

PLANNING STATEMENT

Permission for dual Class F (Learning)
and Class E(c) (Professional Services) use
at 67-69 Lincolns Inn Fields, London
WC2A 3JB

Habro

Job No: 211G2300

DEVELOPMENT & STRATEGIC ADVISORY

May 2022

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Version	Prepared by	Approved by	Date
Planning Appraisal	Clare Lucey BSc MRTPI	Mark Jackson BSc MRTPI	May 2022

1. Introduction

- 1.1 This Planning Statement has been prepared to support a planning application for change of use from Class E(c) (Professional Services) to dual Class F (Learning) and Class E(c) (Professional Services) at 67-69 Lincolns Inn Fields, London WC2A 3JB.
- 1.2 The property is located at the north west corner of Lincoln's Inn Fields, at the junction of Lincoln's Inn Fields and Remnant Street. Access is from the corner of Lincoln's Inn Fields and Remnant Street (for QMU). There is a ground floor retail unit and shop front access from the corner of Remnant Street and A2400 Kingsway.
- 1.3 The property provides lower ground, ground and five upper floors and a total net internal area of 2,770 sqm. The majority is currently occupied by Queen Mary University of London.

Description of Development

- 1.4 This application seeks a new planning permission for dual Class F (Learning) and Class E(c) (Professional Services) use.
- 1.5 The description of the proposed development is:

Dual Class F (Learning) and Class E(c) (Professional Services) Use at 67-69 Lincolns Inn Fields, London WC2A 3JB

- 1.6 No internal changes are proposed as a result of the proposed development. No changes are proposed to the external appearance of the property.

The Site and Surrounding Area

- 1.7 The site is within Midtown, between the West End, Covent Garden, Soho and Bloomsbury. The area has traditionally been home to legal uses including the Royal Courts of Justice, Old Bailey and Supreme Court and is established as an office location. The site is accessible by public transport including bus services along High Holborn, Kingsway and Strand and Holborn Underground Station (Central and Piccadilly lines). The property is a substantial 6-storey building plus basement.
- 1.8 The site is located within the Bloomsbury Conservation Area Sub Area 9 'Lincoln's Inn Fields/Inns of Court/High Holborn'. The property is not listed, but there are Grade II listed buildings in the local area. The Lincoln's Inn Fields are registered as Parks and Gardens of Special Historic Interest and are a site of Nature Conservation Importance.

2. Planning History

2.1 There are several planning history records related to the site, summarised below:

Application ref.	Date of Decision	Description of Development
2009/2045/P	Approved 25-06-2009	Installation of a canopy structure above the entrance to the office building (Class B1).
2006/2260/P	Approved 05-06-2006	Change of use of basement and part of ground floor from office use (Class B1) to educational use (Class D1).
2006/1317/P	Approved 13-04-2006	Alterations to the ground floor facade including the installation of new windows and the provision of new glazed fire escape door on the Remnant Street elevation in connection with the existing office building (Class B1)
2006/0424/A	Approved 26-01-2006	Display of non-illuminated projecting sign on Remnant Street elevation to existing building society (Class A2).
2005/3192/P	Approved 02-09-2005	Installation of new plant and condenser units within first floor lightwell and at roof level of offices (Class B1).
2005/3402/P	Refused on Appeal 26-09-2005	Change of use of existing offices (B1) to a restaurant and retail premises (A3) at the basement and ground floors, associated alterations to the interior/exterior including new entrances and windows at ground floor level along Remnant Street, Gate Street and the corner of the building, together with uplighting to statues at first floor level, and the installation of mechanical plant to the rear and on the roof.
2005/3696/P	Approved 09-09-2005	Change of use of part ground floor and first to fifth floors from offices (Class B1) to educational (Class D1) use.

Upper floors

2.2 Planning permission was granted for a change of use of the first, second, third and fourth floor levels of existing office (Class B1, now Class E Use – see below) to allow educational use (Class D1) or a dual (Class B1) and educational use (Class D1) on 27th February 2012 (application ref. 2011/5373/P).

2.3 The flexible/dual use planning permission allows change between office (Class B1) and education (Class D1) uses over a 10 year period without the need for further planning permission. At the end of the 10 year period, whichever use is functioning at the time becomes the permanent lawful use of the property.

