

Committee:	Date:
Planning and Transportation	20 February 2018
Subject: 1 & 2 Garden Court & 3 Garden Court (Blackstone House) Middle Temple London EC4Y 9BL Internal and external alterations including the formation of new openings in the rear of 2 Garden Court at second, third and fourth floor levels (located in the City of London) in association with a proposed three storey extension (located in the City of Westminster) linking 2 Garden Court with Black Stone House.	Public
Ward: Farringdon Without	For Decision
Registered No: 17/00938/LBC	Registered on: 11 September 2017
Conservation Area: Temples	Listed Building: Grade II

Summary

The proposals relate to 1 & 2 Garden Court, a pair of red brick chamber buildings comprising four storeys plus basement. 1 & 2 Garden Court are grade II listed buildings within the Temple Conservation Area.

Listed building consent is sought for internal and external alterations to the grade II listed 1 and 2 Garden Court. The works to 1 and 2 Garden Court include; the formation of new openings in the rear of 2 Garden Court at second, third and fourth floor levels, repair and works and cleaning to the external elevations of 1 & 2 Garden Court, damp proofing, new flooring, removal of structural and non-structural partition walls, replacement of the existing lifts, installation of secondary glazing and installation of an air conditioning system above a suspended raft.

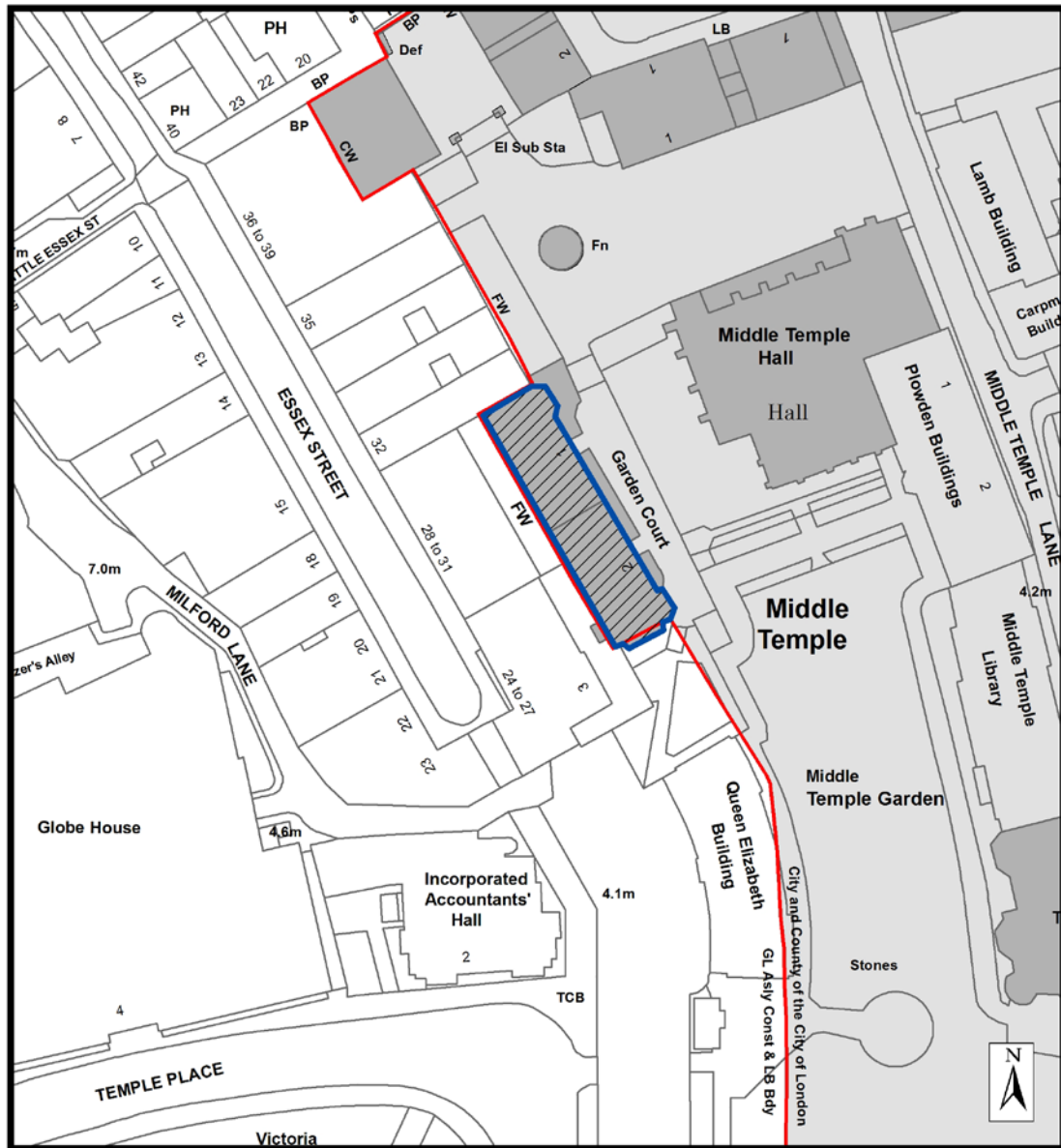
The proposed internal and external alterations would not result in any harm to its significance. The external alterations would be confined to its rear elevation where there is less sensitivity to change, and where alterations have already occurred. The internal works would be minor in relation to the scale and significance of the building, and would not result in the loss of any significant fabric or features. The alterations throughout would be accompanied by an extensive package of repair works that would enhance the significance of the listed building.

