

Committee:	Date:
Planning and Transportation	18 December 2018
Subject: Inner Temple Garden & Car Park Inner Temple London EC4Y 7HL Erection of two temporary buildings for a period of 22 months to facilitate the development proposed under 17/00077/FULMAJ (one located within the Inner Temple Garden (1100sq.m GEA) and one located within the Inner Temple Car Park (770sq.m GEA) to provide temporary accommodation for the displaced Treasury Building, Inner Temple Hall and Library functions (Sui Generis use comprising Offices, Education and Training, Hall and Library relating to the Bar and Inner Temple). Associated works to include the dismantling, storage and re-erection of one listed and one unlisted gas lamp and plinth and the provision of a temporary substation and creation of a service compound.	Public
Ward: Farringdon Without	For Decision
Registered No: 18/00597/FULMAJ	Registered on: 20 June 2018
Conservation Area: Temples	Listed Building: Grade II

Summary

The proposals relate to the erection of two temporary structures on Inner Temple Garden and the Car Park area in Kings Bench Walk for a period of 22 months to provide temporary replacement facilities whilst works to refurbish and extend the Treasury Building are carried out (planning permission 17/00077/FULMAJ).

The site is within the Temples Conservation Area and in close proximity to listed buildings structures (including Grade II listed as well as unlisted gas lamps, railings and piers). 1-7 Kings Bench Walk are listed Grade I, 3 North and 8 Kings Bench Walk are Grade II*, 9-11 Kings Bench Walk, 1-5 Paper Buildings, Mitre Court Buildings, gates and gate piers to Inner Temple Garden and Temple Gardens in Middle Temple are Grade II listed. Other listed buildings in the Inner and Middle Temple include Temple Church (Grade I) and the Master's House (Grade II). The Inner Temple Garden is a Grade II registered park or garden.

The temporary structure in the Inner Temple Garden would comprise a single storey aluminium frame structure measuring 50m by 20m rising to 3.7m at eaves plus an adjoining structure measuring 15m by 5m rising to 2.6m at eaves. The external finish would be red brick colour panels which would be bordered around by a planted screen. This structure would accommodate temporary replacement facilities for key functions rooms within the existing Treasury Building including the Hall, the Luncheon Room, the Parliament Room and the Drawing Room.

The temporary structure in the car park area would comprise a two storey structure located in the north east corner of Kings Bench Walk measuring 15m by 25m rising to 7.6m at eaves with a maximum height of 9.7m at roof level. The external finish would be a fabric wrap with a design similar to the surrounding buildings. This structure would accommodate a library and reading spaces at ground floor level and offices, Treasury and registrar's offices, Sub-Treasurer's Office, a staff kitchen and stores at first floor level.

A total of 32 representations have been received across two rounds of consultations. The representations are summarised in a table in the body of the report. The issues raised include the harm to the listed Inner Temple Garden and the loss of open space, the impact of the temporary structures on the surrounding listed buildings, heritage assets and the Temples Conservation Area, the need for temporary facilities within the Inner Temple or whether there are alternative locations which should be considered.

The proposed temporary structure within the Garden would have a detrimental impact on the enjoyment of the open space by reducing its quantum and quality, and would cause less than substantial harm to the listed Garden and the surrounding listed buildings and would be contrary to Local Plan Policies DM 12.1, DM 12.2, DM 12.5 and CS19.

Your officers consider the erection of a smaller temporary structure within the car park area in Kings Bench walk would be recommendable in principle for a temporary period. However, it is considered that the two-storey structure is located too close to and is seen in proximity to the Grade I and II listed 2, 3, 3N, 4 and 5 Kings Bench Walk. The height and bulk of a two storey structure would appear overbearing and would cause less than substantial harm to the setting of these listed buildings and would be contrary to Local Plan Policy DM10.1, CS12, DM12.1 and DM12.2.

The applicant has submitted the justification on the need for the temporary structures as well as an alternative locations assessment setting out the reasons why alternative premises are not suitable. Overall the City is not satisfied that the applicant has demonstrated the Inn's ability to continue its long-established role would be substantially prejudiced and therefore the need for the temporary structures within the Inner Temple precincts. The City is not satisfied that the applicant has demonstrated that this could not be achieved using alternative locations and these issues have been given limited weight.

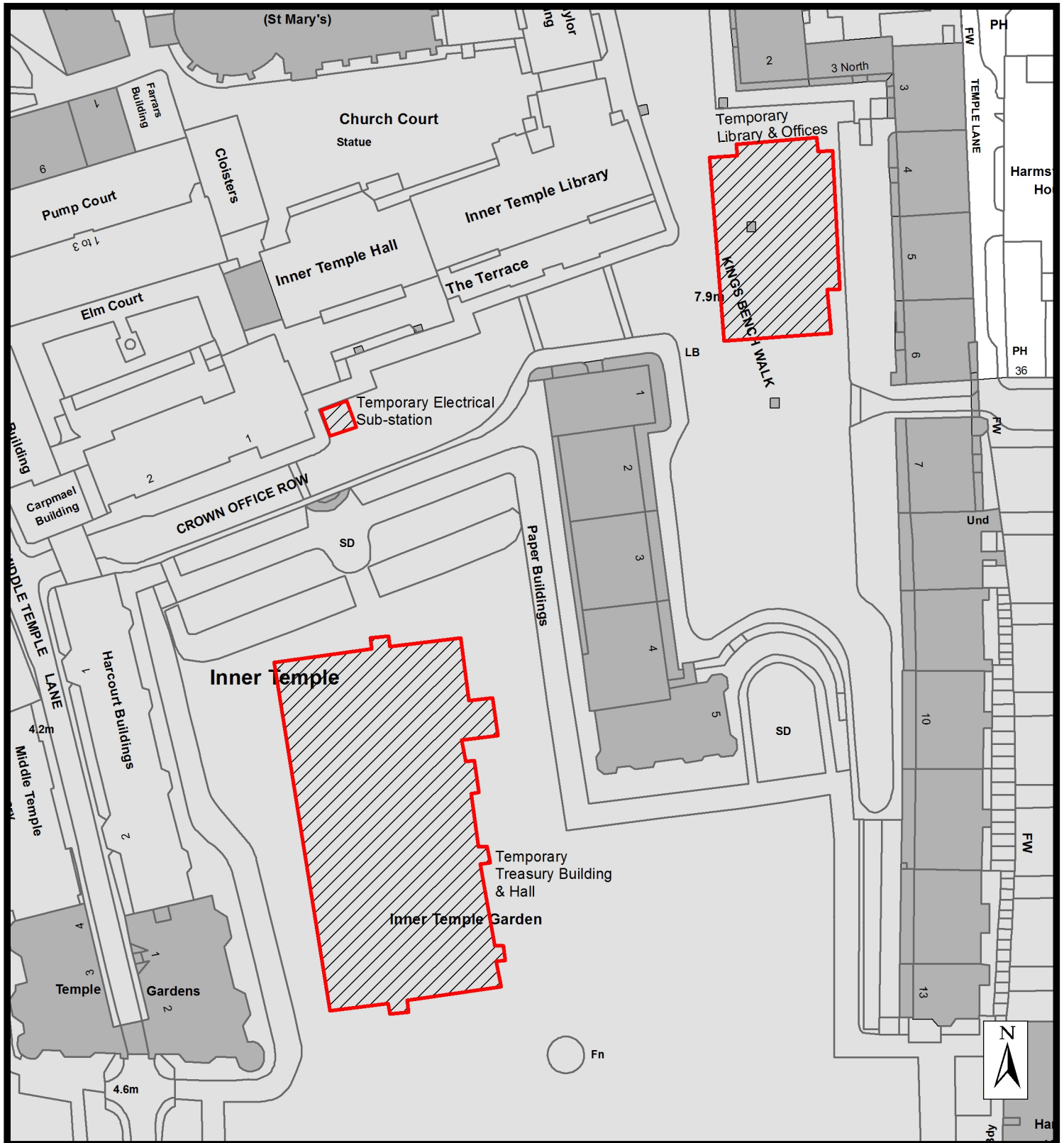
In forming a balanced judgement when considering the harm to the heritage assets as required by paragraph 196 of the NPPF, it is the view of officers that the harm is not considered to be outweighed by the public benefits of the proposal.

Overall, I am of the view that the proposal does not accord with the Development Plan as a whole and that having taken other material considerations into account planning permission should be refused as set out in the recommendation and the schedules attached.

Recommendation

(1) That planning permission be refused for the above proposal in accordance with the details set out in the attached schedule.

Site Location Plan



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ADDRESS:

Inner Temple

CASE No.

18/00597/FULMAJ

- CITY BOUNDARY
- SITE LOCATION
- LISTED BUILDINGS
- CONSERVATION AREA BOUNDARY



**CITY
OF
LONDON**

DEPARTMENT OF THE BUILT ENVIRONMENT



Main report

Site

1. The Inner Temple is occupied by barristers' chambers and residential accommodation and comprises buildings including the Treasury Building and Hall, Temple Church, The Buttery, a garden and open landscaped spaces.
2. The Inner Temple is located within the Temples Conservation Area and comprises a significant number of listed and unlisted buildings and structures (including Grade II listed as well as unlisted gas lamps, railings and piers). 1-7 Kings Bench Walk are listed Grade I, 3 North and 8 Kings Bench Walk are Grade II*, 9-11 Kings Bench Walk, 1-5 Paper Buildings, Mitre Court Buildings, gates and gate piers to Inner Temple Garden and Temple Gardens in Middle Temple are Grade II listed. Other listed buildings in the Inner and Middle Temple include Temple Church (Grade I) and the Master's House (Grade II). Attached to the western end of Inner Temple Hall is the Treasury Building is The Buttery, a Grade II* listed building and Scheduled Ancient Monument (SAM), part of a 14th century hall.
3. The Temples Conservation Area, the individual buildings, gardens, courts and lanes have a shared historical and communal value dating back to the first occupation of the area by the Knights Templar and the long-established legal connections over 600 years. The area has a distinct collegiate character and many of the buildings are rare or unique in London and some possess national and international value.
4. Inner Temple Garden is designated Grade II and is included in the English Heritage Register of Parks and Gardens of Special Historic Interest. The Inner Temple Garden has an area of c. 3 acres and is formed of lawns, mature trees and herbaceous borders. Its current layout dates from the early 18th century and its current planting arrangement from the late 19th century. The lawns slope down towards the River Thames and provide a space for residents of the Inner Temple and also, during time-limited sessions, and on a permissive basis, to members of the public.
5. Kings Bench Walk is an irregular oblong-shaped space open to the garden, Embankment and river on the south side. It is bordered by legal chambers and the Inner Temple Treasury on the north, east and west sides. The earliest buildings in Kings Bench Walk date from the 17th century and are one of the most complete groups of buildings of that date in London and have high aesthetic, architectural and historic significance. The remaining chambers date from the 19th century and have aesthetic, architectural and historic significance. The Inner Temple Treasury building was rebuilt post-war to a traditional design. There is strong and significant group value deriving from the chambers buildings, the Treasury, the open space and the relationship with the Inner Temple Garden and with the River Thames.

6. The proposal relates to the areas in Inner Temple Garden and the Car Park in Kings Bench Walk.

Proposals

7. Planning permission was granted on 14th February 2018 to refurbish and extend the Treasury Building (ref: 17/00077/FULMAJ). To enable these works, it is proposed to erect two temporary structures to decant the functions of the Treasury building. These are proposed to be located within the Inner Temple Garden and the Car Park in Kings Bench Walk for a period of 22 months.

Temporary Treasury Building and Hall in Inner Temple Garden

8. The temporary structure would be aligned approximately north/south along the central part of the lawn, roughly parallel to the Harcourt Buildings to the west and Paper Buildings to the east. It would be aligned such that the steps down from the High Border Passageway will align with the formal guest entrance to the building. The proposed structure would measure 50m by 20m rising to 3.7m at eaves plus a 5m by 15m area rising to 2.6m at eaves (which would accommodate male and female WCs) on the north east corner of the structure.
9. The temporary structure would be single-storey with an aluminium frame forming the floor deck, external walls and roof rafters. The main aluminium frame would be infilled with insulated composite panels with PVC weather proof coating and standard glazed window and door panels. The external cladding would be panels finished in a red brick colour and would be bordered by a plant screen. A lightweight temporary trackway would be installed to facilitate access to the kitchen for deliveries and waste disposal.
10. The proposed structure would provide temporary replacement facilities for key functions rooms within the existing Treasury Building including the Hall, the Luncheon Room, the Parliament Room and the Drawing Room. The Hall would be located along the eastern and southern elevation.
11. A service space providing a kitchen, offices, stores, staff entrance, staff rooms, changing facilities, WCs and showers would be arranged along the west elevation. A full-length external compound would be provided on the west elevation which would house air source heat pumps and other plant equipment to serve the structure.
12. The compound would be bounded by a fence which would be covered with a planted screen.

Temporary Library and Offices in Inner Temple Car Park

13. The temporary structure in the car park at Kings Bench Walk would be located in the north east corner of Kings Bench Walk with the long east elevation facing 3-5 Kings Bench Walk and the short north elevation facing 2 and 3 Kings Bench Walk. The structure would measure 15m by 25m and the height at the eaves would be 7.61m with a maximum height of 9.7m at roof level. The external finish would be a fabric wrap with a design similar to the surrounding buildings. The roof portion of

the building would be coloured to match the existing surrounding buildings.

