Background Papers

External

Letter Historic England 18.07.2018 and 21.11.2018

Representations

Mr Ian Luder - 26.06.2018

Ms lj 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



Ms Bhakti Depala City of London PO Box 270 Guildhall London EC2P 2EJ Direct Dial:

Our ref: P00939987

18 July 2018

Dear Ms Depala

T&CP (Development Management Procedure) (England) Order 2015 & Planning (Listed Buildings & Conservation Areas) Regulations 1990

INNER TEMPLE GARDEN & CAR PARK INNER TEMPLE LONDON EC4Y 7HL Application No. 18/00597/FULMAJ

Thank you for your letter of 21 June 2018 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

Significance

The application site falls within the Temples Conservation Area, which is noted for its long history and associations with the legal profession. The proposal affects two sites within the Inner Temple, as follows:

The first site is located on a grassed area at centre of the grade II Registered Inner Temple Gardens, which lie to the south of the Inner Temple buildings. These gardens have a long history dating back to the 1300s, when they were originally set out in association with the monastery of the Knights Templar. Despite subsequent phases of building works within the Temples, the gardens have remained largely open throughout their history. The existing landscaping was implemented in the 19th century, when the gardens were extended to include part of the new Victoria Embankment, and comprises large areas of open grass with perimeter trees and planting beds. The gardens are considered to be of high heritage significance due to their long history and aesthetic design, which provides a key point of green relief in an otherwise built up area of the City of London. The gardens also allows for views between the Victoria Embankment and the Temples, thereby making a significant contribution to the setting of the conservation area and a number of listed buildings within the conservation area.

The second site lies to the west of King's Bench Walk and comprises an open







courtyard area that is currently used for car parking. This car park contains a number of mature trees and is framed on the north and east sides by legal chambers, including a number of grade I listed late 17th century buildings over 4 storeys with attics and basements. These highly significant listed buildings are finished in brown brick with red brick detailing and groups of sash windows.

Notably, the designation document relating to the Inner Temple gardens states that the gardens and squares were excluded from the London Squares Preservation Act of 1931 on the undertaking that the Benchers would preserve these as permanent open spaces.

Impact

The proposals are for the erection of two temporary structures for a period of 22 months to facilitate the proposed development of the Treasury Building, Inner Temple Hall and the Library by providing decant accommodation. The first building would be located within the Inner Temple Registered Park and Garden and would be a single storey structure with a ground area of approximately 1,100 square metres. The second building would be located in the parking area to the west of King's Bench Walk and would be a two storey structure providing approximately 770 square metres of accommodation. Both structures would be clad in white panels with areas of fenestration.

Legislation and Policy

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) set out the obligation on local planning authorities to pay special regard to safeguarding the special interest of listed buildings and their settings.

The National Planning Policy Framework (NPPF) guides our decision making on how to safeguard the historic environment in planning decisions. In this case, paragraph 134 of the NPPF is considered to be most relevant and refer to the requirement to weigh harm against the public benefits of proposals. Paragraph 131 of the NPPF refers to new development sustaining and enhancing the significance of heritage assets and making a positive contribution to local character and distinctiveness; paragraph 132 refers to the of a proposed development on the significance of a designated heritage asset, including development within its setting; and paragraph 137 also states that local authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance.

Position

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 Librarym 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.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

This response relates to designated heritage assets only. If the proposals meet the Greater London Archaeological Advisory Service's published consultation criteria we recommend that you seek their view as specialist archaeological adviser to the local planning authority.

The full GLAAS consultation criteria are on our webpage at the following link:

https://www.historicengland.org.uk/services-skills/our-planning-services/greater-london-archaeology-advisory-service/our-advice/

Yours sincerely

Claire Brady
Inspector of Historic Buildings and Areas
E-mail:







Ms Bhakti Depala City of London PO Box 270 Guildhall London EC2P 2EJ **Direct Dial:**

Our ref: P00939987

21 November 2018

Dear Ms Depala

T&CP (Development Management Procedure) (England) Order 2015 & Planning (Listed Buildings & Conservation Areas) Regulations 1990

INNER TEMPLE GARDEN & CAR PARK INNER TEMPLE LONDON EC4Y 7HL Application No. 18/00597/FULMAJ

Thank you for your letter of 1st November 2018 regarding further information on the above application for planning permission. On the basis of this information, we offer the following advice to assist your authority in determining the application.

Historic England Advice

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.

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 and 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.

This response relates to designated heritage assets only. If the proposals meet the Greater London Archaeological Advisory Service's published consultation criteria we recommend that you seek their view as specialist archaeological adviser to the local planning authority.

The full GLAAS consultation criteria are on our webpage at the following link:

https://www.historicengland.org.uk/services-skills/our-planning-services/greater-london-archaeology-advisory-service/our-advice/

Yours sincerely	
Olaina Pro des	
Claire Brady	
Inspector of Historic Buildings and Areas	
E-mail:	





Application Summary

Application Number: 18/00597/FULMAJ

Address: Inner Temple Garden & Car Park Inner Temple London EC4Y 7HL

Proposal: 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 (1100 sq.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.

Case Officer: Bhakti Depala

Customer Details

Name: Mr Ian Luder

Address: members room Guildhall London

Comment Details

Commenter Type: Councillor

Stance: Customer objects to the Planning Application

Comment Reasons:
- Residential Amenity

Comment: This application is unnecessary and threatens the sanctity of the Inner Temples Garden which is enjoyed and used by thousands during the course of any year. It is lazy because the applicant could provide the temporary buildings on hard standing in the existing car park areas, thus reducing pollution during the building period. Although I accept some of the younger plane trees would have to be removed, they could be replaced afterwards, and there would not be the long term damage which would arise from the compacting of the earth and grassed areas of the garden.

I am the Alderman for the adjoining ward of Castle Baynard. It is a pity that the Corporation's own form does not recognise this, and that there is not a category of comment entitled "amenity" rather than "residential amenity"

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Case Officer: Bhakti Depala

Customer Details

Name: Ms lj young

Address: inner temple london

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Residential Amenity
- Traffic or Highways

Comment: This garden is a precious, unique oasis in the heart of the City of London. It is a garden of exceptional historical significance. It is protected by law and listed. Building such a large structure in such a space would cause harm to the special nature of this open space and breaches the policies designed to protect it. it also removes a large part of the garden from use for two years. Further it will create noise and disturbance by way of traffic, power generation and site huts.

To harm a garden as renowned as this by digging drains and associated works is nothing less than an act of vandalism based upon commercial expediency. There is a large car park adjacent to the site upon which all such structures could be placed.

I urge the planners to adhere to the terms of the local plans and policies and reject this application.

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Case Officer: Bhakti Depala

Customer Details

Name: Mr David Steel

Address: 10 Fleet Street London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:
- Residential Amenity

Comment:Any project on this scale will always overrun. So we are talking a bout a period of over 2 years in which access to the Inner Temple and the garden will be severely restricted and the general amenity compromised. There are obvious objections to the underlying scheme to be taken with the concern caused by the Inner Temple investing almost its entire financial reserves to get the availability of an auditorium and other rooms for educational purposes. If the underlying scheme is accordingly unsound it is right to prevent its development by eliminating the entitlement to have temporary accommodation on this scale

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Case Officer: Bhakti Depala

Customer Details

Name: Mr Richard Buxton

Address: 40 Arlington Avenue London

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:
- Residential Amenity

Comment: I have been a member of the Inner Temple for 55 years and a bencher for 26 years. As such, it gives me no pleasure to have to object to the proposal to put a substantial building with an industrial grade catering operation into the Grade II listed garden.

The Inn claims that the building is necessary to enable it to continue to perform its core functions and retain its staff during the development of the Treasury Building. It is for a developer to make arrangements for its activities and for its staff. If it does not make provision in advance it cannot then ask the planning authority to bail it out by permitting further development to which there are serious objections on planning grounds. Nor is it correct that the Inn's core functions cannot be performed without the building in the garden. Student needs, including refreshment and library services, could be met by collaboration with the Middle Temple. Education and Training could take place out of court hours at the Law Courts.

What could not be continued are the "external events of a commercial nature" [Justification Statement para 5], in particular involving catering. It is for this purpose that the garden building is required. The operation will be very intensive, as is shown by the employment of 40 permanent and 30 temporary catering staff [Justification Statement, para 41]. A less appropriate use for a Grade II listed garden could hardly be imagined.

The building will seriously degrade public access to and enjoyment of the garden. The Inn argues

that the garden is private property from which it could exclude the public at any time [Justification Statement, para 42]. This argument is very unattractive and completely unrealistic. It is inconceivable that the Inn would risk the public opprobrium that would follow from the reversal of many decades of public access. The City's officers were quite right to say that in reality the building would cause the loss of a highly valued public amenity.

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Case Officer: Bhakti Depala

Customer Details

Name: Mr Richard Buxton

Address: 40 Arlington Avenue London

Comment Details

Commenter Type: Other

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment: The new proposals do not address the serious objection to this development, that it will place a commercial catering operation employing 40 permanent and 30 part-time staff, and inevitably with very heavy traffic of customers, materials and waste, into the middle of a grade II listed garden. That maintenance of that catering operation is a principal object of the building in the garden is shown by the developer's recurrent objection to alternative sites being that they will not accommodate catering. The developer has given no answer to this wholly inappropriate use of a grade II listed amenity.

The new proposals do seek to meet English Heritage's concern about the development's visual incompatibility with the Inn's existing buildings. But the brown building now proposed will physically intrude into the garden just as much as the original white building did, and be just as objectionable on planning grounds.

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Case Officer: Bhakti Depala

Customer Details

Name: Mr Robin de Wilde

Address: 83, Woodstock Road Chiswick London

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Residential Amenity

Comment: I am also a Bencher and and a member of the Inner Temple.

I regard the erection of temporary premises in the Inner Temple Garden as a wanton act of sacrilege, to a longstanding feature of the Inn, which, over the last ten years or so, has enjoyed a renaissance.

The temporary structure will cause great damage to the Garden and that damage will take a considerable period to be recovered from, if it can ever be restored to it's present state.

There must be some other valid way of achieving the same intention. If there is not, then an act of rejection should make the sponsors think again about their proposal.

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Case Officer: Bhakti Depala

Customer Details

Name: Mr Dale Martin

Address: Littleton Chambers 3 Kings Bench Walk North, Temple London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Other
- Residential Amenity

Comment:I agree entirely with the comments of Sarah Prager, to which there is little I can usefully add. I am also a member of the Inn and work at a Chambers that will overlook the proposed temporary library monstrosity. The proposals will be hugely disruptive and will blight the area for a number of years.

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Case Officer: Bhakti Depala

Customer Details

Name: Miss Sarah Prager

Address: 1 Chancery Lane London

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment:I am also a member of Inner Temple but regret to say that I cannot support the Inn on this occasion. These structures, although temporary, will be in place for some considerable time, and during that time there will be less parking in the Inn and, much more importantly, members of the public and of the Inn will be denied access to the garden, which represents a significant amenity. I share the fears of others who object that the garden will take a very long time to recover from the placing of the structures and the works necessary to erect and run them; if indeed it does. The character of the Inn, which is of course listed, will be entirely altered by these buildings, which are utterly unsympathetic to their surroundings.

In short, the buildings are not in keeping with the listed buildings around them; they will damage the environment in which they are placed; and they are unnecessary. The Inn has other options and should take them.

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Case Officer: Bhakti Depala

Customer Details

Name: Mr Gregory Dorey

Address: 3 Pair South, 4 Paper Buildings King's Bench Walk, Inner Temple London

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

- Other

Comment: I am Sub-Treasurer of Inner Temple and a Resident. If the remodelling of the Inn's Treasury Building goes ahead, in line with the planning permission already granted, the proposed temporary structures sought by way of this application represent the only sensible and practical way to maintain the Inn's extensive programme of education and training events and keep together the team of staff while it is unable to occupy the Treasury building. Other options have been exhaustively pursued but none of them offer remotely satisfactory alternatives. It is proposed that public access to the gardens will remain while the structure is in place and professional advice is clear that there will be no damage to trees or significantly negative impact on the soil: those who suggest that substantial, long-term damage to the gardens will result are in conflict with that independent professional advice. The opportunity will be taken to improve drainage, irrigation and planting in the garden and to host horticultural events. The structure will have a low profile and temporary planting schemes will lessen the visual impact. In the case of the separate structure on the car-park, the loss of parking spaces is estimated at only some 30%. (This is more than adequate for the 150 annual car park permits currently in circulation, and a recent survey has demonstrated that a maximum of only 50% of those permits issued use the car park at any given time.) That structure can be accommodated without any damage to the trees in that area. Both of the structures have been conceived to be reusable after their removal from Inner Temple, making

them environmentally-friendly, sustainable options.	

2 Mitre Court Inner Temple London EC4Y 7BX

1 2 JUL 2018

11 Jul 2018

Dear Siv

18/00597/FULMAT

the flat at 3 Pair west, orbited to the application described in jaw letter of dated 22 Time 2018 on the ground Not the bull Severally encurach on our anyment of the green open space known as I was Teurolo Garden, for a perior of vot len than 22 maths.

