

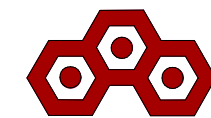
14.0 Scale

The scale of the new extension has been carefully considered to ensure it complements both the host building and neighbours. Along the street scene there is no specific reference height for any of the buildings. No. 64 Lincoln's Inn is dwarfed in scale by some of the neighbouring buildings and the height of No. 65 in proportion is currently larger than 64 but is approximately half the width of 64. We seek to maintain this subservience in the street.

The parapet height will be of a similar height to No's. 65 & 66 but the ridge height will still be lower than No.65 but also continue the irregularity that has been built along the whole of the street scene.

The scale of the rear elevation extension to the approved rear extension (Application reference:2013/7434/P & 2013/7457/L), will not impact on the overall composition of the elevation.

The Sunlight Assessment, appended to this application, shows the new extension height will have no adverse impacts on the daylight levels into the adjoining properties. Natural light within the extension will be provided by the large dormer windows to the street-facing elevation.



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15.0 PLANNING POLICY FRAMEWORK

15.1 The proposed development has evolved in accordance with adopted and emerging development plan policies, and other relevant guidance. This section provides a summary of the planning context and an assessment of the application proposals against the policies and guidance contained within these documents.

Statutory Framework

15.2 Section 58(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the policies of the statutory development plan, unless other material considerations indicate otherwise.

Development Plan

15.3 In this case, the statutory Development Plan consists of the:

- London Plan (Consolidated with Alterations since 2011) (2015);
- Camden Core Strategy (2010); and
- Camden Development Policies Development Plan Document (DPD) (2010).

Material Considerations

15.4 The following material considerations have been consulted in the preparation of this application:

- National Planning Policy Framework (NPPF) (2012);
- National Planning Practice Guidance (NPPG) (2015);
- Camden Planning Guidance (CPG) 1 (Design);
- CPG 2 (Housing);
- CPG 5 (Sustainability);
- CPG 6 (Amenity);
- CPG (Planning Obligations); and
- Bloomsbury Conservation Area Appraisal and Management Strategy (2011).

English Heritage Guidance

- Conservation Principles (2008)
- Setting of Heritage Assets (2011)

Planning (Listed Buildings and Conservation Areas) Act 1990

15.5 The Planning (Listed Buildings and Conservation Areas) Act 1990 (“the 1990 Act”) provides the legislation that is used to assess the impact of proposals on listed buildings and conservation areas. The following sections of the 1990 Act set out the duties on the decision maker in this case.

- **Section 16(2)** *In considering whether to grant listed building consent for any works the local planning authority or the 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.*

- **Section 66(1)** *In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses.*

- **Section 72(1)** *With respect to any buildings or other land in a conservation area, of any [functions under or by virtue of] any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*

15.6 In relation to Section 72(1), Character’ relates to physical characteristics but also to more general qualities such as uses or activity within an area. ‘Appearance’ relates to the visible physical qualities of the area.

15.7 Preservation’ in this context means ‘to cause no harm’. Thus it is possible for development to have an effect on setting, even a material one, but for that effect to be neutral or even beneficial, either outcome satisfying the section 66 requirement on the decision maker. Although there are no listed buildings within the Development Site, a Grade II listed building is close to the western boundary.

15.8 Section 16(2) is applicable because Listed Building Consent is sought for the works affecting 64 Lincoln’s Inn Fields (Grade II), namely the construction of a roof extension.

15.9 Section 66(1) is applicable as the Proposed Development has the potential to affect the setting of adjacent listed buildings.

15.10 Section 72(1) is relevant as the proposals lie within the Bloomsbury Conservation Area (LB Camden).

16.0 PLANNING ASSESSMENT

16.1 This section provides an assessment of the proposals against national and local policy and guidance.

16.2 The key aspects identified during the pre-application discussions are as follows:

- The principle of residential use;
- Quality of residential accommodation; and
- Affordable Housing.

Principle of Residential Use

16.3 With specific regard to Camden, the London Plan sets a ten year housing target of 8,892 or an annual target of 889 dwellings.

