



SMPlanning

01 April 2021

Via Planning Portal only

Dear Sir/Madam,

**FULL PLANNING APPLICATION - THE TOWN & COUNTRY PLANNING ACT 1990
LISTED BUILDING CONSENT – PLANNING (LISTED BUILDING & CONSERVATION AREAS) ACT 1990**

**CHANGE OF USE OF FRONT VAULTS WITHIN THE BASEMENT FROM ANCILLARY RESIDENTIAL
STORAGE SPACE (USE CLASS C3) TO OFFICE (USE CLASS E(g)) AND THE RECONFIGURATION OF
EXISTING CYCLE STORAGE FACILITIES**

64 LINCOLN'S INN FIELDS, LONDON, WC2A 3JX

Please accept this covering letter as an accompaniment to this full planning and listed building consent application for the above works.

The Site:

In terms of context the application site forms a part of Lincoln's Inn Fields, the largest public square in London, which forms a part of the southern boundary of the borough of Camden bordering the city of Westminster.

The application site is located within the Bloomsbury Conservation Area on the west side of Lincoln's Inn Fields, close to the junction with Remnant Street and Gate Street. The host structure is Grade II listed and comprises an early 19th century four storey stucco front building with basement. The building is characterised by a square-headed doorway with fanlight and double panelled doors, corbels at the sides of the entrance below a stone first floor balcony with iron balustrade, recessed sash windows with segmental arches at ground floor and ionic pilasters through the first and second floors carrying entablature with dentil cornicing.

The building, as a result of historical planning applications, comprises nine residential units. The vaults beneath the front hardstanding area are partially used to house bicycles and plant and storage and do not comprise of any fabric of architectural or historic merit.

The surroundings are largely characterised by mixed commercial and residential use. The Inns of Court of Lincoln's Inn and Gray's Inn have a unique character in the context of the area and London as a whole. This character is derived from the marked contrast and transition in scale and sense of enclosure experienced when moving through the interconnected spaces comprising landscaped squares, enclosed courtyards, and narrow passageways and lanes with a high volume of pedestrian activity. For over five hundred years the area has been a major centre for the legal profession and for the training of barristers.

Those activities as well as residential use are the two prevalent land uses in the immediate surroundings and thus contribute to the sense of place, highlighted by the large public square opposite.

Relevant planning history:

The site has been the subject of a detailed planning history.

In the mid-late 1970s several listed building consent and planning applications allowed for the removal and/or renovation of parts of the front and rear building facades as well as its internal rearrangement.

Full planning permission **(2013/7434/P)** was approved and listed building consent **(2013/7457/L)** granted on 23 January 2015 for the change of use of the building from offices (B1a) to residential use (C3) and the partial demolition, alteration and extension to create nine residential units. The applications were approved subject to conditions and a s106 legal agreement. The permissions have been fully implemented.

On 23 June 2015 full planning permission **(2015/1794/P)** and listed building consent **(2015/2284/L)** was refused for the erection of a single storey mansard roof extension to provide 1 no. 2 bedroom flat. The applications were subsequently dismissed at appeal under references **3129639** and **3129640**.

On 06 October 2017, full planning permission **(2017/0870/P)** was refused for the change of use of part of the basement (Class C3 Use) to storage facility (Class B8 Use). The application was subsequently dismissed at appeal under appeal reference **3188630**. For clarity, it is noted that the application/appeal were refused/dismissed on grounds relating to the impact on residential amenity and not any associated impact on the fabric or setting of the listed building/character of the area. This is substantiated by the granting of listed building consent **(2017/1496/L)** for the works.

On 4 January 2021 full planning permission **(2020/3104/P)** and listed building consent **(2020/3723/L)** was refused for the 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.

The proposed development:

Full planning permission and listed building consent is sought to convert the under-utilised front basement from ancillary residential storage space to single unit office space of 73sqm. In order to protect the amenity currently enjoyed by the occupiers of the basement flats, the office will be accessed from the main building and not from the front lightwells. Discreet cast iron pavement lights within the front court will provide daylight to the proposed office space.

In addition, the basement floorspace is proposed to be reconfigured in order to accommodate independently accessible and improved cycle storage facilities for the 9 existing flats.

For full details on the development proposal please refer to the supporting Heritage and Design & Access Statement by Nash Baker Architects dated 31 March 2021.

Planning Policy:

National

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development which incorporates three specific strands – economic, environmental and social. The analysis of the proposed development will demonstrate that the scheme will accord with each of the three strands and the presumption in favour of sustainable development will therefore apply.

