

**Regeneration and Planning**

**Development Management**

London Borough of Camden

Town Hall

Judd Street

London

WC1H 9JE

Tel 020 7974 4444

planning@camden.gov.uk

www.camden.gov.uk/planning

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| **Date:** 27th March 2017  |
| **Our Ref**: **2016/6806/PRE** |
| **Contact: Charles Thuaire:** 020 7974 5867 |
| **Email: Charles.thuaire@camden.gov.uk**  |
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Henry Skinner

The Honourable Society of Lincoln's Inn

Treasury Office

Lincoln's Inn

London

WC2A 3TL

Dear Sir,

# Planning Pre-application Advice:

# 24 Old Buildings Lincoln's Inn, London WC2A 3TL

Thank you for submitting a pre-planning application enquiry for the above properties. This document represents the Council’s initial view of your proposals based on the information available to us at this stage. It should not be interpreted as formal confirmation that your application will be acceptable nor can it be held to prejudice formal determination of any planning application we receive from you on this proposal.

**Proposal**

Change of use of 4 flats (3 x 1 bed and 1 x 2 bed) to short term lets for judges and barristers who need to visit the Inns and stay overnight for court cases and trials.

**Site and Surroundings**

The site in question comprises a 5 storey building on the eastern side of the Lincoln’s Inn estate facing Chancery Lane and adjoining Chichester Rents footpath. The 4 flats subject to this enquiry are at the 4th floor. The building itself containing these flats is not listed but adjoins others which are; the whole estate lies within the Bloomsbury Conservation area.

**Planning History**

2004/2760/L- LB consent grated 01/09/2004- The installation of a disabled access platform within the entrance hall and the re-arrangement of first and second floor partitions.

**Relevant policies**

[**National Planning Policy Framework 2012**](https://www.gov.uk/government/publications/national-planning-policy-framework--2)

[The London Plan 2016](http://www.london.gov.uk/priorities/planning/london-plan/further-alterations-to-the-london-plan)

[**LDF Core Strategy**](http://camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-policy/local-development-framework--ldf-/core-strategy/)

CS6 (Providing quality homes)
CS9 (Achieving a successful Central London)

[**LDF Development Policies**](http://camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-policy/local-development-framework/development-policies.en)

DP2 (Making full use of Camden’s capacity for housing)

**Other Planning Policies / Guidance**

Camden Planning Guidance

CPG2 Housing

CPG5 Town centres, retail and employment

Emerging policy:

It should be noted that the Camden Local Plan will replace the Core Strategy and Development Policies in 2017. The emerging Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ends on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan. The Local Plan at this stage is a material consideration in decision making, but pending publication of the Inspector's report into the examination only has limited weight.

Camden Local Plan Submission Draft 2016-

Policy H1 Maximising housing supply
Policy H3 Protecting existing homes

**Assessment**

The main issues of consideration are

* Land use policy on residential developments

**Land use**

The Local Development Framework seeks to protect permanent residential floorspace. Any application that proposes a loss of housing would need to justify the loss against the relevant policies and guidance.

Policy CS6 (section c) seeks to minimise the loss of existing homes. Policy DP2 (section e) restates this aim by protecting permanent housing from conversion to short-stay accommodation intended for occupation for periods of less than 90 days. It is accepted that this policy has been overtaken by recent legislation that now allows short term lets of housing up to a maximum of 90 days. Nevertheless the spirit of this policy remains, in that the Council will resist the loss of permanent housing to short term stay accommodation which would constitute a change of use to Class C1 hotels or Sui Generis hostels.