It is considered that the development complies with the NPPF and the Development Plan as a whole and is appropriate subject to conditions.

Recommendation

Listed building consent be granted for the works referred to above in accordance with the details set out on the attached schedule.

Site Location Plan



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ADDRESS:

1-2 Garden Court

CASE No.

17/00938/LBC

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



DEPARTMENT OF THE BUILT ENVIRONMENT



Main Report

Site

1. 1 & 2 Garden Court are a pair of red brick chambers buildings dating to 1885 with stone dressings and prominent 'Elizabethan' features.
2. 1 & 2 Garden Court are grade II listed buildings comprising four storeys plus basement within the Temple Conservation Area. They are in use as barristers' chambers (Class B1) with residential uses (Class C3) at upper levels.
3. The Grade II registered Middle Temple park and garden extends to the edge of the site to the east and south, with the section immediately south of the site in long-standing use as a carpark. Middle Temple Hall (grade I listed) is to the east of 2 Garden Court.
4. 1 & 2 Garden Court and Blackstone House are currently linked by a glazed part one, part two storey extension between 2 Garden Court Blackstone House.

Relevant Planning History

5. In July 2007 planning permission and listed building consent were granted by the City of London and Westminster City Council for the erection of a part one, part two storey glazed link extension between Blackstone House and 2 Garden Court to provide additional office space (Class B1). Associated alterations to Blackstone House included the formation of new openings in the rear elevation, installation of additional mechanical plant at roof level and associated alterations. Alterations to 2 Garden Court included the formation of a new opening in the rear elevation and associated alterations.

Proposals

6. Listed building consent is sought for internal and external alterations to the grade II listed 1 and 2 Garden Court. The works to 1 and 2 Garden Court include:
 - Creation of new openings at the rear of 2 Garden Court at second, third and fourth floor levels (in association with a glazed structure linking 1 and 2 Garden Court and Blackstone House)
 - Refurbishment and repair works to 1&2 Garden Court including replacement of all services, full façade clean and repairs to the roof
 - Replacement of existing internal secondary glazing and the introduction of additional units
 - Installation of two new glazed lifts in the existing locations
 - Removal of structural and non-structural partitions to create new openings and modify the layout of rooms.
 - Installation of an air conditioning system above suspended ceiling rafts.

Consultations

7. The views of other City of London departments have been taken into account in the preparation of this report and some detailed matters remain to be dealt with under conditions.
8. The application has been advertised in the press and a site notice was put up around the site, and statutory and non-statutory bodies were consulted.
9. Historic England does not wish to comment on the proposal and has deferred to the view of the local planning authority.

Policy Context

10. The development plan consists of the London Plan and the City of London Local Plan. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix A to this report.
11. Government Guidance is contained in the National Planning Policy Framework (NPPF).

Considerations

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

14. In considering the listed building consent before you, account has to be taken of the statutory and policy framework, the documentation accompanying the application, and the views of both statutory and non-statutory consultees.
15. The principal issues in considering this application are:
 - The extent to which the proposals comply with Government policy advice (NPPF) and with the relevant policies of the Development Plan having regard to the impact of the proposal on the character and significance of designated heritage assets; specifically - whether the proposed alterations, both external and internal, would be sympathetic to the character and appearance of the listed building and would preserve its special significance.

HERITAGE

Identification of Heritage Assets and their significance

16. Paragraph 129 of the NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including the setting of any asset). The assessment of significance should be taken into account when considering the impact of a proposal.
17. The designated heritage assets of relevance in the consideration of this case are:
 - 1 & 2 Garden Court – Grade II listed
18. 1 and 2 Garden Court have aesthetic and historical significance as a high quality example of a Victorian chambers building with long-standing associations with the site and Temples area. The grade II listed buildings have group value in relation to adjacent heritage assets including Middle Temple Hall (Grade I listed).

