

KINGSWAY LIF HOLDINGS LTD

**40-42 KINGSWAY AND 36-38 KINGSWAY / 61
LINCOLN'S INN FIELDS, WC1A**

PLANNING STATEMENT

JULY 2010

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1. Introduction

- 1.1 This Planning Supporting Statement has been prepared by Turley Associates in support of a full planning application by Kingsway LIF Holdings Ltd for the conversion and extension of existing office (Class B1) premises at 61 Lincoln's Inn Fields and 40-42 Kingsway for use as a hotel (Class C1) and residential units (Class C2).
- 1.2 The site comprises No 61 Lincoln's Inn Fields, which extends right through to a frontage onto No's 36-38 Kingsway. For the purposes of this Statement, the premises will be referred to as 61 Lincoln's Inn Fields. The site also includes No's 40-42 Kingsway, this building does not extend through to a frontage onto Lincoln's Inn Fields. This provides an L-shaped site.
- 1.3 This planning application and listed building consent comprises a revised scheme to those previously submitted in October 2009 (LPA Ref: 2009/4867/P & 2009/4877/L), which were withdrawn by the applicant, following discussions with Planning and Conservation Officers at the Council and English Heritage. The previous application took in the same site, and proposed conversion and extension of the properties to provide a hotel and 5 residential units.
- 1.4 The main changes to the revised scheme, compared to that previously withdrawn can be summarised as follows:
- Additional and larger residential units accommodated within No.42 Kingsway;
 - Retention of staircase in the rear part of No.42 Kingsway;
 - No hotel accommodation within No.42;
 - Reduction in hotel rooms from 169 to 151;
 - Extension to the roof of No.42 confined to covered walkway and pent house living room; and
 - No extensions to the elevation of No.61 Lincolns Inn Fields
- 1.5 This statement addresses the planning issues that arise from all elements of the application proposal, setting out the background to and detailed justification for the scheme. The statement is arranged as follows:
- Section 2 – sets out a description of the application site and surroundings;

- Section 3 – provides a description of the proposed development, together with details of the pre-application consultation process; and relevant planning history;
 - Section 4 - provides a summary of the relevant planning policy;
 - Section 5 – sets out the planning assessment of the proposed development. This includes an assessment of the scheme against the relevant planning policies; and
 - Section 6 – outlines the summary and conclusions arising from the above.
- 1.6 The statement should be read in conjunction with the suite of documents and drawings submitted as part of this application.

2. Application Site and Surroundings

The Application Site

- 2.1 The application site comprises the building at 61 Lincoln's Inn Fields, which spans through to a frontage at 36-38 Kingsway, together with 40-42 Kingsway, directly adjacent to this.
- 2.2 No.61 Lincoln's Inn Fields was the subject of a redevelopment scheme behind the retained façade of 36-38 Kingsway in the 1980's. The main building frontage to Lincoln's Inn Fields comprises eight storeys, including a two storey mansard, with a roof extension set back from the frontage providing a further two storeys. The Kingsway frontage comprises eight storeys and two basement levels, including a three storey mansard and large plant installation on the roof, the screening of which is visible from longer views of the site.
- 2.3 The building is currently occupied by Cancer Research UK, however, they are vacating the site in October to move to a purpose built premises elsewhere. The ground floor frontage onto Kingsway provides small retail units with various plant including telecoms and IT installations, air cooling and storage occupying the basement levels.
- 2.4 No's 40-42 Kingsway is a Grade II listed building, the façade and interior hall of which were designed by Edwin Lutyens with the plan and remainder being undertaken by Pilditch & Company. The building comprises 7 storeys, including a mezzanine level above the ground floor, with a plant installation on the roof. The building was originally constructed in 1908-9. The current lawful use of the building is for office purposes with the basement, ground and mezzanine being occupied by Pitcher and Piano as an A3 use. The office component of this building on the upper floors has been linked to Nos 36 – 38 Kingsway and has also been occupied by Cancer Research UK over the last 20 or so years.
- 2.5 Both properties were on the market for some time before being withdrawn without sale. Due to the interior layout of No.40-42 and the Grade II listed status of the building, the property presents a significant commercial burden to bring the site back into effective use.
- 2.6 The problems associated with the effective conversion and use of No.40-42 has been clearly demonstrated by the problems that arose as part of the previously withdrawn application. Specifically, the ability to satisfy and meet the requirements of English Heritage and the Council's Conservation Officers in achieving an

acceptable conversion, which preserves and enhances the historic qualities of the listed building.

Surrounding Area

- 2.7 The terrace, that 61 Lincoln's Inn Fields forms part of, contains two Grade II listed buildings directly adjacent at No's 57-60. The building at the southern end of this terrace was the former Public Trustee Office and has been completely remodelled behind the facades by Grimshaw Architects to provide academic accommodation for the London School of Economics. This eight storey building now incorporates a two storey mansard.
- 2.8 Further commentary regarding the Conservation Area and buildings within Lincoln's Inn Fields is provided in the supplementary information submitted as part of this application.
- 2.9 The Kingsway elevation reflects the general trend of uses, providing retail at ground floor and residential and/or offices above. Restaurant and bar uses along Kingsway are considered acceptable in terms of servicing, and environmental considerations.

Relevant Planning History

- 2.10 The building formerly known as Kemp House at Nos 61 Lincolns Inn Fields and 36-38 Kingsway was redeveloped in the late 1980s behind the retained Kingsway façade.
- 2.11 Permission was granted in 1999 for change of use to 40-42 Kingsway from office to residential use of floors one to five to form 5 flats. This permission was not implemented.
- 2.12 Another application to form 8 flats was refused on appeal in March 2009. The appeal was dismissed on the basis that the proposed subdivision of the first, third and fourth floors would be detrimental to the architectural and historical interest of the building. The inspector noted that the front part of these floors was originally proposed as one space, which was an important element of the building's special interest. The subdivision of the front part of these open spaces would also create inappropriately proportioned rooms and interrupt the continuity of the decorative cornices.
- 2.13 Further to this, a planning application and listed building consent were submitted in October 2009 for the conversion and extension of premises at 61-62 Lincoln's Inn

Fields, 36-38 Kingsway and 40-42 Kingsway for use as a hotel (Class C1) and residential units (Class C2). The applications were withdrawn by the applicant following discussions with English Heritage and the Council's Conservation Officers.