14. This structure would house a library and reading spaces related office space at ground floor level. At first floor level, there would be catering offices, Treasury and registrar's offices, Sub-Treasurer's Office, a staff kitchen and stores.
15. A temporary electrical substation is proposed to be located to the north of the Inner Temple Garden on Crown Office Row, to serve the temporary buildings.

Relevant Planning History

16. Planning permission was granted on 14 February 2018 for the 'Extension and refurbishment in association with an education and training facility and office use (sui generis) of the Treasury Building, works comprising; i) Mansard roof extension at fourth floor, with new dormer windows on front, rear, west and east elevation and a glazed rooflight; ii) Installation of a rooftop plant area; iii) Reconstruction of the hall roof resulting in an increased ridge height; iv) Insertion of dormer windows in the hall roof; v) Extension at the north east corner to create a new lift shaft; vi) A new brick clad escape stair on the north side between the Treasury Building and the Hall; vii) Creation of new chimney stacks and associated internal and external alterations and cycle parking.' (application reference 17/00077/FULMAJ – referred to as the 'Permanent Development' in this report).
17. Condition 17 of this permission states:
'Notwithstanding the provisions of Part 4 of Schedule 2 Town and Country Planning (General Permitted Development) Order 2015 - Part A The Inner Temple Garden shall not be used for temporary structures including the use of the Garden as a works compound.'
18. If this application were to be granted, Condition 17 would require removal. If planning permission were granted, any implementation would be subject to a section 73 application being submitted and approved to remove the condition. Delegated authority would be sought for the determination of any section 73 application.
19. The Inner Temple Garden is used for events during the summer months when a temporary marquee has been erected at the northern end of the main lawn. The erection of this marquee has not required planning permission as it has been erected for 28 days (or less) and Schedule 2 Part 4 Class B of the General Permitted Development Order (2015) permits the use of land and the erection of movable structures for the permitted use.

Consultations

20. The views of other City of London departments have been taken into account in the preparation of this report.

21. Following receipt of the planning application by the City, the application has been advertised in the press, five site notices were put up around the site, and statutory and non-statutory bodies were consulted.
22. The applicant has submitted additional information to support their application on 22 October 2018. The additional information included revised Computer Graphic Images (CGI) of the temporary structures with an amended façade, treatment, an alternative locations assessment with associated revised plans addendum documents and a diary of events that will occur during the construction period of the main scheme. The contributors from the first round of consultation were reconsulted, making them aware of the additional information submitted and providing them with an opportunity to make further comments. Copies of all letters and emails making representations are attached.
23. Conservation Area Advisory Committee raised no objections.
24. Historic England have been consulted. During the first round of consultation they stated:

Whilst we understand the need to provide temporary decant accommodation whilst works are taking place to a number of buildings within the Inner Temple complex, we have concerns relating to the impact of the proposed temporary structures on the significance of the historic environment.

The single storey structure that is proposed to be located within the Registered Inner Temple Garden would occupy a large ground area and would be visually prominent in key views between the Temples and Victoria Embankment, as illustrated in the applicant's submission. As such, we consider the proposal to cause a high degree of harm to the heritage significance of this part of the site.

The two storey structure that is proposed to be located to the west of King's Bench Walk and would directly obscure the grade I listed buildings within King's Bench Walk and would appear in direct contrast to the architecture of those buildings, thereby causing a high degree of harm to the heritage significance of this part of the site.

It is our view that further work should be undertaken to mitigate the proposed harm to the historic environment through the application of a coloured or meshed finish to the proposed temporary structures, which could allow them to appear more recessive in key views. In relation to comparative examples, I would refer you to the Crossrail Site in Hanover Square, where a two storey temporary building is clad in a decorated sheet which is painted, or printed, to reflect the architecture of the surrounding buildings. In the case of the single storey structure within the gardens, we would also recommend considering the use of temporary planting around the perimeter of the structure.

We consider the proposals to cause harm to the setting and significance of the Inner Temple Registered Park and Garden, the setting of a number of listed buildings and the Temples Conservation Area. As such, the proposals should be considered in the context of policy 134 of the National Planning Policy Framework. The public

benefits of the proposals, including the approved works to the Treasury Building, the Inner Temple Hall and the Library and the continued viability of the site during the period of those works, should be key to justifying the proposed new buildings and defining the length to which they should be present on site. We would therefore recommend that a restrictive condition is placed on any grant of planning permission that requires the removal of the structures on completion of the approved works or within 22 months of the grant of planning permission for their erection, whichever is the soonest.

Recommendation

Historic England has concerns regarding the application on heritage grounds.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 134 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas and section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

25. Historic England commented during the second round of consultation and stated the following:

Amendments

The proposed amendments are to the elevational design of the proposed temporary buildings, as follows:

- The proposed single storey structure on the grassed area at the centre of the grade II Registered Inner Temple Gardens is proposed to be coloured a rusty brown colour, rather than white, and planting is proposed around the perimeter of the building in order to provide a level of green screening*
- The proposed two storey structure on the car park at King's Bench Walk is proposed to be clad in a screen material that reflects the architectural design of the surrounding buildings in King's Bench Walk*

Position

We acknowledge that the design changes to the proposed temporary structures have served to reduce their visual impact upon the setting of the Inner Temple Registered Park and Garden and the setting of a number of listed buildings and the Temples Conservation Area.

However, the proposals are still considered to cause harm to the historic environment and for policy 196 of the National Planning Policy Framework to apply. As such, this harm should be weighed against the public benefits of the proposal when coming to a decision on whether or not that harm is justified.

Recommendation

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraph 196 of the NPPF.

26. The Department of Open Spaces have commented on the application in relation to the impact on the amenity use of the open space, the impact on soil and impact on the trees. the Department of Open Spaces have stated the following:

Impact on the amenity use of the open space:

The large pavilion and servicing trackways proposed for the lawn area will reduce the available garden space by 1,700m² for almost two years, impacting on its use as a local amenity during the lunchtime opening of the Garden to visitors. This will create additional pressure on the remainder of the garden. Although the placing of the proposed structure ensures space is still available for circulation around the Garden, there will be a significantly reduced availability of open lawn space available for visitors. It is noted that the garden has traditionally been a place of quiet relaxation. The massing of the structure, combined with the necessary movements of trades personnel to and from the building, is likely to impact on this.

In response to the consultation for the planning application for works to the Treasury Building (Planning Application 17/00077/FULMAJ), the Director of Open Spaces expressed concern that the Inner Temple Garden may be considered as a location for temporary structures during the refurbishment. The Inner Temple Gardens are listed and a protected open space that is a highly valued public amenity. I continue to hold the view that the use of the Inner Temple Gardens would be inappropriate. Serious consideration should be given to the use of existing hard surfaced areas or other facilities in preference to the loss of any green space.

Impact on the soil:

When there is the potential for a built structure to conflict with green space, the default position should be to site the structure on nearby hardstanding areas wherever possible, to avoid unnecessary impact on flora and fauna.

Impact on the trees:

A report has been produced regarding the impact of the proposed development on the trees, to the British Standard. The tree root protection areas in the lawn are not impacted by the temporary

structures (except for a minor incursion at tree T29, which is not significant).

Colleagues in the Department of Open Spaces have visited the site and discussed the proposals with the Head Gardener. The Head Gardener recognises that they will bring more people into the lawn area and concentrate their impact on the remaining grass areas. It is observed that there is a practice in the Inner Temple of having large circles cut out of the lawn under the trees, covered in mulch material, keeps people pressure off the roots of the trees and this will help keep the trees healthy with the increased numbers using the restricted space.

27. The Department of Open Spaces have made more detailed comments with regards to the impact on soil and trees which are discussed later in the report.
28. A resolution has been received from the Open Spaces Committee held on 26 July 2018 which states:

Item 7: Superintendent of City Garden's update report

The Impact of Planning Policies and the Open Spaces Members were made aware of a document circulated by the Deputy Chairman in relation to the impact of planning policies on open spaces within the City of London. Discussions ensued regarding the level of input by the Committee to planning applications, in particular to an application to build temporary structures in the Inner Temple.

Members were informed that Officers had submitted a letter to the Department of the Built Environment stating their concerns regarding the planning application for the temporary structures at the Inner Temple. Members agreed that the Open Spaces and City Gardens Committee's remit included protecting open spaces and Members had the responsibility of overseeing this. The Committee wished to express their severe concerns on the detrimental effects on the garden at the site at Inner Temple. Members conveyed their concerns regarding the long period of time during which Inner Temple garden would not be used and the detrimental effect on the garden itself. Members wished to submit these concerns to the Planning and Transportation Committee stating their objection to the use of part of the gardens for temporary structures due to the destruction it would cause to this unique area.

RESOLVED - *a proposal was put to the Committee to submit a resolution to the Planning and Transportation Committee highlighting the concerns regarding the application to build temporary structures at the Inner Temple. Upon being seconded the motion was passed unanimously by Members of the Open Spaces and City Gardens Committee who did not serve on the Planning and Transportation Committee. Members who served on both Committees abstained from voting.*

29. A total of 32 representations have been received following the consultation. Of the 32 representations received, 30 object to the application and 2 support the application.

30. The representations are summarised in the tables below. Copies of the representations are appended in date order to this report, and should be referred to in order to appreciate the full extent of the points raised.

Representations

Objections

Issue	Consultation Round 1	Consultation Round 2
Environmental	<ul style="list-style-type: none"> • The temporary structures would create noise disturbance by way of traffic, power generation and site huts. • The increased footfall and construction noise will affect the peaceful working environment the buildings currently have in the Inner Temple. • There will be a permanent loss of bio diversity, long term harm to the drainage of the garden and protected trees, loss of two trees. 	
Amenity	<ul style="list-style-type: none"> • The garden is important for the enjoyment of residents' family life. • Natural light to residential buildings will be severely impacted by the two-storey car park structure. • The application makes no mention of potential odours emitted from refuse so close to residential flats. • Adverse impact on sustainability and ventilation, Air Quality, flood risk and drainage and noise. • adverse effect on amenity for the Barristers Chambers 	<ul style="list-style-type: none"> • Some of the photographs in the Addendum Heritage Statement are taken from the southeast corner of the Garden and shows misleading images of the amount of room left for the public to enjoy. (photographs attached to representation letter dated 12 November 2018)
Traffic or Highways	<ul style="list-style-type: none"> • There will be fewer parking spaces. • Necessitates the destruction 	

	of a disabled parking bay.	
Heritage and Design	<ul style="list-style-type: none"> • The character of the Inn will be compromised as these buildings are completely unsympathetic to the surrounding listed buildings and the conservation area. • The garden will take a very long time to recover once the temporary structures are removed. • The temporary structure would cause harm to the special nature and the listed Garden. • The proximity of the car park structure to the nearby buildings will affect the supply of goods and facilities to the buildings. • The two-storey car park structure will obscure and impede access, limit daylight and remove expansive views from buildings situated just metres away. • Strategic views within the Inn will be harmed. • The reduction in the size of the library is below the standards required to fulfil its essential functions. • The garden marquee would starve the trees of natural irrigation to their roots. • The impact on the Garden is significant, with long term compaction of the ground, loss of a tree with TPO, and potential for damage to historic gates, railings, lamp standards, kerb stones and paving. • Car Park structure is too close in proximity to the listed buildings at 2, 3, 3(North), 4 and 5 KBW, trees, historic lanterns and 	<ul style="list-style-type: none"> • The change of colour of the panels and additional plant screening is insufficient to mitigate any impact.

