other parts of the property comprised in the Agreement of 1682, in the Trustees of the Society for the time being as part of their ancient property. The whole of the Chambers in Nos. 1 to 11 both inclusive were to be used for law purposes or private residences for gentlemen only ; and a Committee of proprietors was established, of whom the Treasurer of the Society for the time being was to be one, to regulate the affairs of the Community."...

[BBV5]

1891

Vigorous persistence in the policy of acquiring chambers in New Square.

[BBV5]

1894

The Society owns ten sets of chambers in New Square, outside the ville... New Square is the most eligible site in Lincoln's Inn from its proximity to the Law Courts...

[BBV5]

1925

"The late 17th-century chambers in New Square... are symmetrically designed and of four storeys with basements. The walls are of brick. The roofs are covered with slates or tiles. The top storey is a later addition and other additions have been built along the back of the S. range. Slightly projecting brick bands mark the levels of the first and second floors, but these have in places been cut back. The windows have square heads with flat brick arches, but the sashes, with few exceptions, are all 18th-century or modern. The doorways have moulded architraves with entablatures surmounted by broken curved pediments supported by curved console-brackets ; within the pediments are pedestals with balls, but many of the latter have been broken off. Under one of the first-floor windows of No. 11 is a rectangular boundary-stone panel with fruit swags carved at either side and a Latin inscription in the middle surmounted by a lion carved in low relief and the initials H.L. and date 1691... Below the fourth window to the N. of this is a smaller boundary-stone of St. Clement Danes with the initials S.C., an anchor, and the date 1693. At the E. end of the S. range is an archway... opening into Carey Street. It was altered in the 19th century, when the side footways were converted into shops ; it is covered on both sides with painted cement. The arch towards the square is semi-elliptical and of two orders, the inner plain, the outer with an eared architrave and grotesque keystone ; above the ears to the architrave are carved brackets supporting a broken curved pediment. The side openings are rusticated and are surmounted by scrolls rising to the main archway. Between the windows above are two cement panels with moulded cornices and curved pediments ; the face of each panel is ornamented with scroll-brackets, leaf, fruit and flower enrichments with a shield in the middle, the one charged with the arms of Henry de Lacy, Earl of Lincoln, the other with those of Serle ; below the panels are shaped aprons with the initials and date W.T.D., 1697. The passage between the square and Carey Street has a semi-elliptical groined barrel-vault of plaster divided into four bays by plain ribs ; it is possibly modern. The archway to Carey Street is semi-elliptical and of two orders, the inner plain and slightly wider than the opening below, which has small brackets, the outer rusticated and with grotesque keystone and moulded and enriched imposts. Flanking the arch are panelled Doric pilasters with console-shaped triglyphs to the entablatures supporting a continuous cornice and a broken voluted pediment. The archway to the former E. footway has a segmental head with a rectangular panel above, but on the W. side it is covered by later additions. On the N. end of the W. range is a stone tablet... between the first-floor windows ; it bears an inscription recording the completion of "this terrace wall" in 1694, and has carved swags and moulded sill.

Interior – The entrance-hall to each block of chambers had a semicircular archway with moulded archivolt and key-blocks, responds with moulded caps and bases and panelled spandrels. The staircases, where original, rise in two flights to each floor and have panelled dados, moulded strings and handrails and turned balusters. On each landing solid panelled doors hung on heavy strap-hinges open into the chambers on either side. Most of the chambers retain their original staircases, which stop at the second floor, but some of the dados have been removed as has also much of the interior panelling and in some cases the archway in the entrance-hall.

Condition – Good."

[RCHME]

1939

Completion of purchase of Messrs Walters' chambers at 9 and 10 New Square for £8600.

[BBV6]

1944

Recommendation from the Building Committee that third floor south be converted for residence at an estimated cost of £275.

[BBV6]

1992

Cosmetic refurbishment undertaken to enable the space to be used on a relatively temporary basis.

[ML]

GENERAL NEW SQUARE

1713

It appeared to the Council that a wall which made the partition between the Benchers' Garden and Serle's Court was pulled down under the auspices of Sir Thomas Coke, Mr Carey and Dr Barbon and replaced by a palisade fence. The fence was to be repaired by Mr Atwell.

[BBV3]

1714

It was noted that if Mr Atwell and the other proprietors of the New Square did not repair the palisade fence between the square and the Benchers' Gardens by the end of the Easter term, the shops under both gates in the square and all the other shops in the square would be shut.

[BBV3]

1720

It was ordered that the proprietors of Serle Court repair the pavements around the Court.

