

Delegated Report		Analysis sheet		Expiry Date:		08/11/2020	
		N/A		Consultation Expiry Date:		26/12/2020	
Officer				Application Number(s)			
Josh Lawlor				2020/3104/P & 2020/3723/L			
Application Address				Drawing Numbers			
64 Lincoln's Inn Fields London WC2A 3JX				See decision			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Erection of a double pitch mansard roof extension along with alterations to the front facade to facilitate the creation of 1 x 2 two bed flat raising of the existing rear extension relocation of existing plant at roof level.							
Recommendation(s):		Refuse Planning Permission and Listed Building Consent					
Application Type:		Full Planning Permission and Listed Building Consent					
Conditions or Reasons for Refusal:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:		<p>One site notice was displayed to the front of the site on Lincoln's Inn Fields and a second to the rear on 44-46 Kingsway from 02/12/2020 (expiring 26/12/2020)</p> <p>The proposal was also publicised in the local press from 27/08/2020 (expiry 20/09/2020)</p> <p>No responses were received.</p>					

Site Description

The application site is located on the west side of Lincoln's Inn Fields, close to the junction with Remnant Street and Gate Street. The building is four storeys plus basement, comprising nine residential units, although it was originally built as a single dwelling. The building is grade II listed and makes a positive contribution to the Bloomsbury Conservation Area.

The host building dates from the mid-17th century and has an attractive classically designed front façade. Lincoln's Inn Fields was the second residential square built in London after Covent Garden. Buildings similar to no. 64 once populated the north, south and western edges of Lincoln's Inn Fields, but many have been altered or wholly redeveloped since the 17th Century. The other buildings along west side of Lincoln's Inn Fields, fronting onto the public gardens, include a number of other listed buildings. Whilst these share a common front building line, there is considerable variety in age, style and height. The unlisted buildings vary in quality but together produce a distinctive individuality within the row which is a strong element of the conservation area's character and appearance. The predominant uses of the surrounding buildings is commercial in nature, and the site forms part of the Central London Area.

Relevant History

Relevant Planning History:

2015/1794/P & 2015/2284/L - Erection of single storey mansard roof extension to provide 1 x 2 bedroom flat, associated to extant permissions ref: 2013/7434/P & 2013/7457/L (Internal and external alterations associated with the change of use from offices (B1a) to residential (C3) and partial demolition, alteration and extension to create 9 residential unit), granted on 23/01/2015. Refused 23/06/2015

The reason for refusal:

The proposed roof extension, by reason of its location and loss of historic fabric and form, would be detrimental to the character, appearance and special architectural and historic interest of the host building, contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.

Dismissed at appeal 02/11/2015 ref. Appeal A: APP/X5210/W/15/3129639 64 and Appeal B: APP/X5210/Y/15/3129640

The Inspector made the following comments when dismissing the appeal:

- 1. In my view, its complexity and traditional forms are attractive and continue to speak strongly of the listed building's origins despite the alterations demonstrated by the evidence before me. I consider therefore that whilst the principal interest of the building lies in its front façade, the present roof also makes a substantive contribution to the special architectural and historic interest of the appeal building and thus to its significance. Its loss to the proposed extension would therefore have an unacceptably diminishing effect on the building's significance.*
- 2. Given that the qualities of every listed building are unique, the detrimental impact of the*

proposal on the appeal listed building is not mitigated by the presence of mansard roofs and balustrades on a number of nearby buildings, including the adjoining listed building at No 65.

3. *The variation in heights of buildings provides an aesthetic quality that contributes to the quality of the conservation area, and I have noted above the contribution made more generally by the distinctive individuality of the buildings adjacent to the appeal building. The increased homogeneity in height and design of the appeal building and No 65 that would result from the proposal would be at odds with these attributes. Moreover, and in any event, the harm to the listed building which I have identified would also be harmful to the conservation area given the contribution that the former makes to the latter. Whilst the proposed roof extension would not be significant in far views from within the gardens, I observed on my visit that the present front pitched section of roof is clearly visible in closer views, including the north western entrance to the public gardens, and so too would be the proposed roof extension.*
4. *For the reasons given above, I conclude that the proposed works and development would fail to preserve the special architectural and historic interest of the listed building, the desirability of which is a matter to which I am required to have special regard by sections 16 and 66 of the Act. I further conclude that the proposed works and development would fail to preserve the character and appearance of the conservation area.*

2013/7434/P & 2013/7457/L – Internal and external alterations associated with the change of use from offices (B1a) to residential (C3) and partial demolition, alteration and extension to create 9 residential units. Granted 23/01/2015

17718 - Replacement of the existing building by the reconstruction of the rear half of the building to comprise basement, ground and five upper floors, and the retention and refurbishment of the front, with the addition of a mansard roof storey. Granted 05/02/1974.