16.4 **Policy CS6** of the Core Strategy recognises the need to maximise the supply of additional housing over the entire plan period to meet or exceed a target of 8,925 homes from 2010 to 2025 (595 homes per annum) within the Borough.

16.5 As such, Core Strategy **Policy CS6** considers housing provision to be a priority, subject to conflicts with other policies, and seeks to maximise housing provision through development (**Policy DP2**).

16.6 The principle of residential use here has already been established through the extant permission. The proposed roof extension, subject to the current application, would result in an additional 2 bedroom unit, further contributing, albeit minimally, toward the Council’s housing target.

16.7 In accordance with the Council’s planning policy and guidance, the principle of residential use is considered acceptable.

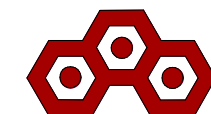
Quality of Residential Accommodation

Effect of Development on Neighbouring Amenity

16.8 Policy **DP26** states that the Council will protect the quality of life of occupiers by only granting planning permission for development that does not cause harm to amenity. The factors that the Council will consider are visual privacy and overlooking, overshadowing and outlook, levels of daylight and sunlight; noise and vibration levels; odours, fumes and dust.

Privacy and Overlooking

16.9 The proposed development has been designed to prevent overlooking and to minimise the prospect of overlooking from neighbouring properties. To the rear, the buildings are mainly in office use which are considered to have a low level of sensitivity toward issues of privacy and overlooking.



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Daylight/Sunlight

17.0 Under **Policy DP26** (Managing the Impact of Development on Occupiers and Neighbours) of the Development Policies DPD, one of the factors LB Camden will consider before granting planning permission is the amount of sunlight and daylight entering the building.

17.1 A Daylight and Sunlight Report produced by Waldrams Chartered Surveyors has been submitted to support this application. The Report confirms that the proposed development is fully in compliance with the BRE Guidelines and Local Planning Policy in relation to daylight and sunlight levels to surrounding properties.

17.2 Internally, all habitable rooms meet the BRE Guidelines in terms of Average Daylight Factor (ADF) except for one bedroom. This bedroom achieves an ADF level relatively close to that recommended in the BRE Guidelines. On balance, it is considered that the unit as a whole is acceptable with regard the BRE Guidelines.

Noise

17.3 **Policy DP28** (Noise and Vibration) of the Development Policies DPD states that planning permission will not be granted for:

“b) development sensitive to noise in locations with noise pollution, unless appropriate attenuation measures are provided.”

17.4 An Environmental Noise Survey and Plant Noise Assessment produced by Hann Tucker Associates has been submitted to support this application. The report states that the proposed plant located on the rooftop will be capable of meeting the requirements of the Local Authority.

Air Quality

17.5 Whilst the redevelopment of the Site will temporarily affect air quality in the local vicinity of the Site, a Construction Management Plan will help mitigate the extent of this. On completion of the development, there will be no impact on air quality for occupiers of existing local residential property.

Sustainability

17.6 **Policy DP22** (Promoting Sustainable Design and Construction) of the Development Policies DPD expects:

“Developments (except new build) of 500 square metres of residential floorspace or above or 5 or more dwellings to achieve ‘very good’ in EcoHomes assessments prior to 2013 and encouraging ‘excellent’ from 2013.”

17.7 EcoHomes has since been superseded by the BREEAM Domestic Refurbishment (BDR) (2012). Whilst the scoring systems are the same, there are key differences in the environmental categories, the category weightings and the use in BDR of minimum standards for each rating.

17.8 A BREEAM Domestic Refurbishment Pre-Assessment by Price Myers has been submitted to support this application. The assessment demonstrates that the development achieves a “Very Good” BREEAM rating. Whilst this falls short of the residential policy target, the score is well above the target for a Very Good rating and the listed building constraints of the Site have made it particularly difficult to achieve an ‘Excellent’ rating.

Residential Standards

17.9 **Policy DP26** (Managing the impact of development on occupiers and neighbours) of the Development Policies DPD requires developments to provide:

“h) an acceptable standard of accommodation in terms of internal arrangements, dwelling and room sizes, and amenity space;

i) facilities for the storage, recycling and disposal of waste;

j) facilities for bike storage; and

k) outdoor space for private or communal amenity space, where practical.”