Local

For the purposes of this application, the adopted Development Plan for the London Borough of Camden comprises the London Plan (2021), the Local Plan (2017) and the Camden Planning Guidance Documents. Other relevant documents include the Bloomsbury Conservation Area Appraisal and Management Strategy (2011).

London Plan 2021

- Policy GG1 – Making the Best Use of Land
- Policy GG5 – Growing a Good Economy
- Policy D1 – London's Form, Character and Capacity for Growth
- Policy D10 – Basement Development
- Policy E1 – Offices
- Policy E2 – Providing Suitable Business Space
- Policy HC1 – Heritage Conservation and Growth
- Policy T5 – Cycling

Local Plan 2017

- Policy G1 – Delivery and Location
- Policy E1 – Economic Development
- Policy C1 – Health and Wellbeing
- Policy A1 – Managing the Impact of Development
- Policy D1 – Design
- Policy D2 – Heritage
- Policy T1 – Prioritising Walking, Cycling and Public Transport

Camden Planning Guidance

- Basements CPG
- Amenity CPG
- Design CPG
- Employment Sites and Business Premises
- Planning for Health and Wellbeing

Planning Analysis:

Principle of development:

Law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The local plan is clear that premises suitable for small businesses are currently under pressure from rising land values, limited land availability and ‘permitted development’ rights which allow the change of use from offices to housing without the need for planning permission.

Therefore, in order to secure a strong and successful economy, the Local Plan supports businesses of all sizes. By proxy therefore, the local plan supports the provision of office space, particularly that to serve the start-up, and small and medium sized demographic.

Explicitly, Policy E2 of the Local Plan encourages the provision of employment premises in the borough and accepts higher density redevelopment schemes which improve functional efficiency, maintain or, preferably, increase the amount of employment floorspace and number of jobs and provide other priority uses, such as housing.

In this instance, the proposal utilises a largely under used basement vault and is therefore supported by Local Plan policy E2 and the wider strategic objective of Policy E1 which directs office development to the central London area in order to meet the forecast demand for office space for the period 2014-2031. The proposed development therefore accords with the principle aim of securing a successful and inclusive economy.

Loss of Ancillary Residential Space:

Given that application reference 2013/7434/P has been implemented, the entire use of the site is now lawfully within residential use. The vault area, and other areas around the site not providing residential units are therefore deemed as ancillary residential spaces. As noted above the vault will house improved and independently accessible cycle storage, and the refuse storage has been approved within the forecourt at ground floor level, thus meaning that the normal supporting facilities for residential use have been met. The remaining floorspace is therefore redundant, and highly unlikely to be able to provide residential living accommodation based on it being subterranean, offering very limited amenity values.

Policy H3 (Protecting existing homes) of the Local Plan, generally discourages the loss of residential floorspace, but is focused on such floorspace which provides 'homes'. As this space does not provide homes, and the loss of the ancillary space is not detrimental to the current/future occupiers of the residential units on site. Attention is drawn to the subtext of the policy in Para 3.58 and 3.59, which deals with ancillary floorspace.

Para 3.58 provides examples of types of housing that Camden aim to protect including staff accommodation above a shop or pub, floorspace at nursing, care homes or hospitals where people live long term such as accommodation for nurses and for patients who are no longer able to live independently (including resident lounges, sleeping areas, bathrooms/ toilets, and associated circulation space).

Para 3.59 states that Camden will resist proposals that include: -

- *reductions in floorspace that are material because they reduce the number of residents who can occupy a home or property; and*
- *proposals that would involve a permanent change of residential floorspace from long-term accommodation to visitor accommodation let for periods of less than 90 days.*

The loss of part of the vault area to office use, would not, like the examples above, result in the loss of 'homes' or result in the loss of material floorspace that would reduce the number of residents who can occupy a home or property. As noted above the space is redundant, and unsuitable for habitable accommodation, whereas other areas within the site can suitably provide the required ancillary services that support residential use.

Delivery and location of growth / Mixed use development:

Camden's overarching policy relates to the delivery and location of growth and is contained within policy G1 of the Local Plan. The opening part of the policy states "*We will deliver growth by securing high quality development and promoting the most efficient use of land and buildings in Camden*".