	Yorkstone pavings.	
Other	<ul style="list-style-type: none"> • Members of the public and of the Inn will be denied access to the garden which represents a significant amenity. • The temporary structures breach policies designed to protect gardens like this one. • There is a large car park adjacent to the site where all structures could be placed or indeed in the centre of the car park away from any property. • The car park structure would have a damaging effect on the visitor enjoyment of the nearby Chambers. • The car park structure would impact on the amenity of Littleton Chambers by experiencing a loss of light, loss of outlook and noise from construction and operation. • Pedestrian access will be funnelled into unsuitable areas. • There would be huge disruption during the construction phase. • 22 months is an unacceptable period for use of the temporary structures. This may also overrun. • Pegasus group have been deceptive towards residents and Chambers of the Inn about the scheme and consultation has been very selective. • Visiting arrangements for professional clients will become more drawn out and difficult. • The temporary structures 	<ul style="list-style-type: none"> • The 'Inner Temple – Project Pegasus – Analysis of Alternatives Considered' demonstrates that there is ample alternative accommodation, with a range of available sizes from 75 sq. ft. to up to 264,100 sq. ft., particularly for office use, and this application fails to justify the need for the temporary buildings, or for decanting non-essential staff and activities off-site. • The addendum to the Planning Statement focuses on the mitigation measures suggested by Historic England but fails to address matters of: Loss of Open Space, non-compliance with Planning Conditions, Lack of business case for Education and Training Centre, permanent harm to designated and non- designated heritage assets, alternative options for the redevelopment and for decanting. • The impact of the proposed temporary

	<p>will render the Chambers less impressive to clients and impact on the reputation of the business.</p> <ul style="list-style-type: none"> • Condition 17 of the permanent development prohibited the use of the Inner Temple Garden for temporary structures. The present application undermines the basis of this condition. The present application is in substance an application pursuant to section 73 of the Town and Country Planning Act 1990 (as amended), which applies to “applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted. Section 73 (2) (b) makes it clear that if the Committee “decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse this application”. • The permitted development is subject to the condition that the Garden will not be used for temporary structures to facilitate it and is therefore directly against the planning balance. • There is no suggestion that the library would need decanting during works at roof level. • There is no acceptable reason offered as to why the proposal needs to be on the site. It should be placed in nearby commercial premises within the Inn 	<p>structures is still not shown within the context of the construction site for the main redevelopment and are therefore misleading and incomplete.</p> <ul style="list-style-type: none"> • The option to relocate the Collectors Office, Surveyors Office, Sub-Treasurer, and part Catering and E&T offsite should be explored, to free up existing Chambers at 2KBW and 3(South) KBW to temporarily use for seminar or committee rooms and/or the Treasury Office. This would further negate the need for the temporary buildings and/or the length of their duration. • The Inn will have no difficulty making suitable alternative arrangements for carrying on its functions during the tenure of the works without making use of its historic garden and planning permission should be refused unless the Inn can demonstrate that no such arrangements can be made. • The disruption to the Garden is unacceptable and not justified by the
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	<p>(many of which are unoccupied.</p> <ul style="list-style-type: none"> • The Inn has not properly investigated alternative options including the possibility of sharing facilities with the Middle Temple, 22 Strand, Royal Courts of Justice, Kings College and education and training could take place out of hours at the Law Courts. • The choice of the Garden seems to be driven by financial cost to the Inn. • No alternative open space is offered despite Policy 7.18 B of the London Plan. • As a Chambers' in the Temple – a premium rent is paid because of; the historic nature of the site, the beauty of gardens and open spaces and the prestige for clients when visiting Chambers. • The case for temporary buildings on site is unconvincing as viable alternative options have been incorrectly discarded by the Inn • The descriptions fail to mention catering and the associated commercial hire. • Impact of the proposed temporary structures should have been viewed within the context of the construction site for the main redevelopment (17/00077/FULMAJ) • Planning permission for the proposed temporary structure in the Garden should be refused unless the Inn can demonstrate in the light of all the present and relevant information that a genuine need for its 	<p>supposed benefits of the proposals.</p> <ul style="list-style-type: none"> • The Inn has still made insufficient investigations into alternative temporary accommodation. • The mitigation measures would not begin to meet the main objection which is the size of the building in the Garden.
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	<p>proposed 120 seat lecture theatre still exists.</p> <ul style="list-style-type: none"> • 	
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Support

	<ul style="list-style-type: none"> • The proposed temporary structures represent the only sensible and practical way to maintain the Inn's extensive programme of education and training and keep together the staff team while it is unable to occupy the Treasury Building. • Alternative options have been exhaustively pursued but none of them offer remotely satisfactory alternatives. • Public access to the Gardens would remain whilst the temporary structure is in place. • The opportunity will be taken to improve the drainage irrigation and planting in the garden. • The structure in the Garden would have a low profile and temporary planting schemes would lessen the visual impact. • The car park structure would result in a loss off only 30% of car parking spaces. • The car park structure can be accommodated without any damage to the trees. • Both of the temporary structures can be accommodated without any damage to the trees in that area and would be reusable after their removal from the Inner Temple. 	<ul style="list-style-type: none"> • The exterior designs for the temporary buildings will be in harmony with their surroundings. • The Inn's education and outreach work will have more impact if events continue to be held in the historic estate rather than in an offsite venue without a connection to the Inner Temple. • The life of the Inn will suffer if its functions are dispersed.
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Policy Context

31. The development plan consists of the London Plan and the City of London Local Plan. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix A to this report. The draft Local Plan is out for consultation. It is a material consideration but holds limited weight.
32. There is relevant City of London guidance including the Temples Conservation Area Character Summary and GLA supplementary planning guidance in respect of Planning Obligations and Sustainable Design Construction. Government Guidance is contained in the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG) and Historic England Guidance on Temporary Structures in Historic Places (September 2010).

Considerations

33. The Corporation, in determining the planning application has the following main statutory duties to perform:-
 - To have regard to the provisions of the development plan, so far as material to the application, to local finance considerations so far as material to the application, and to any other material considerations. (Section 70 Town & Country Planning Act 1990);
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004).
 - For development within a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area and its setting (S72 (1) Planning (Listed Buildings and Conservation Areas) Act 1990)
 - In considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990). In this case the duty is to have special regard to the desirability of preserving the setting of listed buildings;
34. Considerable importance and weight should be given to the desirability of preserving a listed building and/or its setting, and to the desirability of preserving or enhancing the character or appearance of a conservation area, when carrying out any balancing exercise in which harm to the setting of listed buildings or conservation areas is to be weighed against public benefits. A finding that harm would be caused to a listed building or its setting or to a conservation area gives rise to a strong presumption against planning permission being granted.

35. In considering the planning application before you, account has to be taken of the statutory and policy framework, the documentation accompanying the application, and the views of both statutory and non-statutory consultees.

36. It is necessary to assess all of the policies and proposals in the Development Plan and to come to a view as to whether in the light of the whole plan the proposal does or does not accord with it.

37. The principal issues in considering this application are:

- The extent to which the proposals comply with the Development Plan;
- The extent to which the proposals comply with other policy and guidance (including the NPPF); and
- The desirability of preserving the setting of listed buildings and preserving or enhancing the character and appearance of the conservation area.

38. In evaluating the principal issues the following key matters are to be considered:

- Heritage (including the impact of the proposal on the significance of identified designated and non-designated heritage assets)
- Design
- Acceptability of a temporary structure within the Inner Temple Garden
- Impact on Amenity (Inner Temple Garden)
- Acceptability of a temporary structure within the Inner Temple Car Park
- Impact on Amenity (Kings Bench Walk)
- Justification on the Need for the Temporary Structures
- Consideration of Alternative Locations
- Assessment of Benefits

39. In addition, the following are considered:

- Transport
- Waste and Refuse
- Trees
- Impact on the Soil (Inner Temple Garden)
- Archaeology
- Flooding and Drainage
- Energy and Sustainability
- Urban Greening

- Access
- Daylight and Sunlight
- Section 106 and Community Infrastructure Levy
- Conclusion

HERITAGE

Identification of Heritage Assets and their significance

- 40.Paragraph 190 of the NPPF states that Local Planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). The assess of significance should be taken into account when considering the impact of a proposal.
- 41.The designated assets of relevance in the consideration of this case are:
- Temples Conservation Area
 - Inner Temple Garden, Register of Historic Parks and Gardens - Grade II listed
 - 1, 2, 3, 4, 5, 6, 7 Kings Bench Walk – Grade I listed
 - 3 North, 8 Kings Bench Walk – Grade II* listed
 - 9, 10, 11, 12, 13 Kings Bench Walk – Grade II listed
 - 1, 2, 3, 4, 5 Paper Buildings – Grade II listed
 - 1, 2 Mitre Court Buildings – Grade II listed
 - 1, 2, 3 Temple Gardens
 - Gates with gate piers and steps Crown Office Row – Grade II* listed
 - 4 Lamp standards, Kings Bench Walk – Grade II listed
 - Victoria Embankment, Embankment Wall with cast iron lamp standards – Grade II listed
 - Victoria Embankment, Submarine memorial – Grade II* listed
 - Victoria Embankment, K2 Telephone kiosk – Grade II listed
 - Victoria Embankment, Police Call Box – Grade II listed
 - Victoria Embankment, 5 seats on riverside pavement opposite Temple Gardens – Grade II listed
 - Victoria Embankment, griffins - Grade II listed
 - The non-designated heritage assets of relevance in the consideration of this case are:
 - Inner Temple Treasury and Hall

- Francis Taylor Building
 - 1, 2 Crown Office Row
 - Carpmael Building
 - 1, 2 Harcourt Buildings
42. The Temples Conservation Area, the individual buildings, gardens, courts and lanes have a shared historical and communal value for their early association with the first occupation of the area by the Knights Templar and the long-established legal connections over 600 years. The area has a distinct collegiate character and many of the buildings are rare or unique in London and some possess national and international value and have strong group value.
43. Kings Bench Walk is an irregular oblong shaped space open to the garden, Victoria Embankment and River Thames on the south side. It is bordered by legal chambers and Inner Temple Treasury on the north, east and west sides. The earliest buildings in Kings Bench Walk date from the 17th century and are one of the most complete groups of buildings of that date in London and have high aesthetic, architectural and historic significance. The remaining chambers date from the 19th century, are of similar design, proportion, materials and height and have high group value. They have aesthetic, architectural and historic significance to a slightly lesser degree due to their later date. Inner Temple Treasury was rebuilt post war to a traditional design and materials. There is strong and significant group value deriving from the chambers buildings, the Treasury, open space and relationship with the Inner Temple Garden and with the River Thames. The designated assets and non-designated assets make a positive contribution to the character and appearance of the conservation area.
44. Inner Temple Garden is one of the City's largest and most historic spaces with high aesthetic, historic and evidential significance with associations ranging from the Knights Templar, the development of the Inner Temple, the legal associations and the extension of the garden by successive land encroachment into the river and construction of the Victoria Embankment.
45. The significance of the non-designated assets is discussed below. Francis Taylor Building is a post-war reconstruction of the earlier building on the site, in traditional design and materials. Inner Temple Hall and Treasury building is a post-war building in the traditional style and materials, consistent with the established character and appearance of the Temples. Crown Office Row, Carpmael Building, 1 and 2 Harcourt Buildings are also post-war buildings built in the same traditional style and materials consistent with the established character and appearance.

Heritage Policies

46. Policy 7.8 of the London Plan states that 'Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural

detail.’ Paragraph 7.31A of the supporting text states ‘Substantial harm to or loss of a designated asset should be exceptional, with substantial harm of loss of those assets designated of the highest significance being wholly exceptional.’ Where a development proposal will lead to less than substantial harm to the significance of a designated asset, this harm should be weighed against the public benefits of the proposal, including securing its optimal viable use. Enabling development that would not otherwise comply with planning policies, but which would secure the future conservation of a heritage asset should be assessed to see if the benefits of departing from those policies outweigh the disbenefits.’

47. Policy CS12 of the Local Plan seeks to conserve or enhance the significance of the City’s heritage assets and their settings by: safeguarding the City’s listed buildings and their settings, while allowing appropriate adaption and new uses, and preserving and enhancing the distinctive character and appearance of the City’s conservation areas, while allowing sympathetic development within them.
48. Policy DM12.1 of the Local Plan relates to managing change affecting all heritage assets and ensuring that the proposals sustain and enhance heritage assets, their settings and significance. Policy DM12.2 relates to development within conservation areas. It seeks to ensure that development in conservation areas is only permitted where it preserves or enhances the character or appearance of the conservation area. Policy DM12.3 relates to listed buildings and seeks to ensure that listed building consent is granted for the alteration of a listed building only where this would not detract from its special architectural or historic interest, character and its significance or its setting. Furthermore, it states (paragraph 12.1.14) that ‘Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings’.
49. Chapter 16 of the NPPF is relevant as it sets out key policy considerations for applications relating to designated and non-designated heritage assets. Relevant guidance is provided by Historic England including the document ‘Conservation Principles’ and Good Practice Advice Notes, Note 1, ‘Conservation Area Designation and Management’ and Note 3 ‘The Setting of Heritage Assets’ and the Historic England and CABI guidance ‘Building in Context’.
50. The NPPF defines a heritage asset as ‘A building, monument, site, place area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage asset. It includes designated assets and assets identified by the local planning authority (including local listing).’
51. Paragraph 196 of the NPPF 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 optimal viable use.’

52. Paragraph 197 of the NPFF states that 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

Extent to which the proposed development complies with the heritage policies of the Development Plan

53. As explained in more detail below, the proposed temporary structures would be obtrusive in Kings Bench Walk and Inner Temple Garden due to their height, bulk, form, scale, design and materials. They would cause harm to the heritage assets and their setting, the surrounding Grade I, Grade II* and Grade II listed buildings, the Temples Conservation Area, the Historic Park and Garden and non-designated heritage assets as they would obscure buildings and spaces, appreciation of their individual and group value and how the buildings and spaces are seen together in close and distant views. The wider public benefits are discussed below.

Impact on the setting and significance of listed buildings

Inner Temple Garden

54. The proposed temporary structure would occupy a large area in the central lawn area of Inner Temple garden which is a Registered Historic Park and Garden listed Grade II. It would affect the setting of Inner Temple Garden, as it would intrude into the open Garden space and diminish appreciation of its historic character, the green openness, close and distant views from, towards and across the garden, the setting of Temples Conservation Area, 1, 2, 3, 4 and 5 Paper Buildings listed Grade II, 1, 2 and 3 Temple Gardens listed Grade II, the Lodge at the entrance to Middle Temple Lane listed Grade II. It would affect the setting of 1-2 Crown Office Row, Carpmal Buildings and 1-2 Harcourt Buildings which are non-designated heritage assets as it would impede views of these buildings within and outside the Garden. The setting of 11, 12 and 13 Kings Bench Walk, listed Grade II and Hamilton House listed Grade II would be affected in views from Crown Office Row and Inner Temple Garden. It would affect views of and from Victoria Embankment, listed Grade II, and the listed structures associated with the Embankment.
55. It would reduce the ability to appreciate the significant visual and physical relationship between the open space and its openness, its enclosure by the surrounding buildings and the grain of the surrounding landscape, intrude on views within and from the garden of the mature trees, garden landscape and view south to the river which would cause harm to the significance of designated and non-designated heritage assets. The massing and bulk of the temporary structure would cause harm to the small - scale character of the buildings that define the Inner Temple Garden.

