

Planning Statement and Description of Proposals

2 NEW SQUARE, LINCOLN'S INN, LONDON WC2A 3RS

INTRODUCTION

This Planning Statement accompanies:

- a) a Heritage Statement which sets out the brief history and an overview of the historical significance of 2 New Square and
- b) a Design and Access Statement which explains the design principles and concepts for this listed building application and explains the access arrangements.

This planning statement explains:

- 1. how the proposals accord with the development plan, supplementary planning documents, development briefs and the National Planning Policy Framework 2012 and with the statutory obligations in respect of listed buildings and conservation areas;
- 2. the principles and justification for the proposed works;
- 3. the details of the works for which consent is sought.

The elements of the proposed works for which listed building consent is required are minor and will be considered separately and overall.

1. HOW THE PROPOSALS ACCORD WITH PLANNING POLICY

- i) THE DEVELOPMENT PLAN (LOCAL DEVELOPMENT FRAMEWORK INCLUDING SUPPLEMENTARY PLANNING DOCUMENTS AND LONDON PLAN)
- ii) OTHER MATERIAL CONSIDERATIONS (NATIONAL PLANNING POLICY FRAMEWORK ("NPPF"))
- iii) STATUTORY OBLIGATIONS

i) THE DEVELOPMENT PLAN

The Development Plan for the purposes of s.38(6) Planning and Compulsory Purchase Act 2004 comprises the Camden Local Development Framework; and the London Plan 2011.

The Local Development Framework ("LDF") **Core Strategy**, adopted in 2010, Policy CS8 specifically recognises the importance of professional services and "knowledge industries" within Camden and the need to promote a successful and inclusive Camden economy:

"The success of our economy relies on the wide variety of employment sectors that are present in the borough including, professional and business services, the growing 'knowledge economy', for example higher education and research and creative industries such as design, fashion and publishing."

In particular, the policy itself states:

"b) support Camden's industries by:
- safeguarding existing employment sites and premises in the borough that meet the needs of modern industry and other employers;"

The current proposals seek to safeguard the modern needs of the legal services part of the employment sector upon which Camden's success is to rely. The modern needs of successful Barristers' Chambers underlie this application to refurbish the premises in a way which ensures their fitness for maintaining their original purpose.

The LDF **Camden Development Policies**, adopted 2010, para. 13.2 support Core Strategy policy CS8 and the continued use of premises for appropriate business uses. Policy DP25 Conserving Camden's heritage provides:

"Conservation areas

In order to maintain the character of Camden's conservation areas, the Council will:

...

- b) only permit development within conservation areas that preserves and enhances the character and appearance of the area;

...

Listed buildings

To preserve or enhance the borough's listed buildings, the Council will:

...

- f) only grant consent for a change of use or alterations and extensions to a listed building where it considers this would not cause harm to the special interest of the building; and
- g) not permit development that it considers would cause harm to the setting of a listed building."

The proposals contained in the listed building application have been specifically designed to accord with this policy. The Conservation Area character and setting which is the same as that of the Inn itself, will be preserved and enhanced by a secured future for this building in its original and intended

use. The works proposed will cause no harm to the building itself nor to its setting. They will be imperceptible from outside the building and designed to be in keeping with the building internally.

The proposal fully accord with the LDF Development policies.

Supplementary Planning Documents

CPG 1 Camden Planning Guidance Design, section 3 Heritage supports the statutory requirements for development of listed buildings and/or within conservation areas for a sustainable future. The newly permitted inclusive access will be maintained.

Bloomsbury Conservation Area Appraisal and Management Strategy, adopted draft 18 April 2011, section 2 sets out the statutory duties for designation of a Conservation Area and then provides the justification for the designation of the Bloomsbury area including Lincoln's Inn.

The Appraisal then summarises the special interest in section 3 before assessing individual areas in great detail. Paras. 5.141 – 5.156 assess the relevant Sub Area 9 for the application site but New Square alone in Lincolns Inn is not identified as of particular or any note. This lack of comparative importance is probably an oversight.

In any event, the proposals fully accord with the aims and intentions of the Appraisal SPD.

London Plan July 2011. The proposals accord with the relevant economic policies in Chapter 4 of the Plan and with the Heritage policies of Chapter 7. In particular:

“Policy 7.8 Heritage assets

...