18.0 The design of the unit meets the Mayoral minimum floorspace standards set out in the London Plan.

18.1 A private balcony has been proposed to provide amenity space to the fourth floor unit. Given that the site is adjacent to Lincoln’s Inn Fields, it is considered that there is further suitable amenity space in the immediate vicinity.

18.2 The extant permission identifies internal and external facilities for the storage, recycling and disposal of waste which will serve the additional unit. The space standards have been set out in accordance with CPG 1 (Design). Specifically, a storage area at the front of the building which provides space for 6 bins. This satisfies the Policy above and **Policy CS18** (Dealing with our waste and encouraging recycling) of the Core Strategy which states that LB Camden will:

“b) make sure that developments include facilities for the storage and collection of waste and recycling.”

Car Parking

18.3 The London Plan and **Policy DP18** identify that car-free and car-capped schemes should not only be sought for housing but also for developments in general and should be sought by Boroughs in areas of high public transport accessibility.

18.4 In line with the extant permission, and in accordance with **Policy DP18** and **Policy DP19**, the new residential unit is to be car-free, (with no-off or on-street parking in association within this development).

Cycle Storage

18.5 LB Camden’s cycle space standards in the Development Policies DPD stipulate a minimum of one cycle space per unit. The extant permission identifies the provision of 14 cycle spaces within the basement, which exceeds the Council’s cycle space standards. An additional cycle space is to be provided to account for the additional unit proposed in this submission. This equates to a total of 17 cycle spaces to be provided.

Affordable Housing

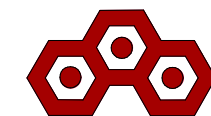
18.6 In accordance with **Policy CS6** of the Core Strategy, the Council will seek a target of 50% affordable housing borough-wide on developments with capacity for 10 or more additional dwellings, subject to financial viability (**Policy DP3**). A tenure split of 60% social rented housing and 40% intermediate affordable housing will be sought.

18.7 The Council considers that developments with a proposed floorspace of 1,000 sqm or more (gross) are capable of providing 10 units and, therefore, a sliding scale is applied to schemes of 10 or more units, or 1,000 sqm or more, which gradually builds up to 50%.

18.8 In the case of the extant permission, it was identified that as the proposed development would provide 9 flats totalling 1100sqm. Using the calculations set out in **CPG8**, it was established that the development therefore required 11% of the floorspace (121sqm) to be provided as affordable housing.

18.9 **Policy DP3** seeks affordable housing on-site in the first instance, but where it cannot practically be achieved on-site, off-site affordable housing may be accepted or exceptionally a payment in lieu. A payment in lieu of £320,650 was agreed and secured by the s106 for the approved scheme. A similar approach should be applied to this building as the constraints of a single entrance, core and practicality of managing a single affordable unit in isolation would still apply.

19.0 The proposals within this submission will result in an accumulative scheme of 10 units, with a total floorspace of 1,256 sqm (GEA), which exceeds the affordable housing threshold. It is therefore recognised that the Council will seek an additional contribution toward affordable housing to account for the additional floorspace proposed within this submission.



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20.0 HERITAGE ASSESSMENT

20.1 This section assesses the effect of the proposals on the significance of heritage assets identified in the *Heritage Impact Assessment* (completed by Purcell and which is attached to this report for information purposes only) against national and local planning policy on the historic environment.

20.2 We consider that there are four heritage considerations for this application:

- The effect of the proposals on the special architectural or historic interest of No. 64 Lincoln's Inn Fields, which is grade II listed;
- The effect of the proposals on the special architectural or historic interest of adjacent listed buildings; and
- The effect of the proposals on the character and appearance of the Bloomsbury Conservation Area;
- The effect of the proposals on the significance of the Lincoln's Inn Fields Registered Park and Garden.