19246 - Construction of rear extensions for use as offices. Granted 31/12/1974.

24133/R - The rebuilding of part of the rear wall. Granted 14/03/1977.

HB/1602/R - Removal of part of rear section of the building and works of alteration to the rear and front elevations and works of alteration, repair and reinstatement internally. Granted 02/06/1977.

HB/865 - Renovation without alteration of the front part of the buildings (including staircase) and demolition of the rear part of the building. Granted 08/09/1976.

Relevant policies

The National Planning Policy Framework 2019

- Chapter 12- Achieving well-designed places (paragraphs 124-128, 130, 131).
- Chapter 16- Conserving and enhancing the historic environment (paragraphs 190, 193 and 196).

London Plan 2016, and draft 2019 London Plan, consolidated with alterations since 2011

- Policy 7.4 Local character
- Policy 7.6 Architecture

Camden Local Plan 2017

- H1 Maximising housing supply
- H4 Maximising the supply of affordable housing
- D1 Design
- D2 Heritage
- T2 Parking and car free development
- T1 Prioritising walking, cycling and public transport
- T4 Sustainable movement of goods and materials
- DM1 Delivery and monitoring

Camden Planning Guidance (CPG)

- CPG Design (March 2019)
- CPG Altering and Extending your Home (March 2019)
- CPG Amenity (March 2018)
- CPG Transport (March 2018)

Bloomsbury Conservation Area Statement/Bloomsbury Conservation Area Appraisal & Management Strategy (2011)

Pages 64-75 and 118-120 (inclusive).

Assessment

1. Proposal

1.1. This application proposes:

- The erection of a double pitch mansard roof extension at 4th floor level to provide 1 x 2 bedroom flat. The mansard would have an M shaped form with a double ridge and a central valley. The mansard would be clad in slate, feature 4 timber framed inset dormers to the front and 2 to the rear. The mansard would be set back 350mm from the front façade, behind a parapet wall which would be lowered by 250mm with stone copings.
- The front façade would be altered at third floor level, with the windows reduced in height and replaced with painted timber sash windows to match existing detail. The ceiling would be lowered at third floor to accommodate this change.
- The brick built rear elevation would rise vertically by 1.6m with the existing rear walls and comprise 2 timber framed windows (aligned with those at lower level).
- The rear third floor 4 windows would be replaced with reduced height timber sash windows to match the glazing bar pattern of the existing and the parapet wall lowered by 9 brick courses
- The main roof would have 6 plant units and the lift overrun contained within roof valley

2. Assessment

2.1. The principal considerations material to the determination of this application are summarised as follows:

- Affordable Housing contribution
- The impact upon the character and appearance of the Grade II Listed building (exterior, interior, curtilage and setting (designated heritage asset)
- Design and Townscape - impact on the Bloomsbury Conservation Area (designated heritage asset)
- Standard of accommodation

- Adjacent residential amenity
- Transport

3. Affordable Housing

- 3.1. Policy H1 identifies housing as the priority land across the borough and seeks to maximise the supply of self-contained housing. Policy H4 aims to maximise the supply of affordable housing. The Council expects a contribution towards affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more. The Council will assess the capacity for additional homes on the basis of multiples of 100sqm GIA, rounding the additional residential floorspace to the nearest 100sqm GIA so the assessed capacity will always be a whole number. A sliding scale target applies to developments that provide one or more additional homes and have capacity for fewer than 25 additional homes, starting at 2% for one home and increasing by 2% for each home or 100sqm added to capacity. The contribution would be secured as a planning obligation.
- 3.2. The floorplans indicate an uplift of 109qm (GIA) of residential floorspace, equating to an uplift of 114.7sqm (GEA) which is a capacity for 1 additional homes at a 2% contribution. The Council's current adopted multiplier for calculating a payment-in-lieu (PIL) with market residential schemes is £2,650 per sqm. This provides an overall requirement of £6,083 the affordable housing is calculated as follows:
- Total GIA est. 109sqm
- Total GEA est. – 114.78 sqm (GIA x 1.053)
- Capacity = 1 homes, affordable target = 2%
- PIL = 114.78 x 2.29 x £2,650 psm = c. £ 6,083
- 3.3. In the absence of an affordable housing contribution, the proposal would fail to maximise the supply of affordable housing and therefore constitutes an additional reason for refusal.

4. Design and Heritage

Policy and guidance

- 4.1. Policy D1 of the Local Plan states that the Council will seek to secure high quality design in development. The Council will require that development respects local context and character. Policy D2 states that the Council will preserve and enhance Camden's heritage assets and their settings, including conservation areas. The Council will not permit development that results in harm that is less than substantial to the significance of the heritage asset unless the public benefits of the proposal significantly outweigh that harm.
- 4.2. CPG Design (2019) emphasises that in assessing applications for listed building consent we have a statutory requirement to have regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The guidance sets out the criteria the Council will use to assess proposals which could harm the historic significance of a listed building, including its features:
- Original and historic materials and architectural features (historic fabric);
 - Original layout of rooms (plan form);
 - Structural integrity; and
 - Character and appearance

- 4.3. Pertinent to the application is English Heritage's document "Mansard Roofs" which states that in many circumstances Historic England advise against adding any visible extra storey to the roof of a terraced house, particularly when (inter alia), 'the existing roof structure is of historic or architectural interest'.

