

PLANNING STATEMENT APRIL 2017

PROPOSED CHANGE OF USE

FLATS 1, 2, 3 and 4, 24 Old Buildings Lincoln's Inn, London WC2A 3TL

1. Introduction and Background

This statement has been prepared by The Honourable Society of Lincoln's Inn in support of a planning application for change of use of four flats (three one bedroom and one two bedroom) at 24 Old Buildings to short term lets for judges and barristers who need to visit the Inn and stay overnight for court cases and trials.

The site in question comprises a five storey building on the eastern side of the Lincoln's Inn estate facing Chancery Lane and adjoining the Chichester Rents footpath (see Location Plan in Appendix 1). The four flats which are the subject of this application are on the fourth floor. The building containing these flats (Hardwicke Building) is not listed but adjoins others which are and the whole estate lies within the Bloomsbury Conservation area.

Lincoln's Inn is an unincorporated charitable association, the main object of which is the furtherance of legal education and the members of which are judges, barristers and law students.

The Inn needs to provide short term accommodation for visiting judges and barristers who visit London to work, attending hearings and other legal functions close to the Inn. Lincoln's Inn used to provide this by renting out seven flats in Chichester Rents next door to the Inn, but this is no longer possible because the lease on the flats was not renewed in 2013 as the property was being redeveloped by the landlord. Since that time the Inn's members have had no alternative to using expensive hotel rooms outside the Inn, thereby disassociating visiting members from the life of the Inn during their stay.

2. Application

The application comprises the following:

- Completed form – Full planning application.
- The appropriate fee (change of use £385)
- An ordnance survey based location plan at 1:1250 scale denoting the application site in red.
- Floor plans at a scale of 1:50 labelled 'existing' and 'proposed' showing the internal layout
- Planning statement

Copies of the submitted plans are to be found in Appendix 2.

3. Planning Statement

a. Land use policy on residential use

The Inn recognises that Camden's Local Development Framework seeks to protect permanent residential floorspace. Policy CS6 (Section C) seeks to minimise the loss of existing homes and Policy DP2 (Section E) protects permanent housing from conversion to short-stay accommodation intended for occupation for periods of less than 90 days. Policy CS9 also seeks to 'support and promote the Central London area of Camden as a successful and vibrant part of the capital to live in, work in and visit'. It refers to guidance for central London, which has since been incorporated into Camden Planning Guidance (CPG5 – Town Centres, Retail and Employment).

CPG5 includes within its list of Central London Local Areas the Inns of Court. It states in paragraphs 4.78 and 79 *'The area has a very long established legal character and contains barristers' chambers, solicitors' offices, courts, government legal offices and law schools. Legal uses also occupy office buildings and former residential properties in some of the adjoining streets and the Council also seeks to retain legal uses in these locations'*.

The Inn hopes that the Council will take a flexible approach towards the operation of Lincoln's Inn to ensure it remains competitive and attractive to the legal profession and to maintain its unique character, as recognised through policy CPG5. Although CPG5 states that there should be no net loss of residential floorspace, it recognises that it is sometimes necessary to swap uses around within the buildings within the Inn, in order to ensure their continuing operations. Given that there is a serious need for accommodation for legal visitors and that the four flats in question are proving difficult to let, it is considered that this is a prime case for such flexibility. By doing so, those members of the Inn who are visiting for professional purposes, particularly judges and barristers, will be able to secure accommodation within the Inn for the duration of their official duties in London and thereby participate in and contribute to life within the Inn.

b. Supporting Evidence

- **Need**

For many years the Inn used to make a small number of its flats available for overnight accommodation for judges and barristers from out of London who had come up to London to sit in the High Court or to conduct a trial. Until mid 2013, the Inn rented seven flats in Chichester Rents (outside the Inn) which it used for that purpose. These were extremely popular and well used. The loss of those flats when Chichester Rents was redeveloped meant that since then, the Inn has been unable to provide our members with overnight accommodation. There is, however,

considerable demand for it, as circuit judges in particular are regularly posted to sit in the High Court in London.

