



## ONE MUSEUM STREET

Application for planning permission: 2023/2510/P  
Application for listed building consent: 2023/2653/L

# OBJECTION

SUBMITTED ON BEHALF OF THE SAVE MUSEUM STREET COALITION

**Save Museum Street Campaign: led by a community coalition including:**

Bloomsbury Residents' Action Group  
Bloomsbury Association  
Camden Climate Emergency  
Charlotte Street Association  
Covent Garden Community Association  
Covent Garden Area Trust  
Drury Lane Residents Association  
Dudley Court Tenants' Association  
Goldsmith Court  
Grape Street Residents

Leicester Square Association  
Red Lion Residents Association  
Rugby & Harpur Residents Association  
Seven Dials Trust  
South Bloomsbury Tenants and Residents' Association  
Tavistock Chambers Tenants' Association  
The Bedford Estates  
The Soho Society  
West Central Street Residents  
Willoughby Street Residents

## OVERVIEW

This proposal comprises a serious assault on the good governance of the London Borough of Camden, as the Planning Committee is being asked to ride roughshod over policies that have been carefully developed for the purpose of encouraging sustainable, sympathetic and considerate development, devised to protect the public from the worst excesses of rampant development.

It can be seen from the sheer extent and scale of the Policy Non-Compliance Section (Section 15), that this developer has honoured the NPPF, the GLA and Camden's Policies more in the breach than the observance. Policies are put in place to ensure reasonable standards are adhered to, for mutual benefit. It is quite clear that this developer's priority is entirely focused on extracting the maximum area of office space, and thereby the maximum financial return from the site, regardless of:

- the quality of design (S5),
- the visual impact on the immediate area and the London skyline, (including protected views) (S3),
- the damage to (including demolition of) heritage assets (S4, Heritage Report, Peter de Figueiredo Dip Arch MA (Urban Design) RIBA IHBC),
- the deprivation of daylight and sunlight in existing and new properties, (and in the scandalously small amount of public open space provided) (Ss 2, 7, and 8, Daylight and Sunlight Report: Paul Hearmon LLB (Hons) Senior Right of Light Surveyor)
- the destruction of some of the few trees in the area (S8), and
- the devastating impact on climate change caused by the unnecessary demolition of Selkirk House (the former Travelodge) instead of retrofitting (S 1, Targeting Zero Reports, Simon Sturgis AADip RIBA, see Supplementary Documents 2, 3, and 4), and many more too numerous to mention.

This scheme is based wholly on a financial model which places the maximum commercial floorplate on the site, extruding it upwards to a maximum height, crudely moulded by rights of light constraints, ignoring the wider architectural, townscape, heritage and climate change constraints.

The Planning Committee is respectfully asked to give great weight to the NPPF, the London Plan, and the Camden Local Plan and reflect on the fact that these policies are in place for a purpose. The only benefit which is being proffered for this wholesale flouting of policy is a net gain of 18 dwellings, which have serious defects, including abysmally low standards of daylight, inflicted not by their location on an inner-city site, but by poor design. Even if the Committee is prepared to override so many of the Council's basic published policies, and could find a way of justifying such a course of action, the trade-offs offered in return by the developer are wholly inadequate. This site, in this city, deserves better than what is proposed. The Save Museum Street Coalition has demonstrated that there is an alternative, which provides more and better housing. The committee is respectfully asked to **REFUSE** this application.

(Section numbers refer to the Save Museum Street Coalition Objection Document)

## ONE MUSEUM STREET

### **Application for planning permission: 2023/2510/P**

*Redevelopment of Selkirk House, 166 High Holborn, 1 Museum Street, following the substantial demolition of the existing NCP car park and former Travelodge Hotel to provide a mixed-use scheme, providing office, residential, and town centre uses at ground floor level. Works of part-demolition and refurbishment to 10-12 Museum Street, 35-41 New Oxford Street, and 16A-18 West Central Street to provide further town centre ground floor uses and residential floorspace, including affordable housing provision. Provision of new public realm including a new pedestrian route through the site to link West Central Street with High Holborn. Relocation of cycle hire docking stations on High Holborn.*

### **Application for listed building permission 2023/2653/L**

*Alterations, including part-demolition, to 10-12 Museum Street and 35 and 37 New Oxford Street, to provide flats and townhouses. Demolition of closet wing to 19 Museum Street, infill of door openings. Demolition of modern rear extension to 11-12 Museum Street from ground to third floors, rebuilding of rear wall. Removal of non-original staircase and internal walls to 11-12 Museum Street along with new layouts and thermal upgrades including internal wall insulation, to facilitate new flats. New bridge links to 12 Museum Street from 16a-18 West Central Street. Removal of non-original partition walls to 35 and 37 New Oxford Street, reinstatement of historic room layouts, thermal upgrades. Across listed buildings: new kitchens, bathrooms and sanitaryware; introduction of new slimline double glazed retrofit double-glazing to existing window joinery, limited replacement frames; new internal and external doors; façade refurbishment works; conservation and restoration of historic joinery; plasterwork, fireplaces and other features of heritage importance. Courtyard garden linking buildings at first floor level above ground floor shared services, with new and amended openings to listed buildings to provide access. New and restored retail frontages to all buildings.*

**Save Museum Street**, which comprises the organisations listed below, **OBJECTS** to this application and a summary of our concerns follows. These are set out in the following sections:

- 1 Sustainability, environmental, climate emergency
- 2 Housing
- 3 Visual impact
- 4 Heritage impact
- 5 Design quality
- 6 Community engagement
- 7 Sunlight and daylight
- 8 Open space and public realm
- 9 Basement impact
- 10 Health impact
- 11 Transport, access and servicing
- 12 Construction management and noise
- 13 Phasing
- 14 Hotel Use
- 15 Policy non-compliance/information

**Appendix 1** – Further information required by Camden

**Appendix 2** – Potential S106 agreements

### **List of Supplementary Documents**

- 1 An Alternative Design Approach
- 2 Targeting Zero Report 1, dated 15 March 2023: Simon Sturgis AADip RIBA

- 3 Targeting Zero Report 2 dated 5 July 2023: Simon Sturgis AADip RIBA
- 4 Targeting Zero Report 3 dated 5 September 2023: Simon Sturgis AADip RIBA
- 5 Heritage Report: Peter de Figueiredo Dip Arch MA (Urban Design) RIBA IHBC
- 6 Historic Assessment – Stables West Central Street
- 7 Report from Dr Geoffrey Tyack FSA, FRHistS
- 8 Daylight and Sunlight Report: Paul Hearmon LLB (Hons) Senior Right of Light Surveyor
- 9 Email from Regional Manager Travelodge
- 10 Email from Camden Conservation Officer
- 11 Email from the Chief Executive of Historic England
- 12 Targeting Zero Report 4 (awaited as at 20.10.23): Simon Sturgis AADip RIBA

The Save Museum Street Group is strongly of the opinion that the proposal is wrongly conceived and fundamentally flawed. It will be severely damaging visually and environmentally not only to its immediate surroundings of sensitive conservation areas but to the whole of London. The scheme as it stands is not susceptible to improvement to an acceptable level by the merely cosmetic measures of increasing the number of housing units, which are of poor quality, or reducing the height of the tower. What is required is a root and branch approach to create a design brief which is sensitive to the location, the proximity to listed buildings, heritage sites and Conservation Areas, the needs of the community and the implications of climate change.