- 2.14 This revised application seeks to address the comments and concerns raised by the Council and English Heritage during the course of the previous application.

3. Development Proposal

- 3.1 This application proposes the conversion of No.61 Lincoln's Inn Fields (including 36-38 Kingsway) and No.40-42 Kingsway from office use (Class B1) to a hotel (Class C1) and 5no. two bedroom apartments (Class C2).
- 3.2 The proposals will include alterations to the existing ground floor shop front, removal of existing plant room on the roof, demolition of the 6th, 7th and roof slabs and rebuilding 4 storeys within the envelope of the 3 demolished storeys at 36-38 Kingsway. The proposals will also include partial infilling of the existing light well within 36-38 Kingsway to provide uniform vertical elevations to replace the existing staggered arrangement. This will create small areas of additional floorspace.
- 3.3 The additional storeys to be created in the frontage of 36-38 Kingsway will be visible from the Lincolns Inn Fields elevation, maintaining the height of the parapet on the existing roof extension but with an additional row of windows, together with a new velux style window within the roof space. The pitch of the existing roof extension will be reduced in order to accommodate the additional storey, which will replace existing plant storage. The overall height of the proposed alterations and roof extension will not exceed the height of the building and plant room as existing.
- 3.4 Below ground level, alterations will be made to the existing basement level accommodation within 36-38 Kingsway and 61 Lincolns Inn Fields to accommodate the new uses.
- 3.5 The proposals will also include small additions to the front elevation of No.61 Lincolns Inn Fields, which will comprise two new flag poles above the entrance, together with new lanterns and signage for the restaurant on either side of the entrance. A new hydraulic glazed wheelchair lift is proposed directly in front of No.61, within the existing curtilage, to provide access between the ground and basement levels for disabled visitors.
- 3.6 The scheme proposes minor alterations to the external appearance of No.40-42, these being confined to works to the roof, including a timber and glass pergola structure to provide a covered walkway between 36-38 and 40-42 Kingsway for the purposes of a fire escape, rebuilding of the existing chimney and replacement and upgrading of exiting metal balustrade to the light well.
- 3.7 There will also alterations to the internal layout of No.40-42. All of which will require listed building consent, which is being made alongside this planning application.

- 3.8 The extensions proposed on the application site provide 834 sq m of additional floor space, which is confined to 36-38 Kingsway and 61 Lincoln's Inn Fields.
- 3.9 The redevelopment of the site will provide 151 rooms of hotel accommodation and 5 residential units, contained within 40-42 Kingsway. In terms of floor area, the hotel will comprise 5,580 sq m (including restaurant, bar, conference facilities and all other space associated with the hotel use). The five residential units will comprise 825 sq m of floor space. The internal reconfiguration of No.61 will result in an increase of retail floorspace of 99 sq m.
- 3.10 With the exception of the ground floor, the hotel will accommodate the whole of No.61, including the two basement levels.
- 3.11 The main entrance to the hotel will be from Lincoln's Inn Fields.
- 3.12 The two basement levels in No.61, currently occupied by telecoms equipment, plant and storage rooms, will provide a restaurant at basement level, and further retail and conferencing areas at sub-basement level. In addition, reorganisation of the ground floor of No.61 will enable more efficient use of this space, providing larger retail units fronting Kingsway.
- 3.13 It is proposed that the current parking spaces within the front courtyard of No.61 will be removed. The courtyard will be redesigned to accommodate tables and chairs, for use by hotel guests. Secure cycle parking is provided for 36 bicycles.
- 3.14 The hotel facility will very much be directed towards business clients, with rooms often block booked to corporations, global companies as well not for profit organisations, whose employees may be required to visit London frequently on business. The hotel will not ordinarily be directed at casual leisure visitors.
- 3.15 The residential apartments will be accessed via a separate independent access located within the frontage of No.40-42 Kingsway, with access gained via a corridor leading to a staircase at the rear of the building. This will be totally separate from the Pitcher & Piano.
- 3.16 The apartments will be large two bedroom units, the interior layout of which is designed to respect and maintain the historic features of the building, which are listed.
- 3.17 In terms of the retail development, the Pitcher & Piano will continue to occupy the basement, ground and mezzanine levels of No.40-42. The existing ground floor retail units fronting 36-38 Kingsway will remain, with further retail and hotel facilities within the current confines of the ground and basement floors.

Pre-Application Discussions

- 3.18 A pre-application meeting was held with officers at LB Camden (Sarah Whelan, Neil Clearly, Alan Wito and Sam Longman) in July 2009. Officers were presented with some initial drawings that outlined the general principles of the scheme, including the proposal for an extension and the anticipated use of the buildings. Discussion was had regarding Camden's mixed use policy, and the requirement for residential accommodation where new commercial floorspace is created.
- 3.19 Following this meeting, a formal response was received from the Council, which set out the main policy considerations that would need to be taken into account when finalising the scheme, including: the requirement for a residential component; the need to provide some justification for the loss of traditional employment uses; consideration of impact on amenity; and documentation that would be required to support the application.
- 3.20 The response highlighted that this is an appropriate location for hotel accommodation, as supported by UDP policies, subject to no harm to amenity, and addressing transport and environmental issues.
- 3.21 As a result of these discussions, an application was submitted to the Council in October 2009. The principle components of the scheme were developed to accord with the advice provided by the Council as part of the pre-application process.
- 3.22 During consideration of this application, further discussions took place with the Council's planning and conservation officers, as well as English Heritage. These discussions highlighted a number of issues raised in relation to the proposed internal and external alterations to the buildings, in particular:
- any extensions to No.61 could not be supported;
 - the importance of retaining the staircase in No.42;
 - the importance of maintaining the open plan accommodation in the front half of the upper floors of No.42;
 - the glazed walkways spanning the light well between No.36-38 and No.42 was not supported.
- 3.23 Further refinements have now been incorporated into the scheme following the discussions that took place with the Council's planning and conservation officers and English Heritage. The current scheme seeks address all the comments and

advice received, and is in accordance with the relevant policies referred to by Officers.