Planning decisions

- C Development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate.
- D Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.”

“Policy 7.9 Heritage-led regeneration

Strategic

A. Regeneration schemes should identify and make use of heritage assets and reinforce the qualities that make them significant so they can help stimulate environmental, economic and community regeneration. This includes buildings, landscape features, views, Blue Ribbon Network and public realm.

Planning decisions

B. The significance of heritage assets should be assessed when development is proposed and schemes designed so that the heritage significance is recognised both in their own right and as catalysts for regeneration. Wherever possible heritage assets (including buildings at risk) should be repaired, restored and put to a suitable and viable use that is

consistent with their conservation and the establishment and maintenance of sustainable communities and economic vitality."

These two policies encapsulate the intention behind the current and previous applications, namely, the regeneration of the original use whilst respecting and conserving the features of the building so that they may be restored and re-used. In particular, the comparative importance of the building has been recognised and the work proposed does not exceed that which is proportionate to guaranteeing a suitable, sustainable and viable future use.

ii) OTHER MATERIAL CONSIDERATIONS

NPPF 2012

The National Planning Policy Framework sets out the national planning policies and how these are expected to be applied. It states:

- i) Applications must be determined in accordance with the development plan (para. 11);
- ii) There will be a presumption in favour of sustainable development (paras. 14 and 197);
- iii) Local planning authorities should look for solutions rather than problems and seek to approve applications for sustainable development where possible. (para. 187);
- iv) Core planning principles at para.17 include:
 - "...proactively drive and support sustainable economic development to deliver the ... business and industrial units ... that the country needs..."
 - "conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations";
- v) "... Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system" – para.19. "To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century" – para. 21;
- vi) "In determining planning applications, local planning authorities should take account of:
 - The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - The desirability of new development making a positive contribution to local character and distinctiveness" – para. 131.
- vii) Para. 132 introduces the comparative weight to be given to different heritage assets: "The more important the asset, the greater the weight should be";

- viii) Different approaches apply to proposals causing “substantial harm” – para.133 and those causing “less than substantial harm – para. 134. In the latter case, the less than substantial harm “should be weighed against the public benefits of the proposal including securing its optimum viable use”.

As the applicant has explained, this application does not involve any harm to its listed building. The building in question is not one of its heritage assets that has a high comparative ranking within the Inn or within the Conservation Area. Even if there was considered to be some harm, it would not be substantial and would be outweighed by the public benefit of securing the optimum viable use of the building for the foreseeable future.

iii) STATUTORY OBLIGATIONS

The application also meets the requirements of the statutory duties:

s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1991:

“(1) In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or ... Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

s. 72 of the Planning (Listed Buildings and Conservation Areas) Act 1991:

“(1) In the exercise, with respect to any building or other land in a conservation area, of any functions under or by virtue of [the planning Acts], special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

The application in conjunction with the previous applications will preserve and enhance the character of the conservation area. The work proposed will achieve the aim of preserving the building and its setting for its original purpose. The provision of a workable, secure and easily accessible Reception area is commensurate with the overriding objective of putting the building back into the use for which it was designed and ensuring that the facilities provided are sufficient to guarantee the continuation of that use for the foreseeable future.

2 PRINCIPLES AND JUSTIFICATION FOR THE PROPOSED WORKS

The modification sought by this application for consent was discussed with officers at an earlier stage but had not been sufficiently progressed for assessment by the time applications 2012/2034/P and 2012/2264/L were submitted. Those applications were submitted before the selection of the proposed Tenant had been finalised.

It is now clear that the intended Tenant does require an entrance to a Reception from the north side of the entrance corridor. This is, in part, because the Tenant already enjoys such an entrance to operate its existing, nearby premises (No. 4 New Square) and because it has seen the benefits of such a layout to other Chambers within New Square.