# 1 SUSTAINABILITY, ENVIRONMENTAL, CLIMATE EMERGENCY

1.1 The Camden Local Plan contains strong policies which respond to the declared emergency prioritising altering or retrofitting and allowing demolition only where it is **not possible** to retain and improve a building.

Relevant policies include:

## Climate Change Mitigation Policies CC1 and CC2:

Paragraph 8.17 states:

*'All proposals for substantial demolition and reconstruction should be fully justified in terms of optimisation of resources and energy use, in comparison with the existing building.'*

1.2 **Camden Planning Guidance – Energy Efficiency and Adaptation** states the following:

Paragraph 9.3 lists the benefits of retaining and refurbishing buildings

Paragraph 9.5 outlines the need to follow a hierarchy

Paragraph 9.6 sets out the hierarchy:

- i. Refit
- ii. Refurbish
- iii. Substantial refurbishment and extension
- iv. Reclaim and recycle

## 1.3 National and London Planning Policies

### 1.3.1 The National Planning Policy Framework (NPPF)

Chapter 14

Paragraph 152 emphasises that there '... should generally be a strong presumption in favour of repurposing and reusing buildings' and 'The planning system should support the transition to a low carbon future...it should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions ...[and] encourage the reuse of existing resources, including the conversion of existing buildings.'

### 1.3.2 The London Plan

Policy S12 requires, 'retrofit or reuse prioritised and should be considered before new build'

Policy S17 states 'retaining existing built structures totally or partially should be prioritised before considering substantial demolition..'

1.3.3 The GLA in their response to the planning applications make it clear that the proposal fails to fulfil these policies showing 'limited consideration of potential solutions through the retention scheme options [failing to show a] vigorous exploration of alternatives to demolition has been carried out and that refurbishment or partial retention would not be deliverable or appropriate'.

### 1.3.4 Climate Emergency

The London Mayor in April 2020 declared a climate emergency and set a target for London to be net zero carbon by 2030

1.3.5 Around 40% of the world's greenhouse gases result from the construction and running of buildings. Up to two thirds of a building's carbon footprint relates to its construction (its embodied carbon) meaning that around 27% of greenhouse gases relate to buildings' embodied carbon.

1.3.6 To achieve a sustainable development, it is critically important that Camden follows its policies and prioritises retention of existing structures capable of reuse and does not accept complex and potentially spurious justifications for demolition, which might be advanced to justify maximising the development return, not to advance a truly sustainable scheme.

1.3.7 The overriding reason for the applicant to pursue a demolition and rebuild proposal, rather than the retrofit solution, seems to be that their expectations of the financial return that they require preclude this approach. We do not accept that the applicant's inflated expectations should be the determining factor regarding the future of this important part of our neighbourhood. The building is structurally sound, capable of adaptation and appeared to be economically viable prior to its purchase by LabTech. For these reasons the proposal should be rejected as it fails to comply with Camden's sustainability policies.

1.3.8 Reports commissioned from technical consultants Targeting Zero include the following main conclusions from expert Simon Sturgis, who is an adviser to the RIBA, EU Commission, UKGBC, GLA, Green Construction Board, RICS, BRE, CIC, CIH, BSI:

*This planning submission for the demolition and replacement of 1 Museum Street is against UK National Policy, GLA Policy and intentions, and Camden's declared climate and ecological emergency.*

*The potential carbon cost of the new build proposal over a retrofit of the existing building is both significant, avoidable and unnecessary.*

*Camden should require a positive, forward-looking architectural proposal, showing how Selkirk House can be reused, repurposed and retrofitted with an open mind on use types to achieve a viable retrofit option with improved public realm. The central premise should be to retain most of the existing structure and add to or adapt this creatively.*

1.3.9 In the Targeting Zero report dated 15/3/23 the compliance of the latest application with sustainability targets is considered and major problems identified:

- i. Failure to meet Camden's sustainability commitment
- ii. Incorrect assumptions leading to incorrect and misleading carbon assessments
- iii. Errors in carbon assessments
- iv. Inaccurate retrofit/new build comparisons
- v. Inaccurate claims about the circular economy

1.3.10 Taken together these problems demonstrate a flawed approach which appears to be designed to demonstrate that the desired outcome of demolition is the only viable option. A simple example of this flawed approach is the argument that the existing building fails to meet the requirements of modern tenants due to limited ceiling heights. The structural floor to ceiling height is 2.8m and the stated achievable floor to ceiling height is 2.3m allowing for a suspended ceiling with a substantial ceiling void. The stated 'market expectation' is for a ceiling height of 2.8m but this is actually achievable if the ceiling soffit is exposed along with any services. This type of exposed services approach is now common.

1.3.11 Simon Sturgis's judgment is that, 'By every measure this scheme performs significantly worse in embodied and 'upfront' or construction emissions than the original scheme. The operational emissions do show a 76% improvement in energy use related emissions, but this is not credible given that this is essentially the same scheme and is 15% larger. These figures are very poor in relation to similar schemes and the operational energy reduction of 76% needs detailed third party verification.

See Supplementary Documents, Numbers 2, 3, and 4.

## 2 HOUSING

### 2.1 Quantity of Proposed Housing

2.1.1 The latest proposals include the construction of 44 new dwellings, 19 of which are to be affordable and 25 to be sold on the open market. Of the 19 affordable, 11 will be social rent and 8 will be intermediate/affordable accommodation.

2.1.2 Currently there are 11 high-end maisonettes on the top two floors of Selkirk House and 15 small studio flats located within the New Oxford Street/West Central Street/Museum Street block, which henceforth will be referred to as NOS Block); these dwellings are designated as HMO (homes in multiple occupancy) giving a total of 26 existing dwellings on the overall site.

2.1.3 In numerical terms the proposed development will increase the quantity of homes from 26 to 44, an increase of 18 dwellings, but there is an increase of housing floorspace commensurate with the proposed increase of office and commercial floorspace, of 2,078 sqm.

2.1.4 All the private market housing is proposed to be located along the west side of West Central Street (the current vacant site adjacent to the Fire Station) and along Vine Lane and fronting High Holborn with two further properties within the NOS block. All the affordable and intermediate housing is located within the NOS block.

2.1.5 There is no replacement of the HMO accommodation. The GLA's Housing Supplementary Planning policy (see 3.4.2) makes plain that HMOs should be protected, and is incorporated into Camden's Local Plan Policy H10 which states that HMO accommodation will be protected and not allowed to be eroded (see Policy H10). The policy states:

Housing with shared facilities: ('houses in multiple occupation')

The Council will aim to ensure that there is a continued provision with shared facilities to meet the needs of small households with limited incomes and modest space standards.

2.1.6 The current HMO accommodation in 11/12 Museum Street occupies 97 sqm and in 35/37 New Oxford Street approximately 120 sqm, giving a total of 217sqm. The developers have not classified the existing New Oxford Street housing as HMO accommodation although clearly that is the case. The figure of 217sqm represents, (using Camden's approximation of dwelling sizes), 2 family homes or four 2-person homes. The HMO accommodation in Museum Street was sound, but all the sanitary ware and kitchen units have been smashed by the previous landlords, Labtech, presumably to resist squatters; the quality of the HMO accommodation in 35/37 New Oxford Street is poor and all sanitary ware etc. has been removed.