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 paras 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 Inns of Court require flexibility in order to provide the size and type of floorspace required in order to remain competitive and attractive to tenants in the legal profession. It is therefore sometimes necessary to swap uses around within the buildings, particularly business and residential uses. In order to provide this flexibility, the Council will grant planning permission for a change of use, provided there is no net loss of residential floorspace or significant reduction in office floorspace in line with policies DP2 and DP13…’

The site in question comprises 4 self-contained flats on the top attic floor, 1 x 2 bed flat and 3 x 1 bed flats. One 1 bed flat was currently occupied at the time of the site visit but the other 3 are vacant and being refurbished. They appeared to provide good quality accommodation with appropriate modern facilities and spacious rooms which were well lit and ventilated, although 2 of the flats facing Chichester Rents have poor outlook and privacy. There are flats and chambers below and adjoining which also have similar amenity qualities. The lack of lift access is noted but does not make the flats unviable or unattractive.

The desire to provide short term accommodation for visiting judges and barristers who need to attend hearings and other legal functions is accepted in principle. The need to provide accommodation close to the Inn without using expensive hotels is also appreciated. It is also acknowledged that Lincoln’s Inn used to provide this by renting 7 flats in Chichester Rents next door, and that this is no longer possible by the loss of this block for redevelopment.

The loss of the existing self-contained permanent housing in itself is contrary to above-mentioned policy unless circumstances dictate otherwise and a robust justification can be made to support their temporary use. However it is considered that on balance a case can be made to support the proposed use given the unique circumstances. CPG5 suggests that the Council will take a flexible approach in the operation of the Inns to ensure they remain competitive and attractive to the legal profession. Although it states that there should be no net loss of residential floorspace, it implies that flexibility could be taken on the type of residential uses within the Inns in order to ensure their continuing operations. An exception could be made here if it can be shown that there is a serious need for accommodation for legal visitors and that the 4 flats in question are proving difficult to let and unusable.

The Council would require evidence, in the form of a planning statement, including marketing evidence, demonstrating that the flats are no longer suitable for permanent residential use and that the proposed use would not affect housing provision within the Inn. This supporting evidence would need to demonstrate the following as an example to support your case– need for such temporary overnight accommodation for visitors and who exactly they will be; how regularly they will be used; why using hotels nearby is undesirable; why these 4 flats are difficult to let and aspects of their poor quality (eg. poor outlook and privacy to flats 2 and 3); history of their vacancy and evidence of efforts to let them over a sustained period; sufficient residential provision is made elsewhere in the Inn with no further need to use these 4 flats for permanent dwellings.

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 the Lincoln’s Inn and ensuring the accommodation is only used by visiting legal professionals and not for any other normal Class C1 hotel purpose.

**Amenity**

The flats are adequate in amenity terms for both permanent and temporary uses, although it is recognised that flats 2 and 3 are not ideal in terms of their proximity to the offices in Chichester Rents and consequently the lack of outlook and privacy mitigate against their permanent use. The proposal would not cause any harm to the amenities of neighbouring residents within or adjoining the block. As visitors would arrive by public transport or taxi, there will be no impact on the local transport network.

**Heritage impact**

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

**Conclusion**

The proposal may be acceptable subject to the submission of a supporting statement, with accompanying evidence justifying the loss of permanent residential floorspace and the need for temporary accommodation specific to the needs of the Inn.

**Planning application information**

If you submit a planning application, I would advise you to submit the following for a valid application:

* 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
* Please see [supporting information for planning applications](http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/making-an-application/supporting-documentation--requirements-/) for more information.

We are legally required to consult on applications with individuals who may be affected by the proposals. We no longer notify neighbours by post, but we still display a notice on or near the site and, advertise in a local newspaper. The Council must allow 21 days from the consultation start date for responses to be received.

This document represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.

If you have any queries about the above letter please do not hesitate to contact me on 020 7974 5867.

Thank you for using Camden’s pre-application advice service.

Yours faithfully,

Charles Thuaire

Senior Planning Officer

Planning Solutions Team

It is important to us to find out what our customers think about the service we provide. To help, we would be very grateful if you could take a few moments to complete our [pre application enquiry survey](https://consultations.wearecamden.org/culture-environment/259f41ed). We will use the information you give us to monitor and improve our services.