4. Planning Policy Review

- 4.1 This section provides an assessment of the national, strategic and local planning policy context in respect of the proposed development.

Government Guidance

PPS1: Creating Sustainable Communities (February 2005)

- 4.2 PPS1 sets out the Government's overarching objectives for the planning system and the key principles which underpin the Government's approach to planning. The guidance seeks to reinforce the Government's commitment to creating sustainable communities and delivering sustainable development by encouraging local authorities to promote:

"The more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings back into beneficial use to achieve the targets the Government has set out for the development of previously-developed land". (paragraph 27 (viii))

- 4.3 A more efficient use of land through higher densities and the use of previously developed land is encouraged (paragraph 27 viii).
- 4.4 Developments should optimise the potential of a site to accommodate development, create and sustain an appropriate mix of uses (para.36).

PPS3: Housing

- 4.5 PPS3; Housing, which was adopted in November 2006, sets out the Government's national planning policy framework for delivering the Government's housing objectives. The guidance sets out the Government's response to the Barker Review of Housing Supply and the changes necessary in housing delivery through a new approach to land supply at local level.
- 4.6 The Government's key housing goal is to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live. As part of this aim, the Government is seeking to achieve a wide choice of high quality homes, and creating sustainable, inclusive, mixed communities in all areas. In doing so, housing developments should be in suitable locations, with

good access to jobs, key services and infrastructure, making efficient and effective use of land, including reuse of previously developed land.

Planning Policy Statement 4 (PPS4) - Planning for Sustainable Economic Growth (December 2009)

- 4.7 For the purposes of PPS4, economic development includes development within the B Use Classes, public and community uses and main town centre uses, such as hotels and retail (paragraph 4).
- 4.8 Policy EC10 requires proposals for economic development to be accessible by a choice of means of transport, including walking and cycling, to reduce traffic levels and congestion; to be of a high quality and inclusive design; to support economic and physical regeneration; and provide employment opportunities.

Planning Policy Statement 5 (PPS5) - Planning for the Historic Environment (March 2010)

- 4.9 PPS5 identifies a range of Heritage Assets that are present in the built environment.
- 4.10 Policy HE3 states that there are:
 - “variations in type and distribution of heritage asset, as well as the contribution made by the historic environment by virtue of:*
 - (i) its influence on the character of the environment and an area’s sense of place*
 - (ii) its potential to be a catalyst for regeneration in an area, in particular through leisure, tourism and economic development*
 - (iii) the stimulus it can provide to inspire new development of imaginative and high quality design*
 - (iv) the re-use of existing fabric, minimising waste; and*
 - (v) its mixed and flexible patterns of land use that are likely to be, and remain, sustainable.”*

- 4.11 Policy HE6 requires applicants to provide a description of the significance of the heritage assets affected by a proposed development, and the contribution of their setting to that significance. The level of detail provided should be proportionate to

the importance of the heritage asset and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset.

- 4.12 Policy HE7 requires LPAs to seek to identify and assess the particular significance of any element of the historic environment that may be affected by the relevant proposal (including by development affecting the setting of a heritage asset) taking account of:

“(i) evidence provided with the application

(ii) any designation records

(iii) the historic environment record and similar sources of information

(iv) the heritage assets themselves

(v) the outcome of the usual consultations with interested parties; and

(vi) where appropriate and when the need to understand the significance of the heritage asset demands it, expert advice (from in-house experts, experts available through agreement with other authorities, or consultants, and complemented as appropriate by advice from heritage amenity societies).”

- 4.13 Policy HE9 states that where the application will lead to substantial harm to, or the total loss of significance of a historic asset, LPAs should refuse consent unless it can be demonstrated that:

“(i) the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss; or

(ii) (a) the nature of the heritage asset prevents all reasonable uses of the site; and

(b) no viable use of the heritage asset itself can be found in the medium term that will enable its conservation; and

(c) conservation through grant-funding or some form of charitable or public ownership is not possible; and

(d) the harm to or loss of the heritage asset is outweighed by the benefits of bringing the site back into use. “

- 4.14 Policy HE10 states that when considering applications for development that affect the setting of a heritage asset, LPAs should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset.

PPG13 – Transport, March 2000

- 4.15 PPG13 sets out Government advice on transport issues as they relate to planning. The main objectives of the guidance are aimed at reducing the level and number of motorised journeys; encouraging alternative means of transport, which have less environmental impact; and reducing the reliance on the private car. In terms of the preferred location for new retail development, the guidance note echoes advice contained within PPG6 (since replaced by PPS4).
- 4.16 In terms of parking, the guidance (paragraph 52 and Annex B) promotes maximum parking standards in order to achieve lower levels of parking.