2.1.7 To date Camden planners have taken the view that there is no need to protect the HMO accommodation, "as the existing HMO accommodation in Museum Street is below standards". In reality each unit in 11/12 Museum Street has a self-contained shower with WC and kitchenette, built-in wardrobe and sufficient room for a single bed, table and chairs; the kitchenettes and showers are clearly recently installed and in good condition, though all the sanitaryware has been smashed. Each unit might be undersized, but they exist, and to endeavour to air-brush away the existing HMO accommodation, is wrong.

2.1.8 Policy H10 goes on to say that HMO accommodation can be replaced if the proposed development provides self-contained social affordable rented accommodation.

2.1.9 The development contains 1,693sqm of affordable housing. The developers state that this floor area meets the requirements of the London Plan H4 and Camden's Local Plan Policy H2 (Maximising the supply of self-contained housing from mixed-use schemes) and it would appear Camden Planners agree to this assertion. However, while the 1,693sqm of affordable housing

might meet the target, as a consequence of the quantity of commercial office uplift in floor area, c. 24,000 sqm, it does not take account of the loss of the existing HMO accommodation.

2.1.10 Put another way, the planning gain in affordable housing being offered is 1,693sqm, but there is a loss of c. 217sqm of similar accommodation that exists on the site at present. So, in real terms the uplift in affordable housing is 1,476sqm which is not policy-compliant. If the HMO accommodation in floor area were replaced then the affordable housing figure would be 13 dwellings not 11 as currently included in the development or an additional 5 HMO dwellings.

2.1.11 What the developers have done is to include the existing HMO floor area with the existing private high-rental housing, and then deducted this from what is proposed to be built, thereby purporting to show that they have complied with H2 planning policy. But this does not identify the type of housing that is being removed as a consequence of their development, and it should.

2.1.12 Camden's Housing Policy H2 requires the developer to provide a housing component that matches in floor area 50% of all additional floorspace (over 200sqm). The developers propose a commercial floor area increase of 6,756sqm so 3,378sqm of housing should be included in the development, and of this floor area, at least 50% should be affordable housing. The remainder can be market/for sale housing. While the developers are providing 1,689sqm of affordable housing (which we contend is too little considering the existence of the HMO accommodation), they are NOT providing the full required housing floorspace. Indeed, there is a shortfall of 1,301 sqm of housing on the site, which equates to 13 additional dwellings, applying Camden's 100sqm average per dwellings for a mix of housing sizes.

2.1.13 The developers acknowledge this fact (see their Affordable Housing Statement para 2.9) and say *en passant* that they will make up this shortfall by making a payment in lieu, "only subject to viability". This is a very big caveat and it is almost inevitable that, due to the great likelihood that the overall costs of the project will exceed the sums included in the developer's viability studies, the developers will say that it is not viable to make any payment in lieu. Indeed, Gerald Eve, the applicant's agent say just that in their latest financial appraisal, to quote

"We conclude that the Scheme, providing planning contributions of £6.24 million plus 50.1% affordable housing (by GIA), results in a profit output that is below the target rate of return. As such, the proposed planning obligations package is the maximum that the Scheme can afford. The Scheme cannot afford a residential PIL on viability grounds." (see para 7.7).

2.1.14 The fact that the same consultants, Gerald Eve, have said in each one of their three financial appraisals over the past three years that the developers cannot make any further payment/additional housing, and then have proceeded to do just that, shows clearly that the financial appraisals that have been produced, and the last of June 2023 is no different, are clearly doctored to suit the circumstances and the Council would be wise not to take them too seriously.

2.1.15 Once again, the developers are saying one thing to one audience, namely that they will make up the shortfall of housing by way of making a payment in lieu, and on the other hand saying that financially they will not be in a position to do so. What is evident is that the applicants are endeavouring to procure as much commercial/office floor space as possible, but do not wish to abide by the Council's planning policy H2, namely, that the increase in commercial floor area is to be matched by 50% of the same area of housing on the site.

2.1.16 Camden's Local Plan policy H4 stipulates that the split between social rented accommodation and affordable housing should be 60% social rented and 40% affordable. The developers are offering a split of 57% social rented and 43% affordable (11:8) and therefore it is not compliant with the Council's guidelines. When taking into account the failure to replace the HMO accommodation, either as replacement HMO flats, or additional social rented flats, the actual split that the developers are offering is 52% social rented and 48% affordable which is considerably less than required.



2.1.17 The developers have set out the likely rent levels for the affordable housing. For one bedroom flats the weekly rental level, excluding service charges, will be approximately £229 pw or £12k p.a., which with rates and service charges is likely to be £15,600 p.a. This outlay will exceed the means of the average Londoner's wage (which is £32k before tax) as it represents around 50% of the annual pre-tax wage. This rent level will require a minimum annual income of £45K pa after tax. For the two-bedroom, 4-person affordable flats, the estimated rent will be £321pw or £17k pa, which with rates and service charges is likely to be £21k. This accommodation is completely beyond the reach of an average wage earner on £32,000 pa and clearly does not cater to those most in housing need. In order to afford this level of expenditure a tenant would need an annual wage of £62k after tax.

## **2.2 Design of the Housing**

2.2.1 Camden's Local Plan sets out clearly what quality is expected in new housing as regards space standards, amenity, outlook, overlooking, daylight and sunlight and detailed design factors like security.

2.2.2 What follows is an analysis of the affordable and general needs accommodation that is included in the current planning application, which is all located within the NOS block. The reason for concentrating on this element of the proposed housing is that the social and affordable housing is entirely located within the NOS, and as this type of housing represents the 'benefit' that is being offered to offset the harm of the tower block, it is essential to establish the actual quality of the so-called benefit. However, most of the same criticisms concerning the proposed housing within the NOS apply also to much of the private housing that is located in Vine Lane and High Holborn.

2.2.3 The London Plan and in particular the Mayor of London's Housing Supplementary Planning Guidance Part 2 'Quality' and Part 2.3 'Dwellings' sets out in considerable detail the standards that are required. Camden's Housing Supplementary Planning Guidance published in January 2021 is a more up-to-date document that incorporates the GLA's requirements or refers to them. The proposed housing design is required to meet these requirements as set out in:

Chapter 9 of Camden's Housing SPG page 121 where one of three Key Messages is that:

"Proposals for a new home must seek to comply with the principles set below. Satisfactory housing conditions are a key element to quality of life. As well as shelter, a home must provide a place of rest, relaxation, safety, privacy and space."

Under the heading Layout on page 123 it states:

"Dual Aspect: Proposals should achieve good dual aspect [London Housing SPG 2016 Standard 29]. Habitable rooms should also have suitable outlook".

2.2.4 The new-build housing block facing West Central Street contains 12 flats, of which only 4 have a dual aspect, but it could not be described as 'good' as the office tower block is so close, and could not be described as "uplifting or suitable". The remaining 4 flats have one aspect looking south directly at the office tower some 8m distant and another aspect looking north directly into the rear bedrooms of the existing residential accommodation along New Oxford Street which, at its nearest is 5m distant and at its most 8m distant. This is not in accordance with Camden's Amenity Supplementary Planning Guidance concerning over-looking and privacy which stipulates a distance of 18m between developments (page 5 paragraph 2.4) and certainly does not constitute 'good quality dual aspect accommodation'.