2 Mitre Court Inner Temple London EC4Y 7BX

18/00597/ FULMAJ

12 Number 2018

RECEIVED
1 3 NOV 2018

Dear Bhakti

an A vensed plan. I walk so quateful it the plutty paper out be copied and availated away those taking part in the deasion. I ar assuming I mill so on 18 December, when I hope to attend. Please let me law if the date is clarged. Then menty in I

From Rt Hon Lord Lloyd of Berwick 2 Mitre Court Inner Temple EC4Y 7BX

Your Ref 18/00597/FULMAI

12 November 2018

RECEIVED

1 3 NOV 2018

Thank you for your letter of 30th October. In my original objection I may have mentioned that I was called to the Bar by the Inner Temple in 1955 and was elected Treasurer in 1999. But I write now as a resident.

Recently I spent two hours at the Planning Reception going over the original application, and the papers and plans which have now been submitted in support of the revised application. I would like to thank the Department for their help and courtesy in copying two or three of the documents for me to take away.

I acknowledge that the Inn has now conceded that a "bespoke imish" in brick colour, which the Inn originally resisted on "sustainability grounds", would be acceptable: see para 1.13 of the Addendum. The Inn has also adopted the suggestion of Historic England that the building should be surrounded by bushes and small trees. No doubt these concessions would improve the visual appearance of the building. But they would not begin to meet the main objection, which is the size of the building in relation to the grassy area, ie the area not covered by trees, in the centre of the garden.

This is best shown by Manalo & Whites plan 1074/03/0110 Revision P4. The building would occupy the whole of the grassy area at the very centre of the garden. It is an area currently enjoyed by members of the public for their picnics on summer afternoons from 12noon to 3pm.

Some of the photographs in the Heritage Impact Statement prepared by KM Heritage (see para 3.1 of the Addendum) are taken from the southeast corner of the garden, and may give the impression that the building will be tucked away in a corner to the northwest, leaving plenty of room for the public.

But this would be misleading, as is shown by the photograph which I enclose. It shows a typical summer afternoon when upwards of a hundred members of the public were enjoying their picnics in the sun. They would never forgive us if they were confined to the shady areas under the trees, from which in any event the Head Gardener normally tries to exclude the public for the sake of the trees. As for the time limit of 22 months proposed by Historic England we have all had experience of building operations over-running; what then?

So far as I know there is no other garden of a similar size in the City where the public can enjoy the peace and quiet of a summer afternoon, and which the residents of the Temple can enjoy at all times. I therefore hope that the Planning Committee will reject the revised application.

Yours sincerely

Lloyd of Berwick

PS As for the letter from Richard Snowden dated 26th October, I accept that we would lose our excellent catering team if we were to go ahead without a building in the garden. But I have no doubt that the Middle Temple and Lincolns Inn would come to the rescue if asked; and the Education and Trainibg office in 2 Kings Bench Walk will continue to provide a collecting point for our students.



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Case Officer: Bhakti Depala

Customer Details

Name: Dr M Malecka Address: Temple London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Other
- Residential Amenity
- Traffic or Highways

Comment:The damage to this precious green space in the City is unwarranted. The building and surrounding access to the building will compact the soil irreparably, as well as endangering the trees in this beautiful listed Garden. While the Application shows that best efforts are expected to be made, experience has shown that heavier lorries than expected make deliveries, that usage and footfall will inevitably extend outside the footprint of the building to the detriment of the trees. Little or no consideration has been given to the effect on Tenants of the Inns. A recent meeting with Residential Tenants showed that no consideration has been given to loss of amenity to Residents. The Residents were told it was a fait accompli that the project was going ahead, and were given the impression that the resulting compaction and damage to the Garden is an opportunity to put in irrigation.

At the recent Residents' meeting with the Pegasus group, an analogy was drawn with Lord's Cricket Ground where after use for Archery during the Olympics, it was a simple matter to returf; however, this is a deceptive analogy as in our Garden's case there will have been serious irreparable compaction and other damage to this historic Garden and simple returfing will not do.

The Inn can "cut its garment to fit the cloth it has" - there are a number of alternative solutions to
providing further accommodation which do not involve using the Garden for temporary structures.

Third Floor South
2 Dr Johnson's Buildings
Temple
London EC4 7AY

19th July 2018

Application 18/00597/FULMAJ

Dear Ms Depala,

I am a resident in the Inner Temple and a Bencher of the Inn but write in a personal capacity only.

I refer to the above application and would ask that the following observations be considered:

The description of development

- 1. The description of development refers to "erection of two temporary buildings for a period of 22 months ..." the accompanying documentation is inconsistent. Some documents refer to a "maximum" of 22 months¹, some to "circa 22 months" (e.g. Design and Access statement para 1.2). The description thus requires clarification.
- 2. The reality is that there can be no guarantee that the period will not exceed 22 months; and building projects frequently overrun.

¹ From recollection either the Transport Statement or the Delivery and Servicing Management Plan, but neither document is currently available online.

The basis of the officer's report and of the Committee's resolution in July 2017

- 3. In July 2017 the City's Planning and Transportation Committee resolved by 14 votes to 12 to grant planning permission in respect of Planning Application 17/00077/FULMAJ. The majority of the Committee accepted the officer's recommendation that planning permission be granted subject to conditions including condition 17. That condition prohibits the use of Inner Temple Garden for temporary structures during construction.
- 4. In paragraph 148 of the officer's report (July 2017), the officer explained the reasoning for the recommended imposition of this condition:
 - "It is considered that the use of Inner Temple Garden for temporary structures would cause harm to the special character of the Garden, impact on the amenity of the area by removing part of the garden from use and would impact on the character and appearance of the Temples Conservation Area."
- 5. Removal of part of the garden from use and use of the Garden for a large temporary structure is now proposed.
- 6. The present application undermines the basis for the officer's recommendation and for the resolution of the Committee.
- 7. It is regrettable that the City's officers did not, despite request, require the proposals for the temporary structures to be submitted as part of application 17/00077/FULMAJ so that the full impact of the proposed development could be considered at the same time.
- 8. The officer's conclusion in 2017 (paragraph 4 above) also reflected the views of the City's Director of Open Spaces, whose views were drawn to the Committee's attention at paragraph 29 of the officer's report:
 - "The Inner Temple Gardens are listed and a protected open space that is a highly valued public amenity. The Director of Open Spaces wishes to register that the use of the Inner Temple Gardens would be inappropriate and that

- serious consideration should be given to the use of existing hard surfaced areas in preference to the loss of any green space."
- 9. The submitted documentation suggests that the footprint of the structure proposed in the Garden alone would be some 1,100 sq m (11,840 sq ft), with a ridge height of 6.3 m (20 feet), plus an additional 160 sq m (1,722 sq ft) of external compound, totalling some 1,260 sq m (13,562 sq ft).
- 10. In addition Figure 4 of the submitted Archaeological Impact Report (April 2018) discloses the extent of the proposed services (drainage, potable water, waste water, electricity and data, whether via pipes or cables) required to be installed in and through the Garden.
- 11. The present proposal 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 the application."

Access to the Garden by the public

- 12.I have read online the representations in particular of Sir Richard Buxton and add only 2 points.
- 13. Firstly, in respect of Sir Richard's comments that "The Inn argues that the garden is private property from which it could exclude the public at any time [Justification Statement, para 42]. ..." I attach a copy of the debate on the second reading of the London Squares Preservation Bill in March 1931.²

² For the avoidance of doubt, it is not suggested that the development is precluded by the London Squares Preservation Act 1931. Historic England's website states that: "On the undertaking that the Benchers would preserve the Garden and squares as permanent open spaces, they were exempted from the provisions of the London Squares Preservation Act. 1931."

- 14. It is clear from Lord Darling's speech that the Inn had as at 1931 for many years (as it has of course for many years since) "throw[n] the land open as far as can possibly be done to the people, and especially to the children of the neighbourhood ..."
- 15. Secondly, I refer to the London Plan which of course defines "open space" (in the Glossary) as:

"Open space

All land in London that is predominantly undeveloped other than by buildings or structures that are ancillary to the open space use. The definition covers the broad range of types of open space within London, whether in public or private ownership and whether public access is unrestricted, limited or restricted."

- 16. So the garden is clearly an "open space" for planning purposes. The Garden is undoubtedly an important open space in the City. Whilst it is stated that access to the Garden by the public will still be permitted, there will inevitably be a significant reduction in usable open space for approximately 2 years.
- 17. No alternative open space is offered. Policy 7.18 B of the London Plan provides that:

"The loss of protected open spaces must be resisted unless equivalent or better quality provision is made within the local catchment area. Replacement of one type of open space with another is unacceptable unless an up to date needs assessment shows that this would be appropriate...."

and the City of London Plan Policy CS19 seeks:

"to maintain a ratio of at least 0.06 hectares of high quality, publicly accessible open space per 1,000 weekday daytime population".

Yours sincerely,

Richard Humphreys

HOUSE OF LORDS.

London Squares

Wednesday, 4th March, 1931.

The House met at a quarter before four of the clock, The LORD CHANCELLOR on the Woolsack.

BUSINESS OF THE HOUSE.

VISCOUNT HAILSHAM: My Lords, I do not know whether before we start business the noble Lord will allow me to ask a question with regard to to-morrow. I understand that so far as the Paper is concerned there is practically no business down for the House to-morrow, and I do not know whether in those circumstances he thinks it necessary for this House to meet.

PARLIAMENTARY SECRE-THE TARY OF THE MINISTRY OF TRANS-PORT (LORD PONSONBY OF SHULBREDE): My Lords, I have not had an opportunity of consulting with my noble friend Lord Passfield, but I feel pretty sure that as there is no business down for to-morrow it would be consulting the convenience of the House if we did not sit again until Tuesday of next week.

LONDON SQUARES PRESERVATION BILL. [H.L.]

THE MARQUESS OF LONDONDERRY: My Lords, I beg to move, That Standing Order No. 91 be considered in order to its being dispensed with in respect of the said Bill.

Moved accordingly, and, on Question, Motion agreed to.

THE MARQUESS OF LONDONDERRY: My Lords, it is now my duty to move the Motion which stands in my name, That the Bill be now read a second time, on behalf of the London County Council, and I esteem it a great privilege that the London County Council should have asked me to do so. I do not think there will be any necessity for me to detain your Lordships at any undue length because I am under the impression that the general principle of the Bill is accepted, although there is a Motion for the rejection of the measure in the name of my noble friend Earl Howe.

I think that I should mention briefly the successive events which have preceded the presentation of this Bill to Parliament. Your Lordships will probably be aware that a few years ago there was considerable apprehension concerning the open spaces in London by reason of the fact that Endsleigh Gardens and Mornington Crescent were built over in connection with schemes for rebuilding. In view of this happening the London County Council were gravely concerned and they asked His Majesty's Government to set up an inquiry with regard to the enclosures in London, and a resolution was passed to this effect in April. 1927. That resolution ran in the following terms:-

"That the Council would welcome provision for the maintenance of existing amenities in relation to squares and enclosures in London; that, as a necessary preliminary to early legislation, His Majesty's Government be requested to institute an inquiry into the present posi-tion in regard to public and private rights and duties in relation to the squares and enclosures in London with a view to such complete information being obtained as will enable an equitable scheme for dealing with them to be formulated; and that the Government be urged to pass emergency legislation preventing the erection of buildings on such squares and enclosures pending the result of the inquiry.'

The direct result of that was that the late Government instituted a Commission over which I had the great honour of presiding.

That Commission recommended that early legislation should take place, and they certainly contemplated that there would be legislation. The Council also understood that the Government would initiate legislation. The late Government were unable to promote that legislation, but in November, 1929, after the present Government had come into power, notice was given by The Times that it was the Government's intention to introduce legislation, and it was not until July 24 of last year that the Council were in formed by the Minister of Health that, owing to the many Government commitments, it would be impossible for him to bring in a measure dealing with this very urgent question of the open spaces in London; but the Government did suggest that the London County Council should undertake the duty themselves. July, therefore, the Council decided to seek powers-the powers which are emodied in the Bill now under consideraion. The scope of the Bill is necessarily
omewhat limited. It was considered
hat the matter was a very urgent one,
and that it was very desirable that legisation should be initiated. Therefore,
n view of that urgency, the Council have
imited their proposals to the main recommendations, and have not gone so far
as to include in the Bill the other and
minor recommendations which have been
put forward by the Royal Commission.

The principal object of the Bill, as your Lordships are aware, is to preserve the squares, gardens and enclosures, which number 456, included in Appendix III of the Royal Commission's Report. It was not thought practicable, consistently with bringing forward an early Bill, to deal with certain less important recommendations covered by the Report of the Royal Commission. It is felt that if the Bill which is now submitted is enacted in the form suggested there would be time afterwards to bring in further legislation in the hope of enacting the further recommendations which appear in that Report. There is one point which I would venture to make, and that is that it is an interesting commentary on Royal Commissions that, whereas we think that Royal Commissions usually take a very long time to report, and are usually abortive at the end, here there is legislation being initiated after a Royal Commission, and we can hope that one Royal Commission, at all events, will have been responsible for the establishment of legislation in which everybody is interested and which we feel sure will be enacted for the benefit of all concerned.