Development Plan

- 4.17 The Development Plan for the application site consists of the following documents:
- The London Plan (Consolidated with Alterations) February 2008
 - Camden Replacement Unitary Development Plan (adopted 2006)
 - Camden Emerging LDF

The London Plan (Consolidated with Alterations) February 2008

- 4.18 The London Plan recognises the importance of London as a world city and seeks to facilitate the continuing attractiveness of London to visitors from all over the world. As such the Plan supports London's unique strengths as a diverse world city, including culture, tourism, learning, government and finance.
- 4.19 Policy 3D.1 of the Plan supports town centres, encouraging retail, leisure and other related uses in town centres. Policy 3D.7 is more specifically concerned with visitor accommodation and facilities, with the aim of achieving 40,000 net additional hotel bedrooms by 2026, and to improve the quality, variety and distribution of visitor accommodation and facilities.

- 4.20 The London Plan defines the central core of London as Central Activity Zone (CAZ), which all borough should refer to as a basis for coordinating policy to ensure the most appropriate development in this Zone.

GLA Hotel Demand Study (June 2006)

- 4.21 The document tests and updates the hotel supply bench mark figure for London to ensure that it is robust in meeting London's future needs to 2026, taking into account recent trends in the tourism market alongside future demand.
- 4.22 The report identifies demand characteristics and likely forward trends in visits by both international and domestic visitors, concluding that 40,000 net additional rooms will be require to 2026.

Camden Replacement Unitary Development Plan (adopted June 2006)

- 4.23 In accordance with the requirements of the 2004 Planning and Compulsory Purchases Act, the Camden UDP is in the process of being replaced with a Local Development Framework. However, a number of UDP policies have been saved beyond September 2007 (the standard time for expiry of Local Plan policies) and those relevant to the proposed scheme are briefly reviewed below.

Site Specific Designations

- 4.24 The site is within the Central London Area and the Bloomsbury Conservation Area. The Central London Area covers the whole of the southern half of the borough. This area has a similar boundary to the Central Activity Zone (CAZ), as identified in the London Plan. Within this, areas where retail is considered acceptable, known Central London Frontage are identified. The application site falls within one such frontage.
- 4.25 The site contains one listed building at No.40-42 Kingsway, as well as immediately adjoining two listed buildings in Lincoln's Inn Fields.
- 4.26 It is noted that Lincoln's Inn Fields is designated as a Garden of Special Historic Interest, a London Square, and a Site of Nature Conservation Importance. Policy N2 states that the Council will not grant planning permission for development bordering public and private open space that would harm the appearance or setting of this space.

Conservation Areas

- 4.27 Policy B7 of the UDP gives guidance on development in Conservation Areas. It states that the Council will only give consent for development in a conservation area that preserves or enhances the special character or appearance of the area. In addition, it states that the Council will not grant consent for the total or partial demolition of an unlisted building that makes a positive contribution to the character or appearance of the conservation area, unless exceptional circumstances can be demonstrated.
- 4.28 The Council also considers that change of use of buildings within the Conservation Area can erode its character. The UDP emphasises that, whenever possible, uses which contribute to the character of a conservation area are not displaced by redevelopment or change of use.

Listed Buildings

- 4.29 Policy B6 relates to listed buildings and reflects national policy in ensuring that proposals preserve and enhance the character of listed buildings. In doing so, the Council will only grant planning permission for proposals that involve alterations and extensions to a listed building where it considers that no harm will be caused to the special interest of the building. When considering the change of use of a listed building, the Council will only grant permission where it is considered that this would not cause harm to the special architectural or historic interest of that building. In addition to this, the Council will also not grant permission for development that it considers would harm the setting of a listed building.

Design

- 4.30 Policy B1 sets out a number of requirements regarding the general principles of design that the Council will look for when considering proposed developments. These include: respecting the site and setting, access and safety; space about and around buildings; incorporating materials, design features and systems that promote sustainable development; adaptable design; high quality landscaping; improve the attractiveness of an area; and respect local character and amenity.
- 4.31 In assessing how these principles have been taken into account as part of the design, the Council will consider amongst other things, the height, bulk and scale of neighbouring buildings; the quality and appropriateness of detailing and materials used; and the impact on views and skylines.

- 4.32 The Council acknowledges that due to the built-up nature of the Borough, most development involves replacement, extension or conversion of existing buildings. In doing so, the UDP states that careful consideration of the characteristics of the site, features or local distinctiveness, and the wider context is needed to achieve high quality development that integrates into its surroundings.
- 4.33 The UDP states that design should take account of local characteristics and refers to information set out within Conservation Area Statements. It states that within areas of distinctive character, development should reinforce the design and established pattern of neighbouring buildings. It also states that the height, massing, proportions and bulk of development should be informed by, and respect, the local area and adjoining buildings.
- 4.34 Policy B3 of the UDP concerns alterations and extensions to buildings, and states that permission will not be granted for proposals that will cause harm to the architectural quality of the existing building or surrounding area. In consideration applications, the Council will take account of the following:
- a) the form, proportions and character of the building and its setting, including the garden and nearby trees, are respected;
 - b) extensions are subordinate to the original building in terms of scale and situation;
 - c) original features are retained or restored;
 - d) high quality materials that match or complement existing materials are used;
 - e) unsympathetic alterations or extensions are removed or improved;
 - f) the architectural integrity of the existing building is preserved; and
 - g) building services equipment is appropriately located.
- 4.35 The UDP also makes specific reference to roof extensions and alterations, stating that special care is needed in their siting, design, size, proportions and materials, particularly in areas where roofs are plainly visible over a wide areas. This is particularly the case in built up areas around open spaces, where views of rooflines and rooftops are available.
- 4.36 The Council considers boundary enclosures to be characteristic features in large parts of Camden, and as such retention of boundary enclosures will be sought by the Council.