2.2.5 The housing within 10,11,12 Museum Street currently has excellent dual aspect but due to the new five/four storey new build block proposed along West Central Street in place of 16a/18 West Central Street (the 2/3-storey historic stable building, which is to be demolished) no 10 Museum will no longer have two aspects, only one, as the rear windows are either blocked up, or look at a blank wall 3m away, and numbers 11 and 12 Museum Street have very poor aspect due

to the very close proximity of the new block, at the most 5m away. The same defect is inflicted onto the rear elevations of 35-41 New Oxford Street so the southerly aspect certainly cannot be described as good.

2.2.6 It is important to stress that the dual aspect defects are **NOT** caused by being an inner-city site but are self-inflicted through poor design, and it is very clear it is possible to provide good quality dual aspect housing within the NOS block as shown in the alternative designs included in the alternative approach to the development, produced by SMS.

2.2.7 Natural light, Daylight/sunlight. All the habitable rooms must have direct natural light, particularly the main living room. The applicant must ensure that the levels of daylight and sunlight that enter habitable rooms comply with BRE standards and that the report for 'Daylight and Sunlight' is submitted with the proposal [London Housing SPG 2016 Standard 32; CPG for Amenity].

2.2.8 SMS appointed Rights of Light Consulting to analyse the report entitled 'Daylight, Sunlight & Overshadowing' dated June 2023, prepared by GIA for the applicants. GIA acknowledge that the new housing suffers from poor daylight and sunlight penetration but is inevitably extremely vague as to how bad it is and the quality of sunlight/daylight to each housing type (market/affordable/social rent). Camden in turn appointed Delva Packman Redler to assess GIA's report and they concluded:

"Overall, the development appears to provide a relatively low level of adherence to daylight and sunlight guidelines. It should be noted that there would be **a number of rooms where none of the area would see the target lux and/or see no sunlight.**"

2.2.9 But what this phrase fails to make clear is just how bad the current housing design is, especially with regard to the affordable and social rented accommodation. The vagueness of both the GIA and Delva Packham Redler reports is clearly an effort to brush over the level of failure of the proposed housing to meet the minimum daylight and sunlight standards. The table below shows clearly how badly the current new housing performs with regard to providing the minimum levels of daylight and sunlight.

Daylight				
Property	Total Rooms within (No. Units)	No. rooms meeting minimum lux target (% of total rooms)	No. rooms below minimum lux target (% of total rooms)	No. rooms which achieve lux target to 0% of the room area (split per Affordable/Social/Private units)
West Central Street	68 (21)	12 (18%)	56 (82%)	28 (7/17/4)
Vine Lane	41 (19)	5 (12%)	36 (88%)	18 (0/0/18)
High Holborn	13 (4)	4 (31%)	9 (69%)	2 (0/0/2)

Sunlight				
Property	Total Units	No. units which contain a habitable room meeting the minimum target (% of total units)	No. units which contain a living room meeting minimum target (% of total units)	No. of living rooms which achieve 0 hours of direct sunlight on 21 March (split per Affordable/Social/Private units)
West Central Street	21	10 (48%)	4 (19%)	9 (3/4/2)
Vine Lane	19	3 (16%)	3 (16%)	12 (0/0/12)
High Holborn	4	2 (50%)	2 (50%)	0 (0/0/0)

2.2.10 The housing within the NOS block (shown under the title above as West Central Street) indicates that 82% of all the habitable rooms fall well below the minimum daylight requirements and of this total, half have **absolutely no daylight penetration at all**, and 60% of all the homes (13

dwellings out of the total of 21) have well below the minimum standard of sunlight penetration, **of which 9 have absolutely no sunlight penetration.**

2.2.11 The housing proposed for Vine Lane and High Holborn (all for sale/market housing) also fails to meet the minimum standards for daylight and sunlight penetration. The Vine Lane accommodation is even worse with regard to daylight penetration with 88% of all habitable rooms being below the minimum standard, of which half will have no daylight and half of all the dwellings having well below sunlight penetration standards, with 12 of the 19 living rooms having **absolutely no sunlight penetration.**

As Right of Light Consulting state:

"We are of the opinion that the proposed development will not provide adequate levels of daylight and sunlight for its future occupiers. In particular, the numerical results confirm that the vast majority of proposed residential units within the assessed blocks fall far below their recommended daylight and sunlight targets. Furthermore, and in our opinion more critically, of the units which do not meet the BRE recommended daylight targets, around 50% severely underperform and do not achieve their lux targets to any area within the rooms at all."

2.2.12 The reason for the abysmal levels of sunlight and daylight being provided for the housing is a direct consequence of the height and bulk of the proposed tower block whose building line is brought much closer to the West Central Street properties than the existing Selkirk House and being 20m higher removes all direct sunlight penetration as well as casting the whole of NOS into shadow. The proposed tower block also affects the housing proposed for the west side of Vine Lane. To add to the problem the height and bulk of the new build block in West Central Street damages still further the daylight and sunlight penetration into the rear elevations of Museum Street and New Oxford Street residential properties as well as damaging their privacy and outlook.

2.2.13 The developers rely on the fact that the site is in within a tight urban block, but this is not the cause of the failure to meet the minimum daylight sunlight and dual aspect requirements, as these defects are a direct consequence of the design of the tower block both in height and bulk and the housing block along West central St compounds the problem.

2.2.14 Save Museum Street's alternative approach shows how good quality housing can be built within this tight urban block and meet the daylight and sunlight minimum standards. If Camden planners endeavour to justify the failures of the developer's housing design by blaming the location of the development, without saying that the defects are directly caused by the design of the tower block and new build housing block in West Central Street, then they are being seriously disingenuous and are misinforming Members of the Council.

### **Privacy**

2.2.15 The habitable rooms of a home should provide adequate levels of privacy for the new occupier. This is set out in the CPG for Amenity. The applicant must ensure all the habitable rooms have a suitable outlook and have suitable privacy.

2.2.16 All the habitable rooms along West Central Street face the proposed tower block, some 11m distant, and the proposed clear glass glazing specified for the office tower will mean that there will be no privacy between the housing and the offices directly opposite. To the rear of this block of housing are located bedrooms which are less than 8m away from the rear bedrooms and living rooms of the residential property along New Oxford Street, which does not comply with Camden's Amenity Supplementary Planning recommendation that there should be an 18m separation between dwellings (see paragraph 2.4) It is acknowledged in the same section that this is often not achievable and mitigation measures are suggested.

2.2.17 The simplest solution to this self-made problem is to refrain from constructing a housing block along the full length of West Central Street and to leave the area between the existing

buildings clear. In this way the quality of the conservation area is respected, and the quality of the existing housing along Museum St and New Oxford Street maintained with good privacy to all existing accommodation. The alternative approach prepared by SMS shows how this can be achieved, while also providing a substantial amount, indeed more, housing than the developer proposes.

2.2.18 None of the habitable rooms to the rear elevation of the new housing block and none of the habitable rooms to the rear of the Museum St and New Oxford Street residential properties will have a suitable outlook, indeed the outlooks will be either blank walls some 2 to 4 meters away, staircases, or windows of separate dwellings some 6/8m distant.

### **Amenity**

2.2.19 Amenity of neighbours – The proposal should not have a significant detrimental impact to neighbouring amenity in terms of neighbouring outlook, privacy, sunlight, daylight, noise or vibration. Additionally, the proposal should not result in any overlooking into neighbouring habitable rooms. [Local Plan Policy A1; CPG for Design and for Amenity]. As discussed above the proposed new housing block along West Central Street fails to meet all of these requirements.