[BBV3]

1725

The owners of the chambers in New Square were to contribute £16 a year as half the cost of providing a porter and watchman for the gate and the cleaning of the Bog House. It was proposed to raise this sum by an "assessment" of 5s 6d a year on each ground chamber, and 4s 6d a year of each chamber up one and two pair of stairs.

An estimate was quoted for £109 for the gravelling and paving of Serle's Court which was to be raised by payments of £1 17s 6d for each ground floor chamber and £1 10s for each chamber one and two pair of stairs.

[BBV3]

1725

The shops in Serle's Court adjoining Mr Carew's chamber [17 Old Buildings] are to be taken down and the rails continued.

[BBV3]

1800

A memorial was read from several owners and occupiers of chambers in Serle Court, calling the attention of the Benchers to the destructive effects of the late hurricane [on Sunday 9 November] and to the repeated accidents of the kind that have occurred in the Inn within a short space of time; the frequency of the accidents is due to the great height of the chimneys, most of which have at different times been raised above their original pitch; two persons have been crushed to death within a few years.

[BBV4]

1814

Ordered that a box or shed be erected near to the peruke maker's shop on the east side of Serle Court, for the convenience of the porters in bad weather.

[BBV4]

2.0 ASSESSMENT OF SIGNIFICANCE

2.1 An Overview of Significance

The assessment of the significance of these buildings has been grouped around assessments of the importance of the site, the nature of the client, designer, occupants and the value of the surviving architecture.

Attention is drawn to the age of much of the fabric of New Square, which survives from the original 17th century construction of the buildings. Subsequent alterations have made to the buildings both to increase their size but also to upgrade and modernise the chambers. From about 1720 onwards a further floor was added to all the buildings by the tenants, initially by colonising the roofspace and fitting dormer windows to provide light. Later, roofs were re-built at a higher level, a full third floor to be built from the later 18th century onwards. Secondary staircases were built within the second floor sets to provide access to the additional floor

Substantial reconstruction of some of the chambers have occurred over time, due to fires in the 18th and 19th centuries at numbers 2 (1849), part of number 3 (1792 and 1849), number 10 (1752 and 1790s), and as a result of bombing in the 1940s in the case of number 11. Later 20th century alterations most substantially affected numbers 4, 5, 6, 7, 8 and 9. A new or enlarged fourth floor was added onto the building at all except number 9, which meant new dormer windows to the rear elevation.

All chambers, except for residential units in number 2 and 3 New Square, continue to be used for their original purposes.

New Square is significant to architectural history because of the date and form of its layout and to a lesser extent the interiors of the buildings. These interiors, though much altered, are important because of the continuity of use by the legal profession. They are nationally rare survivals of 17th century architecture put to business/commercial use. The English Heritage listing description speaks of the houses as "*one of the most complete surviving 17th century set pieces in London*".

The properties at New Square are also significant legally and to the history of urban building patterns because they represent early examples of the flying freehold in use. This pattern of ownership was untidy and without centralised regulation and the Inn took steps to control matters by promoting an Act of Parliament. The Lincoln's Inn Act of 1860 created a Committee of Proprietors to regulate disputes and control decision-making pertaining to the tenancies and upkeep not only of the buildings but also the surrounding footpaths, common areas, gardens etc.

2.2 The Significance of the Site

New Square was built in the 17th century on an area of land which was not at that date formally associated with Lincoln's Inn; the area within Holborn was, however, already associated with the law and its practitioners.

The Geographical Context: Holborn's History

Holborn's name may be derived from the Middle English words 'hol' meaning 'hollow' and 'bourne' meaning 'brook', in reference to the River Fleet's path through a nearby valley. As Walter Besant explained in 1903,

There were Bridewell Bridge, Fleet Bridge, Fleet Lane Bridge, and Holborn Bridge across the Fleet River. Holborn Bridge was the most northerly of the four. It was a bridge of stone, serving for passengers from the west to the City by way of Newgate. The whole thoroughfare of Oxford Street and Holborn is the result of the diversion of the north highway into the City from the route by Westminster Marshes.¹

The area has been associated with the legal profession since its earliest conception. The now defunct numerous Inns of Chancery, Gray's Inn, and Lincoln's Inn itself all lie within this small region. The foundations of St Andrew's, the oldest church in the parish, stretch back more than a millennium. William Camden described the area's geography in terms of its most important occupants, describing Holborn's place between the City and Westminster:

At the West end of the Citie other Suburbs runne a great way in length, with goodley rowes of houses orderly ranged, as namely Holborne or rather more truly Oldborne, wherein stood anciently the first house of the Templers onely in the place now called Southampton House. But now there stand certaine Innes or Colleges of students in the Comon law, and a Citie-habitation of the Bishops of Ely...²