2.4 The decision notice informative 3 confirms the 10 year period starts from the date of the planning permission (i.e. 27th February 2012), and so expires 27th February 2022.

Basement and Ground Floor

- 2.5 Planning permission was granted for a change of use of basement and part ground floor from office (Class B1) to education use (Class D1) on 24th July 2006 (application ref. 2006/2260/P).
- 2.6 The main issues that the Planning Officer considered were the loss of office space, the character of the Inns Court Area and the impact on local amenity. The Council considered that the change of use to education use was acceptable. The location of new education uses was considered most appropriate in suitable locations where public transport was easily accessible and did not harm the existing transport system. The proximity to Holborn Underground Station for access was referenced. The Council concluded that the Law School contributed to the special character of the Inns of Court area.
- 2.7 In conclusion, it was considered that the applications for change of use of part or the whole building for D1 education use would not have a detrimental impact upon the existing employment uses, local amenities or the character of the Inns of Court Area and planning permission was granted.
- 2.8 There is no online planning history available related to the ground floor retail unit accessed from Remnant Street/A2400 Kingsway. Online records do show two applications for external tables and chairs for Greggs, most recently in 2019 (ref. 2019/6249/TC). No other details are available.
- 2.9 Planning permission was refused for a change of use of basement and ground floors from offices (B1) to a restaurant and retail premises (A3) in November 2005 (application ref. 2005/3402/P). No details are available online.

Use Class Order (2020)

- 2.10 It is useful to reference changes to the Use Class Order. We have referred above to Use Classes B1 (office) and D1 (education) consistent with the extant planning permission.
- 2.11 Changes to the Use Class Order came into effect in September 2020 to provide greater flexibility to meet changing market demands:
- Previous office (Class B1) uses now fall within Class E Commercial Business and Service.
 - Previous education (Class D1) uses now fall within Class F Learning and Non-Residential Institutions.
- 2.12 Where an extant planning permission refers to the previous use classes, these remain enforceable. Changes to Permitted Development Rights (General Permitted Development Order) to refer to the new use classes came into force on 21st April 2021.

3. Review of Planning Policy Framework

- 3.1 As required by s.38 of the Planning and Compensation Act 2004, planning applications must be determined in accordance with relevant policies set out in the appropriate development plan, unless material considerations indicate otherwise. The main planning policies at national and local level relevant to the determination of this application are summarised and explained in this section.
- 3.2 The Development Plan for Camden comprises the Camden Local Plan 2017. The London Plan (2021), National Planning Policy Framework (NPPF, 2021) and any relevant Supplementary Planning Documents are material considerations in the determination of planning applications.
- 3.3 The site is located within the administrative boundary of Camden Council and within the Kingsway Conservation Area. The site, and much of Camden, is located within the Central Activities Zone (CAZ) identified by the London Plan 2021.

National Planning Policy Framework (NPPF, 2021)

- 3.4 A revised version of the National Planning Policy Framework (NPPF) was published in July 2021. The NPPF is a material consideration in the determination of all planning applications.
- 3.5** The NPPF sets a presumption in favour of sustainable development and a positive approach to planning as a means of supporting the country's economic and housing growth, whilst protecting the environment.
- 3.6 Paragraph 8 advises three overarching objectives to sustainable development – economic, social, and environmental. It advises that these objectives are interdependent and should be pursued in mutually supportive ways. The three objectives are defined as follows:
- a) An economic objective – to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation, and improved productivity, and identifying and co-ordinating the provision of infrastructure.
 - b) A social objective – to support strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful, and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - c) An environmental objective – to protect and enhance our natural, built, and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimise waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 3.7 Paragraph 81 states that planning policies and decisions should help create the conditions in which businesses can invest, expand, and adapt and significant weight should be placed on the need to support economic growth and productivity.
- 3.8 Paragraph 82 of the NPPF identifies clear economic objectives for planning policy. The paragraph states that Local Planning Authorities should:

- a) Set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;
 - b) Set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
 - c) Seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and
 - d) Be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.
- 3.9 Paragraph 92 requires planning policies and decisions to aim to achieve healthy, inclusive, and safe places.
- 3.10 Paragraph 96 states that to ensure faster delivery of other public service infrastructure such as further education colleges, hospitals and criminal justice accommodation, local planning authorities should also work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues before applications are submitted.
- 3.11 Paragraph 107 outlines parking standards for residential and non-residential development should consider the accessibility of the development, the type, mix and use of development, the availability of and opportunities for public transport, local car ownership levels; and the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.
- 3.12 Paragraph 119 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 3.13 Paragraph 130 states that developments should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime do not undermine the quality of life or community cohesion and resilience.
- 3.14 Paragraph 185 states that planning policies and decisions should also ensure that new development is appropriate for its location considering the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment.