### **Outdoor space**

2.2.20 All new homes should have access to some form of private outdoor amenity space, e.g., balconies, roof terraces or communal gardens. Existing gardens and green space should be retained. New homes should meet the open space standard of 9sqm per resident or 0.74sqm per worker in a mixed-use development.

2.2.21 There are 21 dwellings proposed within the NOS. There are nine located within the existing Museum Street and New Oxford Street terraced properties and the remaining 12 are within the new housing block located in West Central Street.

### **Existing Housing**

2.2.22 Large family houses are proposed for 10 Museum Street and 35 and 37 New Oxford Street. None of these family homes have any private outdoor amenity space, so clearly these dwellings fail to meet the open space requirement. Family accommodation is most in need of outdoor amenity space. Within 39/41 New Oxford Street and 11/12 Museum Street are six 2-person flats, one on each floor. In both the Museum St and New Oxford Street properties the flats on the second and third floors have no private outdoor amenity space, whereas the first floor 2-person dwellings have access to the access deck that the developers claim is an amenity space.

2.2.23 In summary, of the 9 dwellings within Museum St and New Oxford Street, seven dwellings have no outdoor private amenity space, of which three are large family dwellings; two have direct access to the access deck which the developers claim is an amenity facility.

### **New Housing**

2.2.25 All of the 12 flats have external balconies but three of the 4-person dwellings' balconies are of insufficient area by around 4 sqm in order to be compliant with the design policy. The problem with the private open space that is being provided is that it is of terrible quality with absolutely minimal daylight penetration and absolutely no possibility of any sunshine.

### **Access Deck/Amenity Deck**

2.2.26 The developers claim that the access deck within the NOS block will double up as an amenity space for the dwellings, though only 4 dwellings of the 21 have direct access to the first-floor deck, so it follows that 17 dwellings within the block do not have direct access to this so-called amenity.

2.2.27 The BRE guide recommends that, for an open space to appear adequately lit throughout the year, at least 50% of its area should receive two hours of sunlight on 21 March. The studies undertaken by GIA on behalf of the developers ('Daylight, Sunlight & Overshadowing' dated June

2023) shows that 0% of the communal amenity space will achieve 2 hours of sunlight on 21 March (against the recommended BRE target of 50%).

2.2.28 So, it is very evident that the housing proposed for the NOS block also fails to meet this very basic standard, namely the requirement to have some sunlight in the communal amenity space, though we contend the amenity space is in fact an access deck largely given over to hard paved pathways to the proposed accommodation, which is explicitly excluded as being able to be described as open space/amenity space in the GLA's Housing Design Standards.

## 2.3 Quality Design

2.3.1 Camden's Design Supplementary Planning Guidance states that the Council requires high quality design and picks out various principles as to how this can be achieved. The first principle is that developments should be aware of Context and Character. The report states in para 2.10 page 8:

*Development should respond positively and sensitively to the existing context*

*Development should integrate well with the existing character of a place, building and its surroundings*

2.3.2 As regards the housing element of the proposals, the new build housing fails to meet both of these basic principles. The West Central Street housing block that requires the demolition of 16a/18 West Central Street, clearly does not respond sensitively to the existing context and fails to integrate well with the character of the place, in fact the proposed housing block will do quite the opposite; it will damage the quality of the existing housing on the site, damage the adjacent listed buildings and seriously diminish the daylight to all of the rear residential habitable rooms within the Museum St and new Oxford Street properties.

2.3.3. The same Council document, within the Heritage section (section 3 page 17) states:

*The Council will only permit development within conservation areas that preserves and where possible enhances the character and appearance of the area.*

and

*The significance of 'Non-Designated Heritage Assets' (NDHAs) will be taken into account in decision-making.*

2.3.4 It is very clear that the proposed new housing block that is intended to replace the non-designated heritage asset (16a/18 West Central Street) fails to meet these requirements in particular and this is confirmed by the Council's Conservation Team Manager who when asked to consider<sup>1</sup>

"Whether the six-storey housing block that is proposed to replace 16a/18 West Central Street harms the conservation area street scene and are you of the opinion that the existing two-storey stable block is more in keeping and contributes to the conservation area as set out in Camden's Conservation area appraisal?"

replied

"I would (also) agree that I consider the demolition of 16a/18 West Central Street harmful to the character and appearance of the conservation area and the existing building is more historically appropriate in regards the immediate context than the proposals."

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<sup>1</sup> See Supplementary document 10, email from Camden Conservation Team Manager

2.3.5 Again with reference to Camden's Design Guide, it is clear that the Council will protect NDHA's especially within Conservation Areas, as is the case with 16a/18 West Central Street which is a designated NDHA and within the Bloomsbury Conservation Area and picked out in the Conservation Area Management statement as buildings of local significance, contributing to the group value and enhancing this most southern part of the Bloomsbury Conservation Area.

2.3.6 Camden states in para 3.42:

*In assessing applications that affect heritage assets, the Council will, in addition to considering proposals on an individual basis, also consider whether changes could cumulatively cause harm to the overall heritage value and/or integrity of the relevant Conservation Area, Listed building or heritage asset.*

And in para 3.44

*The Council recognises that changes to individual buildings, as well as groups of buildings such as terraces, can cumulatively cause harm to the character of conservation areas. We will therefore take cumulative impact into account when assessing a scheme's impact on conservation areas.*

And para 3.48

*The Council expects that development not only conserves and avoids harm but also takes opportunities to enhance or better reveal the significance of heritage assets and their settings. Development must respect local character and context and seek to enhance the character of an area where possible.*

2.3.7 Clearly the design of the new build housing block along West Central Street fails on all three counts. The housing block's design will cumulatively cause harm to the overall heritage value of the Conservation Area, and the general character of the conservation area, fails to respect the local setting and enhance the character of the conservation area and certainly fails "to take the opportunity to enhance or better reveal the significance of the heritage assets and settings". If these defects were not enough, the design of the new housing block is so poor, it does not meet the most basic of the GLA's and Council's housing standards.

## **2.4 Conclusions**

2.4.1 The current proposals are not policy-compliant with the GLA's Housing Policy H4 and Camden's Housing Policy H2 with regard to the quantity of housing that should be provided as a consequence of the commercial floorspace uplift. The developers propose to construct 3,992sqm of housing on the site but they should construct 5,293sqm. There is a minimum shortfall of 13 dwellings.

2.4.2 The developers say that they will make payment in lieu as a consequence of the housing shortfall, but they also have strongly indicated that they will not be in a position to do so as they consider the development is not viable. Their undertaking that they will make payment in lieu of the missing housing (a minimum of 13 additional homes) is baseless.

2.4.3 The current proposals are not compliant with Camden's H10 planning policy and the GLA's Housing planning supplementary document, that undertake to protect HMO accommodation. There is a minimum of 97sqm of HMO accommodation in Museum Street and a further 120sqm of similar accommodation in 35/37 New Oxford Street, giving a total of 217sqm, which equates to a minimum of five HMO homes or two social rented homes.

2.4.4 The developer's scheme includes 19 affordable dwellings; the total should be a minimum of 22 taking into account the missing HMO accommodation.

2.4.5 The split of social housing/affordable housing that the developers are offering does not comply with Camden's Planning policy H4. At a minimum, ignoring the shortfall of the HMO accommodation, there should be an additional 2 social rented homes so that rather than a split of 11:8 (social rented:affordable) it should be 13:6 (social rented:affordable),

2.4.6 The affordable housing rental levels will be way beyond the capacity of an average London wage earner and certainly the accommodation will not contribute to the thousands that are on Camden's Housing waiting list and in desperate housing need.