56. Designed as a tent- like garden structure it would be visually intrusive due to its mass and bulk and cause harm to views of and within the Inner Temple Garden, the surrounding buildings and conservation area. It is proposed to clad the structure with a fabric wrap, however it would still appear bulky and an intrusion in the open garden environment and the cladding would mitigate the harm caused to only a small degree as the openness of the garden and the significant visual and physical relationship between the green space of the Garden, the landscape and surrounding buildings would be impacted. Its visual impact would harm the heritage significance of the garden and intrude into the open space.

Kings Bench Walk

57. The proposed temporary structure would be an obtrusive feature in Kings Bench Walk due to its height, bulk, form, scale, design and materials. It would cause harm to the visual setting of the heritage assets, the Grade I, Grade II* and Grade II listed buildings, the Temples Conservation Area, the Historic Park and Garden and non-designated heritage assets, and the relationship between the heritage assets and their setting. The buildings on the west side of Kings Bench Walk face inwards to face the open space and are a terrace of late seventeenth century red brick chambers buildings, three to four floors high with a raised ground floor and central prominent entrance accessed by steps, steep pitched roofs, dormer windows of domestic scale and appearance. The ground has a distinct slope down to the river reflecting the natural topography and the successive land encroachment which took place from the medieval period. The buildings are bound by wide York Stone paths, Purbeck stone sett paths, mature London Plane trees and other planting. The open area of Kings Bench Walk is used for car parking, has a tarmac surface bordered by Purbeck stone paths and there are five listed gas lamps, mature and newly planted trees.

58. The height and bulk of the structure would obscure the lower floors and roof of 2, 3, 3 North, 4, 5, 6 and 7 Kings Bench Walk in direct and oblique views from the north, south and west. It would obscure views of 8, 9, 10, 11 and 13 Kings Bench Walk which are a continuation of the terrace of buildings on the east side of Kings Bench Walk. It would impede views of the eastern part of Inner Temple Garden and 1, 2, 3, 4, and 5 Paper Buildings and impede views north and east of 1 and 2 Mitre Court and Francis Taylor Buildings. It would cause harm as it would alter how the individual heritage assets are appreciated, their group value, the scale and grain of the area and the relationship between the buildings and enclosure of the open space of Kings Bench Walk. Their setting would be harmed by the loss of openness and views which allow the assets to be appreciated individually and together in addition to the relationship of chambers buildings with mature trees, landscaping and garden. It would cause harm to the small-scale character of the buildings that define the open space of Kings Bench Walk and would appear massive and overbearing in views looking north and south along the paved area next to 3, 3 North, 4, 5

and 6 Kings Bench Walk. It would overshadow the surrounding buildings and visually disrupt the individual and cumulative impact of the composition, design and formal character of the chambers buildings, the mature London Plane trees and landscaped area.

59. It is proposed to clad the temporary structure with a fabric wrap including an image of the ground and first floor similar to the Kings Bench Walk chambers. The cladding would mitigate the harm caused to only a small degree as the bulk, scale and visual impact of the structure in the open space would be intrusive and the significant visual and physical relationship between the buildings and open space of Kings bench Walk would be impacted. It would detract from, visually dominate and cause harm to the traditional elevations and proportions of the buildings in Kings Bench Walk and the relationship with the open space. It would appear incongruous, intrusive and out of scale in the formal setting of Kings Bench Walk, the conservation area and townscape setting.

Impact on the significance of Temples Conservation Area

60. Temples Conservation Area is characterised by its ancient associations with the Knights Templar, its role as a centre of the legal profession, with an ensemble of buildings and gardens creating a distinct environment. It comprises two of the four Inns of Court in London and has a collegiate character reminiscent of Oxford and Cambridge colleges centred around Temple Church, Inner Temple Hall and Middle Temple Hall. It has a consistently high quality of historic architecture, with many buildings surviving from the late 16th century. Rebuilding in the 19th century and post war have respected the traditional design and form of the collegiate plan. Inner Temple Garden and Middle Temple Garden date from the 13th century and the Knights Templar occupation of the area. Their significance derives from their generous size and mature planting with open views to the River Thames as well as the historic associations.
61. The conservation area is characterised by pedestrian routes of narrow lanes and small courts, some of which are planted. The tranquil and calm character and experience of the conservation area is helped by the fact that traffic access and parking is limited to specific routes and areas.
62. The proposed structures would introduce buildings which would be temporary in appearance and of a scale, height and bulk that differs markedly from their surroundings, the use of traditional materials and form and the mature garden landscape. This would cause harm to the conservation area and its individual designated and non-designated components. The degree of harm to those elements would be greater if the buildings were permanent. However, even on the basis that the buildings are temporary for a period of 22 months, they are considered to cause less than substantial harm to the significance of the conservation area and its designated and non-designated components.

Impact on the significance of non-designated assets

Inner Temple Garden

63. The proposed temporary structure would, due to its bulk and massing, have a visual and physical impact on the appearance and setting of Inner Temple Hall, Library and Treasury and Francis Taylor Building, which are all non-designated heritage assets. These buildings are of traditional appearance and materials, in keeping with the appearance and materials of the designated assets, make a significant contribution to the setting of the listed buildings and structures and to the conservation area. They make a significant contribution to the group value of designated and non-designated heritage assets, as listed above (paragraph 41). It would affect views within and from outside the Inner Temple and affect heritage assets seen in proximity to those views, in particular, the Victoria Embankment, its memorials and street furniture.
64. There would be an impact on the Inner Temple Treasury and Hall however this would not be significant as the temporary structures would only be in position whilst the Treasury and Hall would be affected by development.

Kings Bench Walk

65. The proposed temporary structure would, due to its bulk and massing, have a visual and physical impact on the appearance and setting of 1-2 Harcourt Buildings, Carpmael Building and 1-2 Crown Office Row which are non-designated heritage assets. These buildings are of traditional appearance and materials, in keeping with the appearance and materials of the designated assets, make a significant contribution to the setting of the listed buildings and structures, to the conservation area and the group value of designated and non-designated heritage assets, as listed above (paragraph 41). It would affect views within and from outside the Inner Temple and affect heritage assets seen in proximity to those views, in particular, the Victoria Embankment, its memorials and street furniture.

DESIGN

Inner Temple Garden

66. The proposed structure would be single-storey with a shallow pitched roof. It would be 3.7m sheer height, with the exception of the northeast corner which would be 2.6m high, and 6.3m to the top of the roof ridge. There would be an external compound on the west side which would accommodate air source heat pumps, refuse and other external store areas. The compound would be bound by a fence whose external appearance would be softened by a planted screen. The north east corner would be lower in sheer height and would house WC facilities. There would be a small external compound area to house externally mounted plant with a planted screen. The external finish would be a brick colour to match the surrounding red brick buildings.

Kings Bench Walk

67. The proposed structure would be located in the car park area and would be two stories high with a shallow pitched roof. It would be 7.4m sheer height and 9.6m to the top of the roof ridge. There would be an external continuous balcony at first floor level and an extended external compound on the south side which would house air conditioning plant and a timber screen. As Kings Bench Walk slopes down to the river, it would be supported by a scaffold structure to provide a level platform, screened and enclosed by a timber screen to match the external compound. There would be level access on the north side with an external stair and lift to access the first floor. The external finish would be a fabric wrap with a design similar to the surrounding buildings. The roof would be coloured to match the existing buildings.

Design policies

68. Policy 7.4 of the London Plan states that 'development should have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings'.
69. Policy CS10 of the Local Plan sets out the City's design policies: 'To promote a high standard of design and sustainable buildings, streets and spaces, having regard to their surroundings and the historic and local character of the City...'. It seeks to ensure that '... bulk, height, scale, massing and quality of materials and detailed design are appropriate to the character of the City and the setting and amenities of surrounding buildings and spaces.'
70. 'In assessing development schemes detailed consideration will be given to the bulk and massing and special characteristics of their locality. All development proposals are expected to have a high standard of design and detailing.'
71. The NPPF states in paragraph 127 that 'Planning policies and decisions should ensure that developments: a) will add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history...'

Extent to which the proposed development complies with the design policies of the Development Plan and NPPF

72. The proposal has been assessed in relation to the relevant design policies of the London Plan and the Local Plan and the NPPF. It is considered that the design would not be appropriate to the character of the City and the local distinctiveness of the Temples due to its height, massing and quality of materials. Even as temporary structures, they would be out of character and would detract from the special characteristics of the locality and not have regard to the setting, history and amenity of the surrounding area.

ACCEPTABILITY OF A TEMPORARY STRUCTURE WITHIN THE INNER TEMPLE GARDEN

73. The Inner Temple Garden is a Grade II registered park or garden under the Historic Buildings and Ancient Monuments Act 1953. It is a garden of exceptional historical significance and landscape quality. It has developed over several centuries with its current general layout dating to the early 18th century and its current planting arrangement dating to the late 19th century. The significance of the Garden in historical and amenity terms is greatly enhanced by a wealth of mature trees and the numerous listed buildings and structures at its perimeter.
74. Local Plan Policy DM12.5 states that the City will seek to '*resist development which would adversely affect gardens of special interest included on the Historic England register*' and that '*Development proposals that may affect the City's historic parks and gardens will be assessed to ensure that overshadowing does not cause undue harm, that their historic character is maintained, and that the setting, enjoyment, and views into and from these gardens are respected.*'
75. Furthermore, Local Plan Policy CS19 advises that existing open space particularly that of historic interest should be protected. A change of use of part of the Inner Temple Garden would result in the loss of part of a historic park and garden which would be contrary to Local Plan Policy DM12.5 and CS19.
76. Historic England have been consulted and they have raised concerns relating to the impact of the proposed temporary structures on the significance of the historic environment. Historic England consider that the single storey structure that is proposed to be located within the Registered Inner Temple Garden would occupy a large ground area and would be visually prominent in key views between the Temples and Victoria Embankment and consider the proposal to cause a high degree of harm to the heritage significance of this part of the site. Historic England advises that the proposal to place a temporary structure within the Inner Temple Garden should be considered in the context of paragraph 196 of the National Planning Policy Framework, where any harm should be outweighed by the benefits of the proposal. The benefits of the proposal are discussed below in 'Benefits of the Proposal' section.
77. Historic England has issued guidance on Temporary Structures in Historic Places (dated September 2010). The guidance note advises that local authorities should take into account environmental impacts such as the impact on amenity as well as any impact on the historic environment. The Historic England Advice note states that the duration of any temporary structure should be taken into account in determining the effect of a development proposal on the setting of an historic asset. It advises longer term changes may have more serious impacts. The duration of the temporary structure within the Garden for a period of approximately two years would be considered to be a long term

temporary structure and the harm from this substantial structure would be considered to be more significant.

IMPACT ON AMENITY (INNER TEMPLE GARDEN)

78. The Inner Temple Garden is a highly valued public amenity and other than Middle Temple Garden, there are no open spaces of this size and character in this part of the City. The Department of Open Spaces have been consulted and has raised concerns that the proposed temporary structure within the Garden would impact on the use of the Garden as a local amenity. Whilst it is acknowledged that the Garden would remain open, the loss of part of the Inner Temple Garden would impact on the enjoyment of the open space and would result in the loss of amenity for the public to enjoy and the experience of views from within and outside the Inner Temple. The loss of part of the Garden would create additional pressure on the remainder of the Garden as there would be an increase in the number of people who would be using the remainder of the restricted Garden space on a more frequent basis to access the temporary structure.
79. The applicant has stated that the Inn is entitled to control public access to the Garden, and access to the Garden is granted to the public as a gift and could be rescinded at any time. The applicant states that members of the public would be able to continue to access the Garden.
80. In considering the impact on amenity, the proposed temporary structure would increase the number of people who would use the Garden to access the temporary structure. The applicant's "Statement on the Justification for the need of the Temporary Development" states that the structure within the Garden is intended to replicate the present arrangement within the Treasury Building. Clarification was sought from the applicant regarding what other functions are proposed to be carried out within the temporary Garden structure and the applicant confirmed the functions and events are likely to include official events, which include education and training events; collegiate and membership events; and governance and committee meetings as well as receiving visiting legal delegations from abroad and legally associated charitable events which have been hosted in previous years. Paragraph 28 of the Statement on the Justification for the need states that the Inn's events are on a large scale and require students, members and others to study together, dine together and socialise together. There are a number of residential properties surrounding the Garden including in Harcourt Buildings and Paper Buildings and the functions and events proposed to be held within the temporary structure in the Garden has the potential to increase the amount of noise and disturbance experienced by these residential properties. If planning permission were to be granted, these could be appropriately managed by conditions to protect residential amenity.
81. It is proposed to locate a kitchen within the temporary structure in the Garden and the Statement on the Justification for the need states that

there is a need to provide hot lunches for the Inn's staff. Cooking within the temporary structure has the potential to create odours which would impact on the enjoyment of the Garden. The applicant has not explored the opportunities of ordering outside catering which would negate the need to provide a fully equipped kitchen within a temporary structure.

82. The proposed temporary structure within the Garden would have a detrimental impact on the enjoyment of the open space by reducing its quantum and quality, would negatively impact on the listed Garden and the surrounding listed buildings and would be contrary to Local Plan Policies DM 12.5, CS19.