The Royal Commission in their Report, on page 38, stated that for the purpose of considering whether or not a claim for compensation should be admitted on account of restrictions which it was recommended should be imposed on the enclosures in private ownership, it was proposed to divide them into three groups: (1), those in respect of which special Acts of Parliament had been passed relating to their maintenance and management; (2), those which are vested jointly in the freeholders of adjoining houses or in respect of which surrounding freeholds have been sold with rights of user or where there are other restricted covenants against building; and (3), the remaining enclosures

set out in Appendix X of the Report of the Royal Commission. In the Bill it will accordingly be found that there are set out in Part I of the Schedule those squares which come under the two firstnamed heads and which it is proposed should not be subject to compensation. The squares in which the Royal Commission decided that there would be possible claims for compensation are set out in Part II of the Schedule. The matter of compensation is one which I need not deal with very fully now. It is dealt with in Clause 5, but I think it would be of interest to your Lordships to know that we did receive on the Commission very valuable information, and from a reliable source, that a definite opinion, or as definite an opinion as could be formed, was that the compensation would in all probability not exceed £600,000. This may seem to your Lordships a very modest sum, and I think that, when one has been able to consider this question, and to realise the number of the squares which are governed by Act of Parliament, and also those squares which have become vested in trustees, it will be found that if compensation is claimed, that sum would be a far smaller sum than perhaps at first sight one would be likely to think.

The scheme of the Bill is that ab initio building shall be restricted on all squares. As regards the squares set up in Part II of the Schedule, provisions appear in Clause 5 for dealing with the settlement of claims. It may well be, and from the Petitions which have been presented against the Bill I understand that it is the case, that the owners of some of the squares which are included at present in Part I of the Schedule should, having regard to the lines of demarcation laid down by the Commission between compensation and non-compensation squares, be included in Part II of the Schedule. We put in our Appendices, which correspond to Part I of the Bill, certain squares which, as we deem, were not entitled to compensation. Your Lordships will understand that the owners of those squares, in view of what may happen in the future, on consideration, for instance, of their duties trustees, which they feel they must consider, may feel that their inclusion in Part II of the Bill justifies the cases which they are able to present. But I 239

think I am right in saying that all these matters are in process of being dealt with between the London County Council and those interested, and that those negotiations are of a completely friendly character. I have very little doubt that when the Committee stage is reached we shall find that those differences are very easily adjusted between the parties concerned.

The material clauses of the Bill are The Royal Com-Clauses 3, 4 and 5. mission recommended that the enclosures in our Appendix III should be reserved gardens or pleasure ornamental grounds or as grounds for play, rest, and recreation, and that the erection of buildings other than those necessary or convenient for the enjoyment of the lands for those purposes should be prohibited. Effect is given to this recommendation in Clause 3 (1) of the Bill. This clause also contains provisions, as recommended by the Commission, for controlling the use of the subsoil of protected squares, in cases where such use would interfere with the surface or the amenities of the square. Provision is also made therein to empower the Council to enforce the restrictions which are proposed to be imposed upon protected squares, as recommended by the Royal Commission. Clause 4 gives effect to the recommendation of the Royal Commission that the owner for the time being of an estate of which any of the enclosures form part should not be prevented in connection with the redevelopment of his estate, from building on the enclosure, provided an alternative open space certified by the Council or, on appeal, by the Minister of Health to be equally advantageous to the public, having regard to its situation, its extent and amenities, is reserved to which the restrictions applicable to the original enclosure would apply.

Clause 5 contains provisions for dealing with the settlement of claims for compensation. The provisions are drawn on the lines of the recommendations of the Royal Commission and would enable the Council, in the event of compensation awarded being more than they were prepared to pay, to decline to pay compensation or to limit the area to which the restrictive provisions should apply. In such event, the Council would be required to pay the claimant's costs of any arbitration, and if the area of the

enclosure to be subject to the restrictiva provisions were reduced, the owner would be entitled to make a further If in either case—and this is claim. important the Council does not see its way to pay the compensation awarded the square would cease to be protected under the Act. The remaining clauses of the Bill are mainly machinery or an cillary to the operative Clauses 3, 4 and We made it clear in the Report of the Commission that we were of opinion that any legislation which might be in. troduced should leave unaltered the present inheritance or property in the squares affected. We further expressed the view, which is consistent with this principle, that no provision should be made for the compulsory user by the general public of the squares when pro-The Bill certainly carries out the views of the Commission in these very important respects.

I understand that seventeen Petitions have been deposited against the Bill and active negotiations have been proceed ing between the promoters and many of the Petitioners with a view to seeing what measure of agreement can be reached as regards the objections which have been taken to the different provisions in the Bill. So far as regards the main object of the Bill-the preservation of the squares from buildings-I think it is not unfair to say that there is a very large measure of agreemen't and sympathy with the objects which the Council has in view. Objections relate essentially to what may be termed "clause questions," and to the inclusion or non-inclusion of certain enclosures in the Bill. The whole of the squares covered by the Royal Commission in their recommendations numbered 461, and these are all included in Appendix III of the Commission's Report. There are five squares which are dealt with separately, to which I need not refer at this moment. The Commission suggested that the whole of these 461 squares, with those five exceptions, should be dealt with in any legislation which might be promoted The Petitions relate to only 131 out of the 223 squares which are included in Part II of the Schedule. Taking account of certain squares in respect of which Petitions have not been presented, but as regards which negotiations are proceeding between the promoters and those

The Marquess of Londonderry.

interested, I think it may be said that no objection is taken to the proposals contained in the Bill so far as respects 285 squares. I only mention these figures to emphasise that it is broadly true to say that this important Bill has met with opposition and criticism only on points of detail.

In view of the public attention which has been directed to the case of certain particular classes of enclosure covered by the Bill, and also certain specific provisions in the Bill which are general to all the squares covered by it, it may be of interest to the House if I make a few observations on some of the special cases. A number of enclosures included in the Schedules are in the possession of the Crown and of the Duchy of Cornwall. The County Council fully realises the difficulty of making these enclosures subject to the jurisdiction of the Council, as would be the case if they were included in this Bill without qualification. Negotiations are proceeding with the Government Departments concerned with a view to including provisions in the Bill which will overcome this difficulty and, at the same time, protect the situation in the possible event of the enclosures passing into other hands.

The Council has also been in negotiation with the representatives of the Inns of Court. This is a very important matter and I have no doubt your Lordships read the letter which appeared on February 10 and was signed anonymously dealing with all these enclosures in the hands of the Inns of Court. The promoters of the Bill have been endeavouring to meet the objections raised by the Inns of Court to the inclusion in the Bill of the enclosures which belong to them. Whilst it is felt by the Council to be desirable to retain these enclosures in the Bill as recommended by the Royal Commission, owing to the desirability of having regard to the contingency, however remote that may be, of the gardens belonging to the Inns passing into other hands (I think it is a very remote contingency), it has been suggested that provision should be made in the Bill that the measure shall not apply to the squares belonging to the four Inns so long as they are in the possession of the Inns and are used for their purposes. It is hoped that it may be possible to reach a settlement somewhat on these lines. Your Lordships fully realise, I am sure, that there is no intention of interfering with these particular properties which have been in the hands of the Inns for hundreds of years, and there is no question that whatever is done with that property will be done in the interests of the community at large. So I hardly think there need be any apprehension that a very satisfactory settlement will not be reached between the County Council and the representatives of the Inns of Court.

In their Report the Royal Commission expressed the opinion that any legislation that might be promoted should give a certain freedom of action to the owners of garden squares to utilise the subsoil thereof, subject to such user not unduly interfering with the amenities of the enclosures. The promoters naturally have given very careful consideration to this question in connection with the objections which have been raised by certain Petitioners and by others with whom they have been in negotiation, on the ground that subsection (2) of Clause 3 of the Bill is unduly restrictive as at present framed. Amendments to the Bill are now under consideration which it is hoped will meet the objections which have been raised on this score and leave the owners in a position of reasonable liberty as regards their rights with respect to the utilisation of the subsoil of the protected squares.

I mention this question as I understand that the noble Earl, Lord Howe, in whose name the Motion for the rejection of this Bill stands, has taken the step he has taken not because he is in any way opposed to the principle of the Bill but because he is anxious, and rightly anxious, that it should be modified on lines which will permit of the subsoil of some of the squares affected being utilised for the construction of underground garages, with a view thereby of mitigating some of the traffic congestion difficulties which are such a pressing problem in the central areas of London at present. If the Bill in this respect is altered on the lines which have been discussed between the Council and some of those who have raised the question, I think that my noble friend will find his point substantially met. It is felt that it would be somewhat invidious to refer in the Bill to any particular purpose for which the subsoil of the enclosures might 243

be used; but altered as now proposed, it seems clear that, in suitable cases, it would be practicable within the four walls of the Bill to give effect to the objects he has at heart.

I have no intention of trespassing further upon your Lordships' attention. I have endeavoured to explain the genesis of the Bill and the objects with which it has been promoted. I hardly think there is any Londoner or any one interested in our great City who would not view with apprehension the possibility of any serious encroachment on the existing open spaces within its boundaries. Past events have shown clearly and beyond question the need of protective legislation and that is why I for one welcome the action of the County Council in bringing forward legis-The Royal lation in this connection. Commission was appointed specifically to enquire into the matter and to find out how this object could best be achieved. The Council has produced this Bill which is intended to carry out the primary object for which the Commission was appointed and to achieve which that Commission laid it down that early legislation was imperative.

The reception which the Bill has met with justifies, as I have said, the view that there is practical unanimity on all hands as to the desirability of passing early legislation to protect the squares Objections of London from building. have been raised to this point and that point in the Bill. Those objections, having regard to the magnitude of the subject, I think it is fair to say, are neither extensive nor fundamental. venture therefore to ask the House to give a Second Reading to the Bill so that it may go to a Committee where it will be open to all who have objections to raise regarding any particular point in connection with the Bill to state their case fully and, if the Committee see fit, to obtain such consideration as the circumstances may justify after investigation. I beg to move that this Bill be now read a second time.

Moved, That the Bill be now read 2a .-(The Marquess of Londonderry.)

EARL HOWE had given Notice that on the Motion for the Second Reading he would move, That the Bill be read 2ª this day six months. The noble Earl said: My Lords, I should be grateful if you would allow me to explain why I placed on the Paper a Motion to reject It was simply, as the noble this Bill. Marquess has said, that I was not clean whether power would be given in Clause 3 to certain undertakers to construct underground garages in certain of the London squares. Everybody knows the state to which some of our squares have been reduced, notably St. James's Square. I think most people will agree that the motor vehicles stand. ing in those squares do not add to the amenities and it would be very much better if they could be put somewhere else. Therefore, if we could possibly con struct garages under certain of the London squares while duly safeguarding the surface, in particular the trees upon the surface, I think it would be very much to our benefit. The London County Council, I understand, are quite ready to meet this point and to insert Amend. ments during the passage of this Bill in Committee, and therefore I do not desire to press the matter any further.

LORD PONSONBY OF SHULBREDE: My Lords, I think the noble Marquess who moved the Second Reading of this Bill is doubly to be congratulated upon having produced the Report of the Royal Commission of 1928 and having so speedily taken the matter up by introducing a Bill into your Lordships' House. I think it is a matter about which there is some urgency. Preservation of the squares of London, which are unique in their character, has become very much required, because, owing to modern development and the speed with which modern buildings are erected the danger to some of these squares is really of a pressing character. If we want to preserve them there is no doubt that special legislation of this kind is necessary. The sort of case to which I would draw your Lordships' attention is quoted on page 101 of the Report, in which the Commission say that for the past dozen years the square has been fighting for its life against the growing power of a certain commercial firm. I will not mention the name of the square or the name of the firm, in case, while this legislation is proceeding, they may take further steps to take over the square. But that is the danger.

The encroachment of commercial buildings over these squares has become a question which has to be dealt with at

The Government had intended to bring in a Bill, and had prepared one soon after coming into office, but, unfortunately, pressure of time prevented that Bill from being introduced. It was to have covered approximately the same lines as the Bill explained by the noble Marquess, although perhaps on the subject of compensation the Government Bill might not have gone as far as the County Council Bill goes. But as this Bill is one introduced by the authority who will have to pay the compensation, and the compensation provisions are an integral part of the Bill, the Government are certainly not disposed to object, but I may say that it is our opinion that there is no case for extending any further the right of the claim to compensation beyond the proposals that are now in the Bill. The noble Marquess did mention one point, which I should like to repeat, with regard to Crown property. I think there are three or four squares which are Crown property, and, as he rightly said, Crown property cannot be placed under the jurisdiction of a local authority, but I understand from what he said that negotiations are proceeding between the Government Departments concerned and the promoters of the Bill, and that the necessary Amendments to meet this point will be put into the Bill, in which case it will be quite satisfactory.

I was glad to hear the noble Marquess say that any opposition there had been to the Bill was really only on points of detail, and I very much hope that these will be overcome in the Committee stage. I should like to be allowed to say one word with regard to the point raised by the noble Earl, Lord Howe. He has touched on a point which I feel very strongly about-namely, the defacement of these squares by their being made into parking grounds for cars. I feel certain myself that in future large underground parking places will become as much a necessity in London as the squares themselves, or the tube stations, or any other of the facilities which we enjoy, and on that account I think that the precaution he gave and the protest he made was quite well advised, if I may say so. At any rate I do not think that the suggestion which he makes in any way endangers the amenities of the squares themselves, and their preservation is a matter not of mere convenience but of importance to this great City of ours, the beauty of which in this special way we want at all events to preserve as best we can. I congratulate the noble Marquess on his having introduced this Bill.