Mixed Use Development

- 4.37 Policy SD3 encourages a mix of uses in development, particular to maintain adequate housing supplies. In this context, the policy states that in the Central London Area, where proposals would increase the total gross floorspace by more than 200 sq m, the Council will seek to negotiate up to 50% of additional gross floorspace as housing.
- 4.38 In considering the mix of uses and the appropriate contribution to the supply of housing, the Council will have regard to:
- h) the character, diversity and vitality of the surrounding area;
 - i) the suitability of the site for mixed use development;
 - j) the need and potential for continuation of an existing use;
 - k) whether the floorspace increase is needed for an existing user;
 - l) the need for an active street frontage and natural surveillance; and
 - m) any over-dominance of a single use in the area, and the impact of the balance of uses proposed on the area's character, diversity and vitality.
- 4.39 The policy however notes that where a secondary use cannot be achieved on the site, the Council may accept an off-site contribution, or payment in lieu. It is however anticipated that development adding 1,000 sq m or more should provide for a mixed use on-site, unless the applicant provides clear evidences that off-site provision of secondary uses is more appropriate.
- 4.40 Paragraph 1.29 of the UDP sets out circumstances where a mix of uses may not be appropriate on a site. This includes where the secondary use cannot be satisfactorily be accommodated by the site or buildings owing to their scale, access or heritage considerations.
- 4.41 The London Plan identifies three Areas of Intensification within the Central London Area, one of which is Holborn. These areas are specifically identified as having capacity for mixed-use development including business and housing.

Location of Development

- 4.42 Policy SD5 states that development that will generate significant travel demand should be located in areas that provide accessibility by a choice of means of

transport. The policy identifies a hierarchy of locations, with Kings Cross Opportunity Area first, followed by Central London Area.

Amenity

- 4.43 Policy SD6 concerns amenity for occupiers and neighbours, and states that planning permission will not be granted where proposals cause harm to: visual privacy and overlooking; sunlight and daylight levels; noise and vibration; fumes and odour; or where inadequate waste disposal facilities are provided.

Renewable Energy

- 4.44 In terms of renewable energy Policy SD9 – Resources and Energy, requires that developments be designs for energy efficiency, incorporate renewable energy sources and optimise energy supply.

Housing

- 4.45 In terms of housing, the Council will seek to exceed the strategic housing target for the Borough. Policy H1 states that the Council will grant planning permission for development that increases the amount of land and floorspace in residential use and provides additional residential accommodation.
- 4.46 Policy H7 requires that 10% of residential units complies with Lifetime Homes standards, and that 10% of units within any development are wheelchair accessible, which is relevant to hotel accommodation.

Town Centre Uses

- 4.47 The site is within a Central London Frontage, which is a sequentially preferable location for retail development. The Council will accordingly grant planning permission for retail, including food, drink and entertainment uses in such areas in accordance with Policy R1.
- 4.48 In considering the proposed hotel use on the site, Policy R6 of the UDP, which provides guidance on other town centre uses, is relevant to this application. It states that the Council will grant planning permission where proposals will not cause harm to the character, amenity, function, and vitality and viability of the area. In doing so, the Council will consider:

- a) the cumulative effects of the development with existing provision and valid planning permissions with potential to be implemented;
- b) the effect of the development on shopping provision (in Use Class A1);
- c) the effect of the development on nearby residential uses and amenity, and any prejudice to future residential development nearby;
- d) any record of harm to amenity caused by the concentration of such uses in the area;
- e) fumes the development would generate and the potential for effective and unobtrusive ventilation;
- f) noise the development would generate inside and outside the site, including noise / vibration from plant and machinery; and
- g) the particular vehicular stopping and parking characteristics associated with the development and their effect on noise and on highway conditions.

4.49 Policy C5 of the UDP relates to tourism uses, and states that hotels will be permitted in Central London Areas provided this use does not harm residential amenity, transport or the environment.

Business Uses

4.50 Policy E2 states that the Council will not grant planning permission for development that involves the loss of a business use on a site where there is potential for that use to continue.

- a) whether the site is in or adjacent to the Industry Area;
- b) the size of the site and whether it could potentially provide for servicing by large vehicles;
- c) whether the site is particularly suitable for small firms;
- d) the accessibility of the site by public transport and by service vehicles;
- e) the relationship of the site to nearby land uses;
- f) the demand, supply and variety of sites that are suitable for employment uses, firstly in that particular use class, and secondly in business use in general, and

- g) the retention of design features that enable flexible use, including use for light industry as part of schemes for the redevelopment or alteration of industrial premises for B1 purposes.

Open Space / Biodiversity

- 4.51 Lincoln's Inn Fields is designated as a protected open space. Policy N3 states that the Council will not grant permission for development that would harm the historic features of this space.
- 4.52 Policy N4 of the UDP requires that any proposals likely to lead to an increased use of a public open space. The Council defines such developments as those creating 1,000 sq m or more of floorspace for residential, worker or visitor populations. The Council will seek a contribution to the supply of open space, or a contribution to improve existing open space in the vicinity.
- 4.53 As part of the drive towards sustainable development, the Council encourages new development to conserve and enhance wildlife habitats by greening buildings wherever possible, for example, by incorporating green / brown roof systems.

Emerging Local Development Framework

- 4.54 Camden is currently working to produce their LDF (Local Development Framework), which will supersede the UDP. The Council has published Submission documents for the Core Strategy and Development Control Policies DPD, which were consulted on in December 2009 – January 2010. These documents are now currently the subject of an Examination in Public.
- 4.55 In terms of Camden's Site Specific Allocations, also part of the LDF, consultation on the Preferred Approach document took place November 2009-January 2010. It does not relate the proposed application site, and therefore is not reviewed in this planning statement.

Core Strategy

- 4.56 The Core Strategy takes its lead from the London Plan in acknowledging the importance of Central Activities Zones (CAZ), Growth Areas and Central London area in general as an appropriate focus for development.
- 4.57 Policy CS2 refers to the Growth Areas within the Borough, which have been identified by the London Plan, which includes Holborn. It is anticipated that together, these areas will provide a large number of new homes and business

floorspace in the period to 2024/25. The Council will expect development within these areas to maximise site opportunities; provide appropriate links to and benefits for the surrounding areas; and be in accordance with the Council's aspirations and objectives for the area.