ACCEPTABILITY OF A TEMPORARY STRUCTURE WITHIN THE INNER TEMPLE KINGS BENCH WALK CAR PARK

83. The temporary structure within the car park at Kings Bench Walk would house the Inner Temple Library at ground floor level and the Treasury and catering offices on the upper level. The Treasury office is responsible for members services, arranging the Inn's professional and collegiate events, Inn receptions and dinner. They also arrange annual, weekly and daily car parking permits for members and tenants. The catering office provides administrative support to the catering function, ordering food and beverages and bookings for events.
84. The applicant has stated that it is essential for a temporary library to remain within the Inner Temple to ensure the Inn is able to continue to provide its core functions. The applicant states that the four Inns of Court each have a library which specialises in different areas and they each have a reciprocal arrangement to share the specialist collections with the other Inns of Courts. The Inner Temple specialises in criminal and family law and English law collections which include old editions. The Inn libraries also have a reciprocal arrangement whereby one Inn library opens each Saturday from 10am to 5pm during legal terms. The applicant states that without a temporary library, the Inner Temple would no longer be able to participate in this arrangement and the onus would be on the other Inns to provide a library service.
85. The applicant makes the case that temporary accommodation is essential in order for the Library to fulfil urgent requests from the Supreme Court which does not have a collection as comprehensive as Inner Temple's. The need for this service can arise at short notice during a court hearing and needs often have to be met over lunch. The Inn argues the loss of this facility would place much greater pressures on the libraries of the three other Inns which they may struggle to fulfil.
86. The applicant states that having no temporary library could affect the Inn's relationship with its professional tenants who expect to have a library provided for their use on the Inn's estate and that there is a danger that loyalty would be transferred elsewhere and the library would lose many of its current practitioners forever.

87. The benefits of a temporary library are accepted. These include the provision of specialist literature within the Inner Temple and the Inn would be able to continue the reciprocal arrangements with the other three Inns to provide access to them as well as fulfil the needs of urgent requests to support the functioning of the Inn.
88. Your officers consider the proposed change of use and the erection of a temporary structure within the car park area in Kings Bench walk is recommendable in principle for a temporary period. However, it is considered that the two-storey structure is located too close to and is seen in proximity to the Grade I and II listed 2, 3, 3N, 4 and 5 Kings Bench Walk. The height and bulk of the two storey structure would appear overbearing and would cause less than substantial harm to the setting of these listed buildings (which is discussed in the heritage section above) and there would be limited wider public benefits to outweigh the harm caused by a two storey structure in this location. It would be contrary to Local Plan Policy DM10.1, CS12, DM12.1 and DM12.2.
89. The applicant might wish to consider reducing the size of the temporary structure and relocating it towards the centre of the car park area in Kings Bench Walk. It would then be further away from the surrounding listed buildings. This location was discussed during the pre-application stage.

IMPACT ON AMENITY (KINGS BENCH WALK)

90. A number of objections have been received from tenants of the Chambers occupying 3 Kings Bench Walk raising concerns that a two-storey structure directly outside their Chambers would be dominating and oppressive, and would cause disruption to the running of their Chambers. Whilst it is acknowledged that the height and bulk of the temporary structure would have an impact on the amenity of office occupiers, it is given lesser weight in the policies of the Local Plan.

JUSTIFICATION ON THE NEED FOR THE TEMPORARY STRUCTURES

91. The applicant has submitted a 'Statement on the Justification for the need for Temporary Development' which explains the nature of the Inn's functions and gives reasons why the provision of the temporary buildings within the Inn is critical to the maintenance of those functions.
92. The applicant makes the case that the Inn has an established and historic role in providing education and training for barristers. The Charter granting the Inn its accommodation in the Temple, signed by James I in 1608, preserves the estate and its precincts for accommodation and education of barristers. The Inn provides a centre for members to attend, to learn and meet their fellow practitioners and to dine in collegiate surroundings. The Inn contains offices and domestic accommodation from which it derives its income. The Inn's income is used for its Royal Charter objectives and for the upkeep and maintenance of its estate. Throughout the year, the various activities of the Inn take place in the Temple Church, the Inn's Hall and various rooms within the Treasury Building.

93. The applicant states that the Inn has functions and activities which take place every day, some directly connected with education and training, some indirectly connected. In addition, the applicant has stated that there are collegiate events plus external events of a commercial nature which are income-producing for the Inn and contribute to the cost of achieving its objectives.
94. The applicant has stated that the Inn's diary for 2019 contained 191 confirmed Inn events relating to the Inn's own activities, or those closely related and hosted by it (such as the meetings of Council of the Inns of Court (COIC)). In addition to this there are, non-Inn events and activities (such as receptions and seminars hosted by sets of Chambers within the Inn and by members of the Inn). The applicant states that there are a number of functions, reception and meetings which are still to be confirmed and have not yet been included in the 2019 diary.
95. The applicant makes the case that it has a strong desire to retain the Inn's core activities such the Call to the Bar and retention of qualifying sessions for students within the Inn. The applicant argues that it is through these various events that the Inn fulfils its obligations and accomplishes its Charter objectives and has done so without cessation since it first came into existence. The applicant states that the availability of accommodation to house such events, and the staff and kitchens needed to support them is essential, and without such accommodation (or suitable alternative) the life of the Inn and attainment of its Charter objectives could not be continued.
96. The Statement on the Justification for the need of the Temporary structures states that the structure within the Garden is intended to replicate the present arrangement within the Treasury Building.
97. The applicant has submitted a diary of events which would be held in the temporary structures to demonstrate the challenge they face if planning permission for the temporary structures were refused. The applicant states that the vast number of events are related to the Inn's role as a professional membership organisation, whilst others relate to the Inn's regulatory responsibility delegated by the Bar Standards Board. The applicant states there are logistical difficulties in holding these events away from the Inn as it may impact upon the quality of the events and the sense of community within is vital to the Inn's role. It is acknowledged that occupation by the Inn carrying out its historic role contributes to the character of the conservation area, and there are accepted benefits arising from such occupation. However, while it may be desirable for the applicant to continue the functions relating to the Inner Temple within the Inner Temple precincts, it is not considered that the applicant has demonstrated that temporary displacement would significantly prejudice the Inn or its contribution to the character of the conservation area.
98. The applicant makes the case that they wish to retain their catering team and if the temporary structures are not permitted this will result in the loss of 40 permanent and 30 temporary catering staff. While

economic development and job creation is a material planning consideration, there is no suggestion that general employment patterns will be prejudiced by the redevelopment of the Treasury Building and there is no relevant harm or policy non-compliance in that regard. The decisions of landowners as to how to manage employment issues and specific employment contracts arising from redevelopment is not a relevant material planning consideration.

99. The overall justification of need case is assessed below in paragraph 113.

CONSIDERATION OF ALTERNATIVE LOCATIONS

100. Some of the objectors have questioned why the 'Permanent Development' cannot be phased so that the Hall could remain in use. The applicant has stated that the Permanent Development would include the removal of the Hall roof, which would necessitate a full scaffold to support the interior of the Hall. In addition, the kitchens are being refurbished and the building would be without electrical power, mains gas and water. The applicant has stated that the structural alterations to the Treasury Building would make the building uninhabitable for the duration of the works.
101. Representations have pointed to sites outside the Inner Temple such as the use of the Middle Temple, Law Courts or vacant buildings within the Inner Temple to negate the need for the temporary structures within the Inner Temple and that the Inn and their agents have made insufficient investigation into alternative temporary accommodation.
102. In considering alternative locations for the temporary accommodation the applicant has stated that the Inn has kept a watching brief on the availability of alternative accommodation in reasonable proximity to the its Estate for the last two years and continues to scrutinise the local property market. The applicant states that 'nothing has emerged that is remotely suitable to house the Inn's functions' The Inn has therefore had to consider the available space within its own Estate, if it is to continue to run its activities. The applicant states that the buildings within the Estate are fully let, and if they were available, they would not be large enough.
103. The applicant did not initially submit a supporting alternative locations assessment to satisfactorily demonstrate why the displaced activities of the Treasury Building could not be wholly or partly relocated at other premises, nor why the functions could not be temporarily modified in a way which would not hinder the attainment of its Charter objectives.
104. In consultation with the City Property Advisory Team, City of London Officers have provided the applicant with a list of available properties for rent in the vicinity of the Inner Temple. In response to this, the applicant has submitted supplemental information by way of a detailed Alternative Locations Assessment which includes an assessment of the suitability of all the properties suggested by City of London Officers, the objectors as well as properties which the applicant investigated.

105. In considering the suitability of the eight available properties suggested by the City of London, the applicant states that in all these properties, there is insufficient floor loading for a Library use, there is no ability to install a commercial kitchen for catering or event use and these properties would be some distance from the Inn.
106. In Paragraph 87-89 above, your officers acknowledge the need for a temporary library within the Inner Temple precincts and the principle of a smaller structure, located further away from the listed buildings in Kings Bench Walk would be likely to be recommendable to the committee. This would remove the need for the other temporary accommodation to provide sufficient floor loading for the library.
107. With regards to the properties suggested by the objectors (Royal Courts of Justice, Kings College and the Honourable Societies of Lincoln's Inn and Middle Temple), as well as the properties investigated by the applicant, the applicant has stated that there are significant logistical issues and drawbacks for using these properties. These are summarised as:
- The other premises have their own diary of events and commitments, and some of these will conflict with the Inns priorities.
 - Use of these premises by the Inn would reduce their third party and private hire income, making our proposition unattractive to them on commercial grounds
 - None of the proposed venues would be able to accommodate all the Inn's requirements in one place meaning several different venues would be required, causing severe logistical disruption
 - There would be no centrally identifiable location for the Inns' new students and members which would have longer term implications on their engagement with the Inn
 - The Inns members involved in the governance and educational activities of the Inn, with busy professional practices and commitments, would be greatly inconvenienced by having to move between sites
 - None of the premises would have the ability to preserve the employment of our Catering team, which would have long term income ramifications
 - The logistical servicing of multiple sites outside the Inn would have a detrimental effect on the wellbeing of the Inn's staff
 - There would be no natural light into one of the alternative premises considered.
108. As regards the conflicts between the Inn's diary of events and the events schedule of other premises, and as regards the loss of third party private hire income (1st and 2nd bullet points), the applicant has not demonstrated that either of these would be of significant prejudice

to the Inn. These issues are considered to be normal and expected consequences of redevelopment and matters for operational and estate management. Whilst not immaterial to the consideration of this application, they would be given limited weight.

109. With regards to needing several different venues to accommodate all the Inns' requirements which would then cause inconvenience to and impact on the well-being of Members and staff and cause logistical disruption to servicing by having to move between sites (3rd and 5th bullet points), the applicant has not demonstrated the inconvenience and impacts referred to. The level of inconvenience and the logistical impacts on staff and Members could not be known until one or more alternative locations are identified. In any event, the majority of the locations identified as an alternative are in close proximity to the Inn.
110. As regards there being no central identifiable location for students and Members and the longer term implications for engagement with the Inn, (4th bullet point) your officers consider this could be overcome by the Inn developing a communications strategy to keep students and members of the Inn informed of any new temporary facilities. This is a matter of operational and estate management and would be given limited weight as a material consideration.
111. As regards the loss of the catering team (6th Bullet point), this is not material to the planning consideration as set out in paragraph 98. As regards the well-being of the Inn's staff due to logistics of servicing multiple sites (7th bullet point) there is no relevant policy with regard to staff wellbeing due to logistical disruption during redevelopment of the application site. This is considered an operational matter for the Inn and not a material planning consideration.
112. The applicant states with regard to one of the alternative premises identified, there would be no natural light. The applicant has not submitted a daylight and sunlight assessment to demonstrate there would be insufficient natural light. BRE guidance on daylight and sunlight states non-residential developments (other than places of worships and schools) are not afforded the same protection to light and would be given limited weight.
113. Overall the City does not consider the applicant has demonstrated the Inn's ability to continue its long-established role would be substantially prejudiced and therefore the need for the temporary structures. The City does not consider that the applicant has demonstrated that the continuation of the Inn's role could not be achieved using alternative locations. These issues have therefore been given limited weight.

ASSESSMENT OF PUBLIC BENEFITS

114. The proposal has been assessed in relation to the relevant heritage and design policies of the London Plan and Local Plan.
115. Paragraph 196 the NPPF 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 securing its optimum viable use”.