LORD DARLING: My Lords, I should not have said a word about this except that I know there has been some apprehension with regard to the gardens and the buildings of the Inner and Middle Temples, which are mentioned in the Schedule to this Bill. I wonder that they were included in any shape or form in this Bill, because I cannot suppose that there is the slightest feeling anywhere in respect of that land in the middle of London, which has belonged to these two learned and honourable societies ever since the disestablishment of the Knights Hospitallers and Templars—I cannot suppose there is any real desire to interfere with the way in which those spaces are managed. They have existed as they are now without any complaint. The Benchers who manage them throw the land open as far as can possibly be done to the people, and especially to the children of the neighbourhood, and it is a pity that they should not be allowed to disport themselves there. I think everyone in London, and most of the people who are able to come to London from the uttermost parts of the earth, would regret that the County Council, or any body of that description, should be allowed to interfere with the ancient aspect of the Temples and of the land that they possess.

In the Inner Temple gardens began the Wars of the Roses. There were roses there then. They do not grow very well in London now, because smoke abatement has not reached the proper point, but they will grow there again if only those concerned with London will leave the Temple gardens alone and will devote themselves to purifying the atmosphere in other parts of London. In the Temple many eminent people, some of them ancestors of your Lordships—as those who grew roses in the Temple gardens were-have carried on their careers which have led them to the Woolsack. In the Temple also many men of literary eminence have carried on their practice. I need only mention Charles Lamb who, in one of his essays, said: "Who, if he had the

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choice, would not have been born in such a place as the Temple?" celebrated in Gower, it is celebrated in the works of many other authors who are classic in our language, and it would to my mind be a great misfortune to England, and to places outside England, if people absolutely unconnected with the Temple and foreign to its traditions, were allowed to prescribe to the Benchers how they should manage a property which they have managed for now some eight or nine hundred years, I believe to the entire satisfaction of all the people who frequent that neighbourhood. I have some reason to believe that the Temples will be dropped out of this measure later on. I hope it may be so. I hope the noble Lord opposite will see that the susceptibilities of all people who care anything at all about the Temple are regarded when this Bill is passing through Committee.

THE MARQUESS OF LONDONDERRY: My Lords, there is only one matter to which I should like to refer, and that is connected with the speech of my noble friend Lord Darling. While I have been in the House, I have received a message to say that an arrangement has been come to between the promoters of the Bill and the Inns, and that a clause will be inserted which I understand is completely satisfactory to both parties. I do not think I need say anything further.

On Question, Bill read 2n.

AMALGAMATED SOCIETIES FOR THE BLIND BILL. [H.L.]

THE CHAIRMAN OF COMMITTEES (THE EARL OF DONOUGHMORE): Lords, with reference to the next Bill on the Order Paper, the Amalgamated Societies for the Blind Bill, I beg to move that Standing Order No. 91 be dispensed with, in order that the Bill may be read 2ª.

Moved, That Standing Order No. 91 be considered in order to its being dispensed with in respect of the said Bill, and that the Bill be now read 2ª .- (The Earl of Donoughmore.)

On Question, Motion agreed to, and Bill read 2ª accordingly.

Lord Darling.

ACQUISITION OF LAND (ASSESS. MENT OF COMPENSATION (SCOT-LAND) BILL. [H.L.]

Returned from the Commons, agreed

EMPLOYMENT OF YOUNG PER-SONS (PARTICULAR OCCUPA-TIONS) BILL. [H.L.]

Order of the Day for the Second Reading read.

VISCOUNT ASTOR: My Lords, you have just passed a Bill which I have no doubt, had it been introduced in the last century, would have been rejected. I am now asking your Lordships to give a Second Reading to a Bill in the same way, although I am also equally confident that, had it been introduced in the last century, it would certainly have been rejected then. I was reading this morning the early history of the Factory Acts and the conditions under which children and young persons as well as adults were expected to work at the beginning and in the middle of the last century. I can only describe the conditions which then existed as appalling and shocking. It seems to us inconceivable to-day that the various Bills which were brought forward step by step to put things right, to give children a decent and a reasonable chance of beginning their lives, should have met with opposition and obstruction whenever they were brought before Parliament.

Your Lordships are well aware that what we call the Factory Acts and the Shop Assistants Acts have now given a great measure of protection to those employed in industry. They were brought forward to protect health, to preserve the constitution against injury. were brought forward to do away with the economic evil of child labour. It is very interesting to note the experience of the War. When the War started, there was a general tendency to increase the number of hours worked in factories because of the general desire to increase the output of munitions, but as a result of experience as the War went on, it was found that excessively long hours were industrially unsound, that one got a reduced output, a diminished efficiency As a result of that experience, the Home Office published a Report-I think it was

Application Summary

Application Number: 18/00597/FULMAJ

Address: Inner Temple Garden & Car Park Inner Temple London EC4Y 7HL

Proposal: 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.

Case Officer: Bhakti Depala

Customer Details

Name: Mr Huw Williams

Address: 3rd Floor South, 3 Paper Buildings Temple London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Other
- Residential Amenity
- Traffic or Highways

Comment:I & my family including 2 young children are residents of Inner Temple whose flat overlooks the garden & who frequently use & enjoy it. The garden is important for the enjoyment of our family life & we are strongly opposed to the proposal to put buildings taking up, & restricting use of, the majority of the garden. The garden is an important part in the enjoyment of residents & the wellbeing of visiting City workers; the presence of buildings will severely limit that & affect amenity & this aspect is greatly undervalued by the Inn. I don't believe that proper regard has been had to the heritage, nature & character of the garden when opting for placing buildings on it for such a long period of time. 22 months is an unacceptable period to be without the enjoyment of this open space. It is of a very different nature to the placing a marquee for a matter of weeks every summer & that itself causes disruption & impaired enjoyment. This proposal is on a far greater & thus more damaging scale. Our family life will be negatively affected by the presence of the buildings & the disruption caused by the construction & dismantling, as well additional vehicles & noise level. I am not convinced the Inn has properly investigated other options to placing an unsightly building on this prized heritage asset. The choice of using the garden seems to be driven

solely by financial cost to the Inn who treats the garden as a commercial asset to be exploited rather as a valuable heritage asset. I am not convinced all the options for finding an alternative site or possibility of sharing facilities e.g. with Middle Temple have been fully explored. It seems the enjoyment & wellbeing of residents, City workers & the wider community is being sacrificed for uncertain benefits. I object to the car park building which will alter negatively the character & amenity of the Temple as a whole & whose construction will cause severe disruption. I strongly object to the applications & urge their rejection.

Application Summary

Application Number: 18/00597/FULMAJ

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Case Officer: Bhakti Depala

Customer Details

Name: Mr Kieran Wilson

Address: Littleton Chambers 3 King's Bench Walk North London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Other
- Residential Amenity
- Traffic or Highways

Comment:I am a tenant of Littleton Chambers, with office accommodation overlooking the Inner Temple car park and King's Bench Walk.

I object to these proposals, specifically in relation to the temporary building in the car park, for a number of reasons. These include:

- There will be considerable loss of amenity for those with office space or lodgings overlooking the car park, specifically at numbers 3-7 King's Bench Walk. This is likely to make these otherwise very pleasant places to live and work very dreary, dull and unpleasant.
- The proposed structure would likely be damaging to my and my colleagues' business interests. The fact that the proposed structure would quite literally be on the doorstep of my Chambers would give the impression that we are operating from something akin to a building site; clearly that has the potentially to be damaging reputationally and from a business perspective more generally.
- There is likely to be increased footfall, noise, and general disruption directly underneath my office

window and outside more generally, particularly given how narrow the path is intended to become.

Twenty-two months is a long period of time by any measure, and that assumes that the project will run to timetable. This represents significant medium-term disruption to tenants of the Inn (both professional and residential).

I consider that the alternative is for the Inn to rent commercial premises in which to house its offices and library during this period. Alternatively, I see no reason why the structure cannot be put more squarely in the middle of the car park; the loss of amenity value (if any) to those using the Inner Temple car park is bound to be less than those renting accommodation in its buildings.

Application Summary

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Case Officer: Bhakti Depala

Customer Details

Name: Mr David Reade

Address: Littleton Chambers 3 King's Bench Walk London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Other
- Residential Amenity
- Traffic or Highways

Comment:I am a tenant in Littleton Chambers occupying a room overlooking the carpark of Inner Temple. The amenity of my room, in particular the natural light, will be severely impacted by the proposed two storey porta cabin erection in the car park, immediately outside our building. I endorse, entirely, the objection made by Jonathan Cohen QC; which is made on behalf of Littleton Chambers and addresses more generally the impact of the structure.

I echo Mr Cohen in his conclusion

All of this is unnecessary. The Inner Temple could (and should) rent commercial space, rather than damaging the quiet enjoyment of its existing buildings. Alternatively, they could simply put this proposed building in the middle of the car park, so that it does not impact so directly and powerfully on any of the existing buildings.

Application Summary

Application Number: 18/00597/FULMAJ

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Case Officer: Bhakti Depala

Customer Details

Name: Mr Robert McCracken

Address: Francis Taylor Building Temple Lond

Comment Details

Commenter Type: Member of the Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other

Comment:I endorse Richard Humphreys' representations First: The Inner Temple garden is a listed heritage asset. It is enjoyed by the public both when visiting it and also when passing by on the Embankment or the river (whether on foot, a bicycle or in a vessel or vehicle) or viewing it from the opposite bank of the river. The gardens are said to be particularly appreciated by HM the Queen when she visits the City. The presence of the structure during such a lengthy period would cause substantial, direct harm to the heritage asset. Second: the presence of the structure in the immediate setting of the listed heritage assets of King's Bench Walk would for such a long period would substantially interfere with people's ability to understand or appreciate the buildings and the wider conservation area.

Application Summary

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Case Officer: Bhakti Depala

Customer Details

Name: Ms Naomi Ellenbogen QC

Address: Littleton Chambers 3 King's Bench Walk North, Temple London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Other
- Residential Amenity
- Traffic or Highways

Comment:I am a member of Littleton Chambers, which occupies premises at 3 King's Bench Walk North and South.

The proposed 'temporary' two-storey structure in Inner Temple car park will entirely obscure and impede access to both premises for a minimum period of 22 months. The significant adverse consequences are summarised in the objection lodged by my colleague, Jonathan Cohen QC.

The proposal is unnecessary. As I understand to have been pointed out to the Inner Temple's Director of Properties and Surveyor, the Inn could and should rent commercial space, rather than damaging the quiet enjoyment of its existing buildings and garden. Alternatively, the proposed structure could and should be situated in the middle of the car park, so that it will not have such a direct and extensive impact on any of the existing buildings and tenants of the Inn.

I object to this proposal.

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Case Officer: Bhakti Depala

Customer Details

Name: Mr Jonathan Cohen QC

Address: 3 King's Bench Walk North Temple London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Other
- Residential Amenity
- Traffic or Highways

Comment:I write on behalf of the members of Littleton Chambers to object to the proposed building in the Inner Temple car park. As a result, this should be treated not as one objection, but instead as fifty two.

Littleton is a well known and successful set of Barristers' Chambers and long term occupant of the Inn, at 3 King's Bench Walk North. Our buildings are a mix of old and new; those that border and look over the Inner Temple car park were built in 1678 and are historical treasures. They are the very first thing that our clients see. They are a vital component of our business.

What the Inner Temple now proposes to do is build a truly enormous, double height, portacabin style building directly outside our windows and entrance. The word "directly" is no exaggeration; on our reading of the plans, the distance between the proposed building and the railings of Littleton Chambers will be little more than a couple of meters. The view of and from our building will be destroyed. Our tenants who have rooms overlooking the car park will be shrouded in

darkness. Our clients will be compelled to traverse a narrow, deep valley between our building and the proposed building in order to gain entrance to chambers. Footfall in this narrow area will markedly increase, with the attendant effects on noise and general disruption. We will also lose a disabled parking space directly outside chambers which was placed there because we have a member of chambers who needs it. It should be remembered that this is not really "temporary" as it has been described. It is for almost two years, plus the inevitable run on of a major project.

All of this is unnecessary. The Inner Temple could (and should) rent commercial space, rather than damaging the quiet enjoyment of its existing buildings. Alternatively, they could simply put this proposed building in the middle of the car park, so that it does not impact so directly and powerfully on any of the existing buildings.

For these reasons, we object.

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Case Officer: Bhakti Depala

Customer Details

Name: Mr Gavin Mansfield QC

Address: Littleton Chambers 3 Kings Bench Walk London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise

- Other

Comment:I am Head of Chambers at Littleton Chambers; we are a set of over 50 barristers carrying on business at 3 Kings Bench Walk North and South. We lease our premises from Inner Temple.