Heritage Policies

19. Policy 7.8 of the London Plan states that “Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.” Paragraph 7.31A of the supporting text states “Substantial harm to or loss of a designated heritage asset should be exceptional, with substantial harm to or loss of those assets designated of the highest significance being wholly exceptional. Where a development proposal will lead to less than substantial harm to the significance of a designated asset, this harm should be weighed against the public benefits of the proposal, including securing its optimal viable use. Enabling development that would otherwise not comply with planning policies, but which would secure the future conservation of a heritage asset should be assessed to see if the benefits of departing from those policies outweigh the disbenefits.”
20. Policy CS12 of the Local Plan seeks to conserve or enhance the significance of the City’s heritage assets and their settings by:

safeguarding the City's listed buildings and their settings, while allowing appropriate adaptation and new uses, and preserving and enhancing the distinctive character and appearance of the City's conservation areas, while allowing sympathetic development within them.

21. Policy DM12.1 of the Local Plan relates to managing change affecting all heritage assets and ensuring that the proposals sustain and enhance heritage assets, their settings and significance. Policy DM12.3 relates to listed buildings and seeks to ensure that listed building consent is granted for the alteration of a listed building only where this would not detract from its special architectural or historic interest, character and significance or its setting. Furthermore that "Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings". (12.1.4)
22. Paragraph 134 of the NPPF states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including securing its optimum viable use".

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

23. The proposal has been assessed in relation to the relevant heritage policies of the London Plan and Local Plan. The proposed new openings in the rear elevation and the external repairs and maintenance works would not have a detrimental impact on the special interest of the listed building. The proposed internal alterations would be sympathetic to the special architectural and historic interest of the listed building and would ensure its continued use for the purpose for which it was designed.
24. The proposed openings in the rear elevation would be formed in connection with a proposed link extension which is under consideration in an associated planning application. These works would fall within the City of Westminster.

Impact on the significance of the listed building

External works

25. The exterior brick and stonework of the building would be cleaned and repaired where required. The carrying out of the cleaning and repairs would be secured by condition, and details and a method statement would be required by condition to agree the extent and nature of the repair and alterations of works.
26. Existing window openings in the rear, west elevation of 2 Garden Court would be enlarged to provide connections to the proposed new link structure. The openings affected would comprise one at second floor, one at third floor and two at fourth floor level.

27. The existing modern atrium structure at ground and first floor levels would be removed and the brick elevation of 2 Garden Court exposed and made good. Modern service ducts and antennae would be removed and brickwork repaired.
28. A series of ventilation ducts would be installed to the rear elevation in connection with the proposed internal air-conditioning system.
29. Details and a method statement would be required by condition to agree the extent and nature of the repair and alterations of works to the rear elevation.

Internal works

30. Additional damp proofing measures would be installed at the north end of 1 Garden Court which has a chronic penetrating damp issue caused by the change in levels at this part of the site. A membrane would be installed to the interior of the north elevation at basement and ground floor level, with the internal finishes made good to match. The existing injected damp proof course would be supplemented to further improve the building's resilience against damp at the northern end.
31. The basement timber floors have largely been replaced with concrete in previous decades. Small areas of timber flooring remain but these are degraded and considered beyond repair. It is proposed to insert concrete floors in these areas.
32. At basement level at the northern end of the building a series of partition walls would be removed in order to create two larger meetings rooms which would largely revert the area of the building to its original layout. At the southern end on the same floor two original walls would be partially removed, leaving nibs, down-stands and cornices to maintain historic features and an impression of the historic plan form.
33. Outdated lifts run through the centre of the two main staircases. These would be replaced with modern glazed lift cars in the same locations, requiring no further alteration to the staircases. The painted glazed bricks in the stairwells would be restored to their original green ceramic finish.
34. The cast iron radiators, which are not of historic interest, would be removed and replaced with fancoil units in new cabinets.
35. An air-conditioning system would be installed throughout the office areas of the building. This would be run along corridors and into offices above a suspended raft. The raft would comprise a contemporary insertion set in from each side of the corridors so that the cornice could be viewed above. A series of penetrations in the rear elevation would be made as part of the system. The installation of the raft through the corridors would alter the volume and character of the space, but the works would be reversible and could be taken out in future leaving historic features intact.
36. Secondary glazing would be installed throughout, with the existing rear window units replaced and new units installed to the front of the building. The secondary glazing units would be white slimline aluminium frames

supplied by 'Selectaglaze' which would have a minimal visual impact when viewed from the exterior of the building.