116. Considerable weight and importance has been given to the desirability of preserving the setting of the nearby listed buildings and to the desirability of preserving or enhancing the character and appearance of the Temples Conservation Area in accordance with the relevant policies of the NPPF (see heritage section above). The contribution made to the character of the conservation area through the Inn’s occupation and functions is acknowledged. There is a presumption against granting planning permission that harms either of those objectives, and that presumption has been applied in evaluating the planning application.
117. Representations regarding the scale and impact of the temporary structures, the locations for them, and whether the benefits justify the harm to the designated heritage assets and the registered park and garden have been received.
118. The applicant has stated that ‘a major benefit of the proposed temporary structures is that they will help to secure the optimal viable use of a non-designated heritage asset, the Treasury building and Library, supporting the long-term conservation of this building and the contribution that it can make to the Conservation Area and to education and training of barristers.’
119. Your officers accept the applicants’ case that the education and training would need to continue when the refurbishment works to the Treasury Building are being carried out. However, your officers do not consider the applicant has demonstrated the application scheme is necessary to the continuation of the education and training functions during the construction period.
120. Considerable weight and importance has been given to preserving the long term health of the Inn as a public benefit when granting planning permission for the ‘Permanent Development’ which assists the Inn in modernising and improving their education and training facilities. Regard has also been had to the long term health of the Inn in evaluating this application for temporary structures. However, it is not considered that the applicant has demonstrated the temporary structures contained in the application scheme are necessary to the delivery of the Permanent Development. The benefits in paragraphs 119 and 120 have therefore been given limited weight when weighed against the less than substantial harm and loss of garden space for a 22 month period.
121. In assessing the wider benefits of this application, the City is not satisfied the Inns’ continued role would be significantly prejudiced and benefit would be lost if the temporary structures were refused. In forming a balanced judgement when considering the harm to the heritage assets as required by paragraph 196 of the NPPF, it is the view of officers that the harm is not considered to be outweighed by the public benefits of the proposal.

TRANSPORT

Servicing and Deliveries

122. The education and training department and the library currently receive 21 deliveries per week. In the existing situation, delivery vans drive to the designated servicing zone located adjacent to the catering entrance to the south of the Inner Temple Hall. Deliveries are then unloaded and moved by foot to the Treasury Building. The transport assessment states that the number of deliveries is not expected to change servicing the temporary structures.
123. The deliveries for the temporary structures would continue to access the Inner Temple via Tudor Street Gate. Upon arrival at the Tudor Street entrance there would be a barrier and security guard to check that all deliveries are expected and recorded. Delivery drivers would then be directed to a holding point on Crown Office Row. A new vehicle drop off space would be provided at the southern end of Middle Temple Lane. When there is space available within the drop off point (on Middle Temple Lane), the delivery driver would be directed to this area and from this point the deliveries would be moved to the storage area by trolley or electric vehicle. The submitted transport assessment states that it is likely that the vast majority of vehicles would be small due to the entry restrictions and loads carried by the vehicle driver. Delivery vehicles would exit via Victoria Embankment.
124. The delivery and servicing arrangements would comply with the requirements of Local Plan Policy CS16 and DM16.1. If planning permission were to be granted a condition would be recommended requiring a delivery and servicing management plan.
125. It should be noted there would be additional construction traffic in relation to the Permanent Development.

Construction Traffic and Movements

126. It is anticipated that the initial structures would be erected within 2 weeks, with a subsequent internal fit out period of approximately 6 weeks, with the final erection of external decking taking 2 weeks (a period of 10 weeks in total). There would be an additional 14 two-way construction vehicle trips per day during the period of the 10 weeks the temporary structures are being erected. There are expected to be 12 workers on the site for the period of the construction and fit out of the temporary structures.
127. The vehicles used to deliver the structure to the Inner Temple during construction would be 17 tonne rigid vehicles (not exceeding 10m in length). All deliveries of the main components of the structures would need to be made via the gate onto the Victoria Embankment. Vehicles would reverse through the gates onto Middle Temple Lane, unload and turn left back out onto the Embankment.

128. All the deliveries would be scheduled to avoid the morning and evening peak periods and more than one delivery vehicle being on-site at any one time.
129. The construction and traffic movements would be compliant with Local Plan Policy DM16.1. If planning permission were to be granted, a condition would be recommended requiring a construction logistics plan.

Pedestrian movements

130. It is not anticipated that there will be an increase in the number of staff, visitors or delivery trips to the Inner Temple as a result of the temporary structures and would be compliant with Local Plan Policies DM16.1 and DM16.2

Parking Impact

131. There are currently 196 car parking spaces on the site and this would be reduced to 167 spaces (loss of 29 spaces) as a result of the proposed temporary structure within the car park at Kings Bench Walk. None of the car parking spaces lost would be accessible car parking spaces. Parking permits are required to use the Inner Temple Car Park and the Inn would reduce the number of parking permits issued to staff and visitors.
132. The loss of parking spaces would not be contrary to Local Plan Policy 16.5 and is to be welcomed in the draft Transport Strategy.

WASTE AND REFUSE

133. The current bin store is proposed to be relocated to the west side of the temporary Garden structure within the Inner Temple Gardens. The store would be within an enclosure and contain two 1100L bins, two 240 litre wheelie bins for land fill and six 240 litre wheelie bins for glass.
134. All the waste from the temporary structures would be collected and stored within this enclosure and would be moved, once a day by hand, to a collection point on Middle Temple Lane. The refuse trucks would stop on Victoria Embankment and the bins would be wheeled by refuse operatives from the Middle Temple Lane onto the truck (which would be the same as the present arrangement).
135. The Waste and Amenity Planning Manager is satisfied with the proposals would comply with Local Plan Policy CS17.

TREES

Garden Structure

136. A report has been produced regarding the impact of the proposed development on the trees, to the British Standard. The tree root protection areas within the Inner Temple Garden would not be impacted by the temporary structure (except for a minor incursion at tree T29, which would not be significant).

137. All the proposed paths and utility runs either avoid areas of tree roots or are acceptably oriented and would not have any significant impact on the trees.
138. The temporary structure within the Inner Temple Garden would bring more footfall onto the lawn area and concentrate their impact on the remaining grass areas. Currently the Inner Temple observe the practice of having large circles cut out of the lawn under the trees, which are covered in mulch material. This helps to keep people pressure off the roots of the trees and help keep the trees healthy. With the increased numbers using the restricted space this is likely to protect the trees to keep them healthy.

Kings Bench Walk

139. A young *Liquidambar styraciflua* tree is proposed to be removed to accommodate the structure within the car park in Kings Bench Walk and it is proposed to be replaced once the temporary structure is removed. The tree has not reached its full growth potential and whilst it does make a contribution to the character, amenity and greenness of Kings Bench Walk and has group value with the London Plane trees, it has lesser significance due to its age and its removal and replacement with a new tree of suitable species, height and growth potential would be acceptable.
140. Minor pruning of branches is proposed throughout the Temples to accommodate the temporary structures and associated vehicle movement. The need for care for the remaining trees during craning operations is identified and is considered to be satisfactory. If planning permission were granted the protection and management of trees and tree roots would be secured via a condition.
141. The proposed structure would be placed over the tree root area for the trees in this area and would impact on the availability of water to these tree roots. This would be mitigated by the redirection of the rainfall from the gutters such that the water has the opportunity to run over the tarmac and percolate through to the roots. If planning permission were to be granted, conditions would be recommended to ensure the tree roots areas would be protected.

IMPACT ON THE SOIL

142. The application has been submitted with a baseline soil investigation which identifies vulnerability of the soil to compaction within the top 300mm. The proposed structure would be installed on a series of pads and spaced beams which would help spread the compaction and allow air circulation to the soil. The report recommends mitigation to the lawn of the Garden in the form of a performance quality standard to be met prior to the handover of the lawn, following an establishment period for the reinstated lawn.
143. Should the proposals be regarded as acceptable, the Open Spaces department recommends, the area of decompaction and reinstatement of the lawn is extended beyond the proposed temporary structure to allow for additional pressure on the lawn around the building. If

planning permission were granted this would be secured via a condition.

ARCHAEOLOGY

144. The Inner Temple has high archaeological significance where there is potential for remains from all periods to survive. It is situated outside the Roman and medieval walled city to the south of the Roman road leading west from Ludgate, later the road linking the City and Westminster. Archaeological work in the area has recorded Roman, medieval and late medieval evidence including burials. The medieval waterfront was to the south of the Treasury building. An Archaeological Impact Assessment has been submitted with the application.

Kings Bench Walk

145. The proposed temporary building would have no archaeological impact as it would be constructed at ground level with no below ground foundations.

Inner Temple Garden

146. The garden has been an open area from at least the 16th century and the southern part, south of the pre-1772 embankment, was formerly within the river. Test pits have been dug for soil investigation purposes and to establish a strategy for restoration of the lawn, these showed made ground below the topsoil. There would be limited archaeological impact from new groundworks for foundations and services and soil compaction. The proposed temporary building would be supported on above ground pad footings anchored by clusters of 1 metre long driven pins. Associated utility connections and a rainwater drainage trench would be installed in shallow trenches projecting from the north, west and south sides of the building. It is proposed that a single trench is excavated across the line of the pre-1772 embankment to record remains in the vicinity of the proposed structure.
147. The proposals would be compliant with Local Plan Policy DM12.4.

FLOODING AND DRAINAGE

148. A flood risk assessment has been submitted in support of the application. The proposed temporary Treasury Building and Hall within the Garden is within Flood Zone 3 and has a low risk of flooding from tidal or fluvial sources, a low risk of surface water flooding or from the sewers and has a low to negligible risk of flooding from all other sources. The proposed Temporary Library and Offices building is located within Flood Zone 1 and has a low to negligible risk of flooding from all sources.
149. The Flood Risk Assessment includes a Sustainable Urban Drainage (SuDs) Assessment, which sets out the appropriate measures for the site. For the Garden structure it is recommended that during light rainfall, the rainwater is diverted into the Garden. During heavier rainstorms water runoff should be directed to the sewers but limited to 3.5l/second. It is recommended that surface water flows are attenuated

to mitigate a small temporary increase in impermeable area and that the permeable area is reinstated after the building is removed.

150. The proposals would be compliant with Local Plan Policies DM18.2 and DM 18.3. If planning permission were to be granted a condition would be recommended to provide further details of the SuDs including a maintenance plan.

ENERGY AND SUSTAINABILITY

151. The applicant has submitted a sustainability statement which calculates the carbon emission reductions the temporary buildings have been designed to achieve. The Garden structure would achieve a 13.3% improvement in carbon emissions and 35.54% improvement for the Car Park Structure over Part L of the 2013 Building Regulation requirements.
152. The temporary library structure would meet the London Plan carbon reduction targets. Carbon emissions from the temporary structure in the Garden would need to be reduced to meet the London Plan targets. If planning permission were granted a S106 obligation would be recommended to secure a carbon offset contribution to take account of the carbon reduction shortfall. This contribution would be calculated based on a two-year building lifespan.
153. Temporary buildings are not suitable for assessment under BREEAM as many of the issues assessed under BREEAM consider the impact of the building and its systems over a typical lifespan and this would not be possible for the proposed structures. Despite the building being unsuitable for assessment under the BREEAM scheme, it is the applicant's intention to aim to meet a 'Good rating' for the temporary structures.

URBAN GREENING

154. Local Plan Policy CS19 requires protection of existing open space, particularly that of historic interest, or ensuring that it is replaced on redevelopment by space of equal or improved quantity and quality on or near the site. This development would involve the temporary loss of over 1000m² of open green space in the Temple Garden with impacts on biodiversity, urban cooling, surface water run-off and visual amenity which would be contrary to Local Plan Policy CS19. The temporary structures proposed would not be suitable for a green roof. If planning permission were to be granted, temporary greening such as screening and temporary green walls and landscaping would be required by condition to mitigate the loss of open space over the 2-year period.

ACCESS

155. The main entrance to the temporary Treasury Building & Hall would be from the steps at Crown Office Row via the High Border Pathway. Step free access would be via a walkway from the Paper Buildings pathway, which would be the same route as the step-free access to the Inner Temple Gardens. There are level exits from the south and west side of the single storey structure to allow occupants to use the walkway

around the structure or the Inner Temple Gardens. Staff would enter the Garden structure from the west from the Harcourt Buildings Pathway.

156. Access to the temporary library structure within the car park would be via the north end of King's Bench Walk which would provide step free access. As the car park structure is proposed to be two storeys an internal stair and lift is proposed to provide access to the upper floor of the building.
157. Both temporary structures would provide inclusive access to and within the buildings which would meet the requirements of Local Plan Policy DM10.8 and part A of London Plan policy 7.2.

DAYLIGHT AND SUNLIGHT

158. The applicant has submitted a daylight and sunlight assessment to assess the impact of the proposed temporary structure within the car park at Kings Bench Walk on the surrounding residential properties. The windows which were tested were the second floor windows of the south buildings of both 2 and 3 Kings Bench Walk. These windows are the closest habitable room windows.
159. The residential windows surrounding the temporary structure within the Inner Temple Garden have not been assessed as they are located some distance from the proposed structure and it would not impact on the daylight to these residential properties.
160. The BRE guidelines sets out a preliminary test known as the 25-degree test. Under the BRE guidelines, failing this test means that further detailed testing would be required to check the impact on light levels to these properties.
161. The 25-degree test is used where the proposed development is opposite the window. If the proposed development falls beneath a line drawn horizontally at 25 degrees from the centre of the window, then there is unlikely to be a substantial effect on the daylight and sunlight that room. 160. The 25-degree test was the most appropriate test to apply to the residential properties at 1 to 6 Kings Bench Walk as the proposed development would be opposite these properties. The proposed development passes the test when applied to the lowest habitable room windows at the closest surrounding residential properties (second floor windows of the south buildings of both 2 and 3 Kings Bench Walk). Since the closest possible habitable room windows pass the preliminary 25-degree test, it would not impact the upper floor windows and would pass the test by a greater margin.
162. The Temporary Treasury Building & Hall structure would not create an unacceptable daylight/sunlight impact on the surrounding residential properties. The daylight and sunlight consultants state that all residential dwellings within the immediate surrounding properties i.e. 1 & 2 Harcourt Buildings and Paper Building are sited on the upper floor levels and would not be impacted.
163. In conclusion the proposed development would not cause unacceptable harm to daylight and sunlight levels to the properties

identified as sensitive and the impact on residential properties would be acceptable and complies with Local Plan Policy DM 10.7, DM12.3 and London Plan Policy 7.6B.