The overriding principles applied to this and the previous applications are that:

- i) the proposed works should cause as little intervention in the historic fabric as is possible
 - ii) the proposed works should cause no harm to No.2 as a designated heritage asset (i.e. neither substantial harm nor less than substantial harm in the terms of NPPF paras. 133 and 134)
 - iii) if, however, any particular item of work is considered to cause some degree of harm, that that harm should not be greater than that which is outweighed by the need to secure the optimum viable future use of the building for its original and intended purpose for the foreseeable future.
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- i) The work proposed in this application is identified in section 3 below and full details and plans are provided with the application. The work proposed is not such as to amount to harmful or significant interventions in the existing fabric. It is designed to be the minimum possible to make the premises fit for its original purpose and secure as a workable set of Barristers' Chambers.
 - ii) The proposed works will leave the building unharmed in any way. Its character and appearance will be retained in a better state than as left by the outgoing tenant. Its future will be secured.
 - iii) Should the work be considered harmful, its effect is outweighed by the policy imperative for designated heritage assets that the best use for them remains their original use and that for which they were built and that such a use should be secured.

Modern Barristers' Chambers have certain basic requirements. When the buildings in New Square were built and probably for the next century the typical business unit in which a barrister practiced was very small. Essentially, it consisted of an established practitioner who took a set of chambers, typically a suite of four rooms on one side of a staircase, which he might then choose to share with his "devils" or more junior practitioners. The buildings in New

Square were built to accommodate this arrangement, with suites of four rooms on several floors on either side of a central staircase. During the 20th Century, barristers, although self-employed and not linked with one another as a firm, tended to congregate in larger sets, jointly employing clerks and other administrative staff. Such sets of barristers (known as Chambers) might occupy the suites on both sides of the staircase or on more than one floor. That is the origin of the long, somewhat soulless corridors leading to the foot of the internal staircase. Access could then be taken to each side or upstairs. There was no need for doors off the corridor. Clerks were located at the back of the building and a Reception area was both unheard of and unnecessary. Over the last 40 years, in order to remain viable, the size of Barristers' Chambers has increased progressively so that it is now quite common for a set to comprise fifty barristers or more. There are several reasons for this, among which is the need to employ more support staff; the cost of IT and books; the increase in regulatory and security requirement; and the need to provide the better facilities required by a wider and more demanding range of clients. The larger the set, the easier it is to absorb these and other costs more viably. The Inns of Court have sometimes struggled to accommodate these requirements. When they have been unable to do so, a number of Barristers' Chambers have had to move out of their traditional locations and take space outside the Inns of Court.

No.2 New Square is a building with about 40 rooms on five floors. It provides a rare opportunity to accommodate a single, largish set of forty to fifty barristers in one building. As our applications for the development already approved made clear: in addition to private working rooms for barristers, a Chambers of this size will require a dedicated Reception, conference or meeting rooms and waiting area. The Inn accepts, of course, that it is important to preserve the historic layout of its buildings as far as possible while, at the same time, equipping them for the business and requirements of the modern Bar.

The Inn's objective is to rationalise the accommodation in a planned, consistent and conservative manner. Since we provided this justification for the approved works, a single set of Chambers has been selected as Tenant and has made precisely the same point. The Tenant requires a dedicated, safe and accessible reception area. In particular, it has been pointed out that the type of work carried out by modern barristers' chambers requires increased security of access.

In addition to the proposals granted in the previous applications this application seeks to achieve the secure use of No. 2 for the foreseeable future. The works proposed are to meet the current working demands for a modern set of Chambers and in particular for the set that has been chosen to occupy the whole of the building. The Inn believes, from experience, that

it is in the best interests of the future maintenance and care of a listed building that there be one occupier of the whole unit.

Lincoln's Inn exists to educate and thereafter house its professional members in what may be considered their traditional home. The facilities offered have to match those required and expected by the users of the legal services provided.

The Inn is not an occupier of Chambers and relies upon its tenants to say what is necessary for a modern set of barristers' chambers. The new Tenant of No. 2 New Square has identified the need for an entrance into the Reception room from the entrance corridor. The Tenant has provided the following justification supporting that need:

"2 New Square is built in the traditional format for barristers' chambers with sets of rooms off the corridor on each side on each floor. We wish to preserve this feature but the current entrance gives access directly on to the stairwell and therefore cannot be left unlocked at any time without giving visitors immediate access to each floor.

With the current (approved) plans there would be no line of sight from any possible reception area to the entrance so as to allow either unrestricted but observed access or electrically operated access with subsequent control over the movement of visitors.