Conclusions

37. The external and internal works to the listed building would not result in any harm to its significance. The external alterations would be confined to its rear elevation where there is less sensitivity to change, and where alterations have already occurred. The internal works would be minor in relation to the scale and significance of the building, and would not result in the loss of any significant fabric or features. The alterations would be accompanied by an extensive package of repair works that would safeguard the buildings and enhance their significance.

Background Papers

Internal

Nil

External

Letter Indigo Planning dated 08 September 2017

Letter Indigo Planning dated 31.10.2017

Letter Indigo (to Westminster City Council) dated 01 December 2017

Letter Historic England dated 9 October 2017

Planning Statement dated September 2017

Design and Access Statement dated 25 August 2017

Additional Information Document, prepared by Morey Smith

Photograph of Middle Temple Library and OS Map

Historic Building Report December 2017

Historic Environment Assessment dated August 2017

Geotechnical and Geo-Environmental Interpretative Report (prepared by Fairhurst) dated September 2017

Statement on Damp Proof Injection dated 05 December 2017

Garden Court Drainage Drawings

Appendix A

London Plan Policies

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

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

Relevant Local Plan Policies

DM12.4 Archaeology

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

CS12 Conserve or enhance heritage assets

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

DM12.3 Listed buildings

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

DM12.1 Change affecting heritage assets

1. To sustain and enhance heritage assets, their settings and significance.
2. Development proposals, including proposals for telecommunications infrastructure, that have an effect upon heritage assets, including their settings, should be accompanied by supporting

information to assess and evaluate the significance of heritage assets and the degree of impact caused by the development.

3. The loss of routes and spaces that contribute to the character and historic interest of the City will be resisted.

4. Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.

5. Proposals for sustainable development, including the incorporation of climate change adaptation measures, must be sensitive to heritage assets.

SCHEDULE

APPLICATION: 17/00938/LBC

1 & 2 Garden Court & 3 Garden Court (Blackstone House) Middle Temple London

Internal and external alterations including the formation of new openings in the rear of 2 Garden Court at second, third and fourth floor levels (located in the City of London) in association with a proposed three storey extension (located in the City of Westminster) linking 2 Garden Court with Black Stone House.

CONDITIONS

- 1 The works hereby permitted must be begun before the expiration of three years from the date of this consent.
REASON: To ensure compliance with the terms of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2 Before any works thereby affected are begun the following details shall be submitted to and approved in writing by the Local Planning Authority and all works pursuant to this consent shall be carried out in accordance with the approved details:
 - a) particulars and samples of the materials to be used on all external faces of the building including external ground and upper level surfaces;
 - b) details of soffits, hand rails and balustrades;
 - c) details of the integration of plant, flues, fire escapes and other excrescences at roof level;
 - d) details of plant and ductwork to serve the premises;
 - e) details of alterations to the west elevation of 1 and 2 Garden Court, including new openings and junctions with the link structure;
 - f) details and a method statement for masonry cleaning and repairs.REASON: To ensure the protection of the special architectural or historic interest of the building in accordance with the following policy of the Local Plan: DM12.3.
- 3 Works shall not begin until a scheme and methodology for cleaning and repair of brickwork has been submitted and approved by the Local Planning Authority and the development shall not be carried out other than in accordance with the approved scheme .
REASON: To ensure the protection of the special architectural or historic interest of the building in accordance with the following policy of the Local Plan: DM12.3.

- 4 Before any works thereby affected are begun, no works shall take place until the developer has secured the implementation of a programme of archaeological work to be carried out in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. This shall include all on site work, including details of any temporary works which may have an impact on the archaeology of the site and all off site work such as the analysis, publication and archiving of the results. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.
REASON: In order to allow an opportunity for investigations to be made in an area where remains of archaeological interest are understood to exist in accordance with the following policy of the Local Plan: DM12.4.
- 5 No works except demolition to basement slab level shall take place before details of the lift pits, basement slab groundworks and any foundations, to include a detailed design and method statement, have been submitted to and approved in writing by the Local Planning Authority, such details to show the preservation of surviving archaeological remains which are to remain in situ.
REASON: To ensure the preservation of archaeological remains following archaeological investigation in accordance with the following policy of the Local Plan: DM12.4.
- 6 The works hereby permitted shall not be carried out other than in accordance with the following approved drawings and particulars or as approved under conditions of this consent: MS00, MS180, MS181, MS182, MS183, MS184, MS200 Rev D, MS201 Rev C, MS202 Rev A, MS203 Rev A, MS204 Rev A, MS205, MS206 Rev A, MS20R, MS220, MS221, MS222, MS223, MS224, MS225, MS320, MS321, MS330, MS331, MS332, MS333, MS334, MS340, MS341, MS342, MS600, MS610, MS611, MS700, MS701, MS702, MS703, MS704, MS705
REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.