PUBLIC SECTOR EQUALITY DUTY (section 149 of the Equality Act 2010)

164. The City, as a public authority, must, when deciding whether to grant planning permission have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it
165. If planning permission were to be granted, access to the temporary structures would be maintained, including for those with protected characteristics.
166. While it is not possible to identify access arrangements for any alternative temporary accommodation, there would be a long-term benefit once the permanent development is delivered. In addition, if a smaller structure in the car park for library purposes was approved, such a structure could be made accessible to all.

PLANNING OBLIGATIONS AND COMMUNITY INFRASTRUCTURE LEVY

(CIL)

Mayoral CIL

167. London Plan Policy 8.3 requires the Mayoral CIL to be paid by developers to help fund strategically important infrastructure, initially focussing on Crossrail until 2019. The Mayor has set a charge of £50 per sq.m.
168. The City introduced its CIL on 1st July 2014 and will be chargeable in addition to the Mayoral CIL and Mayoral planning obligations. City CIL will be charged at a rate of £75 per sqm for Offices, £150 for Residential Riverside, £95 for Residential rest of the city and £75 for all other uses.
169. The Mayoral and City CIL would apply to developments over 100sq.m with the exception of social housing, education related development, health related development and development for charities for charitable purposes.
170. In accordance with CIL Regulations 2010 as amended (Part 2 Regulation 9), the meaning of “chargeable development” is the development for which planning permission is granted.
171. However, the meaning of “Planning Permission” (Part 2 Regulation 5 of the CIL Regulations 2010 as amended) does not include planning permission granted for a temporary period.
172. In this instance, the scheme would not be liable for CIL.

Mayoral Planning Obligations

173. Since April 2010 the Mayor of London has sought contributions towards the cost of funding Crossrail through the negotiation of planning obligations in accordance with London Plan Policy 6.5. Mayoral planning obligations are payable by developers according to an indicative level of charges for specific uses set out in the Mayoral SPG (April 2013): offices (£140 per sq.m net gain in GIA floorspace), retail (£90) and hotels (£61) provided there is a net gain of 500sq.m (GIA).
174. Developments liable for both Mayoral CIL and Mayoral planning obligations payments for Crossrail will not be double charged. The Mayor will treat the CIL liability as a credit towards Mayoral planning obligation contribution.
175. However, in this instance, the buildings are temporary and as such, the obligation for a contribution towards Crossrail is not applicable.

City S106 Planning Obligations

176. On 1 July 2014 the City's Supplementary Planning Document on Planning Obligations was adopted. City Planning Obligations would be payable by developers in accordance with the Planning Obligations on new commercial developments where there is a net increase of 500sq.m or more of Gross Internal Area. The policy seeks contributions towards Affordable Housing (£20 per sq.m), Local Training, Skills and Job Brokerage (£3 per sq.m) and Carbon Offsetting (£60 per tonne of carbon offset per annum for 30 years).
177. However, in this instance, the buildings are temporary and as such, the S106 Planning Obligations is not applicable.

CONCLUSIONS

178. The proposal has been assessed in accordance with the relevant statutory duties, and having regard to the development plan, other relevant policies and guidance, and relevant advice including the NPPF.
179. The proposals would result in less than substantial harm to the significance of designated heritage assets including, the Temples Conservation Area, the Registered Inner Temple Garden, 2, 3, 3 North, 4, 5, 6 and 7 Kings Bench Walk, 8, 9, 10, 11 and 13 Kings Bench Walk, 1 and 2 Mitre Court and 1, 2, 3, 4, and 5 Paper Buildings and their settings.
180. The proposed temporary structure within the Garden would have a detrimental impact on the enjoyment of the open space by reducing its quantum and quality, would negatively impact on the listed Garden and the surrounding listed buildings and would be contrary to Local Plan Policies DM 10.1, DM12.1, DM12.2, DM 12.5 and CS19.
181. The harm is not considered to be outweighed by the public benefits of the proposal. It is considered that the temporary structure within the Garden would be contrary to Local Plan Policy DM10.1, DM 12.1, DM 12.2, DM12.5, CS19 and London Plan Policy 7.8. In consequence, it is

considered that the proposal does not accord with the development plan when considered as a whole.

182. The principle of locating a temporary library structure within Kings Bench Walk has the potential to be recommendable. However, the proposed temporary structure is considered to be too close to the Grade I and II listed buildings at 1-5 Kings Bench Walk, making it inappropriate to its historic context and surroundings. The applicant might wish to consider reducing the size of the temporary structure and relocating it towards the centre of the car park area in Kings Bench Walk away from the surrounding listed buildings.
183. Overall, for the reasons set out earlier in the report I am of the view that the proposal does not accord with the Development Plan as a whole and that having taken other material considerations and local financial considerations into account planning permission should be refused as set out in the recommendation and the schedules attached.

REASONS FOR REFUSAL

184. The proposals would result in less than substantial harm to the significance and setting of designated heritage assets including, the Temples Conservation Area, the Registered Inner Temple Garden, 2, 3, 3 North, 4, 5, 6 and 7 Kings Bench Walk, 8, 9, 10, 11 and 13 Kings Bench Walk, 1 and 2 Mitre Court and 1, 2, 3, 4, and 5 Paper Buildings and would be contrary to Local Plan Policy DM 10.1, CS 12, DM12.1, DM 12.2, DM12.5 and London Plan 7.8.
185. The proposed temporary structure within the Garden would have a detrimental impact on the amenity and enjoyment of the open space by reducing its quantum and quality and would be contrary to Local Plan Policy CS19.

Background Papers:

Internal

Email Stephanie Hughes Air Quality Officer 29.06.2018

Memo Vimal Varma 04.07.2018

Memo Department of Markets and Consumer Protection 13.07.2018

Memo Department of Markets and Consumer Protection 9.11.2018

Resolution from Open Spaces & City Gardens Committee 16 July 2018

Memo Access Officer 27.07.2018 and 21.11.2018

Comments Energy and Sustainability 04.07.2018

Email Access Officer 16.08.2018 and 21.08.2018

Email Local Lead Flood Authority (Tim Munday) 17.08.2018

Memo Local Lead Flood Authority 28.11.2018

Email City Transportation 17.10.2018

External

Letter Conservation Area Advisory Committee dated 20 July 2018

BREEAM Pre-assessment Report prepared by The Engineering Practice

Energy Statement prepared by the Engineering Practice April 2018 Rev A

BREEAM Calculations prepared by Bre

BRUKL Output Documents – Garden structure – HM Government 18 April 2018

Floor Risk Assessment prepared by Walsh 27 April 2018

Statement on the Justification for the need for Temporary Development on the Inner Temple site dated 17 May 2018.

Daylight and Sunlight Assessment prepared by Rights of Light Consulting dated 18 May 2018

Heritage Statement prepared by KM Heritage dated April 2018

Addendum Heritage Statement prepared by KM Heritage (not dated)

Planning Statement prepared by Adrienne Hill dated 23 May 2018

Addendum Planning Statement prepared by Adrienne Hill dated October 2018

Updated Baseline Soil Investigation prepared by Tim O'Hare Associates LLP dated 19 October 2018 Rev 02

Updated Soil Recovery Specification prepared by Tim O'Hare Associates LLP dated 19 October 2018 Rev 03

Ventilation Statement for Project Pegasus prepared by the Engineering Practice 20 April 2018 Rev B

Archaeological Impact Assessment prepared by PCA dated April 2018

Acoustic Report Planning Stage dated 5 June 2018 – VC-102664-EN-RP-

0001

Updated Design and Access Statement 17 October 2018

Delivery and Servicing Management Plan prepared by ADL dated April 2018 – ADL/LRJ/3655/20A

Phase II Arboricultural Impact Assessment (AIA) dated 18 April 2018 (Ref: 101 210)

Email Adrienne Hill 20.06.2018

Email Thames Water dated 2.07.2018

Letter Historic England 18.07.2018 and 21.11.2018

Email Adrienne Hill 03.08.2018 – (Addressing Access Issues)

Email Adrienne Hill 03.08.2018

Email Adrienne Hill 07.08.2018

Email Adrienne Hill 10.08.2018 – (Energy and Sustainability)

Email Adrienne Hill 15.08.2018 – (response to queries to date)

Email Adrienne Hill 17.08.2018 (Addressing Access Issues)

Email Adrienne Hill 23.08.2018 (Addressing Local Lead Flood Authority Comments)

Email Adrienne Hill 31.08.2018 (BRE confirmation)

Email Transport for London 05.09.2018

Email Adrienne Hill 07.09.2018 (Temporary Library Structure Location)

Email Adrienne Hill 10.09.2018 (Daylight and Sunlight Response from Rights of Light)

Email Richard Snowdon 26.10.2010 (Alternative Properties Considered and associated spreadsheet)

Email Richard Snowdon 16.11.2018 (Email and Project Pegasus Diary of Events 2019-2021)

Email Adrienne Hill 27.11.2018

CGI Images - 1074 03 9001 P2 and 1074 03 9004 P2

Representations

Mr Ian Luder - 26.06.2018

Ms Ij young - 26.06.2018

Mr David Steel - 27.06.2018

Mr Richard Buxton - 02.07.2018 and 30.10.2018

Mr Robin de Wilde 04.07.2018

Mr Dale Martin - 10.07.2018

Ms Sarah Prager 10.07.2018

Mr Gregory Dorey - 11.07.2018

Lord Lloyd of Berwick - 11.07.2018 and 13.11.2018

Dr M Malecka 19.07.2018

Richard Humphreys QC 19.07.2018

Mr Huw Williams - 19.07.2018 and 06.11.2018

Mr Kieran Wilson 26.07.2018

Mr David Reade 26.07.2018

Mr Robert McCracken - 26.07.2018

Ms Naomi Ellenbogen QC 26.07.2018

Mr Jonathan Cohen QC - 26.07.2018

Mr Gavin Mansfield QC - 26.07.2018

Mr Martin Palmer - 27.07.2018

Mrs Lydia Banerjee - 27.07.2018

Neil Coe - 27.07.2018 and 12.11.2018

Mr Adam Solomon QC - 27.07.2018

Mr Alexander Robson - 27.07.2018

Nicholas Asprey - 01.08.2018 and 12.11.2018

Ms Desiree Artesi - 15.08.2018

Mr Zachary Bredemear - 09.11.2018

Appendix A

London Plan Policies

The London Plan policies which are most relevant to this application are set out below:

London Plan Policies

The London Plan policies which are most relevant to this application are set out below:

Policy 5.2 Development proposals should make the fullest contribution to minimising carbon dioxide emissions.

Policy 5.3 Development proposals should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation. Major development proposals should meet the minimum standards outlined in supplementary planning guidance.

Policy 5.12 Development proposals must comply with the flood risk assessment and management requirements set out in PPS25 and address flood resilient design and emergency planning; development adjacent to flood defences will be required to protect the integrity of existing flood defences and wherever possible be set back from those defences to allow their management, maintenance and upgrading to be undertaken in a sustainable and cost effective way.

Policy 5.13 Development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so.

Policy 7.2 All new development in London to achieve the highest standards of accessible and inclusive design.

Policy 6.5 Contributions would be sought from developments likely to add to, or create, congestion on London's rail network that Crossrail is intended to mitigate.

Policy 7.6 Buildings and structures should:

- a be of the highest architectural quality
- b be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm
- c comprise details and materials that complement, not necessarily replicate, the local architectural character
- d not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings
- e incorporate best practice in resource management and climate change mitigation and adaptation
- f provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
- g be adaptable to different activities and land uses, particularly at ground

level

h meet the principles of inclusive design

i optimise the potential of sites.

Policy 7.8 Development should identify, value, conserve, restore, re-use and incorporate heritage assets, conserve the significance of heritage assets and their settings and make provision for the protection of archaeological resources, landscapes and significant memorials.

Policy 7.14 Implement Air Quality and Transport strategies to achieve reductions in pollutant emissions and minimise public exposure to pollution.

Policy 7.18 Resist the loss of local protected open spaces unless equivalent or better quality provision is made within the local catchment area.

Policy 7.21 Trees should be protected, maintained, and enhanced. Existing trees of value should be retained and any loss as the result of development should be replaced.

Relevant Local Plan Policies

CS10 Promote high quality environment

To promote a high standard and sustainable design of buildings, streets and spaces, having regard to their surroundings and the character of the City and creating an inclusive and attractive environment.

CS12 Conserve or enhance heritage assets

To conserve or enhance the significance of the City's heritage assets and their settings, and provide an attractive environment for the City's communities and visitors.

CS15 Creation of sustainable development

To enable City businesses and residents to make sustainable choices in their daily activities creating a more sustainable City, adapted to the changing climate.

CS16 Improving transport and travel

To build on the City's strategic central London position and good transport infrastructure to further improve the sustainability and efficiency of travel in, to, from and through the City.

CS17 Minimising and managing waste

To support City businesses, residents and visitors in making sustainable choices regarding the minimisation, transport and management of their waste, capitalising on the City's riverside location for sustainable waste transfer and eliminating reliance on landfill for municipal solid waste (MSW).