In terms of how this is delivered, the policy states that this will be achieved by: -

- *supporting development that makes full use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site;*
- *resisting development that makes inefficient use of Camden's limited land;*
- *expecting the provision of a mix of uses in suitable schemes, in particular in the most accessible parts of the borough, including an element of self-contained housing where possible; and / or*
- *supporting a mix of uses either on site or across multiple sites as part of an agreed coordinated development approach, where it can be demonstrated that this contributes towards achieving the strategic objectives and delivers the greatest benefit to the key priorities of the Plan.*

The policy goes on to say that that Camden expect the most significant growth to be delivered through a concentration of development in the growth areas including the Central London area where the application site is located. Paras 2.8 - 2.11 promote '*making the most of our limited land*', and generally seek to most efficient use of Camden's Land and buildings, in the most accessible parts of the borough, such as the Central London Area. Para's 2.12 to 2.14 promote 'Mixed Use Developments', as this would contribute to future growth and making again making efficient use of its limited land.

In addition to the above policy support for mixed use development, there is also the character assessment of Lincoln's Inn to consider. The area is home to a mix of residential and commercial premises, a large majority of which support the legal industry, and it is common to find a mix of uses within buildings. Lincolns Inn and the Inns of Court areas are essentially characterised by such uses, and this is acknowledged in the Bloomsbury conservation area statement (Sub Area Nine).

The proposals fully accord with these strategic policy ambitions and would make best and most efficient use of the available land in an area characterised and with policy support for mixed use development.

Overall heritage impact:

Case law dictates that decision makers are required to give *great weight* to any harm to the significance of a heritage asset and how this should be applied is set out in section 16 of the NPPF. This refers to the historic environment and requires the decision maker to consider whether the proposal sustains and enhances the significance of the heritage asset, making a balanced judgement having regard to the scale of harm or loss and the significance of the heritage asset.

An alternative use of the basement vault does not fundamentally affect either the fabric or setting of the host building or the character of the wider area. In fact, the proposed use would respond to the historic character of the site and surroundings and would be entirely appropriate in this context.

Overall, the proposals as a whole will cause no harm to the significance of the listed building which has now been assessed as being 17th century in origin and not 19th century as previously considered. The proposal would result in no harm to the setting of nearby listed buildings or the significance of the Bloomsbury Conservation Area, as a result of the proposed development.

Effect on neighbouring amenity:

Policy A1 of the Local Plan seeks to ensure development protects neighbouring residential occupiers from the adverse impact of development. This is echoed in guidance contained within the NPPF and the London Plan. Further guidance is provided in CPG Amenity which sets specific standards of development.

There are currently residential flats on the basement level of 64 Lincoln's Inn Field and it was expressed through pre-application engagement that amenity could be harmed due to the change of use and access to the office space. Compared to a previous refusal this revised design would have an access point near the front lightwells which would keep the office and residential uses separate, ensuring no employees would walk past the basement residential units and therefore reducing the impact upon amenity.

The times that employees can use these access points could also be controlled via planning conditions to ensure that amenity aspects such as noise and disturbance would not be outside normal working hours.

In addition to the above, the application is supported with a management plan that sets out how the premises will be operated. This can similarly be controlled by condition or through a s106 legal agreement if necessary.

In light of the above the application proposals would not cause undue harm to the amenity of neighbouring residents, in accordance with the NPPF and Policy A1 of the Local Plan.

Highways impact:

Policies T1 and T2 of the Local Plan highlight the importance of prioritising walking and cycling as a sustainable mode of transport and indicate that car-free development across the borough is a key aim. Additionally, the CPG on Transport states that car-free development will be expected in the Central London Area, town centres and other areas with high public transport accessibility.

The site is extremely well located in the context of public transport and therefore has a PTAL (Public Transport Accessibility Level) Rating of 6b, the highest rating of public transport accessibility in London.

The application therefore proposes car free development, in accordance with the Local Plan expectation.

The submission includes the inclusion of a lobby within the basement area and this allows for the reconfigured cycle storage space, plant room and office uses to all be independently accessible.

Summary and conclusion:

This application seeks full planning permission and listed building consent for the change of use of basement storage to office use with the addition of reconfigured bicycle storage space.

The proposal will meet an identified demand for office space and will maintain the character and surrounding of the host listed building and conservation area.

The proposed development would accord with the general principles of the National Planning Policy Framework. The site is located within an inherently sustainable location in close proximity to existing public transport services and is consistent with the objectives of the NPPF and the development plan.

Careful consideration has to be given to the nature of the site including its relationship to its immediate surroundings, and the amenities of neighbouring occupiers.

In summary, the proposed development fulfils the three dimensions of sustainable development as defined by the NPPF and therefore the presumption in favour of sustainable development applies.

This covering letter should be read alongside the other supporting documentation and drawings which have been submitted as part of the Full and listed building consent applications.

I trust the commentary above is clear but if you require any points of clarification or have any questions please do not hesitate to contact me.

Yours sincerely

Stuart Minty
Director
SM Planning