I object strongly, on behalf of myself and my members and staff, to the location of the proposed temporary structure in the Kings Bench Walk car park. The proposed structure will be too large and too close to our premises. We have two entrances (3 North and 3 South) and a large number of barristers rooms with windows all facing onto the Kings Bench Walk car park. We will suffer: Loss of light;

Loss of an expansive view across the KBW car park towards the gardens and the river; Loss of easy access to our building. Members, staff and visitors will have to walk around the temporary structure to find out chambers. it will be inconvenient and will make Chambers harder to find. It will render the approach and entrance to Chambers less impressive and pleasant to clients.

There will be noise from the construction and operation of the structure, which will interfere with the use of our rooms.

It will make disabled access harder, as vehicles will not be able to park close to our premises.

I can see no reason for the structure to be placed so close to our building. There is plenty of space in the KBW car park. The structure could be placed in the centre of the car park, or otherwise further away from the buildings; it could be placed closer to the Hall and library where the works are taking place.

Application Summary

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Case Officer: Bhakti Depala

Customer Details

Name: Mr Martin Palmer

Address: Littleton Chambers 3 King's Bench Walk North, Temple London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Other
- Residential Amenity

Comment:I am a member of Littleton Chambers. My room/workspace in Chambers overlooks the area which will be dominated by the large and oppressive portakabin structure which the Inn proposes to erect directly adjacent to King's Bench Walk.

In making this objection, I support and endorse the comments of Jonathan Cohen QC written personally and generally on behalf of Littleton Chambers; the objections made by other members of Littleton Chambers and in addition particularly those of Sir Richard Buxton and Richard Humphrey QC.

The proposed structure will blight working lives of the tenants and staff of Littleton Chambers as well as those of neighbouring sets of chambers. Moreover it will make visiting arrangements for professional and lay clients drawn out and difficult. It will consequently have a major effect on the ability of Littleton Chambers to serve those persons whom Chambers' members represent. The proposed imposition of the structure is unnecessary and has been advanced without any proper consultation with neighbours and tenants of the Inn. The Inn could and should have considered a tenancy of commercial premises (of which there are numerous unoccupied commercial premises nearby) to solve the siting of staff rather than the reception of a temporary (albeit of extended

duration) structure. I therefore object to the planning application on the following grounds:

- (a) loss of amenity to those working and living in the immediate vicinity;
- (b) a significant risk of disruption and damage to local businesses;
- (c) the strong likelihood of damage to the surrounding environment; and
- (d) a marked failure on the part of the applicant to properly consider alternatives and/or consult with those affected by the application.

Application Summary

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Case Officer: Bhakti Depala

Customer Details

Name: Mrs Lydia Banerjee

Address: 3 Kings Bench Walk North London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Other
- Traffic or Highways

Comment:I object to the proposals on the basis that they are a significant alteration to this listed site which cannot be justified. There are ample offices in close proximity which could and should be let to provide alternative accommodation for the duration of the works. As chambers in the Temple we pay a premium on our rent over commercial alternatives in the area. We pay that premium in part because of (i) the historic nature of the site with all the character that brings, (ii) the beauty of the gardens and open spaces which create a peaceful working environment, and (iii) the prestige for clients when visiting chambers. These temporary structures will substantially corrupt all of these things for a very considerable period of time.

I agree with the comments of Jonathan Cohan QC in relation to the physical impact of the car park installation on our offices given its location within meters of the building. This affects the supply of goods and facilities to our building in a manner which cannot be justified. At the very least the car park construction should not be built so close to one particular office but should be positioned in the middle of the car park so as to protect the disabled space used by one of our members and to minimise the burden of disruption imposed on any one set of occupants. The increased footfall

and construction noise will also affect the peaceful working environment of our Members.

There is no way in which the Inn would countenance a temporary structure of this nature or any other were a set of chambers to apply for one while they carried out works. No doubt they would cite the character of the area, the need to generate revenue from filming, inconvenience to residents and occupants etc. It is hypocritical for them to disregard these considerations in proposing these installations.

I trust that the Inn will reconsider this scheme and if they will not do so voluntarily that they will be required to by planning good sense.

N. D. Coe BSc MRICS 90 Alexandra Cottages, Edward Road Penge, London, SE20 7JS

25th July 2018

Objection to Planning and Listed Building Consent for: -

REF: 18/00597/FULMAJ

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. Inner Temple Garden & Car Park Inner Temple London EC4Y 7HL

On the following grounds: -

1.0 INTRODUCTION

- 1.1 The need for this application is the result of a misguided redevelopment scheme, which did not investigate the viable and more desirable alternatives of providing additional accommodation adjacent, beneath or above the existing Treasury Building and Hall, to negate the consequent of complete decanting of all functions.
- 1.2 The business case for the redevelopment scheme and provision of education and training facilities was weak and unsubstantiated back in early 2017, and no discernible progress has been demonstrated within the current application for temporary accommodation to facilitate the redevelopment.
- 1.3 The redevelopment scheme was given planning and listed building consent, despite the City of London Corporation (CoL) acknowledging the harm to the Conservation Area and Listed Buildings, the Garden and Church Court, and specifically included a condition that 'the Inner Temple Garden shall not be used for temporary structures including use of the Garden as a works compound'. This application will compound the harm and is directly contrary to the planning balance for the redevelopment.
- 1.4 The recent application for a Judicial Review of the redevelopment scheme reinforced the understanding that the Garden should not be used.
- 1.5 The Inn and their agents have made insufficient investigation into alternative temporary accommodation, (such as the nearby vacant Lloyds Bank building 222 Strand directly opposite the Royal Courts of Justice) to negate the need for the temporary structures within the Inn's Car park and Garden, or explored the options of phasing the Treasury Building and Hall projects to reduce the time of decanting of functions and therefore length of period required for the temporary structures and their associated infrastructure.

- 1.6 The planning permission for the redevelopment scheme required a Section 106 Agreement to clarify the commercial element of the proposals, which exceed the obligations of the Inn. This application should therefore be judged on its commercial use (with potential to increase further) and should not be treated under the current use class of Sui Generis.
- 1.7 This current application is not just for the proposed erection of two temporary buildings for 22 months it is to facilitate the highly controversial and damaging redevelopment scheme 17/0077/FULMAJ Extension and refurbishment in association with an education and training facility and office use of the Treasury Building to include a mansard extension at fourth floor with new dormers, rooftop plant, reconstruction of Hall roof, insertion of dormer windows in the Hall roof and extensions to create a new lift shaft and escape stair. The sizable and reasoned objections to the redevelopment scheme are therefore still valid and intrinsically linked to this 'Temporary Development' to facilitate it.
- 1.8 The contentious redevelopment scheme 17/0077/FULMAJ only narrowly obtain planning permission, subject to conditions and a Section 106 Agreement, by 14 votes to 12, and had there not been a conflict of interest could have easily have been refused instead.
- 1.9 The support for the redevelopment scheme from within the Inner Temple was and remains similarly luke warm, with an extremely narrow majority of Benchers voting for Scheme 2 (effectively the application 17/0077) which destroys the Library and has crudely designed roof extensions, dormers and projecting fire escape enclosure. Scheme 1 and 1.5 which largely restricted the development to 4th floor mansard extension only, and saved the Library from unnecessary destruction, had and still command support from the wider Inner Temple.
- 1.10 I write in a personal capacity but with considerable knowledge and passion for the Temple, as a former Deputy Surveyor for 7 years at the Honourable Society of the Inner Temple.

2.0 SITE AND ENVIRONS

- 2.1 The setting is highly significant within the Temples Conservation Area, predominately Listed Buildings and registered Garden, with adjacent Scheduled Ancient Monument.
- 2.2 The impact of the proposed temporary structures should have been viewed within the context of the construction site for the main redevelopment and the associated compounds and ancillary equipment, to give a true indication of both, as they are on site concurrently. The drip feeding of the adverse impacts on the Heritage Assets should have been resisted.

3.0 PRE-APPLICATION DISCUSSIONS

3.1 The pre-application discussions have always made clear that the Garden should not be used for development of any kind and this application is directly contrary to the CoL position, and to the planning permission Condition 17 granted under 17/00077/FULMAJ.

4.0 DESCIPTION OF EXISTING USES

4.1 The descriptions fail to mention catering and the associated commercial hire. This is a significant proportion of use, and greater than Education and Training, and therefore has a direct bearing on the determination of the current application.

5.0 THE CASE FOR ON SITE TEMPORARY BUILDINGS

- 5.1.1 The case for temporary buildings on site is unconvincing as viable alternative options have been incorrectly discarded by the Inn and their agents, and their proposed locations would have a further adverse impact, when positioned within the Conservation Area and adjacent the listed (and non-listed) buildings, scheduled ancient monument and registered garden, and taken in context with the redevelopment works and their associated scaffolding, temporary roofs, hoarding, gates, cranes, other plant, compounds and operational routes.
- 5.1.2 I fully endorse all of the learned points raised by Richard Humpheys in his submission dated 19th July 2018 and the matters raised under **The description of development** and **The basis of the officer's report and the Committee's resolution in July 2017** are particularly pertinent to the dispelling the case for on-site temporary buildings. The observations should be given the maximum planning weight.

6.0 DESCRIPTION OF PROPOSED DEVELOPMENTS

Temporary Treasury Building and Hall Building

- 6.1 The fabricated nature of the structure would be out of keeping with the character and appearance of the Conservation Area, and contrary to The Temples Conservation Area Character Summary (2000), and harm strategic views within the Inn.
- 6.2 The proposed length of time that development is in place is too long to justify the ugly appearance of these temporary tented structures, and the duration should not exceed more than 6 months if at all.

Temporary Library and Offices Building

- 6.3 Similarly, the structure would be out of keeping but also is too closely located to the listed buildings in King's Bench Walk, and one of the finest vistas within the Inn. The proximity and overshadowing of the adjacent chambers is totally inappropriate.
- 6.4 The reduction in the size of the Library and number/quality of reading spaces is below the standards required to fulfil its essential functions. The redevelopment scheme similarly would provide inadequate and inferior Library facilities, on the reduced single storey footprint, and be unable to accommodate the increased use by students and barristers of part of the intended expansion of Education & Training provision.

Temporary Electrical Substation

6.3 The temporary electrical substation would not have been required, or for as long, if the Inn had adopted a more sensitive and less disruptive redevelopment scheme, and the associated impact.

7.0 OUTLINE OF CONSTRUCTION METHODOLOGY AND VEHICLE ACCESS

7.1 The current planning application fails to coordinate the impact of the concurrent redevelopment of the Treasury Building and Hall, and is largely meaningless without understanding the whole picture.

8.0 PLANNING POLICY CONTEXT

- 8.1 The current planning application for temporary structures is based on the apparent (and unsubstantiated) need to facilitate the redevelopment of the Treasury Building and Hall, which narrowly obtained planning and Listed Building Consent, and on the condition that the Garden is not used for development.
- 8.2 The resulting planning application for these temporary structures, and associated removal of listed/unlisted gas lamps, one tree subject to a TPO, and associated plant and machinery therefore fails to comply substantially with: -

Legislation

The Development Plan

Other Policy and Guidance

Planning (Listed Building and Conservation Areas) Act 1990

The London Plan

Local Plan

National Guidance

Planning Practice Guidance

The Temples Conservation Area Character Summary (2000)

Temporary Structures in Historic Places: Guidance for Local Planning Authorities, Site Owners and Event Organisers – English Heritage (now Historic England)

9.0 PLANNING ASSESSMENT AND SCHEME MERITS

9.1 The current application for temporary structures *to facilitate* the redevelopment 17/0077FULMAJ does not justify the non-sustainable nature of the 'Permanent Development', and had viable and attractive alternatives been pursued this application would not have even been necessary.

The principle of development

9.2 The Inn have consent for a highly controversial redevelopment scheme, by the slimmest of margins, and this additional application for temporary structures and associated alterations and damage, will further harm the Conservation Area, Listed and Unlisted Heritage Assets, and Open Spaces. The magnitude of the increased harm, versa the purported benefit, should therefore be reviewed in the whole.

Precedent

9.3 The examples used of temporary structures in heritage setting are not on parity with the Temple, where alternatives are readily available, and the quality of any design should have been exemplary.

Design

9.4 The design of the temporary structures and their associated infrastructure is wholly inappropriate for the setting and proposed duration of their placement within the historic environment.

Visual impact

- 9.5.1 The designs are of no architectural, historical or amenity merit, and should be flatly refused.
- 9.5.2 The temporary structures and associated infrastructure is proposed to be in place for 22 months, and is likely to be extended due to the unnecessary complexity of the redevelopment of a 1950's building, and will substantially harm the character, appearance, harmony and integrity of the Inn. The stark, modern and ugly appearance of the tented structures will dominate the Car Park and Inner Temple Garden, and significantly harm strategic views of King's Bench Walk (possibly the finest within the Inn) and that of the Garden.
- 9.5.3 The compound visual effect of the Treasury Building and Hall being in scaffolding with temporary roofs, screening, hoists, cranes and hoardings, should have been demonstrated as part of this application.

Physical impact

- 9.6.1 The proposed close proximity of the Car Park structure to the listed buildings at 2, 3, 3(North), 4 and 5 KBW, and majestic plane trees and historic lanterns and Yorkstone pavings, would encroach on their amenity, including rights of light.
- 9.6.2 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.