Therefore without the proposed modification it would not be possible to maintain security without each visitor being admitted individually by someone going to the door and escorting them.

The proposal allows the suggested reception at the front to the north of the entrance way to retain its period features but be used to greet visitors in a secure and efficient manner. It reinforces the historic and architectural importance of the building by using a reception room for its intended purpose.

The proposed entrance is deliberately understated and does not interfere with any historic features on either side of the wall and maintains the historic perspective from the entrance porch to the central stairwell.

Similar side entrances have been created elsewhere in New Square without adverse impact on the character and appearance of the listed buildings.

3. THE DETAILS OF THE INDIVIDUAL ITEMS OF WORK REQUIRED

The following works are proposed:

- i) Creation of an opening and door from the north side of the internal entrance corridor into the reception room on the ground floor north of No. 2 New Square.

- ii) Insertion of a raised floor in the reception room adjacent to and north of the internal ground floor entrance corridor of No. 2 New Square.

The works are detailed on the submitted plans and photographs.

Care will be taken to ensure that works will be visually attractive. They will not change the scale or detract from the appearance of the building or result in any loss of its historic character externally or internally. Joinery will match existing or already approved detailing, quality of finish and scale. Appropriate materials will be used to blend with the existing surrounding fabric.

i) creation of an opening and door in the internal entrance corridor

The wood panelling of the entrance corridor is modern. The position of the opening has been located so as to fall between points where the panelled sections end, in order that as little disruption as is possible occurs to the remaining panelling. There will not be any damage to significant historic fabric.

Permission and consent has already been granted for all walls in No.2 New Square to be skimmed so as to smoothen and even them. This is required because the condition of the existing plaster is poor and would remain so even after local repairs, filling of cracks, insertion of sockets etc. unless skimmed. The permission and consent also permit the retention of moulded plastered skirtings behind new painted timber skirtings. The detailing of the skirting approved in applications 2012/2034/P and 2012/2264/L will be applied to the new internal surfaces. As detailed in the Heritage Statement, the sliding door would be encased when open and would not be seen from New Square at any time. Consequently, it would not affect or harm the 'streetscape' of New Square.

A similar opening at 6 New Square was granted permission under application LS9904720 on 7th September 1999 and does not harm the 'streetscape' of the Square. The proposal in this application for an opening that is behind the outer entrance doors gives similar certainty that no harm will arise.

The masonry and 1st floor beams above the opening will be temporarily supported by props and needles to enable installation of a precast concrete lintel. The temporary props will also be extended to the basement while work is undertaken.

ii) insertion of a raised floor in the Reception room

There is a cast-iron beam contained beneath the north wall of the entrance corridor. It would be disproportionate and inappropriate to seek to replace that beam. As a result, a 100mm step up from the corridor is proposed. A raised floor of oak engineered wood board will be introduced within the Reception room. Unless the whole floor of the room is raised there would be a trip hazard from stepping up and then immediately having to step down again. There will be a step down from the Reception room to the meeting room to the north east.

The concrete hearth will be retained beneath the reversible wood flooring proposed. A new stone hearth will be laid on the raised floor to complete the fireplace.

The raised floor is a reversible alteration and will not affect the historical fabric of the building or the appearance or scale of the room. The new timber skirtings already approved under the previous applications would be raised so that the modification to the approved scheme within this room would be imperceptible.

The existing door from the reception to the waiting room was granted consent to be replaced by a new timber door under the original applications. In this application the newly approved door DGD7 is proposed to be omitted.

As part of the evolution of the design of the refurbishment works required for 2 New Square in this and the previous applications there has been pre-application engagement with English Heritage and Camden's Conservation Officers¹. The Officers have visited the building and have been consulted three times over the past six months on detailed matters of the evolving optimum design solution. This accords with the requirements of NPPF paras. 188-192.

**Langley-Taylor
August 2012**

¹ Alan Wito, Camden Senior Planner (Conservation) Officer, Richard Parish, English Heritage Historic Buildings and Areas Adviser, and Alessandra Perrone, English Heritage Assistant Historic Buildings and Areas Adviser, have visited the property and been consulted as the design has developed, the most recent meeting being on 21 March 2012. Jonathan Markwell, Camden Senior Planning Officer, has provided a pre-application written consultation on policy and planning permission considerations.