2.4.7 The design standards for new housing set out by the GLA and Camden's Housing Design are not met by the affordable and social housing.

2.4.8 The new build housing within the NOS block fail to meet daylight and sunlight basic minimum standards.

2.4.9 The design of the proposed new housing fails to comply with the minimum standards of daylight and sunlight that habitable rooms should enjoy. A staggering 82% and 86% of all habitable rooms within NOS block and Vine Lane block fail to meet the minimum BRE daylight standards and of these, half receive zero daylight penetration and of the 41 living rooms, 28 living rooms have no sunlight whatsoever.

2.4.10 The new build housing within the NOS block fails to comply with the minimum privacy standards, overlooking standards, private outdoor space, or communal amenity space and a very high proportion of the new housing has no dual aspect. Where dual aspect is provided it is of such bad quality it does not comply with basic design standards due to the proximity of adjacent buildings.

2.4.11 The design of the new housing development in West Central Street will damage the quality of the existing housing accommodation in Museum Street and New Oxford Street.

2.4.12 The design of the new housing in West Central Street fails to meet the most basic Design requirements concerning respecting and enhancing the quality of historic buildings and the requirement that new development should enhance the local urban environment.

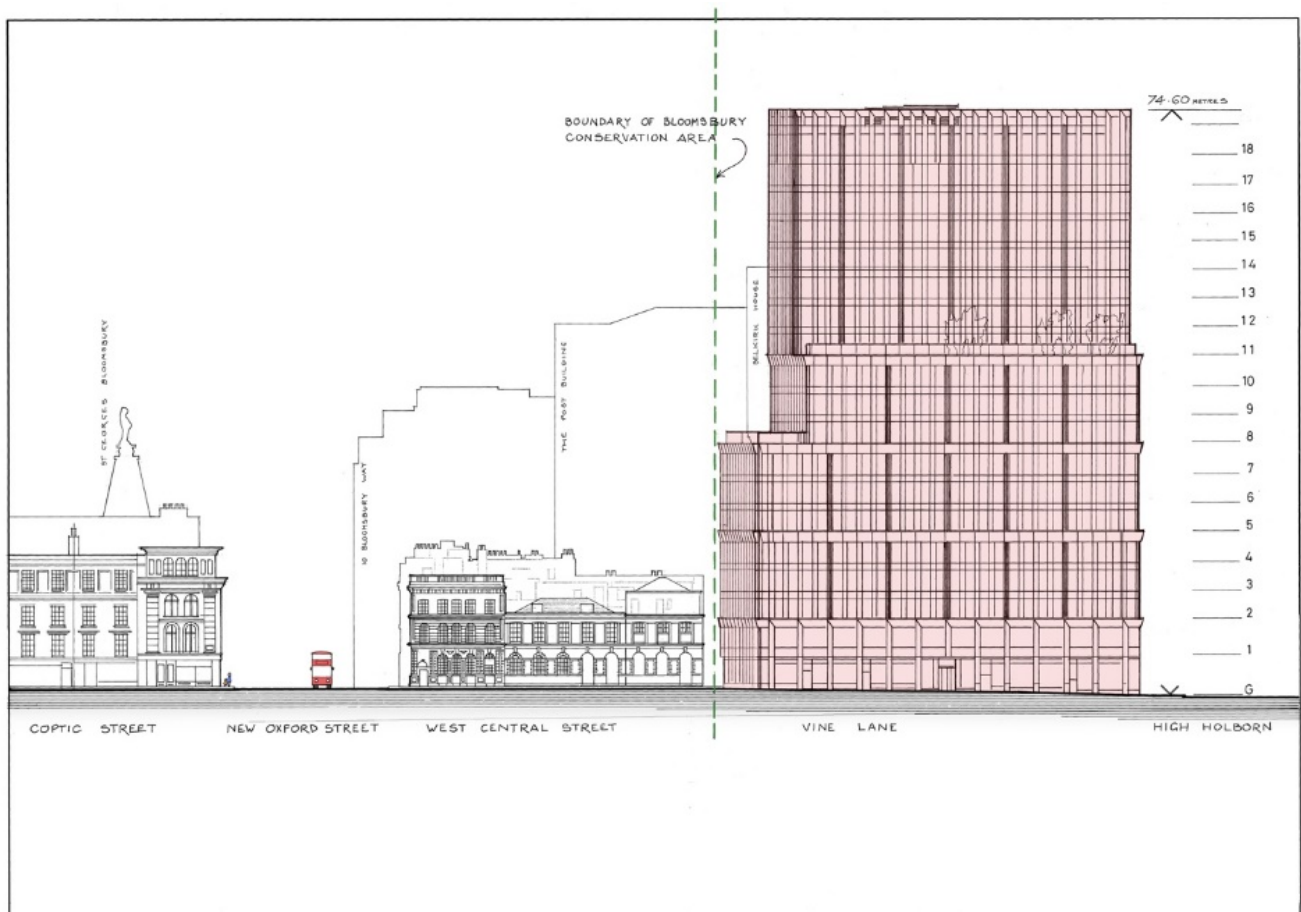
2.4.13 The Council states that it will only permit development within conservation areas that preserves and where possible enhances the character and appearance of the area. The proposals harm the conservation area and this is confirmed by the Council's Conservation Team Leader.

### 3 TOWNSCAPE AND VISUAL IMPACT

#### 3.1 Existing conditions

3.1.1 Selkirk House, the former Travelodge Hotel, rises to 14 floors, above a three-storey podium. It is the applicant's proposal that this, already excessively high building, be replaced by a speculative office tower rising to 19 floors and at a height of 75 metres.

3.1.2 The present roof parapet level of Selkirk House is +78.46m AOD, while the roof parapet of the proposed development will be at +100.00m AOD. Ground levels vary across the site but is typically circa +25.00m AOD. The existing building is 53.46m above ground and the proposed building 74.60m, so the proposed tower will now be 40% taller than Selkirk House and 65% the height of Centre Point.



*Section at West Central Street illustrating the conflict with the Bloomsbury Conservation Area boundary.*

3.1.3 The proposed tower will be much wider, therefore far more visible. Its bulky 41m long east and west elevations will present a slab-like appearance to both close and distant views. As illustrated above, the 75-metre-high office tower 'slams' into the sensitive Bloomsbury townscape with no 'zone of mitigation' and with no regard for its proximity to listed buildings and conservation areas. The applicant's model, shown below, reveals the true massing and bulk of the development. It really cannot be described as "an elegant tall building which responds to the sensitivities of



context"<sup>2</sup>. This structure is more the product of an optimum 5000sq.ft. commercial floorplate placed on the site and extruded through to maximum height and crudely moulded by rights of light constraints. In other words, this is a financial model which ignores wider architectural, townscape and heritage constraints.



*Block model prepared by the applicant: view looking north towards the British Museum.*

3.1.4 The proposed tower will not in any way enhance the street scene in the Bloomsbury, Covent Garden, Seven Dials and Soho Conservation Areas and will not meet the basic requirements of Policy D2. On these grounds alone, such an inelegant and ill-placed structure should be rejected, and the applicant required to provide a building which meets all Camden and Mayoral stated policy criteria.