National Planning Policy Framework

20.3 Paragraph 128 of the NPPF states that applicants should describe the significance of any heritage assets affected, including any contribution made by their setting. The paragraph goes on to state that the level of detail of that assessment should be proportionate to the asset's importance. This heritage assessment complies with this requirement.

20.4 Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset (including that of its setting), great weight should be given to the conservation of the assets significance. Paragraph 132 goes on to state that the more important the asset, the greater the weight should be.

20.5 In general terms, the NPPF states at paragraph 60:

"Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness."

Principle of the Roof Extension

20.6 The significance of the building was detailed in **Section 5** of the *Heritage Impact Assessment*, prepared by Purcell which supported the previous applications (2013/7434/P & 2013/7457/L). We attach the Statement of Significance from that report for information in Appendix 1.0.

20.7 The main areas of special interest that contribute to the significance of the building can be summarised as follows:

- Architectural value of the main façade facing towards Lincoln's Inn Fields;
- Architectural value principal staircase rising through the building;
- Historical illustrative value of a building with Georgian origins; and
- Historical association with the development of Lincoln's Inn Fields.

20.8 In contrast, the roof has been heavily altered.

20.9 It is formed of four pitched slate roofs, with a flat enclosure to the north housing the lift tower and access door from the attic. Internally, the roof timbers vary in age from reused historic (19th century) timbers to what are clearly modern additions most likely added during the 1970s alteration (Application References: HB/1602/R, 19246, HB/865 & 24133/R).

21.0 The section of roof with the lift overrun has a neutral contribution to the overall significance of the listed building. This assessment has regard to the level of alteration and the fact that the fabric does not demonstrate any unusual or important construction techniques. Indeed, there is no evidence to suggest this part of the roof took a pitched form when it was originally conceived.

21.1 Over the course of the preparation of this application, we have surveyed the main pitched section to the front of the building.

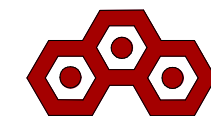
3.12 Photographs 1 and 2 (as below) illustrate the appearance of the built fabric within this section:



Photograph 1



Photograph 2



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· Photograph 2 faces north and illustrates the modern floor joists and rafters, mixed with darker (and we surmise older) timbers specifically the collar and queen posts.

· Photograph 1 shows the southern party wall. The mixed brickwork and angled scarring suggests that the current pitch has been raised in height. It is unclear why this alteration was carried out, but mostly likely to improve rainwater runoff and avoid water ingress within the building.

21.2 It is clear that the greater proportion of the existing roof fabric is not original, and it is only the form of the front section that has historic value. While some timbers do survive, they are no longer in their original position and in no way present a completed or original composition.

21.3 Accepting these conclusions, and the need (set out in policy and guidance) to identify the special interest and consider change in a balanced and proportionate manner. The significance of the building lies principally within its historical and architectural interest as a Georgian building with a typical and well-proportioned main elevation. The roof, however, has been altered. We therefore see no in principle reason why replacing the roof with a sympathetic addition would not be acceptable. What matters here are the particular effects.

21.4 This approach is consistent with paragraph 131 and 132 of the NPPF, Camden's Development Policy DP25 parts (b), (f) and (g).

Effect on the Listed Building

21.5 The new mansard will replace the existing series of pitched roofs. There is a sensitivity relating the alteration to this part of the building and consequently it is necessary to provide careful consideration of this point.

21.6 In considering the impact of this part of the scheme on the special architectural and historic interest of the building, the starting point for an assessment must be to recognise that:

The a large proportion of the existing fabric of the roof has been replaced thus diminishing the architectural integrity of the composition; and

The front pitch was raised during the 2170s during which time the central pitched section was rebuilt to incorporate the lift plant room.

21.7 We do not consider, therefore, that the current roof form only makes a very limited material contribution to the historic or architectural significance of the building. The architectural and historical integrity of the roof has been undermined by its reconstruction.

21.8 The design has been approached with regard to Camden's Design guidance CPG 1, which states that Mansard roofs are "*often the most appropriate form of extension for a Georgian or Victorian dwelling with a raised parapet wall and low roof structure behind*" (pp. 37).