Accessibility

- 9.7.1 The accessibility of the Temple will be severely impacted by the redevelopment and the proposed temporary structures and associated infrastructure, for a period of at least 2 years, probably more, and insufficient mitigation is put forward to maintain meaningful and pleasant accessibility, due to a grossly over engineered redevelopment scheme and consequent requirement for whole scale decanting.
- 9.7.2 The accessibility to the Inner Temple Garden, and potentially Church Court, will be significantly compromised and restricted due to building operations and increased commercial hire of the marquee.

Heritage

9.8.1 The Heritage Statement prepared by KM Heritage is considered weak and insubstantial, and does not justify the harm to the heritage assets. The conclusions should therefore be afforded little planning weight in the determination of this application.

9.8.2 The Planning Statement prepared by Adriene Hill Limited states in point 9.5.1

'A major benefit of the proposed temporary structures proposed 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.'

which is clearly untrue, as the temporary structures would not be required had a more sensitive redevelopment scheme been adopted, which did not compromise the architectural integrity of the exterior of the buildings and destroy the fine interiors, and thereby necessitate the complete decanting of the uses.

- 9.8.3 The CoL accepted harm was caused to the Conservation Area, views from the registered garden, adjacent listed and non-listed buildings, and to Church Court, due to the poor design, which includes overbearing mansards, oversized and non-traditional dormers (including an awkward lift shaft overrun) and strangely proportioned/detailed fire escape staircase enclosure protruding into Church Court. The finished redevelopment will harm the Temples Conservation Area in perpetuity and trash perhaps the finest interior, the Library, of the non-designated heritage asset. The new proportions of accommodation uses will also fail to meet the requirements for education and training, as the Library will be too small and with inferior reading spaces to cope with the resultant increase in students and barristers using the vast E&T spaces.
- 9.8.4 The redevelopment that this application is purporting to facilitate would require The Temples Conservation Character Summary (2000) to be rewritten, as the highly significant paragraph

'Of all of the City's conservation areas the Temples is perhaps the most distinctive and has a character that is not only unique to the City, but rarely found elsewhere. It has a private quality that is emphasized by its gated entrances and most buildings are designed to face the interior of the Temple, it appears to turn its back on the noise and bustle of the City. The area is more than an outstanding collection of buildings of historic importance. It is a subtle combination of buildings and spaces with a character and environmental quality that is reminiscent of the collegiate atmosphere of Oxford and Cambridge.

The area's character is influenced, in no small measure, by the use to which the activities of the legal profession has evolved and continues to carry on here. **There is a sense that change over time has been carefully considered.** Major changes that have taken place have resulted generally from external influence such as the fires that destroyed buildings in the 17th century and the extensive damage that the area sustained during the Second World War. The main exceptions are seen in the scale and style of some of its Victorian buildings and the dramatic effect of the construction of the Victoria Embankment.

would no longer be correct. Planning permissions that would result in established polices needing to be rewritten should be refused.

Trees

- 9.8.1 The design should be revised to avoid any works to trees, including pruning and removal/reinstatement.
- 9.8.2 The proposed oversized marquee in the Garden would starve the trees of natural irrigation to their roots.

Access, highways and parking

- 9.9.1 The impact on Middle Temple is not fully explained or to those enjoying the unique the environments of the Temple.
- 9.9.2 The over development of the Treasury Building and Hall, and resultant decanting and proposed temporary structures to accommodate the uses, will create 2 years minimum of access, highway and parking blight, to one of the most serine and pleasant enclaves within the City of London, and many a city.

Sustainability and Ventilation

- 9.10.1 The current application cannot be viewed as sustainable development, as there are multiple viable and more attractive alternatives for the decant temporary accommodation, and for the main redevelopment itself, to negate the need for any development.
- 9.10.2 The butchering of the Treasury Building and Hall could be avoided by building a modern Education and Training facility in an adjacent modern energy efficient new building, to the front, part rear or underground, or at one of the two Garden schemes, to substantially increase the sustainability of the whole scheme, and avoid the requirement for these temporary structures.
- 9.10.3 The renting of alterative office/retail space for the Inn's functions during the redevelopment would be far more sustainable and cost effective. It is also not necessary for all of Catering, Treasury Office, Education and Training, Finance and Surveyors Departments staff, to be immediately within the Inn, and nearby Temple Chambers or 222 Strand (former Lloyd Bank building) would be perfectly adequate as a temporary measure.

Air Quality

- 9.11.1 The loss of the majority of the central green space and 1no. tree (subject to TPO) would adversely impact on this green lung within a rare and valued open space within the City of London, and reduce the air quality to the Inner Temple Garden, for 2 years or longer.
- 9.11.2 The application makes no mention of the temporary kitchen extracts and smells for the marquee being located so close to neighbouring Chambers and residential flats, and in constant day time and evening use, with the associated odour of refuse generated.
- 9.11.3 The temporary structures are not required as there are alternatives within the main redevelopment scheme and any temporary decanting, to negate the need for any construction and the associated impact on air quality.

Flood Risk and Drainage

- 9.12.1 The current lawns do not drain into the existing combined sewer, whereas the large marquee roof gutters will, thereby increasing the quantity going into the system. The marquee will prohibit the natural dispersal of rainwater over a substantial part of the garden and lead to water logging and damage to the rest of the garden.
- 9.12.2 The siting of a marquee on the lawns should not even be entertained within this application, but in the event that it is ever reduced in size, duration and improved in appearance, no additional rainwater should be allowed into the combined sewer.

Noise

- 9.13.1 The noise impact assessment misses the point that this proposed lightweight marquee will be in place for 22 continuous months, and potentially much longer, and more intensively used that the Hall and Treasury.
- 9.13.2 The noise from the interior may have been modelled but is largely irrelevant to the exterior noise of people arriving/leaving and slipping out onto the lawns for every Hall dining, education and training events and numerous commercial functions. The proximity of Paper Building and Harcourt Building, and enclosed reflections would make the noise considerably more harmful that that in the Hall and Treasury Building. The Chambers and residents are used to occasional summer events in the Garden but this would be throughout the day and year, and adversely affect their privacy and quite enjoyment.

Amenity

- 9.14.1 The Planning Statement under 9.111 to 9.115 makes no reference to the adverse effect on amenity for the Barristers Chambers, in terms of overlooking, loss of views, loss of light, and noise. The commercial tenants will perhaps be impacted more by the bulky, ugly, shiny appearance of the temporary structures, together with the loss of some of the finest views in the Temple, and shrouded in darkness for a period likely to be over 2 years.
- 9.14.2 The temporary structures are not necessary to enable redevelopment as alternatives are amply available. The amenity of the residents, chambers and the general public should not be denied through a lack of imagination and stubbornness on the part of the Project Pegasus team.
- 9.14.3 I fully endorse all of the learned points raised by Richard Humpheys in his submission dated 19th July 2018 and the matters raised under **Access to the Garden by the public** and **Open Spaces** are particularly pertinent to the unacceptable adverse impact on amenity. The observations should be given the highest planning weight.

10.0 CONSULTATION

10.1 The consultation on this application has been extremely selective and the full impact of the proposals withheld from ordinary members of the Inn, tenants, Library users, and the general public. The consultation has been wholly inadequate for a controversial scheme of this magnitude, impact, and of limited support.

11.0 CONCLUSIONS

- 11.1.1 The application should be determined on what has been applied for, which is to facilitate the redevelopment proposed under 17/0077/FULMAJ and therefore the combined and increased harm of the 'permanent development' and this 'temporary development' must be used in evaluating the planning balance of 'harm' versa 'benefit'.
- 11.1.2 The Statement on the Justification for the need for Temporary Development on the Inner Temple Site is regrettably littered with inaccuracy and exaggeration, and should respectfully be afforded less planning weight.
- 11.1.3 The redevelopment to provide Education and Training facilities & Office Use should also be evaluated to reflect that this is a commercial venture, providing ancillary Education and Training use. Determination of this application under use class Sui Generis is therefore inappropriate.

- 11.1.4 It is not in the public benefit or that of the Inns of Court, for Inner Temple to be indebted to up to 30 million pounds, (especially when added to the multi-million-pound deficit in their pension scheme) to facilitate the permanent and resultant temporary development. Alternative and better schemes are available for 5-10 million that would achieve the same Education and Training facilities and to refurbish the main buildings in a more sympathetic and attractive manner.
- 11.1.5 The current application is of such poor design and lacking in respect for the historic environment, and directly contrary to planning policy, guidance and conditions, that it should not be entertained.
- 11.1.6 The overdevelopment and consequent wholescale decanting, with resultant long term 'temporary' structures, is not sustainable development, as infinitely more sustainable alternatives are readily available for both the proposed 'permanent' and 'temporary' developments.
- 11.1.7 The consultation with Historic England has rightly set out the significance of the historic environment and how this application fails to meet the planning and conservation policies.
- 11.1.8 The planning balance of this hugely controversial redevelopment and associated decanting and temporary accommodation, has shifted and compounded to make both the permanent and temporary development suitable to be refused planning permission.
- 11.1.9 The current application of 10/0597/FULMAJ to facilitate the 'permanent' development 17/0077/FULMAJ has reaffirmed, strengthened and justified my objection to the Project Pegasus Scheme, as set out in my detailed original submission of 9th March 2017 and supplementary submission of 24th May 2017.

11.1.10 The planning application 10/0597/FULMAJ for:

Neil Coe

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. Inner Temple Garden & Car Park Inner Temple London EC4Y 7HL

and one unlisted gas lamp and plinth and the provision of a temporary substation and creation a service compound. Inner Temple Garden & Car Park Inner Temple London EC4Y 7HL
should be duly refused.
Yours sincerely

12th November 2018

Objection to Planning and Listed Building Consent for: -

REF: 18/00597/FULMAJ

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. [RE-CONSULTATION - Amendments to Visual Appearance of Temporary Structures and Supplementary Information Submitted: Addendum to Planning Statement, Addendum to Heritage Assessment, Updated Design and Access Statement, Updated Soil Investigation Report, Updated Soil Recovery Report, Revised CGI Images of Temporary Structures, Revised Drawings, Alternative Locations Assessment] Inner Temple Garden & Car Park Inner Temple London EC4Y 7HL

Also referred to by Adrienne Hill Limited as:

Proposed erection of two temporary buildings to facilitate development proposed under 17/00077/FULMAJ – (Extension and refurbishment in association with an education and training facility and office use within the Treasury Building to include a mansard extension at fourth floor with new dormers, rooftop plant, reconstruction of Hall roof, insertion of dormer windows in hall roof and extensions to create a new lift shaft and escape staircase) including the removal, storage and re-statement of one listed and one unlisted gas standard lamps

On the following grounds: -

1.0 INTRODUCTION

- 1.1 The re-consultation on this application still relates to the facilitation of a misguided redevelopment scheme, which did not investigate the viable and more desirable alternatives of providing additional accommodation adjacent, beneath or above the existing Treasury Building and Hall, to negate the consequent of complete decanting of all functions.
- 1.2 The business case for the redevelopment scheme and provision of education and training facilities was weak and unsubstantiated back in early 2017, with no discernible progress having been demonstrated within the previous application in June 2018 for temporary accommodation to facilitate the redevelopment or the present application of October 2018.

- 1.3 The redevelopment scheme was given planning and listed building consent, despite the City of London Corporation (CoL) acknowledging the harm to the Conservation Area and Listed Buildings, the Garden and Church Court, and specifically included a condition that 'the Inner Temple Garden shall not be used for temporary structures including use of the Garden as a works compound'. The previous and present application for temporary buildings will still compound the harm and is directly contrary to the planning balance for the redevelopment.
- 1.4 The application for a Judicial Review of the redevelopment scheme reinforced the understanding that the Garden should not be used for temporary structures, and the situation has not changed for this application.
- 1.5 The Inn and their agents have still made insufficient investigation into alternative temporary accommodation, (such as the nearby vacant Lloyds Bank building 222 Strand directly opposite the Royal Courts of Justice) to negate the need for the temporary structures within the Inn's Car park and Garden, or explored the options of phasing the Treasury Building and Hall projects to reduce the time of decanting of functions and therefore length of period required for the temporary structures and their associated infrastructure.
- 1.6 The recently supplied '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 (into buildings such as nearby Temple Chambers).
- 1.7 The planning permission for the redevelopment scheme required a Section 106 Agreement to clarify the commercial element of the proposals, which exceed the obligations of the Inn. This reapplication to facilitate the redevelopment should therefore be judged on its commercial use (with potential to increase further) and should not be treated under the current use class of Sui Generis.
- 1.8 The current application is still for the proposed erection of two temporary buildings for 22 months to facilitate the highly controversial and damaging redevelopment scheme 17/0077/FULMAJ Extension and refurbishment in association with an education and training facility and office use of the Treasury Building to include a mansard extension at fourth floor with new dormers, rooftop plant, reconstruction of Hall roof, insertion of dormer windows in the Hall roof and extensions to create a new lift shaft and escape stair. The sizeable and reasoned objections to the redevelopment scheme are therefore still valid and intrinsically linked to this reconsultation on the 'Temporary Development' to facilitate it.
- 1.9 The contentious redevelopment scheme 17/0077/FULMAJ only narrowly obtain planning permission, subject to conditions and a Section 106 Agreement, by 14 votes to 12, and had there not been a conflict of interest could have easily have been refused instead. The situation has not changed for this re-consultation.
- 1.9 The support for the redevelopment scheme from within the Inner Temple was and still remains similarly luke warm, with an extremely narrow majority of Benchers voting for Scheme 2 (effectively the application 17/0077) which destroys the Library and has crudely designed roof extensions, dormers and projecting fire escape enclosure. Scheme 1 and 1.5 which largely restricted the development to 4th floor mansard extension only, and saved the Library from unnecessary destruction, had and still command support from the wider Inner Temple.
- 1.10 I write in a personal capacity but with considerable knowledge and passion for the Temple, as a former Deputy Surveyor for 7 years at the Honourable Society of the Inner Temple.