In 1697 Celia Fiennes published her travel writing from a journey between London and Yorkshire. In it she uses Holborn as a comparison for central Nottingham, with 'Large and Long Streetes', the difference being that unlike Holborn, 'the buildings [are] ffine'.³ It is unlikely that Fiennes was referring to the area immediately surrounding the Inns of Court, as recent building schemes by Inigo Jones and others, such as the development of the perimeter of Lincoln's Inn Fields, were of a very high quality, if partially achieved. This square, based on the size of the Great Pyramid at Giza, is the largest in London. The Fields were in danger of being urbanized similarly to nearby Drury Lane, and a letter was sent to a number of Justices of the Peace by the Lords of King James' Privy Council, stating,

You shall understand that complaint hath been made unto us by the students of Lincoln's Inn, that some do goe about to erect new buildings in a field near unto them, called Lincoln's Inn Fields, with an intent to convert the whole field into buildings, contrary to His Majesty's proclamation...⁴

¹ W. Besant and G. E. Mitton, *The Fascination of London: Holborn and Bloomsbury*, 1903, p.5.

² *Vision of Britain*, William Camden, nd (www.visionofbritain.org.uk).

³ *Vision of Britain*, Celia Fiennes 1697 Tour (www.visionofbritain.org.uk).

⁴ R. Pearce, *A Guide to the Inns of Court and Chancery*, 1855, p.47.

Pearce claims that this action was instrumental in forming a Commission that eventually resulted in the landscaping of Lincoln's Inn Fields 'both for sweetness, conformity, comeliness, into such walks, partitions, or other plots, and in such sort, manner, and form both for public health and pleasure...'⁵ The boundaries of the Inn have been historically debated. Its early delineations show that it was situated at the junction of three parishes:

*The Inn, though extra-parochial, was situate in three parishes – St Andrew in Holborn, St Dunstan in Fleet Street and St Giles in the fields. Only a small portion of the Garden was in the parish of St Giles. The line separating the parishes of St Andrew and St Dunstan ran through the middle of the Old Hall to the Chancery Lane Gatehouse. The buildings North of this line, "and the new fair garden plot towards Holborn" belonged to St Andrew's.*⁶

What was a mixture of arable land and stately Inns or palaces eventually through London's Georgian and Victorian expansion became highly populous. The area contains several surviving architectural examples from every major period of building history in Britain, and buildings replete with historical interest are Lincoln's Inn on every side. David Evans notes that 'If the Strand and Fleet Street are two threads, then the Inns of Court...define the "space" in which the knot that joins the two had been tied.'⁷ Still predominantly a legal centre, Holborn also became known for its entertainments in the nineteenth century. There were twenty-two taverns in the 1860s, and in 1914 the first full-length feature film was shown at the Holborn Empire.⁸ Many of Holborn's buildings sustained significant bomb damage in the Second World War. Like much of central London, Holborn contains numerous sites with distinct heritage importance. In 1801 the total population of the area was 96, 795. In 1901 it was 362, 581. In 2001 – reflecting the growth of businesses in the area and the effects of suburbanization – the population had decreased to 198, 027.⁹

The Early History of Lincoln's Inn

From 1292 onwards, when an Ordinance placed lawyers under judges' control, thirty Inns began to evolve around the western boundary of the City. Lincoln's Inn has occupied the same site for over six hundred years. Much has changed as the Inn expanded and developed. It is situated in the Borough of Camden, and is relatively close to the other three Inns of Court: Gray's Inn, Inner Temple, and Middle Temple. Holborn and Gray's Inn lie to the north. Chancery Lane is the Inn's eastern boundary, the Strand and the Temple are situated to the south towards the Thames, and Lincoln's Inn Fields lie to the west. The area is now home to numerous legal and educational institutions such as the Royal Courts of Justice, King's College, and the London School of Economics, but until as recently as the nineteenth century, the Inns of Court were the dominant educational institutions in central London. The founding of the Inn was a gradual process, and the term 'inn' in the medieval period referred to both a hostelry and a more formal set of buildings including a hall which were

⁵ Quoted in *ibid*, pp.48-9.

⁶ The Black Books, Vol. 5, 1845-1914, 1968, p.xiv.

⁷ D. Evans, 'The Very Peculiar Inns of Court', in "The Inns of Court", 1996, p.153.

⁸ 'Holborn' in <http://en.wikipedia.org/wiki/Holborn>.