21.9 The proposed form is illustrated in the supporting *Verified Photomontages* prepared by Design Hive (March 2015). In all three views, the proposed appearance of the mansard appears in harmony with the front elevation, while the bottle balustrade provides a parapet successfully terminating the façade in place of the existing lead flashing which detracts from the appearance.

22.0 The proposed rear of the building is illustrated in the submitted drawings. The additional floor will be expressed externally as a single storey extension in matching stock brick. The windows will be matched to those already in the elevation, albeit their proportion will be altered to reflect their position.

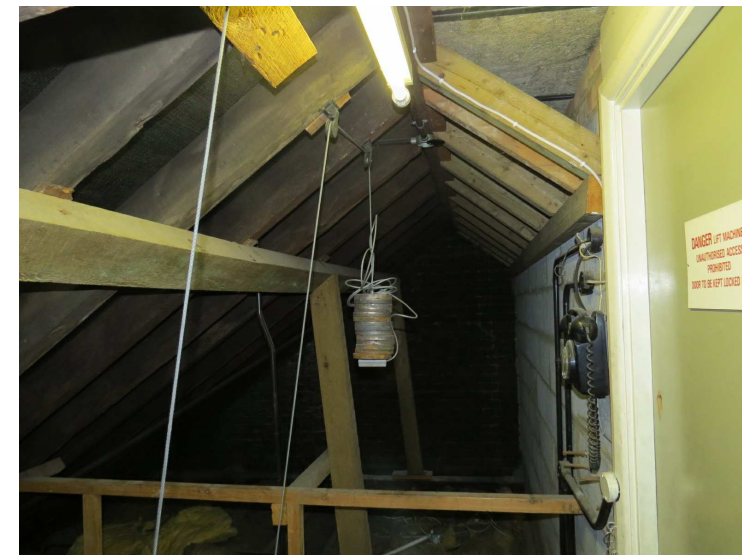
22.1 These alterations will be entirely in keeping with the character of the listed building and its special architectural and historical interest. Indeed the addition will improve the appearance of the front elevation by providing a sympathetic and elegant termination. Consequently, we consider that the proposals comply with the statutory duty under sections 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 2190 and the criteria set out within paragraphs 131 and 132 of the NPPF and Camden Policy DP25 (f).



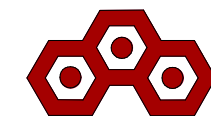
Photograph 3



Photograph 4



Photograph 5



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Effect on Adjacent Designated Heritage Assets and the Bloomsbury Conservation Area

23.0 In assessing whether the proposals will have an effect on the significance of adjacent listed buildings we note English Heritage's 2013 Guidance on the Setting of Heritage Assets which states:

"Setting is not a heritage asset, nor a heritage designation. Its importance lies in what it contributes to the significance of the heritage asset." (The Setting of Heritage Assets: English Heritage Guidance 2011, 2011, pp. 7)

23.1 No. 64 Lincoln's Inn Fields does lie in proximity to listed buildings, specifically to its north at No. 65, which is grade II.

23.2 No 65 Lincoln's Inn Fields (dates from 1772) and was designed by Thomas Leverton for Henry Kendall. The stone-clad façade is rusticated at ground floor level and the entrance is accessed via a short flight of steps, in front of which is an enclosed forecourt. There is a blue plaque on the exterior commemorating William Marsden (1796-1867), surgeon and founder of the Royal Free and Royal Marsden Hospitals, who lived here. The building is slightly taller and narrower than No.64 and features a bottle parapet.

23.3 We conclude that the significance of No. 65 is derived from the historical value of the building as it dates from 1772, and the architectural value of the front elevation and interior decoration. The rear elevation is plainly of secondary importance and like no. 64's has itself been altered.

23.4 The principal significant setting relationship between the two is perceptible at the front where the two attractive historic façades can be seen and appreciated together, each reinforcing the architecture and historical interest of the other. In particular, the bottle parapet is an aesthetic benchmark terminating the elevation, and which has influenced the design and has been incorporated into the proposals.

23.5 The proposals raise the roof height of No. 64, but crucially, maintain the lower parapet of No. 64 and therefore retain No. 65's prominence in the terrace.