Assessment

Presumption in favour of retaining existing roof forms of historic or architectural interest

- 4.4. The Heritage appraisal argues that, although the host building dates from the mid-17th century, fabric within the current roof dates, at least in part, from "the 18th century or earlier". The applicant is of the view that in the context of the 17th century house, the value of the 18th century roof is limited.
- 4.5. The existing roof takes the form of four pitched structures, three with hips, one full width, covered with slates. The Council acknowledge the roof has been altered since its original construction. However the existing multi-pitched roof valley form is a key and integral part of the significance of terrace houses of this age and is central to the understanding of the buildings development through time. In this regard the retention of the existing roof form is particularly key in preserving the building's architectural and historic significance.

Assessment of the detailed design of the roof extension

- 4.6. It is proposed to replace this arrangement with a double pitch M shaped mansard roof extension with four dormers to the front and two to the rear. As recommended CPG Altering and Extending you home para 4.6 and English Heritage guidance on Mansard Roofs, any new attic storey should comprise a double pitch with lower slope being at a steeper angle than the upper slope. The design of the traditional mansard would accord with this design guidance, but this section of the guidance is subject to heritage considerations, and regardless its overall objective, stated at paragraph 4.1, is that roof extensions are sympathetic and do not harm the character and appearance of buildings or the wider townscape.

Assessment of harm of historic fabric

- 4.7. The Heritage appraisal has undertaken a survey outlining the condition and quality of the original composition/fabric. The extent of the retained and repaired fabric of the roof is seen as justification for its limited special architectural and historic interest. However even if the roof was more generally a construction of the 19th century, this fabric is currently visible in its existing arrangement and forms part of the house's special interest. It is also suggested that '95%' of the current material will be reused in the new form. However even if "95%" of the fabric can be reused, following the use of modern building techniques, the resulting fabric would be lost to view if repurposed into the internal structure of a mansard extension.
- 4.8. Council Officers do not agree that the fabric of existing roof is of limited historic interest. Officers have visited the site to inspect the attic. Of the four attics, only one could be entered and inspected, but it was clear that these are historic structures. The principal attic has been altered, with additional material and a lift overrun inside it. However, the other attics were visible through gaps in their bases and were clearly unaltered historic structures. Even the principal attic, which has had modern insertions, contains historic fabric. This is consistent with the Inspector who recently dismissed an appeal for a roof extension (ref. 2015/1794/P & 2015/2284/L APP/X5210/W/15/3129630 and APP/X5210/Y/15/3129640). The Inspector, having examined the roof, stated that 'a considerable number of older timbers remain and the previous form of the roof can clearly be read.'

Assessment of proposed reinstatement work

- 4.9. The Heritage appraisal states that the roof is 'not an authentic roof form'. The applicant believes that it would be to the benefit of the building to reinstate a more appropriate M shaped roof form. However, even a 19th-century roof is considered to have historic value. Conservation theory gives value to all periods of a site's development. The phases of development of the roof, forms part of the historic development of the site and so contributes to the house's special interest.
- 4.10. The evolution of the roof and top storey involved the raising of the eaves/parapet and the incorporation of the attic storey into a flush storey within the façade. In altering the proportions of the existing third floor, the proposals seek to '*reinstate a façade that relates better to the classical proportions of the original design and seen in neighbouring buildings on the west side of Lincoln's Inn Fields*'. The proposals attempt to outweigh harm from the roof extension by altering the third-floor façade.
- 4.11. This work may reproduce an accurate reconstruction of this part of the building, i.e. the front façade at a previous stage in the buildings life. However at no point in this house's history, did it combine the 17th-century roof form, be five storeys in height and have the proposed 18th-century façade design. The restoration is considered to be contrived as it would consist of replicated elements which, when considered as a whole do not resemble the buildings form at any point in time. The reinstatement would therefore be without merit. This would actually serve to muddy the history of the building and harm the integrity of the listed building. The alterations would also involve the loss of historic fabric and insertion of a considerable amount of modern fabric. It is far more beneficial to preserve the existing form of the building and therefore retain a legible understanding of how the building has developed over time. The speculative recreation of a roof form and elevation is considered to be poor conservation practice. Returning the elevation of a listed building to a supposed previous state, while also adding an additional storey which never previously existed is harmful to the special historic interest of the building.
- 4.12. The elevation not featuring a typical window hierarchy is not considered to be undesirable. The subjective assessment of the aesthetic benefits of inserting '*a façade that relates better to the classical proportions of the original design*' holds limited weight. The existing elevation is an aesthetically pleasing, symmetrical composition, with the proportions typical of the Georgian period. There is a notable subtlety, with the classical detailing and fenestration which is of merit. The alterations to the façade are not considered to bring about any aesthetic enhancements to the building. Regardless of a subjective assessment of the aesthetics of either design, the existing façade is part of the special architectural and historic interest of the listed building and should be preserved.