⁹ Vision of Britain, 'A Vision of Camden' (www.visionofbritain.org.uk).

occupied by an important magnate. The practice of law students lodging informally in the area between the City and Westminster gradually developed into a more structured incorporated formation. William Richardson confirms that, *'The traditional theory that the Inns were once residential halls, or hospitia, rented by groups of students for their communal use remains a reasonable hypothesis.'*¹⁰ While the Inns were known as the third university and a range of comparisons can be made between the Inns of Court and Oxbridge, the initial process of conscious foundation was entirely different. However, it is useful to point out that William Dugdale referred to the Inns as *'Hostells being Nurseries or Seminaries of the Court, taking their denomination of the end wherefore they were so instituted'*.¹¹ The Inns provided accommodation, education, and were the site of the courts of justice themselves – particularly in the case of Lincoln's Inn and the later use of its Hall – and as such can be compared with earlier monastic architectural models of corporate living and semi-enclosure.

The Inn's earliest building scheme and architectural organization is visible today in the nucleus of buildings which comprise Gatehouse Court, now known as Old Square. The first of the Inn's buildings on this site were known as the Long Gallery, eleven chambers completed c.1455.¹² In about 1471 additional chambers were built *'next to the lane leading from Fletstrete to Holborne'*.¹³ The Gatehouse to the east, Old Buildings to the south, Old Hall to the west and Chapel on the northern side form a traditional plan that relates to the earlier occupancy of the Bishop of Chichester. Nearby Bishop's Court and Chichester's Rents testify to the ancient site's history. The palace was built by Chancellor Ralph de Neville, who was granted the property by Henry III in 1227. The Bishop's medieval palace was used by the Society of Lincoln's Inn for some time before 1422, the date of the first surviving Black Book records. The remains of a Romanesque dog-tooth pointed arch from the palace were discovered in the nineteenth century. This arch was later set into the Old Hall's exterior on the north wall. The presence of the Bishop of Chichester on this site affirms historical accounts that this area between Old Bourne and the Thames was popular with the nobility.

Prior to arriving at the Bishop of Chichester's palace as tenants, the Society were most likely lodged in Thomas de Lincoln's property on the south side of Holborn, referred to as Lyncolnesynne. This is the most compelling and reliable possible origin of the name Lincoln's Inn, rather than the hypothesis of association with the Earls of Lincoln.¹⁴ However, Henry de Lacy's arms of the lion rampant are used by the Inn their medieval association cannot be dismissed as de Lacy was Earl of Lincoln and King's Justice from 1289-92. The nature of the site of Lincoln's Inn is inseparable from its medieval origins, and David Evans believes that the sites where it has been produced, tested and maintained are physical manifestations of the Law itself:

The origin of the Inns in medieval times leads us to interpret its boundaries, not as simple conceptual conveniences, but as divisions marking a special expression of space and time: the world of the Law, a significant link between sacred and secular.

¹⁰ W. C. Richardson, *A History of the Inns of Court*, 1976, p.3.

¹¹ Quoted in J. Allibone, *'The Inns of Court'*, 1996, p.15.

¹² W. Paley Baildon, *'The Quincentenary of Lincoln's Inn'*, *Country Life*, 16 December 1922, p. 818.

¹³ *The Black Books*, Vol. 5, 1845-1914, 1968, p.xxii.

¹⁴ J. Allibone 1996 op cit p.9.

*The Inns represented a theatrum mundi, whose images are preserved in the precedents, creating by means of Law the ground as stage. Hence its architecture must inscribe on a specific and significant site...the possibility for Law to exist by vesting it with a material expression.*¹⁵

The Development of New Square in the 17th Century

New Square, originally named Serle Court after its first designer, was built in c1693-97 as a private enterprise primarily on Henry Serle's land adjacent to the Inn. The buildings are an important example of late seventeenth century London institutional residential architecture, and are also legally interesting in their system of 'flying freeholds'. In addition to Serle, about whom little is known, New Square has played an important part in the lives of many notable figures including the builder and economist Nicholas Barbon, Sir Samuel Romilly, and Lord Eldon. The New Square chambers, gardens and fountain have all been much altered numerous times since the seventeenth century.