23.6 In relation to the effect of the proposals on the character and appearance of the Bloomsbury Conservation Area we refer to the *Bloomsbury Conservation Area Appraisal and Management Strategy (2011)*, which states:

"From the mid 17th century, the square was subject to piecemeal redevelopment, with the result that buildings surrounding the square have become more varied in height, scale, plot size and architectural style, although they maintain a consistent building line." (2011, 65).

23.7 We have emphasised the section relating to the variety of architectural scale and height on all sides of the square, a quality particularly prominent on the eastern side. The Verified Photomontages illustrate this effect clearly, particularly when comparing the much taller No. 63 compared to No. 64 and the rising No. 65 and No. 66. It is clear there is no established height datum, and indeed, the variation provides an aesthetic quality that contributes to the appearance of the conservation area.

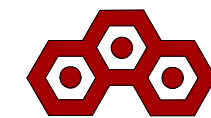
23.8 The photomontages also clearly illustrate that not only are mansard roofs a common architectural feature within the square, but on the eastern side they screen the unsightly rear elevations of the buildings on Kingsway.

23.9 View 3 conveys how the proposed mansard will appear in character with the existing architectural forms both of the eastern side of Lincoln's Inn Fields as well as the subject building. The scheme has the benefit of occluding views of the rear elevation of No. 44 Kingsway, which faces into the courtyard behind No. 64 Lincoln's Inn Fields, and is plain and unattractive. This is a clear public benefit that enhances the setting, and therefore significance of the registered park and garden and is supported by paragraph 002 18a-020-20140306 of the NPPG.

24.0 Overall, we consider that the mansard will at least preserve the character and appearance of the Bloomsbury Conservation Area, the significance of the Lincoln's Inn Fields Registered Park and Garden, and the setting of adjacent listed buildings.

24.1 Consequently, the proposals comply with the statutory duty under sections 661 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs 131 and 132 of the NPPF and Camden Policy DP25 (f).

24.2 The proposals are inherently sustainable and so should therefore be consented (see paragraph 14 of the NPPF).



25.0 Breem Assessment

This has been updated (included with the application) to reflect the proposed scheme and incorporates the data from the original application. This updated report still achieves the same "Very good" result which was achieved previously. (Application reference:2013/7434/P & 2013/7457/L)

26.0 Energy Strategy

In addition to the above James Taylor Homes(Lincolns Inn) Ltd has commissioned Price Myers to undertake an Energy Strategy Report to assess the relevant sustainable applications to apply to this property. Further information is included within the submitted documentation.

27.0 Conclusion

The proposed residential use accords with the Council's planning policies and this statement has demonstrated that an appropriate quality of accommodation can be created and would not have a detrimental impact upon existing residential amenity.

The principle of an extension to a listed building at roof level has been accepted previously within the Borough and we have set out this precedent within this statement. We appreciate that each case is assessed upon its own merits. In this instance, the roof fabric is not original and the form of the roof has also been altered. The issue is therefore whether the proposed development would cause harm to the significance of the listed building, the grouping of buildings on the western side of Lincoln's Inn Fields and on the character and appearance of the conservation area. As demonstrated within this statement and illustrated on the proposed views, the proposed extension and works to the parapet would at its worst not create significant harm to the existing building and at best would enhance the building and its contribution to the character of the conservation area.

The proposed development therefore accords with the Borough's planning policies and is acceptable in terms of its heritage impact and is acceptable overall.



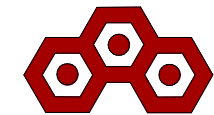
View from new fourth floor overlooking Lincoln's Inn Field and the London Skyline



