



**BLOOMSBURY
ASSOCIATION**

**112A GREAT RUSSELL STREET
LONDON WC1B 3NP**

DISCHARGE OF CONDITION 5 (DETAIL DRAWINGS) PURSUANT TO PLANNING PERMISSION
2022/5446/P

Application for planning permission reference: 2023/1499/P

6 June 2023

The Bloomsbury Association object to this application and wish to make the following comments:

1. The hotel opened to guests on Saturday 27 May without pre-operating conditions having been discharged and without a noise validation test as required to be submitted before occupation by Condition 9.
2. We understand that a noise validation test was submitted to the Council on 19 May 2023 in order to discharge pre-operation Condition 9 but has yet to be validated. By opening the hotel without pre-operating conditions having been discharged and without a noise validation test, the developer appears to be technically in breach of several conditions that the Planning Inspector relied upon in his Appeal Decision in October 2016 and to which subsequent decisions have referred. The Council is therefore entitled to take enforcement action and cease the hotel's operation until pre-operational conditions are met.
3. The ventilation plant is now operating 24/7 and is audible from homes on the opposite side of the street with windows closed, when it should be 15dB(A) below background noise levels and therefore inaudible. Sandy Brown Associates, consultants in acoustics noise and vibration, have advised the Bloomsbury Association that if it is audible it is not compliant and any noise validation test that asserts otherwise is unsound and unreliable.
4. In February 2023 the Association had discussions with Councillor Beales and Neil McDonald. We agreed to propose to the applicant that the verification test required under Condition 9 should be carried out 1m away from the nearest noise sensitive receptor - from the balcony of a flat on the opposite side of Adeline Place from where the plant is located. This is the same location that the original background levels were measured. On that occasion, Sandy Brown Associates were present to check everything was done correctly and we shared the view that it would be advisable for there to be a similar third party check of the way this test is carried out.
5. There are questions as to whether a background noise level established 8 years ago is still valid when the recognised standard is to disregard any test older than two years as it is no longer representative of the current noise climate.
6. These proposals were put to the developer's planning consultant by both Neil Mc Donald and ourselves on 8 May 2023. Clearly what was suggested has not happened. The noise validation test received on 19 May cannot be accepted as it does not meet the Council's requirement for it to be carried out 1m from the nearest noise sensitive receptor. Nor does it comply with the stipulation that noise emissions shall be 15 dB(A) below the background levels measured at the same noise sensitive receptor, otherwise they would not be so audible as they are now.

7. For these reasons this application should not be validated as the acoustic louvres shown on the accompanying drawings may not be achieving the level of noise mitigation required by Condition 9 and should be rejected. Information given to discharge Conditions 5 and 9 should be consistent and neither conflicting nor contradictory.
8. The elevation drawings accompanying the application (all confusingly with the same number) CCL-B1-01-DR-A-3102, appear to lack any specification notes referring to the various components keyed in to the drawing. While an acoustic rating is given for the doors on Adeline Place, none is given for the louvres and no material samples have been submitted as required by the condition. Without this information the application is meaningless and should not have been registered in the first place.

The Association looks to the Council to refuse this application.

We would be grateful if you would let us know of any further modification to the application; the decision, if it is to be decided under delegated powers, or the meeting date if it is to be decided by Committee.

Stephen Heath
On behalf of the Bloomsbury Association

Copies to:
Councillor Adam Harrison, London Borough of Camden
Neil McDonald, London Borough of Camden
Gary Bakall, London Borough of Camden
Sam FitzPatrick, London Borough of Camden
Chair, Bedford Court Mansions Ltd
Steward, Bedford Estates
Charlotte Street Association
Chair, Bloomsbury Association