- **The collegiate nature of the Inn**

Part of the operation and character of the Inn is that all members should be encouraged to engage in the Inn's events and programmes and that the opportunity to be accommodated within the Inn when participating in those events is a central part of the Inn's life and character. The provision of temporary overnight accommodation contributes therefore to the Inn's unique character. Judges and barristers who, when visiting London on official business, are required to stay in hotels cannot straightforwardly participate in events at the Inn, including the many student training events which the Inn provides.

- **Level of Occupancy**

The average occupancy rates for the seven flats at Chichester Rents for the 18 months before they were taken back by the landlord was at least 75% and on many occasions 100%.

- **Alternative facilities**

Hotels nearby are expensive : the average rate for the cheapest local hotels is approximately £180 - £200 per night whereas the Ministry of Justice allowance for overnight accommodation is £120 a night. Hotels do not provide the facilities equal to a flat for a working judge or barrister, nor the amenities that the Inn makes available to members, including the use of the library and Members' Common Room. It is also important that the Inn provides accommodation at close to the rate of the Ministry of Justice allowance.

- **Conversion of difficult to let flats**

We have examined our portfolio and identified a group of four flats at 24 Old Buildings which would be very suitable for use as overnight accommodation for the following reasons:

- They are the cheapest and least popular flats in the Inn.
- Three are one bedroom flats and one has two bedrooms.
- Despite our attempts to let three of the flats on Assured Shorthold Tenancies (see particulars at Appendix 3), we have been unsuccessful, and the occupant of the fourth flat has recently notified us that he is looking to move. This is largely because of the noisy location: there is a karaoke bar nearby which is open until the early hours and local businesses have early morning deliveries
- Their outlook onto Chancery Lane and Chichester Rents is now unattractive. (see appendix 4).
- Although flats within the Inn are normally occupied as soon as they become available, there were no applications for the flats. All those who viewed the property cited the outlook and noise as the issues that deterred them.
- They are grouped together and since they enjoy lift access, they would be relatively easy to service

- **Other residential accommodation is available within the Inn**

The Inn owns 65 flats which are let at market rents to members of the Inn. The Inn seeks to promote a diversity of occupation in terms of seniority, so as to create a mixed community within it.

c. Amenity

The proposal would not cause any harm to the amenities of neighbouring residents within or adjoining the block. Furthermore, as visitors would most likely arrive by public transport or taxi, there will be no impact on the local transport network.

d. Heritage

The application is for a change of use only with no external or internal alterations so there will be no impact on the listed buildings or conservation area.

e. Planning Pre-application Advice

The Inn has been advised in the pre-application advice dated 27th March 2017 that if adequate justification is made for this change of use, the Council would consider a personal temporary permission that is restricted to the specific use and user, on the basis of the special circumstances of the case so that it does not set a precedent. It would be subject to conditions making the decision personal to Lincoln's Inn and ensuring the accommodation is only used by visiting legal professionals.

4. Conclusion

We are aware that under present planning regulations we can only use a flat for short stay purposes for 90 days a year. In recent years, approximately six to eight flats a year have fallen vacant at the Inn and theoretically we could make some flats available for overnight accommodation on a rolling basis pending re-letting them permanently, but this would be very difficult to manage and inefficient in terms of cost and time. We are also aware of the policy which requires [the number of units available for housing to be maximised as mentioned in point a. above. We believe, however, that the Inn is a special case, since it already provides over 60 other units for permanent residence and the provision of accommodation, close to the courts for judges and barristers visiting London in the course of their duties, would serve a public purpose. The proposed use of the flats in question for visiting judges and barristers would contribute to maintaining the important and special character of the Inn.

List of appendices

Appendix 1: Location plan

Appendix 2: Existing and Proposed Plans

Appendix 3: Marketing particulars for flats 2, 3 and 4, 24 Old Buildings

Appendix 4: Photographs of flats' poor aspect

Appendix 5: Lincoln's Inn residential lettings procedure

Appendix 6: Savills report on factors affecting marketability

Appendix 7: Letter from former resident