Existing view from Lincoln's Inn Field



Proposed view from Lincoln's Inn Field



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28.0 ACCESS STATEMENT

28.1 External Considerations and the Approach:

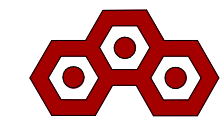
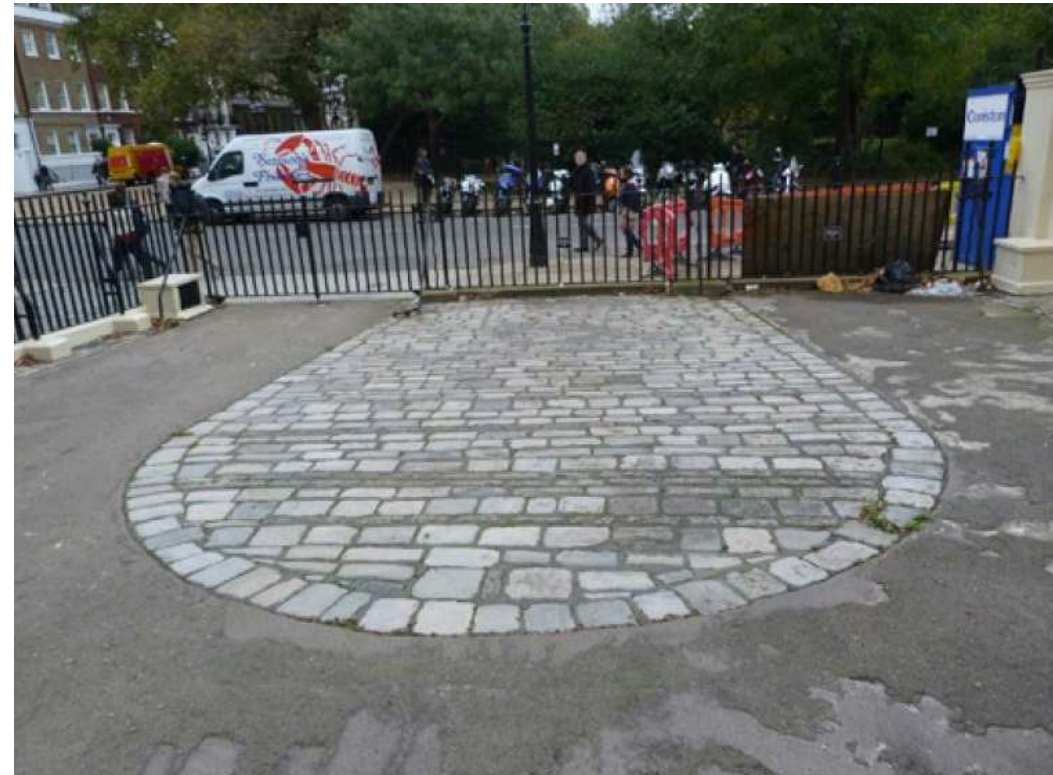
The existing forecourt has a tarmac and stone corbeled "horse shoe" layout that is to be retained and repaired as the approved. The railings at the front of the property will not be altered from the approved scheme. The existing access to the proposed apartment will be via the main communal stair to the third floor that will not be altered. At this level a new stair will be constructed to match the appearance of the lower and will provide access to the new fourth floor. These stairs and handrails will be designed to comply with the current building regulations Part K. At the head of the new stair will be a landing similar to the lower levels. The existing lift shaft will be extended to the new upper level. The lift plant housing will also be positioned at roof level and be concealed behind the mansard parapet.

28.2 Covered cycle stand

As the approved scheme the cycles will be located in the secure basement. With the new addition at roof level the development will now provide a total 13 no. cycle stands that will be built into the existing floor construction.

28.3 Internal Considerations:

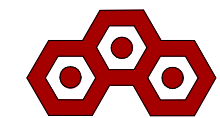
On entering the main lobby at ground floor there is access to all levels either by the staircase or the lift. The lift is being refurbished and will be able to accommodate people in a wheelchair. The lift will be controlled via a FOB access allowing residence to only access their allocated level. All main circulation doors and entry doors will have a minimum width of 900mm also allowing ease of access for any wheelchair users. The new apartment will be built to accord with the sizes, room areas and circulation and door widths as advised within the London Housing Design Guide.



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29.0 Appendix

The following extract is from the Heritage Impact Assessment submitted with the previous applications (permission reference: 2013/7434/P and Listed Building Consent reference: 2013/7457/L), supplied from Purcell Architects



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