Amongst the Inns of Court the oldest brick building to survive is Lincoln's Inn's Old Hall, which was finished in 1492. Between this date and the late seventeenth century, timber construction prevailed. While the Great Fire of London did necessitate reliance on brick and stone instead of more vulnerable materials, the Inns' preference for brick dates to the 1630s, when both Inner and Middle Temple constructed large brick chambers noted for their '*graceful situation, convenience and uniformity*'.¹⁶ These projects were stand-alone ranges and not squares or courts, however. New Square's architectural relationship to the other Inns is best shown in a contemporary building project at Gray's Inn. Gray's Inn Square was created from Coney Court and Chapel Court in the 1860s, the period between Henry Serle's agreement with Lincoln's Inn to build a new set of chambers and Nicholas Barbon's execution of the project after Serle's death. Both Gray's and Lincoln's courts are inward-facing and collegiate in appearance, and they were compared by John Strype in the 1720 volume of Stow's London engravings as two examples of Inn of Court three-sided plans. Strype claimed that Gray's Inn Square was '*the best situate, as to an open Air, especially the West and North sides, which look into the Garden and adjacent Fields*'.¹⁷ New Square might also be compared with London's Bloomsbury Square and St. James' Square, both underway in the 1660s. Responding to its situation as both urban and collegiate in character, New Square is also stylistically linked with Oxford's Trinity and New College Garden Quadrangles, built in 1668 and 1682-1707 respectively. Like these Oxford examples, New Square is comprised of three ranges of relatively stylistically restrained classical chambers around a formal open garden space.

New Square's Flying Freeholds

When New Square was completed it was let on leases covering six consecutive lifetimes. Though the Inn has always had a particular interest and general oversight of the square, there was no overall landlord or centralised system of regulation. Nos. 3 and 10 were re-built by a joint effort of nine tenants; the vertical extension of the

¹⁵ D. Evans 1996 op cit, p.158.

¹⁶ Quoted in W. Prest 'The Inns of Court under Elizabeth I and the Early Stuarts', 1972, p.19.

¹⁷ J. Stow 'A Survey of the Cities of London and Westminster' ed by J. Strype 2 vols 1720 I p.253.

square to create further storeys meant that those tenants who occupied the second storey more or less had automatic rights to possession to those above. The flying freeholds date from the 1720s:

*Two purchasers named Cooke bought the land from the trustees for sale and later sold it to a partnership of goldsmiths. The land remained vested in the partnership until 1721. In 1722 the sole survivor of the partnership was declared bankrupt and several merchants of the City of London became the assigns of the Commission of Bankrupt. A decree of the Court of Chancery dated December 10, 1722, ordered the sale of the Chambers, apartments and land of the partnership. The individual Chambers were sold off by these merchants over the period 1723 to 1725, often to the existing tenants who were in occupation by virtue of 99-year leases determinable on life... The fragmentation of ownership had become so great that in 1725 the proprietors of the Chambers presented a memorial to the Inn requesting that, as they all depended on one title, the title deeds might be deposited 'in a chest or box having four locks and keys'...*¹⁸

That the flying freeholds system was a unique historical accident is little better illuminated than in the question of fire protection. In the earliest documentation, despite Nicholas Barbon himself being a seventeenth-century exponent of fire insurance, there is no provision of insurance against fire in New Square. There were, as has been mentioned in the document, several instances of damaging fires in New Square. In the context of the flying freeholds, Mary Vitoria demonstrates this would present peculiar legal problems, explaining that,

*Once destroyed, the rebuilding of flying freeholds is possible only through the combined agreement and solvency of the separate owners. Almost insuperable problems arise if the ground floor freeholder is unwilling or unable to rebuild his property, although possibly the freeholder of an upper floor would be entitled to build in the airspace which belonged to him, the new building being supported by stilts or walls on the site of the ground floor owner's land. Insurance coupled with an obligation to rebuild would be the obvious remedy against such risks.*¹⁹

By the mid-nineteenth century rising frustration with the lack of regulation or functional conditions governing the leases met with the imminent expiration of a number of the six-lifetime leases. The Inn therefore decided that the best way to streamline the New Square flying freeholds into a workable position was to promote an Act of Parliament. In 1860 the Lincoln's Inn Act was passed in Parliament; its consequences were twofold: one, it vested the freehold of all parts of the Square then unoccupied by tenants to the Inn. This came to include the immediately surrounding land, roads, footpaths, gardens, and common areas, and also obliged the Inn to 'pave watch and light' the square. The Inn receives ten shillings per share per annum from the freeholders for this work. Two, the Act created the Committee of Proprietors of New Square. It has powers of dispute resolution, and is a decision-making body related to the tenancies, upkeep, and general strategies associated with New Square. Further details regarding the Act are in the section below. In 1860 none of the flying

¹⁸ M. Vitoria, 'New Square, Lincoln's Inn and Its Flying Freeholds', 'The Conveyancer and Property Lawyer', Vol 41, 1977, p.13.

¹⁹ Ibid p14.

freeholds were owned by the Inn. The first was acquired in 1865; since then the Inn has come to own the majority of the freeholds in New Square.