Greater London Authority London Plan (2021)

- 3.15 Policy SD5 states that new residential development should not compromise the strategic functions of the CAZ. Offices and other CAZ strategic functions are to be given greater weight relative to new residential development in all other areas of the CAZ except:
- 1) the Vauxhall, Nine Elms, Battersea and Elephant & Castle Opportunity Areas, where offices and other CAZ strategic functions are given equal weight relative to new residential; and
 - 2) wholly residential streets or predominantly residential neighbourhoods (with exceptions in appropriate circumstances – for example clusters of specialist CAZ strategic functions, Special Policy Areas and CAZ retail clusters).

- 3.16 *CAZ Supplementary Planning Guidance (2016)* identifies strategic functions to include those associated with government, nationally and internationally significant offices, and higher education and research, and medical and legal establishments, arts and leisure and retail of regional, national and international importance.

It recognises the supply of sufficient office floorspace, in terms of type, size and cost within the CAZ to meet growing demand are central to London's economic success, and that it is essential that the office and business space offer in these areas is not eroded.

Camden Council Local Plan (2017)

- 3.17 The Council will create conditions for growth to deliver the homes, jobs, infrastructure and facilities to meet Camden's identified needs and harness the benefits for those who live and work in the borough (policy G1).
- 3.18 Part of the site fronting Kingsway is allocated as Central London Frontage (blue shading left map, yellow shading right map) and protected Secondary Frontage (orange line).
- 3.19 The Council will promote the distribution of retail and other town centre uses across the borough, including in the Central London Frontages. Retail floorspace is expected to be supported by a range of other town centre uses, including food, drink and entertainment uses (Policy TC1). Food, drink, entertainment and other town centre uses will be focused in the Growth areas, Central London Frontages, and Town Centres (Policy TC2).
- 3.20 Secondary Frontages will be protected as locations for shops, together with a broader range of other town centre uses to create centres with a range of shops, services, and food, drink and entertainment uses which support the viability and vitality of the centre (Policy TC2).
- 3.21 The Council supports the development of housing within centres and Central London including above and below shops where this does not prejudice the town centre function and particularly the ability of the ground floor to be used for town centre uses (Policy TC2).
- 3.22 In order to protect the retail and town centre function of the centres the Council will only permit conversion of retail and other town centre uses to residential use on the protected frontages where it does not harm the role and character of the centre, including maintaining the supply of shop premises in centres across the borough (Policy TC2).
- 3.23 The Plan identifies Growth Sectors and will promote these sectors, recognising the contributions they make to the Camden economy and beyond. The Council will direct new office development primarily to the growth areas and Central London (para 5.24).
- 3.24 The Council will encourage the provision of employment premises and sites in the borough. We will protect premises or sites that are suitable for continued business use, in particular premises for small businesses, businesses and services that provide employment for Camden residents and those that support the functioning of the CAZ or the local economy (Policy E2).
- 3.25 Development of business premises and sites for non-business use will be resisted unless demonstrated that:
- a) the site or building is no longer suitable for its existing business use; and

- b) that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative type and size of business use has been fully explored over an appropriate period of time.



Extract Camden Local Plan 2017

Town Centres and Retail Camden Planning Guidance (CPG, 2021)

- 3.26 Guidance recognised the long-established legal character of the Inns of Court area, including 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.
- 3.27 Paragraph 3.81 states 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 Local Plan policies H3 Protecting Existing Homes and E2 Employment Sites and Premises.*

4. Transport Assessment/Travel Plan

- 4.1 The site is well served by public transport. Holborn London Underground Station (Central and Piccadilly lines with links to the railway network) is approximately 150 m to the northwest. A high frequency of bus services run through High Holborn, Kingsway and Strand, all of which are within easy walking distance of the application site. Holborn Station bus stop serves the routes 168, 188, 59, 68, 91, N91 and X68. The site is also less than 200 metres from Aldwych bus stop, which serves routes 1,168,171,188, 59, 68, 91, N1, N171, N68, N91 and X68.
- 4.2 The site has a PTAL rating of 6b confirming all public transport modes in London, including National Rail. London Overground, Tube, DLR, Tram and buses, are currently available:

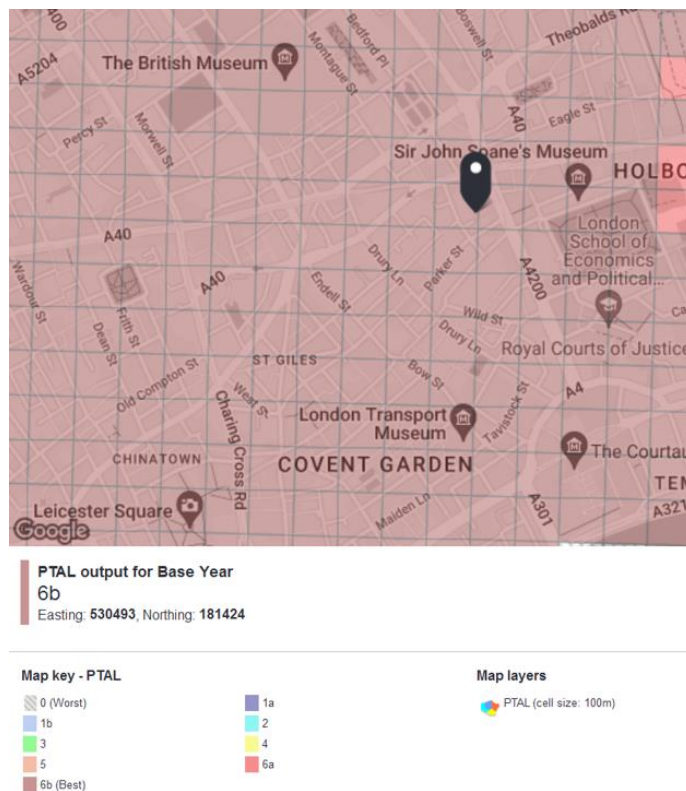


Figure 4.1 TfL PTAL report

- 4.3 There are 12 public cycle parking locks at the north west corner of Lincoln's Inn Fields. There is also a London Cycle Hire Scheme located adjacent to the Royal College of Surgeons on the southern side of Lincoln's Inn Fields.
- 4.4 There are no car or cycle parking spaces provided on site, and this will not change as a result of the proposed change of use. The proposal would not therefore result in an increase in trips by private car and, in turn, a demand for parking associated with the proposal.

Travel Plan

- 4.5 The University promote the use of public transport by its students and staff, including tube and/or bus services close to the application site which are the favoured modes of travel by students and staff.

- 4.6 This application is consistent with the previous dual use planning permission. There will be no change to the existing transport conditions and the proposal will not have a material impact on vehicular or pedestrian journeys. It is envisaged that staff and students will predominantly continue to use tube and/or bus services in order to travel to and from the campus, as these services are convenient and within easy walking distance of the building. On this basis, the proposal will have no impact upon existing transport conditions.

Proposed Loading Areas and Servicing Arrangements

- 4.7 The building has no loading bay. Any vehicles that need to load and unload goods for the premises currently reverse up Gate Street, which is a cul-de-sac and does not impede traffic flow. This arrangement will not change. This has been the arrangement at the premises for a number of years and no problems to local traffic flow or public amenity have arisen.
- 4.8 The only vehicle movements generated by this development are occasional deliveries, mostly by smaller vehicles such as motorbike couriers and smaller vans. There are no heavy vehicle movements generated as a result of this development.

5. Conclusions

- 5.1 This application seeks a new planning permission for dual Class F (Learning) and Class E(c) (Professional Services) use:

Dual Class F (Learning) and Class E(c) (Professional Services) at 67-69 Lincolns Inn Fields, London WC2A 3JB

- 5.2 The proposal meets the objectives of the London Plan and Camden’s Local Plan. In particular the proposal complies with Camden’s Planning Guidance Town and Retail Centres (2021) which makes specific reference to the established legal character of the area and the need for flexibility to provide the size and type of floorspace required in order to remain competitive and attractive to tenants in the legal profession.

Cushman & Wakefield
1 Colmore Square
Birmingham
B46AJ

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