- 4.58 Within the supporting text, specific commentary is set out in respect of each of the Growth Areas. In the case of Holborn, the plan notes that Holborn is predominantly a commercial area, with a small residential community. Kingsway is designated as a Central London Frontage, recognising its role as a shopping and service centre for workers and residents. The Council's aspirations for the area include provision of a mix of uses, with offices and housing as the predominate uses; provision of appropriate retail and service uses in Central London Frontages; contributions to regeneration initiatives and employment and training schemes; and high quality, sustainable design that preserves and enhances the area's historic environment.
- 4.59 Policy CS3 states that the Council will promote appropriate development in highly accessible areas of Central London and other town centres within the Borough. The policy identifies these areas as being suitable to accommodate the full range of town centre uses, particularly those that are likely to generate a significant increase in demand for travel.
- 4.60 Policy CS5 sets out the approach for managing the impact of growth and development within the Borough. In doing so, particular consideration will be given to providing uses that contribute to the local and London-wide role; provide appropriate infrastructure and facilities; provide sustainable, high quality buildings; and protect and enhance the environment, heritage, amenity and quality of life of residents.
- 4.61 Policy CS6 sets out the Council's housing targets, including delivery of affordable housing, and seeks to ensure a mix of housing to meet the requirements of the local population.
- 4.62 Policy CS7 sets out the Council's proposals for the distribution of retail across the Borough, and seeks to protect and direct additional provision in Holborn and the Central London Frontages. The Council will particularly seek to increase the availability of ground floor retail uses in Holborn Central London frontages.
- 4.63 In accordance with the global focus on tackling climate change, Preferred Approach CS5 sets out the Council's objectives for making Camden a low carbon borough. The policy refers to setting specific targets on environmental performance including through BREEAM and EcoHomes assessments, and promoting other measures to reduce energy consumption and promote sustainable development

and travel. Preferred Approach CS7 also places more focus on reducing the environmental impact of travel.

- 4.64 Promoting the economy is an important focus of the plan as set out in Policy CS8. The Council will seek to safeguard existing employment sites and premises that meet the needs of modern industry, and also support development of Camden's tourism sector.
- 4.65 Policy CS9 recognises the unique role of the Central London area, and the challenges it faces, including the need to encourage sustainable transport modes, preserving and enhancing the area's historic environment, and protecting the amenity of residential communities.

Development Control Policies

- 4.66 In terms of Camden's emerging Development Control Policies, policy D1 regarding mixed use development is relevant. This policy states that the Council will seek a mix of uses in development where appropriate in all parts of the borough, including a contribution towards the supply of housing. In the Central London Area where more than 200 sq m (gross) additional floorspace is provided, the LPA will expect up to 50% of all additional floorspace to be housing.
- 4.67 Policy DP6 regarding Lifetime homes and wheelchair housing seeks housing development that meets lifetime homes standards. A total of 10% of homes developed should either meet wheelchair housing standards, or be easily adapted to meet them.
- 4.68 In terms of employment premises and sites, policy DP13 aims to retain land and buildings that are suitable for continued business use and will resist a change to non-business unless:
 - a) it can be demonstrated to the Council's satisfaction that a site is no longer suitable for its existing business use; and
 - b) there is evidence that the possibility of reusing or redeveloping the site for similar or alternative business use has been fully explored over an appropriate period of time.
- 4.69 Policy DP14 regarding tourism development and visitor accommodation states that the LPA expects new, large-scale tourism development and accommodation to be located in Central London, particularly the growth areas including Holborn. The policy adds that all tourism development and visitor accommodation must be easily

reached by public transport; provide any necessary off-highway pickup and set down points for taxis and coaches; and not harm amenity, the environment or transport systems.

4.70 With regards to the transport implications of development, Policy DP16 states that the Council will seek to ensure that development is properly integrated with the transport network and is supported by adequate walking, cycling and public transport links.

4.71 Policy DP18 states that in terms of parking standards, the Council will seek to ensure that developments provide the minimum necessary car parking provision. The Council will expect development to be car free in the Central London Area.

4.72 Policy DP24 emphasises the importance of high quality design. It states that all developments, including alterations and extensions to existing buildings, will be required to be of the highest standard of design and will expect developments to consider:

- a) character, setting, context and the form and scale of neighbouring buildings;
- b) the character and proportions of the existing building, where alterations and extensions are proposed;
- c) the quality of materials to be used;
- d) the provision of visually interesting frontages at street level;
- e) the appropriate location for building services equipment;
- f) existing natural features, such as topography and trees;
- g) the provision of appropriate hard and soft landscaping including boundary treatments;
- h) the provision of appropriate amenity space; and
- i) accessibility.

4.73 Policy DP25 is concerned with Camden's heritage. In conservation areas it states that the Council will:

- a) take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas;

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

c) prevent the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area where this harms the character or appearance of the conservation area, unless exceptional circumstances are shown that outweigh the case for retention;

d) not permit development outside of a conservation area that causes harm to the character and appearance of that conservation area; and

e) preserve trees and garden spaces which contribute to the character of a conservation area and which provide a setting for Camden's architectural heritage.

4.74 With regards to Listed Buildings, To preserve or enhance the borough's listed buildings, the Council will prevent the total or substantial demolition of a listed building unless exceptional circumstances are shown that outweigh the case for retention; 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 not permit development that it considers would cause harm to the setting of a listed building.

4.75 Although the Core Strategy and Development Policies documents have now been submitted to the Planning Inspectorate for consideration as part of an Examination in Public, this process is still ongoing, and therefore the documents can be given only limited weight.

5. Planning Considerations

- 5.1 This section considers and assesses the proposed redevelopment of the site against the relevant planning policies identified in the previous Section.