3.1.5 We are unconvinced by the conclusions in the developer's Townscape Visual Impact and Heritage Report (TVIH) that states "the development would relate well to the local townscape character" and would "relate successfully to the varied heights of other buildings in the local area" and "enhance short, medium and longer-range views". It will certainly not do any of these things.

3.1.6 The November 2019 Design Review Panel was similarly unconvinced by previous but similar proposals and concluded that: "The Panel finds the height of the proposed tower problematic and

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<sup>2</sup> As suggested in the Camden Draft Site Allocations Consultation: Policy 07 Holborn and Covent Garden: Policy HGC3: para 7.27

<https://www.camden.gov.uk/documents/20142/145786127/Site+Allocations+2020+-+07+Holborn+and+Covent+Garden.pdf/c92d7948-f144-cfee-e66d-6418b62a855b?t=1581430511103>

when compared with the existing building the proposals show a significant increase in height which will make the scheme very visible in this sensitive context, especially in long views from Bedford Square and the British Museum steps". It also states that: "Buildings in the local context have more squat proportions". The Panel also suggested that it could be beneficial for the scheme to reference these proportions, making the tower shorter and wider, "This massing may be more appropriate to the identity and character of the area". This opinion did not carry over into the 2020 review, with three new panel members out of five, although the building remained the same height, as confirmed in the evolution of the design outlined in Section 3.3 of the D&AS. There was some discussion on the impact on heritage assets but the consequences of precedent were not considered nor was there any mention of the impact on the setting of Centre Point, now also a Grade II listed building.

3.1.7 These proposals are non-compliant with the requirements of the Camden Local Plan 2017 and the London Plan 2021. These policy documents enshrine requirements intended to protect sensitive areas such as Bloomsbury from damaging and out-of-scale developments.

### **Compliance with Camden Local Plan 2017 Policy: Policy 7.35 (Tall Buildings):**

Tall buildings are described as "*those which are substantially taller than their neighbours or significantly change the skyline*".

The proposals for 1 Museum Street fall into this category being 20 metres taller than the existing Selkirk House building and six metres taller than the recently completed Post Building and will make a significant change to the skyline.

In turn, both of these neighbours are already taller than the general mid height blocks in an area of generally 8-10 storey buildings.

The Policy also states that "*the siting and design of tall buildings should not detract from the nature of surrounding places and the quality of life of those living and working around them*".

**These proposals will.**

### **3.2 London Plan Policies on Tall Buildings:**

3.2.1 Policy 7.7(A) states that: "*tall buildings should not have an unacceptably harmful impact on their surroundings*"

**These proposals do.**

3.2.2 Policy 7.7 also states that "*tall buildings should only be considered in areas whose character would not be adversely affected by the scale, mass, bulk or height of the proposed building*" (B)

**In this case the area would be adversely affected.**

3.2.3. "*The form of the building would relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain particularly at street level*" (C)

**In this case the 74-metre-high tower would not.**

3.2.4 "*The tall building will improve the area by emphasising a point of civic or visual significance and enhance the skyline of London*" (D)

In this case the proposed office tower will not, as it entirely blocks views looking north from Drury Lane and despoils the view from St Georges Bloomsbury, the British Museum and from Bedford Square, Bloomsbury Square and Russell Square. Its bulky and lumpen profile will in no way enhance the skyline.

3.2.5 *“Tall buildings will incorporate the highest standards of architecture and materials, including sustainable design and construction”* (E)

These proposals do not. They include short life facade construction of coated aluminium (25 years maximum) and as our separate sustainability report by Simon Sturgis states *“...incorporates highly carbon greedy and unsustainable construction”*.

3.2.6 *“Tall buildings should have ground floor activities that provide a positive relationship with surrounding streets.”* (F)

**These proposals do not.** They provide many metres of glazed yet inaccessible frontage devoted entirely to impermeable office foyers, access ways and servicing in much the same way as the Post Building opposite does, all to the detriment of street ambience.

3.2.7 *“Tall buildings should contribute to the permeability of the site and wider area”.* (G)

**These proposals do not** and West Central Street will become a narrow canyon with the 74-metre office tower on one side and the new proposed six storey block on the other with all daylight and sunlight excluded. Vine Lane also creates another new dark passage going nowhere and which will inevitably be gated at night.

3.2.8 *“The proposals should incorporate areas on upper floors which are accessible to the public”* (H)

**These proposals do not**, but even if they did, would be subject to the unpleasant process of body scanning and surveillance by security guards, as presently experienced by visitors to the adjacent Post Building roof terrace.

3.2.9 *“The proposed building to make a significant contribution to local regeneration”* (I)

**This building will harm local regeneration.** It will provide only expensive retail space that no local trader could afford and office space that will inevitably lie empty for years. The project has already resulted in the unwanted closure of a popular and profitable hotel for Travelodge with the loss of local jobs and associated benefits to the local economy.

### **3.3 Under Policy 7.7 (D):**

3.3.1 *“(A) Tall buildings should not adversely affect the microclimate by causing overshadowing, induced wind disturbance, etc”*

**This building will cause severe overshadowing** of surrounding homes, businesses and civic buildings and will inevitably cause wind disturbance at street level.

3.3.2 *“(B) Should have no impact on local strategic views”*

**These Proposals will.** They will have a severe impact on important local and London wide views as is clearly demonstrated in separate submissions by Historic England and others.

### **Under Policy 7.7 (E)**

3.3.3 *“The impact of tall buildings proposed in sensitive locations should be given particular consideration”*

**In this case no “particular consideration” has been given.** The proposals severely impact on two adjacent conservation areas, on many listed buildings and their settings, on historic parks and gardens and on the scheduled monuments of St Georges Bloomsbury and the British Museum.

### 3.4 Local Development Framework

3.4.1 There is no approved Local Development framework in place which supports the proposed change from low and medium rise construction in Bloomsbury into a Development zone for tall buildings. These proposals, if approved, will establish an unfortunate and undesirable precedent for the high-rise expansion of Bloomsbury. There is no place here for a “cohesive group of tall buildings” which enhance the skyline and improve legibility. Bloomsbury has its own unique legibility which needs no such enhancement.

3.3.5 As the London Development Plan states, **“tall buildings can have a detrimental impact on local character and they should be resisted in areas sensitive to their impact”**.

3.3.6 This statement must be brought to the attention of the Planning Committee and they must be directed to take note and refuse both of these applications.

3.4.4 At a presentation by the developer in November 2019, the Save Museum Street coalition responded by stating: "Just because there is an existing, poor quality, excessively tall building on the site, this is no justification for its replacement by a building even taller and bulkier". Analysis of the existing skyline at this point on the Covent Garden/British Museum axis clearly indicates that a medium-rise, high site-cover group of buildings would be appropriate and that the creation of a 'western cluster' of tall buildings should be abandoned. Further discussion of this point has been consistently discouraged by the Council's development team but our strongly held views on this matter still stand.

### 3.5 Visual impact

3.5.1 The Zone of Visual Influence also demonstrates the extent to which the proposal will be visible across a large part of Central London. It confirms what we have been saying all along, while Camden have been led to believe the building would be invisible. Indeed, this study indicates that the proposals would be more visible than we hitherto expected.

3.5.2 That said, a degree of caution needs to be taken in considering this assessment, when the modelling it is based on is not accurate. The note on page 2 states: "This study is generated using a simple computer model that combines an accurate model of the proposed scheme with a highly simplified model of the surrounding context (with buildings shown to an accuracy of approx. +/- 1.5m)." It would be helpful to see how simplified that contextual model is, because it could have a significant effect on some of the longer distance views.