2.0 ADDENDUM TO PLANNING STATEMENT ON 06/06/2018

- 2.1 The addendum from Adrienne Hill Limited for this current application (re-submission) focuses on the mitigation measures suggested by Historic England but fails to address the more significant 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, for both the redevelopment scheme and these temporary buildings to facilitate it.
- 2.2 The impact of the proposed temporary structures is still not shown within the context of the construction site for the main redevelopment and the associated compounds and ancillary equipment, to give a true indication of both, as they are on site concurrently. The revised visuals are therefore misleading and incomplete, and consequently do not show the true adverse and increased detrimental impacts on the Heritage Assets.
- 2.3 The planning addendum states the key qualities of the two buildings are that:
 - they are only required for c. 22months
- 2.3.1 Planning permission is being sought for 22 months, although the erection and dismantling, and remediation and likely delays to the redevelopment are much longer. If the applicant in reality requires two and a half years for the redevelopment, temporary buildings and remediation to facilitate it, then they should apply for it and have the application duly determined on its merits or otherwise.
 - any impact is temporary
- 2.3.2 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, potential damage to listed and non-listed gas lamps and railings.
 - they are lightweight, demountable and inherently recyclable
- 2.3.3 The two building now have a bespoke colour and scrim, and are therefore now not recyclable. The comprehensive internal fitting out to replicate function rooms is not environmentally sustainable as the interiors will be ripped out and disposed of within 2 years.
 - there are no long term consequences for the listed garden or for other designated heritage assets
- 2.3.4 The harm to the heritage assets is permanent and irreversible, with the destruction of the Inner Temple library, crude and overbearing designs to the exterior of the Inner Temple Hall and Treasury/Library Building, and detrimental to the Registered Garden, Listed Buildings and non-designated heritage assets, due to the 'temporary buildings' facilitating the misguided redevelopment.
 - they will facilitate the delivery of the development permitted under 17/00077/FULMAJ which is of acknowledged public benefit
- 2.3.5 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. The public benefit of the redevelopment has already been dispelled and is further compromised by these temporary buildings to facilitate it.

- public access to the Inner Temple generally and the gardens specifically will be maintained to the that is now permitted and
- 2.3.6 The unnecessary over-development of the Hall and Treasury/Library Building, and the associated disruption to the workings of the Inner and Middle Temple enclave, together with the substantially reduced area and quiet enjoyment of the Garden, and associated views, by the general public, private clients, residential tenants and chambers, with significantly and adversely affect the now permitted public access.
 - crucially the buildings will allow the day to day operation of the Inner Temple to continue uninterrupted on site, including the provision of education and training, for the duration of the main contract with associated significant operational, efficiency and staff retention benefits
- 2.3.7 The gross over-development of the Hall and Treasury/Library Building is not even required as there are numerous alternative and more desirable schemes, that do not require the complete decanting of both buildings, and the selected redevelopment is highly inefficient, fails to meet operational requirements and hugely wasteful of resources which could be infinitely better managed.
- 2.4 The re-consultation and revised application only provide a 'token' acknowledgement of the sensitivity of the temporary use of the Inner Temple Garden and the location of the two structures in the setting of designated and non-designated heritage assets in the Conservation Area. The concerns of Historic England, CoL and the objectors, particularly in respect of **Open Space**, **design**, **amenity**, **sustainability**, **rights of light**, **disruption**, **lack of public benefit**, **and alternative options etc.** have been completely ignored by this and previous applications.
- 2.5 The details of the scrim are extremely vague and unconvincing, with misleading visuals and no specification or samples to evaluate. The crude alignment of doors in the temporary building do not even line through with the pretend windows and fenestration of the proposed 'bespoke' scrim, and the CGIs deliberately avoid showing the north and west elevation of the Library/Treasury Offices as they will be so ugly and uncoordinated.
- 2.6 The addition of a scrim, change of colour, and some additional plant screening is insufficient to overcome a planning application that is fundamentally flawed.
- 2.7 The Summary of Heritage Impact Assessment by KM Heritage is still weak and unconvincing, and does not address the significance raised by Historic England or the adverse impact of the redevelopment that these temporary buildings are to facilitate.
- 2.8 The conclusions within the addendum planning statement bear little resemblance to the current position and shift in the planning balance against the redevelopment and temporary structures to facilitate it.
- 2.9 The public benefit has been disproved, during the course of the last two planning applications, having being borderline for the initial application, as the full redevelopment scheme is no longer required or justified.

- 2.10 The claim that 'If planning permission is not forthcoming for the temporary accommodation, then the Inn's ability to foster a sense of belonging and to maintain and nurture the unique community of practice that is so vital to the development of those entering and practising the law will be seriously undermined.' is overstated, as numerous alternatives exist to deliver the enhanced education and training, without the need for wholescale decanting and disruption to the Inn's way of life.
- 2.11 The temporary structures would not even be required if the redevelopment was scaled back to meet the actual needs of the Inn (mansard accommodation at 4th floor only and full retention of the Library), and it was phased to minimise any disruption.
- 2.12 Consideration should have been given to phasing the redevelopment, to build the mansard structure and plant over the Hall first, with the Hall itself remaining in use with potential mezzanine level temporarily inserted above for decant functions, whilst the Treasury Building is refurbished and roof extended. The Library could then stay in situ on both 2nd and 3rd floors, and negate the need for both the temporary buildings to the Garden and Car Park.
- 2.13 The internal fitting out of the temporary buildings, would therefore be negated, and could be used to fund the mezzanine function rooms replicated in the Hall, and/or a temporary Treasury Office/reception on the South Terrace.
- 2.14 The option to relocate the Collectors Office, Surveyors Office, Sub-Treasurer, and part Catering and E&T, offsite should also be seriously 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.
- 2.15 The full redevelopment and the proposed temporary buildings to facilitate it, is no longer viable or justified and it is therefore evident that it would fail to meet planning requirements, including:
 - Legislation
 - The Development Plan
 - Other Policy and Guidance
 - Planning (Listed Building and Conservation Areas) Act 1990
 - The London Plan
 - Local Plan
 - National Guidance
 - Planning Practice Guidance
 - The Temples Conservation Area Character Summary (2000)
 - Temporary Structures in Historic Places: Guidance for Local Planning Authorities, Site
 Owners and Event Organisers English Heritage (now Historic England)

3.0 CONCLUSIONS

- 3.1 The re-consultation and minimal revisions to the temporary buildings to facilitate the full redevelopment has further demonstrated the inadequacy of the original planning applications, and reinforced my ardent objection to the Project Pegasus scheme, and the temporary structures to facilitate it.
- 3.2 I therefore reiterate my previous conclusions as follows: -
- 3.2.1 The application should be determined on what has been applied for, which **is to facilitate the redevelopment proposed under 17/0077/FULMAJ** and therefore the combined and increased harm of the 'permanent development' and this 'temporary development' must be used in evaluating the planning balance of 'harm' versa 'benefit'.
- 3.2.2 The Statement on the Justification for the need for Temporary Development on the Inner Temple Site is regrettably littered with inaccuracy and exaggeration, and should respectfully be afforded less planning weight.
- 3.2.3 The redevelopment to provide Education and Training facilities & Office Use should also be evaluated to reflect that this is a commercial venture, providing ancillary Education and Training use. Determination of this application under use class Sui Generis is therefore inappropriate.
- 3.2.4 It is not in the public benefit or that of the Inns of Court, for Inner Temple to be indebted to up to 30 million pounds, (especially when added to the multi-million-pound deficit in their pension scheme) to facilitate the permanent and resultant temporary development. Alternative and better schemes are available for 5-10 million that would achieve the same Education and Training facilities and to refurbish the main buildings in a more sympathetic and attractive manner.
- 3.2.5 The current application is of such poor design and lacking in respect for the historic environment, and directly contrary to planning policy, guidance and conditions, that it should not be entertained.
- 3.2.6 The over development and consequent wholescale decanting, with resultant long term 'temporary' structures, is not sustainable development, as infinitely more sustainable alternatives are readily available for both the proposed 'permanent' and 'temporary' developments.
- 3.2.7 The consultation with Historic England has rightly set out the significance of the historic environment and how this application fails to meet the planning and conservation policies.
- 3.2.8 The planning balance of this hugely controversial redevelopment and associated decanting and temporary accommodation, has shifted and compounded to make both the permanent and temporary development suitable to be refused planning permission.
- 3.2.9 The current re-application of 10/0597/FULMAJ to facilitate the 'permanent' development 17/0077/FULMAJ has reaffirmed, strengthened and justified my objection to the Project Pegasus Scheme, as set out in my detailed original submission of 9th March 2017 and supplementary submission of 24th May 2017, together with my more recent submission of 25th July 2018.
- 3.3 I would also add that the submissions from Nicholas Asprey dated 30th July and 12th November 2018, together with those jointly with David Vaughan CBE QC dated 10th March and 25th May 2017, effectively prove there is no need or justification for the full redevelopment and temporary buildings to facilitate it.

I would similarly add that the submission from Richard Humphreys dated 19th July 2018 3.4 undermines the validity of this application and precludes the use of the Garden, as already conditioned by the CoL.

The planning application 18/0597/FULMAJ for: 3.5

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 f

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. [RE-CONSULTATION - Amendments to Visual Appearance of Temporary Structures and Supplementary Information Submitted: Addendum to Planning Statement, Addendum to Heritage Assessment, Updated Design and Access Statement, Updated Soil Investigation Report, Updated Soil Recovery Report, Revised CGI Images of Temporary Structures Revised Drawings, Alternative Locations Assessment] Inner Temple Garden & Car Park Inner Temple London EC4Y 7HL
should be duly refused.
Yours sincerely
Noil Coo
Neil Coe

Application Summary

Application Number: 18/00597/FULMAJ

Address: Inner Temple Garden & Car Park Inner Temple London EC4Y 7HL

Proposal: 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.

Case Officer: Bhakti Depala

Customer Details

Name: Mr Adam Solomon QC

Address: Littleton Chambers 3 King's Bench Walk, North Temple

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise

- Other

Comment:I object strongly to the application. I entirely endorse the points made by Richard Humphreys QC and Sir Richard Buxton. As a member of Littleton Chambers (and with rooms in King's Bench Walk South, directly overlooking and overlooked by the proposed car park structure), I also fully support the submission made by Gavin Mansfield QC, Head of Littleton Chambers.

Application Summary

Application Number: 18/00597/FULMAJ

Address: Inner Temple Garden & Car Park Inner Temple London EC4Y 7HL

Proposal: 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.

Case Officer: Bhakti Depala

Customer Details

Name: Mr Alexander Robson

Address: Littleton Chambers London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Traffic or Highways

Comment:I wish to object in the strongest terms. The proposed project would have a profoundly damaging effect on my enjoyment of Chambers, and that of the other staff and members. It would restrict access, funnel pedestrian traffic into unsuitable areas, create huge disruption during the construction phase, and cause a significantly heightened level of noise. It would take our light and destroy the positive impression that clients expect from our Chambers. It would necessitate the destruction of a disabled parking bay.

There is no acceptable reason offered as to why the proposal needs to be on this site at all. It should be placed in nearby commercial premises. If there must be a temporary structure it should be much further away from any property, in the centre of the car park.

14 QUEEN ANNE'S GARDENS BEDFORD PARK CHISWICK LONDON W4 1TU

Ms Bhakti Depala Department of the Built Environment City of London PO Box 270 London EC2P 2EI

30th July 2018

Dear Ms Depala,

Application 18/00597/FULMAJ

I am a member of the Inner Temple ('the Inn') and a Governing Bencher of the Inn. Last year David Vaughan CBE QC and I wrote two letters of objection to the Inn's proposal to carry out extensive works to its law library (application 17/00077/FULLMAJ). Those letters were published on the City's website on 10 March and 25 May 2017¹.

I am now writing in regard to the proposal to construct a temporary building in the Inn's historic garden ('the Garden') to provide decant accommodation for the functions of the Inn for a period of 22 months during the construction of the works comprised in the previous application in the light of the consultation response from Historic England which has only recently become available.

Historic England

I draw your attention to Historic England's letter dated 18th July 2018 regarding the present application. Under the heading 'Impact' that letter correctly describes the Inn's present proposal as being "to facilitate the proposed development of the Treasury Building, Inner Temple Hall and the Library".

On page 3 of their letter they say this:

"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".

¹ David Vaughan has since died and is therefore unable to join me in writing this letter.