Mixed Use

- 5.2 The scheme proposes a mix of uses including retail at ground floor fronting Kingsway, a 144 room hotel and five residential units. The current B1 office use will not be retained although the proposed business oriented hotel will have meeting areas and rooms which provide a working base for patrons.

Hotel

- 5.3 The Council supports the location of hotel development in the Central London Area, within which this site falls, subject to no detrimental impact on neighbour amenity, the environment and transport systems.
- 5.4 Uses adjoining either side of the Lincoln's Inn Fields frontage comprise office development, with a similar relationship on Kingsway. Given that there are no current immediately adjoining neighbours, it is concluded that there would be no harm to residential amenity by the change of use of the site. The residential units proposed in No.40-42 will be in a completely separate building, with no direct links between the two uses, which would prevent any noise or disturbance. In any event, it is considered that the type of hotel the applicant is seeking to deliver and the anticipated clientele would not result in any detrimental impact on neighbour amenity.
- 5.5 The Transport Statement prepared by Capita Symonds demonstrates that the development will have similar trip generation and servicing requirements to the existing use, and that the proposals will have a minimal impact on the local road network. The trip generation figures have reduced from the previously withdrawn scheme to reflect the reduction in the number of hotel rooms.
- 5.6 Taking these factors into consideration, the proposed hotel use is totally in accordance with relevant planning policies.

Retail

- 5.7 The Pitcher & Piano will continue to occupy the ground and mezzanine level of No.40-42 Kingsway. In addition, the internal alterations to the main building of

No.61 Lincolns Inn Fields (incorporating No's 36-38 Kingsway) will increase the retail accommodation fronting Kingsway. The site is within a Central London Frontage where the Council seeks to focus retail use, in accordance with Policy R1. The redevelopment and upgrading of the retail unit at No.36-38 will provide a new retail space, which is suitable for all Class A uses, and will help to maintain an active street frontage and the vitality and viability of this central retail frontage.

Residential Provision

- 5.8 In developing this scheme, the applicant has sought to meet the Council's policy objective of 50% of additional gross floorspace being provided for residential purposes, in schemes where there is an increase in commercial floorspace of more than 200 sq m. This development falls within this catchment, and as such, the proposal provides an element of residential to meet this requirement.
- 5.9 The scheme provides five residential units with No.40-42, comprising a total of 825 sq m, which is almost 100% of the total floorspace gained through extensions, albeit the balance of residential floorspace is gained a change of use of No.40-42, rather than any extension to this building.
- 5.10 The productive reuse of No.40-42 is a key aim of this and previous proposal which have been developed. The listed status and awkward internal layout of this building have previously prevented its effective reuse for the permitted use of the building. This scheme, combining it with the redevelopment of No.61 will allow the applicant to bring forward both premises as part of a comprehensive development, which will provide an acceptable alternative use for the site as a whole, in accordance with Policy C5.
- 5.11 It has been demonstrated through previous applications and an appeal on the site that the suitability of No.40-42 for conversion to residential in its entirety is very challenging and limited in the scope it offers due to its listed status and the scale of works required to the interior to make it suitable for residential. On this basis, and subject to further discussions with the Council and English Heritage as part of the previous application, the organisation and use of the space within No.40-42 has been reviewed.
- 5.12 As a result of these discussions and the objective to preserve as much as possible of the remaining original interior features, the design and conversion of the space to provide five residential units is considered to be appropriate, and does not compromise the interior features of the building.

- 5.13 The design ethos is based on the main living space within each apartment being the large open plan room fronting on to Kingsway containing the living room, dining room and kitchen. This maintains the sense of a single space, and does not cut off the mouldings or cornicing that are present. Further detail regarding the interior design solutions for this scheme is provided in the Design Statement produced by the architects.

Employment Uses

- 5.14 The current office space at No.61 and at No. 40-42 is occupied by Cancer Research UK, who will be vacating the site in 2011 to relocate to purpose built accommodation. Despite a comprehensive marketing campaign, details of which are included in this submission, both buildings have been on the market for some time with little interest in their re-use as offices and the premises have not been sold.
- 5.15 Policy E2 of the UDP sets out a number of criteria against which the Council will assess proposals for the loss of business uses. In this regard, it should be noted that the site is not in or adjacent to an Industry Area, and its location does not lend itself well to frequent servicing by large vehicles. The marketing information submitted demonstrates that, in addition to this, the internal layout, in particular of No.40-42 has meant that there has been no interest in the site from smaller, office based firms, which might better suit this location. In this regard, the listed status of the building results in some inflexibility in converting the building to allow a suitable alternative business use.
- 5.16 However, although the site, and in particular, No.40-42, does not lend itself to the more traditional employment uses, the site does have the potential for conversion to a hotel, which will generate jobs within the service industry. It is accepted that although this will not be at the level generation by a more traditional employment use, the internal alterations to the building will create more floor space, enabling more retail space, together with a bar and restaurant within the hotel, all of which will provide job opportunities.
- 5.17 As part of the consultation process on the previous application, the Council's Policy Team indicated that sufficient information had been provided as part of the application to justify the loss of the employment floorspace within the application site.