CS18 Minimise flood risk

To ensure that the City remains at low risk from all types of flooding.

CS19 Improve open space and biodiversity

To encourage healthy lifestyles for all the City's communities through improved access to open space and facilities, increasing the amount and quality of open spaces and green infrastructure, while enhancing biodiversity.

CS21 Protect and provide housing

To protect existing housing and amenity and provide additional housing in the City, concentrated in or near identified residential areas, as shown

in Figure X, to meet the City's needs, securing suitable, accessible and affordable housing and supported housing.

DM10.1 New development

To require all developments, including alterations and extensions to existing buildings, to be of a high standard of design and to avoid harm to the townscape and public realm, by ensuring that:

- a) the bulk and massing of schemes are appropriate in relation to their surroundings and have due regard to the general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality and relate well to the character of streets, squares, lanes, alleys and passageways;
- b) all development is of a high standard of design and architectural detail with elevations that have an appropriate depth and quality of modelling;
- c) appropriate, high quality and durable materials are used;
- d) the design and materials avoid unacceptable wind impacts at street level or intrusive solar glare impacts on the surrounding townscape and public realm;
- e) development has attractive and visually interesting street level elevations, providing active frontages wherever possible to maintain or enhance the vitality of the City's streets;
- f) the design of the roof is visually integrated into the overall design of the building when seen from both street level views and higher level viewpoints;
- g) plant and building services equipment are fully screened from view and integrated in to the design of the building. Installations that would adversely affect the character, appearance or amenities of the buildings or area will be resisted;
- h) servicing entrances are designed to minimise their effects on the appearance of the building and street scene and are fully integrated into the building's design;
- i) there is provision of appropriate hard and soft landscaping, including appropriate boundary treatments;
- j) the external illumination of buildings is carefully designed to ensure visual sensitivity, minimal energy use and light pollution, and the discreet integration of light fittings into the building design;
- k) there is provision of amenity space, where appropriate;
- l) there is the highest standard of accessible and inclusive design.

DM10.8 Access and inclusive design

To achieve an environment that meets the highest standards of accessibility and inclusive design in all developments (both new and refurbished), open spaces and streets, ensuring that the City of London is:

- a) inclusive and safe for all who wish to use it, regardless of disability, age, gender, ethnicity, faith or economic circumstance;

- b) convenient and welcoming with no disabling barriers, ensuring that everyone can experience independence without undue effort, separation or special treatment;
- c) responsive to the needs of all users who visit, work or live in the City, whilst recognising that one solution might not work for all.

DM12.1 Change affecting heritage assets

1. To sustain and enhance heritage assets, their settings and significance.
2. Development proposals, including proposals for telecommunications infrastructure, that have an effect upon heritage assets, including their settings, should be accompanied by supporting information to assess and evaluate the significance of heritage assets and the degree of impact caused by the development.
3. The loss of routes and spaces that contribute to the character and historic interest of the City will be resisted.
4. Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.
5. Proposals for sustainable development, including the incorporation of climate change adaptation measures, must be sensitive to heritage assets.

DM12.2 Development in conservation areas

1. Development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area.
2. The loss of heritage assets that make a positive contribution to the character or appearance of a conservation area will be resisted.
3. Where permission is granted for the demolition of a building in a conservation area, conditions will be imposed preventing demolition commencing prior to the approval of detailed plans of any replacement building, and ensuring that the developer has secured the implementation of the construction of the replacement building.

DM12.3 Listed buildings

1. To resist the demolition of listed buildings.
2. To grant consent for the alteration or change of use of a listed building only where this would not detract from its special architectural or historic interest, character and significance or its setting.

DM12.4 Archaeology

1. To require planning applications which involve excavation or ground works on sites of archaeological potential to be accompanied by an archaeological assessment and evaluation of the site, including the impact of the proposed development.
2. To preserve, protect, safeguard and enhance archaeological monuments, remains and their settings in development, and to seek a public display and interpretation, where appropriate.
3. To require proper investigation and recording of archaeological remains as an integral part of a development programme, and publication and archiving of results to advance understanding.

DM12.5 Historic parks and gardens

1. To resist development which would adversely affect gardens of special historic interest included on the English Heritage register.
2. To protect gardens and open spaces which make a positive contribution to the historic character of the City.

DM15.6 Air quality

1. Developers will be required to consider the impact of their proposals on air quality and, where appropriate, provide an Air Quality Impact Assessment.
2. Development that would result in deterioration of the City's nitrogen dioxide or PM10 pollution levels will be resisted.
3. Major developments will be required to maximise credits for the pollution section of the BREEAM or Code for Sustainable Homes assessment relating to on-site emissions of oxides of nitrogen (NOx).
4. Developers will be encouraged to install non-combustion low and zero carbon energy technology. A detailed air quality impact assessment will be required for combustion based low and zero carbon technologies, such as CHP plant and biomass or biofuel boilers, and necessary mitigation must be approved by the City Corporation.
5. Construction and deconstruction and the transport of construction materials and waste must be carried out in such a way as to minimise air quality impacts.
6. Air intake points should be located away from existing and potential pollution sources (e.g. busy roads and combustion flues). All combustion flues should terminate above the roof height of the tallest

building in the development in order to ensure maximum dispersion of pollutants.

DM16.1 Transport impacts of development

1. Development proposals that are likely to have effects on transport must be accompanied by an assessment of the transport implications during both construction and operation, in particular addressing impacts on:

- a) road dangers;
- b) pedestrian environment and movement;
- c) cycling infrastructure provision;
- d) public transport;
- e) the street network.

2. Transport Assessments and Travel Plans should be used to demonstrate adherence to the City Corporation's transportation standards.

DM16.2 Pedestrian movement

1. Pedestrian movement must be facilitated by provision of suitable pedestrian routes through and around new developments, by maintaining pedestrian routes at ground level, and the upper level walkway network around the Barbican and London Wall.

2. The loss of a pedestrian route will normally only be permitted where an alternative public pedestrian route of at least an equivalent standard is provided having regard to:

- a) the extent to which the route provides for current and all reasonably foreseeable future demands placed upon it, including at peak periods;
- b) the shortest practicable routes between relevant points.

3. Routes of historic importance should be safeguarded as part of the City's characteristic pattern of lanes, alleys and courts, including the route's historic alignment and width.

4. The replacement of a route over which pedestrians have rights, with one to which the public have access only with permission will not normally be acceptable.

5. Public access across private land will be encouraged where it enhances the connectivity, legibility and capacity of the City's street network. Spaces should be designed so that signage is not necessary and it is clear to the public that access is allowed.

6. The creation of new pedestrian rights of way will be encouraged where this would improve movement and contribute to the character of an area, taking into consideration pedestrian routes and movement in neighbouring areas and boroughs, where relevant.

DM16.5 Parking and servicing standards

1. Developments in the City should be car-free except for designated Blue Badge spaces. Where other car parking is exceptionally provided it must not exceed London Plan's standards.
2. Designated parking must be provided for Blue Badge holders within developments in conformity with London Plan requirements and must be marked out and reserved at all times for their use. Disabled parking spaces must be at least 2.4m wide and at least 4.8m long and with reserved areas at least 1.2m wide, marked out between the parking spaces and at the rear of the parking spaces.
3. Except for dwelling houses (use class C3), whenever any car parking spaces (other than designated Blue Badge parking) are provided, motor cycle parking must be provided at a ratio of 10 motor cycle parking spaces per 1 car parking space. At least 50% of motor cycle parking spaces must be at least 2.3m long and at least 0.9m wide and all motor cycle parking spaces must be at least 2.0m long and at least 0.8m wide.
4. On site servicing areas should be provided to allow all goods and refuse collection vehicles likely to service the development at the same time to be conveniently loaded and unloaded. Such servicing areas should provide sufficient space or facilities for all vehicles to enter and exit the site in a forward gear. Headroom of at least 5m where skips are to be lifted and 4.75m for all other vehicle circulation areas should be provided.
5. Coach parking facilities for hotels (use class C1) will not be permitted.
6. All off-street car parking spaces and servicing areas must be equipped with the facility to conveniently recharge electric vehicles.
7. Taxi ranks are encouraged at key locations, such as stations, hotels and shopping centres. The provision of taxi ranks should be designed to occupy the minimum practicable space, using a combined entry and exit point to avoid obstruction to other transport modes.

DM17.1 Provision for waste

1. Waste facilities must be integrated into the design of buildings, wherever feasible, and allow for the separate storage and collection of recyclable materials, including compostable material.

2. On-site waste management, through techniques such as recycle sorting or energy recovery, which minimises the need for waste transfer, should be incorporated wherever possible.

DM18.1 Development in Flood Risk Area

1. Where development is proposed within the City Flood Risk Area evidence must be presented to demonstrate that:
 - a) the site is suitable for the intended use (see table 18.1), in accordance with Environment Agency and Lead Local Flood Authority advice;
 - b) the benefits of the development outweigh the flood risk to future occupants;
 - c) the development will be safe for occupants and visitors and will not compromise the safety of other premises or increase the risk of flooding elsewhere.
2. Development proposals, including change of use, must be accompanied by a site-specific flood risk assessment for:
 - a) all sites within the City Flood Risk Area as shown on the Policies Map; and
 - b) all major development elsewhere in the City.
3. Site specific flood risk assessments must address the risk of flooding from all sources and take account of the City of London Strategic Flood Risk Assessment. Necessary mitigation measures must be designed into and integrated with the development and may be required to provide protection from flooding for properties beyond the site boundaries, where feasible and viable.
4. Where development is within the City Flood Risk Area, the most vulnerable uses must be located in those parts of the development which are at least risk. Safe access and egress routes must be identified.
5. For minor development outside the City Flood Risk Area, an appropriate flood risk statement may be included in the Design and Access Statement.
6. Flood resistant and resilient designs which reduce the impact of flooding and enable efficient recovery and business continuity will be encouraged.

DM18.2 Sustainable drainage systems

1. The design of the surface water drainage system should be integrated into the design of proposed buildings or landscaping, where feasible and practical, and should follow the SuDS management train (Fig T) and London Plan drainage hierarchy.

2. SuDS designs must take account of the City's archaeological heritage, complex underground utilities, transport infrastructure and other underground structures, incorporating suitable SuDS elements for the City's high density urban situation.
3. SuDS should be designed, where possible, to maximise contributions to water resource efficiency, biodiversity enhancement and the provision of multifunctional open spaces.

DM21.3 Residential environment

1. The amenity of existing residents within identified residential areas will be protected by:
 - a) resisting other uses which would cause undue noise disturbance, fumes and smells and vehicle or pedestrian movements likely to cause disturbance;
 - b) requiring new development near existing dwellings to demonstrate adequate mitigation measures to address detrimental impact.
2. Noise-generating uses should be sited away from residential uses, where possible. Where residential and other uses are located within the same development or area, adequate noise mitigation measures must be provided and, where required, planning conditions will be imposed to protect residential amenity.
3. All development proposals should be designed to avoid overlooking and seek to protect the privacy, day lighting and sun lighting levels to adjacent residential accommodation.
4. All new residential development proposals must demonstrate how potential adverse noise impacts on and between dwellings will be mitigated by housing layout, design and materials.
5. The cumulative impact of individual developments on the amenity of existing residents will be considered.

SCHEDULE

APPLICATION: 18/00597/FULMAJ

Inner Temple Garden & Car Park Inner Temple London

Erection of two temporary buildings for a period of 22 months to facilitate the development proposed under 17/00077/FULMAJ (one located within the Inner Temple Garden (1100sq.m GEA) and one located within the Inner Temple Car Park (770sq.m GEA) to provide temporary accommodation for the displaced Treasury Building, Inner Temple Hall and Library functions (Sui Generis use comprising Offices, Education and Training, Hall and Library relating to the Bar and Inner Temple). Associated works to include the dismantling, storage and re-erection of one listed and one unlisted gas lamp and plinth and the provision of a temporary substation and creation of a service compound.

REASONS FOR REFUSAL

- 1 The proposals would result in less than substantial harm to the significance and setting of designated heritage assets including, the Temples Conservation Area, the Registered Inner Temple Garden, 2, 3, 3 North, 4, 5, 6 and 7 Kings Bench Walk, 8, 9, 10, 11 and 13 Kings Bench Walk, 1 and 2 Mitre Court and 1, 2, 3, 4, and 5 Paper Buildings and would be contrary to Local Plan Policy DM 10.1, CS 12, DM12.1, DM 12.2, DM12.5 and London Plan 7.8.
- 2 The proposed temporary structure within the Garden would have a detrimental impact on the enjoyment of the open space by reducing its quantum and quality and would be contrary to Local Plan Policy CS19.

INFORMATIVES

- 1 The Plans and Particulars accompanying this application are:
1074/03/0225 P3, 1074/03/0226 P3, 1074 03 0112 P3 , 1074/03/0110 P4, 1074 03 0113 P2, 1074 03 0120 P2, 1074 03 0125 P2, 1074 03 0220 P2 , 1074 03 0225 P2, 1074 03 0400 P2, 1074 03 0405 P2, 1074 03 0410 P2, 1074 03 0411 P2, 1074/03/0420 P2, 1074 03 0425 P2, 1074 03 0430 P2, 1074 03 0431 P2, UKPN: EDS 07-3102.01 Rev A, UKPN: EDS 07-3102.GE Rev A, UKPN: EDS 07-3102.GP Rev B