What the Inn has said

In this context, and having regard to the reference to public benefits, I draw attention to what the Inn stated (as recorded in the officers' report to the Committee) to the City last year before planning permission was granted:

"108. The proposal would provide a new barristers' Education and Training Centre within the building, which would primarily be located at third floor level, within adapted library space and in the proposed roof extension.

. . . .

Over recent years, the Bar Council has criticised providers of Bar Professional Training Courses (BPTC), and called for the education of barristers to be unified and improved so that BPTC would provide a more realistic prospect of pupillage and one which would be recognised by practitioners. Given the presence of advocacy and legal training skills present in the Inns' practitioner members, the Inns' began to actively consider delivery of the BPTCs.

- 110. In order to put this into practice, in 2013 the Inns created a department (Council of the Inns of Court (COIC)) to support the Inns of Court in advancing and building on their educational activities. The COIC is currently pursuing the delivery of BPTC. This would secure the training of two cohorts per year, each of up to 120 students attending full time courses for 20 weeks. The applicants anticipate that this reformed training model within the Inns will increase access and the diversity of entrants to the profession.
- 111. The initiative would include all four Inns of Court (Lincoln's Inn, Gray's Inn, Middle and Inner Temples). Lincoln's Inn are currently constructing a facility to deliver this, Middle Temple have converted part of their Library into a space for training and Gray's Inn already have a facility which can provide education and training.
- 112. The Inns have not finally committed to delivering this training and there would be a need to apply for validation from the regulator. The applicants argue that without the provision for the proposed Inner Temple training facilities (in addition to other facilities being developed by the other Inns), it would be difficult to progress the validation application.
- 115. The applicants have expressed concern that the overall standard of educational facilities within the Inner Temple is the least suitable of all the Inns and this has already had an adverse impact on the Inn's ability to fulfil its role, with many 'Specialist Bar Associations' no longer meeting or training at the Inns, but preferring to use external venues such as the Royal College of Surgeons. The new facilities would enable the Inn to continue to deliver education and training.
- 116. Your officers accept the case that the applicants have made that there is a need for additional education and training facilities to enable the Inn to continue to play a central role in providing education and training for aspiring barristers consistent with the historic function ordained by the Royal Charter, of educating students. The case is made by the Inn, and

as a body with responsibility for provision of education and training and for compliance with the Royal Charter, their views are considered credible and well-informed. There is support for improved facilities amongst many objectors (albeit disagreement regarding scale of provision and as to how it should be achieved)

- 117. It is considered that the benefits of the proposals to provide improved facilities for legal training, optimising the long standing heritage use and preserving the character of the conservation area can be appropriately secured through a S106 obligation. This will ensure that the principal future use remains related to the legal profession and that those benefits are maintained.
- 118. Many objectors have stated that improved facilities can be achieved on other sites without causing harm to the library interior.
- 119. The Applicants state that a space planning study was conducted by the Inner Temples Estates department to identify areas within the Inner Temples estate where there might be opportunities to create additional floor space to benefit the Inn's education and training needs. The study identified the requirement for an auditorium to seat 120 people and the need for smaller training rooms and breakout spaces to accommodate up to 120 students.

...

- 126. Pre-application discussions were held with City of London between January April 2014 which included a single storey rooftop scheme utilising a mansard roof to be built over the Hall to contain the necessary plant and equipment. Whilst an auditorium seating 99 people and seven training rooms accommodating 114 people could be provided, the Inn considered the facilities fell short of the numbers required. The auditorium within this scheme would have been on a level floor rather than raked, and the applicants stated this was not considered to be ideal for optimal viewing. The ancillary catering, cloakroom and WC facilities were considered to be inadequate. The scheme included separate access via lifts from Church Court and failed to integrate the scheme into the building beneath.
- 127. The inadequacies led the Inn to redesign the scheme which incorporated the Gallery level of the Library and one refocused the building around a main entrance from the south terrace, which is the scheme under consideration.

..."

The officer's report to committee concluded:

"Assessment of Public benefits

132. Representations regarding the required scale of education provision, the most suitable site for it, and whether the benefits justify the harm to the library interior indicate that there are strongly held divergent views, including amongst senior participants in the life of Inner Temple.

Objectors have also expressed concern that the proposals may not be

viable and there is no business case. Your officers have concluded that the Applicants have made a credible case regarding the need for facilities that will address likely current and future demand, and the benefits of providing them in a unified Inner Temple Treasury Building where Inn functions can be consolidated. It is noted that the case is made by the Inn, and as a body with responsibility for provision of education and training and for compliance with the Royal Charter, their views are considered particularly well-informed. It is also noted that the case is supported by information from the Director of the Council of the Inns of Court and Dean of the Inns of Court College of Advocacy, who confirms that the proposals forms part of a cross-Bar initiative to improve the teaching estate involving all four Inns. As such, the Applicant's evaluation of the appropriate scale of education and training facilities, of the appropriate location, and of the short comings of alternative locations is considered persuasive and is accepted.

- 133. Regarding viability concerns, the Treasury Building is owned by the Inn and there is no suggestion that the Inn does not have the resources required to deliver the scheme. It is also noted that were the proposals to be delivered, the lawful "sui generis" use of the Treasury Building would ensure that its primary use remained related to the Bar and Inner Temple.
- 134. The proposal has been assessed in relation to the relevant heritage and design polices of the London Plan and Local Plan.
- 135. It is acknowledged that the proposed development would result in some harm to the significance of the Treasury Building as a heritage asset due to the addition of the staircase and the internal alterations to the library. It is considered that in the overall context of the scheme the detrimental, harmful elements are outweighed by the beneficial aspects of the proposals"

The present position

Over a year has elapsed since the officers wrote their report. During that time the body responsible for designing the BPTC, namely COIC, has continued to develop its proposals for delivering that course; and it has become clear that the Inns already have more than adequate capacity to deliver the BPTC without the facility for which the Inn obtained planning permission last year.

Thus Lincoln's Inn has now constructed ten new training rooms and a lecture theatre with seating capacity for 150 people, all now complete or nearing completion. Gray's Inn has a lecture theatre in Atkin Building with a seating capacity for 140 people. This is currently being used by City of Law School but is due to become vacant shortly.

Moreover it will not be for the Inn to decide on its own which part or parts of the BPTC it will deliver. That will ultimately be for the Bar Standards Board to decide; and inevitably those decisions will be made after discussion with all the Inns and having regard to each of their available facilities.

What is now clear is that the Inn's argument recited in paragraph 112 of the officers' report – namely that without the provision of the proposed training facilities "it would be difficult to progress the validation application" – was unfounded. In particular, it is now clear that delivery of the BPTC by COIC - and indeed the Inn's participation in that

project - will not depend on the Inn being able to construct a lecture theatre on the roof of the Treasury Building with a seating capacity for 120 people.

On the contrary, all four Inns will be considered together as a single 'university' campus with each Inn providing such parts of the course as are capable of being provided with its available facilities. Middle Temple, for example, does not have a lecture theatre and has no plan to build one but it will nevertheless participate in the delivery of the BPTC by the provision of teaching and training in the space it has created; and, of course, its library will also be a valuable asset for the students.

Pre-application discussions

At paragraph 126 of the officers' report reference was made to the pre-application discussions between the Inn and the City which included a single storey rooftop scheme that would include a lecture theatre – referred to there as an 'auditorium' - with seating capacity for 99 people and seven training rooms accommodating 114 people. The officers were favourably disposed to that proposal.

However it is said in paragraph 126 that "the Inn considered the facilities fell short of the numbers required"; also, that the lecture theatre would have been on a level floor rather than raked, and that this was "not considered to be ideal for optimal viewing".

A single storey rooftop scheme would have minimal impact on the Library; and it would enable the Inn to deliver lectures for the BPTC by giving the same lecture twice to two groups of 60 students each, well within the 99 seat capacity of the previously proposed lecture theatre.

It is understood that COIC's decision to deliver the course to two cohorts of 120 students was taken precisely because this number is easily divisible into smaller groups, such as two groups of 60 each; and the Inn's contention that such a facility would fall short of the numbers required can now be seen to have been unfounded. Clearly the same lecture can be delivered twice – i.e. to two separate groups of 60 - and COIC's choice of 120 students for each cohort was designed in order to create such flexibility.

The suggestion that a lecture theatre on a level floor would not be ideal for optimal viewing was misconceived, and is in any event even less of an issue for an audience of only 60 students. Any impairment of viewing, which could only be minimal, could be removed by the simple expedient of placing the lecturer on a podium, in the manner of the modern courtroom.

The planning consent undermined

It would clearly be wrong to grant permission to provide decant accommodation for the functions of the Inn in order "to facilitate the proposed development of the Treasury Building, Inner Temple Hall and the Library" (see page 1 above) if the very basis for the grant of planning permission for that development has been undermined.

The application for permission to build a lecture theatre on the roof of the Treasury Building, incorporating the second floor of the Library, was granted on the basis of an asserted *need* for such a facility. Officers acknowledged that harm to the Library as a heritage asset must be shown to be outweighed, i.e. justified, by public benefits (including need). It can now be seen that the very basis of that asserted need was unfounded.

In particular, the Inn's contention (at paragraph 112 of the officers' report) that without the provision of the facilities for which the Inn applied for planning permission) "it would be difficult to progress the validation application", can now be seen to be wrong. Whether the regulator will decide to authorise the Bar to deliver the BPTC will not depend in any way on whether the Inn is allowed to construct the lecture theatre for which planning permission was given.

It is now clear that the Inns together already have the necessary lecture facilities to deliver the BPTC if the regulator should grant the necessary authority. (For the avoidance of doubt, they appear also to have the necessary teaching and training rooms.) The Inn's wish to participate in the delivery of the BPTC and to improve its teaching and training facilities generally – for which it can make a strong case - can be satisfied by adopting the rooftop scheme – or, if preferred, some modified version of that scheme - that found (informal) favour with the City's planning officers in 2014.

But the Inn's wish to go further than that and construct the scheme for which planning permission was granted last year does not justify the proposed intrusion into the Library; and if the planning application had been made on the basis of the information currently available it would surely have been refused.

As already noted, Historic England contend that "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 present application for temporary structures]..."

In the light of present information, the public benefits are so reduced as not to justify the present application.

The Garden

Moreover, the permission was granted on the recommended basis, and on condition, that the Garden would not be used for temporary structures. The present application directly conflicts with that condition. Again, had this proposal been known to the Committee last year, the application for the proposed development of the Treasury Building, with consequential harmful impacts on the Library, would again surely have been refused.

As regards the scheme that met with the informal approval of the planning officers in 2014, which would have minimal affect on the library, there is no suggestion that the library would need to be decanted during works in and at roof level. On that basis, there would be no need for the temporary structure proposed in the car park to accommodate the 90,000 odd library books.

Moreover, there is no need for the Garden to accommodate the structure proposed for it either: King's College in the Strand, as one nearby example, may well have available rooms for many of the dining etc functions that are proposed to take place in the Garden structure; and there is also likely to be space within existing Inner Temple buildings for office/administrative use during construction works or possibly in a small portacabin in a corner of the car park.

It is submitted that 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 proposed 120 seat lecture theatre

still exists. It could not be right to grant permission to facilitate the proposed intrusion into the Library when the need for that development appears no longer to exist.

Nicholas Asprey

Application Summary

Application Number: 18/00597/FULMAJ

Address: Inner Temple Garden & Car Park Inner Temple London EC4Y 7HL

Proposal: 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.

Case Officer: Bhakti Depala

Customer Details

Name: Ms Desiree Artesi

Address: 4 Pair North 3 Hare Court City of London

Comment Details

Commenter Type: Other

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Other
- Residential Amenity

Comment:I am a resident in the Inn. I strongly object to the Proposals. This will adversely impact on residents because of the lack of close by green spaces. I also endorse the views expressed already by Richard Humphreys QC, Nicholas Asprey, and Neil Coe.

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Case Officer: Bhakti Depala

Customer Details

Name: Mr Zachary Bredemear Address: 1 Chancery Lane London

Comment Details

Commenter Type: Member of the Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:I am a barrister practising from 1 Chancery Lane and a member of Inner Temple. I am the serving Chair of the Inner Temple Bar Liaison Committee (the "BLC"). The BLC represents of the barrister members of the Inn and gives them a voice in the administration and affairs of the Inn. The BLC receives minutes from the Inn's other committees and therefore has a broad view of how the Inn functions as a whole. The views below are my own but are influenced by my experience of being a member of the BLC.

I support the proposal to erect temporary structures in the garden and car park for the duration of the building works to the Treasury Building.

There are three main reasons why I support the proposal.

Firstly, I support the Inn's goal of retaining its existing functions on a single site. The Inn is a vibrant community and the life of the Inn will suffer if its functions are dispersed. The Inn works most-effectively, especially those parts that rely heavily on barrister volunteers, when its staff and its members are in close proximity.

Secondly, I have attended outreach events for school children and university students and have

seen how inspired they are by their visit to the Inn. I think the Inn's education and outreach work will have more impact if events can continue to be held within the historic estate rather than in an off-site venue without a connection to the Inn.

Thirdly, I think the exterior designs for the temporary buildings and the planting for the building in the garden will be in harmony with their surroundings.