Design

- 5.18 The design of the extensions to the building has been development in the context of the surrounding buildings, the Conservation Area designation, the impact on the adjacent listed buildings, the longer views of the site across Lincoln's Inn Fields, and discussions held with English Heritage and the Council's planning and conservation officers as part of the previous withdrawn scheme.
- 5.19 The accompanying documents produced by the architects provide further detailed analysis and explanation of the design and how this has been formulated on the basis of the considerations mentioned above.
- 5.20 The main changes to the design of the submitted scheme are in response to comments from English Heritage and Council Officers, most significantly, the omission of any extensions to the façade of No.61 Lincolns Inn Fields.
- 5.21 The proposals will continue to replace the rather large plant installation on 36-38 Kingsway, which is visible at street level as well as long views across Lincoln's Inn Fields, and replace this with a smaller more discreet installation, with the internal alterations and change of use requiring less plant, and allowing more to be accommodated within the building.
- 5.22 Alterations to the Kingsway frontage, with the continuation of stone work on the fifth floor and creation of a further two floors, including a three storey mansard, will not result in any increase to the height of the building.
- 5.23 The only external alterations to No.40-42 will be the addition of a timber and glass pergola structure wrapped around the pent house living room for the upper most apartment to provide a covered walkway between 36-38 and 40-42 Kingsway for the purposes of a fire escape, rebuilding of the existing chimney and replacement and upgrading of exiting metal balustrade to the light well. These additions will be set well back from the building frontage, with the creation of an open roof terrace behind the existing parapet. These minor alterations are sympathetic to and in keeping with the character and appearance of this listed building, and will not be visible from street level views. Further commentary and analysis of the extension to this listed building are set out within the accompanying documents produced by the architect.

Amenity

- 5.24 Policies relating to the provision of hotel and residential accommodation both require consideration of the proposed development on neighbour amenity, and the amenity of future occupiers.
- 5.25 It is important to note that there are no immediately adjoining residential properties. The use will not result in unacceptable levels of noise or disturbance; therefore the proposed hotel use would not have any detrimental impact on neighbour amenity. In addition, the proposed hotel use would not have a detrimental impact on the residential apartments proposed within the scheme.
- 5.26 The existing retail accommodation at 36-38 Kingsway is being extended within a Central London Frontage where it is considered appropriate to locate such uses. There are a number of A3-A5 premises in this area, which are suitable in relation to the mainly commercial neighbouring uses. There is also adequate servicing arrangements available, that would not result in detrimental environmental impacts.
- 5.27 The residential units will provide well proportioned accommodation. Internal fit out of the building will ensure that adequate sound proofing will ensure that the mix of uses does not have a detrimental impact on the amenity of occupiers, both for the hotel and residential accommodation.
- 5.28 Assessment of the impact of the development in terms of daylight and sunlight has been undertaken which confirms that the neighbouring uses are commercial that in the absence of light-sensitive uses there is therefore no need to undertake a full assessment. It also considers the likely overshadowing into Lincoln's Inn Fields, and this was considered to be no greater than the present situation, and therefore compliant with BRE Guidelines.

Transport / Parking

- 5.29 Capita Symonds has prepared a Transport Assessment to understand the likely impacts of the development in terms of the local highway and parking facilities, as well as an assessment of the accessibility of the development.
- 5.30 Given the central location of the development, it has been confirmed that the site is easily accessible by a choice of transport modes and is well serviced by the public transport network.
- 5.31 The scheme will be a car free development due to the sustainable location of the site, as demonstrates by the Transport Statement referred to above. The trip

generation work undertaken by Capita Symonds indicates that the proposed development will result in a small net increase in trips compared to if the office development was fully occupied. However, it concludes that the level of servicing required for the proposed development compared to the current use will be similar, and that the overall impact of the development on the surrounding road network will be minimal. Overall it concludes that the development accords with the relevant policy requirements.

Open Space Provision

- 5.32 The parking that currently exists on the site will be converted to provide outside dining / bar / meeting space for visitors. This will improve the appearance of this space and the setting of the application building and adjacent listed buildings. This approach has also been used as part of the redevelopment of the LSE building.

Other Relevant Issues

- 5.33 Practical issues relating to access, energy conservation, sustainable development, waste management and storage, have also been considered as part of the design in accordance with the relevant planning policies.
- 5.34 The scheme incorporates a planted roof terrace to No's 40-42 providing one private and one shared public terrace, which will help to green the development and provide a habitat for local wildlife.
- 5.35 Further consideration and details regarding these matters are set out within the relevant accompanying documents.

6. Summary and Conclusions

- 6.1 The scheme proposes the conversion and extension of No.36-38 Kingsway, No.61 Lincoln's Inn Fields and No's 40-42 Kingsway from existing office use (Class B1) to provide a hotel and associated facilities, a refurbished and extended retail unit at 36-38 Kingsway, and five residential apartments.
- 6.2 It has been demonstrated through the suite of documents submitted that despite a comprehensive marketing campaign, there has been no interest in purchasing either of the premises for the permitted use (Class B1).
- 6.3 As a result of this, the applicant proposes the redevelopment and extension of the buildings to provide a business focused hotel, with restaurant and bar facilities, including an outside terrace area fronting 61 Lincoln's Inn Fields. This use is entirely acceptable at this location, and it has been demonstrated through the submission documents that there will be no detrimental impact on neighbour amenity, traffic levels, or environmental considerations.
- 6.4 The development will retain and in the case of 36-38 Kingsway, improve the current retail offer, which falls within a Central London Frontage and is demonstrably a sequentially preferable location for such development. In this respect, the proposals will support the continued vitality and viability of this frontage.
- 6.5 In order to accord with the Council's mixed use policies, the scheme will include five residential units. This will comprise 825 sq m of floor space, which equates to almost 100% of the total floorspace to be provided through the extensions to the building. This meets and exceeds the Council's policy in relation to securing residential floorspace as part of commercial floorspace gains.
- 6.6 The layout, size and design of the five residential units on site is dictated by the listed building status of No.40-42, and the previous appeal decision on the site.
- 6.7 The proposed extensions to the buildings will present a design that is in keeping with the form, proportions and character of the buildings, and in particular the alterations proposed to No.40-42 will be subordinate to and respect the character and appearance of this listed building. The minor additions to the fenestration on the frontage of No.61 Lincoln's Inn Fields and the improvements to the appearance of the current roof extension at 36-38 Kingsway will preserve the setting of the adjacent listed buildings.

- 6.8 It has been demonstrated that the scheme accords with relevant policies within the development plan, national guidance, and should therefore be approved.

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