Assessment of impact to the Bloomsbury Conservation Area

- 4.13. With regard to the wider townscape and Bloomsbury Conservation Area, the roof proposal would significantly alter the appearance of the building, by changing a low, pitched structure that is largely hidden from view at street level into a more steeply pitched mansard, which will be more prominent. As a result, the building will appear a similar height to its taller listed neighbour in a row of buildings that is currently characterised by a very uneven roofline. The change would be visible in long views across Lincoln's Inn Field. The Inspector for the above mentioned appeal found that the 'proposed works and development would fail to preserve the character and appearance of the conservation area'. In dismissing the appeal the Inspector made the following comments in relation to the impact of the proposal on the wider terrace and

conservation area:

The variation in heights of buildings provides an aesthetic quality that contributes to the quality of the conservation area, and I have noted above the contribution made more generally by the distinctive individuality of the buildings adjacent to the appeal building. The increased homogeneity in height and design of the appeal building and No 65 that would result from the proposal would be at odds with these attributes. Moreover, and in any event, the harm to the listed building which I have identified would also be harmful to the conservation area given the contribution that the former makes to the latter. Whilst the proposed roof extension would not be significant in far views from within the gardens, I observed on my visit that the present front pitched section of roof is clearly visible in closer views, including the north western entrance to the public gardens, and so too would be the proposed roof extension.

- 4.14. This assessment accords with CPG Altering and extending your home para 4.2 which states that roof additions are likely to be unacceptable where 'buildings that are part of a group where differing heights add visual interest and where a roof extension would detract from this variety of form'. The terrace displays considerable variety in age, style and height. The distinctive individuality of the buildings within the row is an important element of the conservation area's character and appearance. It is considered that the proposal would increase the regularity of height and design on this terrace and thus fail to preserve or enhance the character and appearance of this part of the conservation area.

Conclusion and Planning Balance

- 4.15. The form of the roof in situ is an integral part of the significance of this listed building and fundamental to understanding its architectural and historic significance. The proposal would conceal evidential scars in the walls of neighbouring buildings, disturb and destroy historic fabric, alter the plan form of the building and disrupt the historic evolution of the building, causing harm to the host building. The proposal would also detract from the overall integrity of the building's special architectural and historic interest and cause harm to the Bloomsbury Conservation Area.
- 4.16. Paragraph 196 of the NPPF (2019) states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'. The proposal would create public benefit through the provision of a self-contained 2-bed flat and would provide an affordable housing contribution. However this public benefit of one unit and a modest affordable housing payment is limited and would not overcome the harm identified to both the designated heritage asset and non-designated heritage asset.
- 4.17. Special regard has been attached to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest, under s.16 of the Planning (Listed Buildings and Conservation Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.
- 4.18. Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance conservation area, under s. 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

Standard of accommodation

4.19. The apartment's gross internal Area will be 109 square metres which exceeds the minimum 2b4p GIA requirement of 70 square meters as set out in the London Plan and Technical Housing Standards. The third-floor apartment's floor to ceiling height would be reduced to 2.6m and the new apartment's internal floor to ceiling height would be 2.45m, both complying to the London Plan and Technical Housing Standards. The new unit would have a high quality dual aspect outlook and access to sufficient light.

5. Amenity

- 5.1. Policy A1 of the Local Plan states the Council will seek to ensure that the amenity of neighbours is protected from development. The factors the Council will consider the impact on daylight/sunlight, noise, overlooking, outlook, and artificial light levels (light spillage).
- 5.2. By reason of its location and orientation the mansard roof extension would not cause any harm to neighbouring amenity in terms of loss of light, outlook or privacy.

6. Transport

- 6.1. The new unit would be required to be car-free in accordance with Policy T2, which involves limiting the availability of both off-street and on-street parking to new occupiers. This would be secured by a legal agreement and would prevent future occupiers from obtaining on-street parking permits. The failure to enter into a S106 agreement for car-free development therefore constitutes a reason for refusal.
- 6.2. Should the development have otherwise been considered acceptable, an additional 2.No cycle stands would be added into the existing secure cycle store located in the basement. Should the proposal have otherwise been considered acceptable this would be secured via condition in accordance with policy T1.

7. Recommendation:

- 7.1. **Refuse Planning Permission and Listed Building Consent**