3.5.3 Equally, we need to be mindful that the map on page 3 seems to plot the shadows cast by a 'light' source on the top of the building when the model on page 2 suggests other light sources might have been placed at different heights up the building. Analysis of the comparative shadows cast by light sources at different heights would reveal the amount of development that would be visible and hence some initial judgement could be made on its impact. While we suggest that further information should be requested from the development team it is clear that the shadow cast by this monolith over its surroundings will further deprive the public realm of precious sunlight.

3.5.4 The development team, in an e-mail to us dated 9 July 2021, maintained that the proposal is invisible, arguing that the building "has been carefully situated so as to be fully screened in all local views tested... and its impact, or lack thereof, on the total set of views can be seen within. Consultation sessions with Millerhale encouraging community led selection of new 3D views also included this equipment." This is misleading, particularly as there were no 'consultation sessions with Millerhale'. It is equally misleading when the TVIH concludes that the proposal is visible and, "The height of the tower would provide a piece of townscape 'punctuation' along High Holborn..." The backdrop to the Grade II listed Shaftesbury Theatre viewed from Princes Circus can hardly be described as mere 'punctuation'.



*Proposed new backdrop to the Grade II Shaftesbury Theatre*

3.5.5 In an e-mail to the planning case officer, dated 22 February 2021, the Bloomsbury Association anticipated that a tall building on the site could, amongst others, be visible from the following locations in Camden:

Bedford Square  
Bloomsbury Square  
Russell Square  
Lincoln's Inn Fields  
British Museum forecourt  
Drury Lane  
Princes Circus  
Primrose Hill

It was also anticipated it would be visible from the following locations in Westminster:

Soho Square  
Cambridge Circus  
Shaftesbury Avenue  
Oxford Street  
Grosvenor Square, looking along Brook Street  
Whitehall, approaching Trafalgar Square  
Great Marlborough Street  
Piccadilly approaching Piccadilly Circus  
St James' Park  
Horse Guards' Parade  
Regent's Park

3.5.6 Crucially, it would be visible from and do extensive harm to the Bloomsbury, Covent Garden, Seven Dials and Soho Conservation Areas that surround the application site, in addition to having substantial cumulative impact on several heritage assets: the many listed buildings located on the northern part of the site and in neighbouring streets. It would also do harm to strategic views safeguarded by London Plan Policy 7.11 - The London View Management Framework. These include protected river prospect views from Blackfriars Bridge, Lambeth Bridge, South Bank, Albert Embankment and especially the protected silhouette of the Palace of Westminster.

3.5.7 It would also dominate Museum Street, Bloomsbury 'village' and the setting of St George's Bloomsbury.

3.5.8 The height and bulk of the proposed development would be such that it would have an intrusive, harmful effect on the setting both of Bloomsbury's squares and of the listed buildings within and around them. Views from the squares, especially after leaf fall, will suffer from the adverse effect of the unattractive addition to the skyline.

3.5.9 The Bloomsbury squares are important and world-renowned architectural set pieces safeguarded by the Bloomsbury Conservation Area within which they are located. There are many listed buildings in and around these squares. They are important both to the many nearby residents who live in an area of open space deficiency and also to internationally important institutions. Bedford Square is a particular example affected by the proposal.

### **3.6 Bedford Square**

3.6.1 Bedford Square was built between 1776 and 1780 for the Duke of Bedford. It is considered one of London's finest and best-preserved historic squares and is the only intact Georgian square in London. It was the first garden square with an imposed architectural uniformity that set the style for garden squares in London through the late 18th and early 19th centuries.

3.6.2 To reflect its importance, all of Bedford Square's 54 buildings are Grade I listed and Historic England defines Grade I buildings as being 'of exceptional interest, sometimes considered to be internationally important'. The gardens have a Grade II\* listing on the English Heritage Register; all its later gas lamps are Grade II listed as is the garden pavilion. The meticulous design of Bedford Square reflects the classical tastes of 18th century England for coherence and consistency in urban planning and city-scale architecture.

3.6.3 The broad principles established in national policy and guidance on the historic environment are reflected in the London Plan. The Plan's policies seek to ensure that the protection and enhancement of historic assets in London is based on an understanding of their special character, and form part of the wider design and urban improvement agenda. This recognises that asset value is more than the fabric of the square's buildings but in the spatial quality of the space that they define and the approaches to, from and within it.

3.6.4 For this reason, in 2000, with substantial funding from Bedford Estate, English Heritage, Crown Estate and the London Borough of Camden, its public realm underwent careful refurbishment to reflect the high asset value of its heritage.

3.6.5 Selkirk House already detracts from the setting of Bedford Square and its presence reflects the less than rigorous attitudes to our urban townscape prevalent at the time it was built. Lessons must also be learnt from these errors of planning judgement which permitted developments close to Bedford Square to be built that were harmful to its setting. The image included below, looking west towards Tottenham Court Road, provides further evidence of this damage.



*Bedford Square: looking west towards Tottenham Court Road.*

3.6.6 Bedford Square is a complete architectural entity. Its Georgian terraces, unique streetscape and fine gardens present a classic environment of international importance and one equal to the level of becoming a World Heritage status destination. Further erosion of this prime asset by allowing the erection of additional overbearing buildings in close proximity must be resisted.

3.6.7 The proposed development at 1 Museum Street by virtue of its bulk and height, will continue to make things worse. It will be dominant in views from the north and eastern sides of the Square and will detract from its setting. These are characteristics that are not compatible with current policies that seek to safeguard existing townscape assets, nor are they consistent with Policy D2 of Camden's Local Plan or the design principles contained in the Fitzrovia Area Action Plan.

## 4 HERITAGE IMPACT

### 4.1 Heritage

4.1.1 The Heritage Impact Statement submitted by the applicant to support this application is deficient in that it fails to show the full impact of the proposals on surrounding buildings and on the Conservation Area as a whole.

4.1.2 The submission does not include views from within Grade I listed buildings themselves and from other heritage assets within the conservation area. These views must be recognised in the Council's assessment as being vital to the continued protection of valued listed buildings and of the Conservation Area.

4.1.3 Notable examples of Grade I listed buildings affected by these proposals are Sir Robert Smirke's British Museum with its forecourt off Great Russell Street and Nicholas Hawksmoor's Church of St George's Bloomsbury on Bloomsbury way. Both buildings are of national and international significance.

4.4 Some of the other viewpoints included in the assessment intended to reassure officers and committee that little harm is being caused can be misleading. For example, by selecting a viewpoint at the centre of the portico to the British Museum, part of the proposed development is obscured in a way that it would not be just a few metres further to the west.

4.1.5 The existing bland structure of the Selkirk House /Travelodge building makes an unfortunate contribution to the townscape of the Conservation Area due to its height and form. In contrast, the impact of the developer's proposal for a 74m high office tower of far greater bulk and positioned to close the view from Museum Street looking south, will be catastrophic.



*An existing view from the steps of the British Museum with the Selkirk House/Travelodge building visible beyond.*





*Applicant's proposed view from the steps of British Museum looking south.*

4.1.6 The shortcomings in the information provided continue, with only local viewpoints from within Camden being provided and the exclusion of wider views from Primrose Hill (LVMF 4A), Blackfriars Bridge (LVMF 14A), Albert Embankment (LVMF 22A). Neither has consideration been given to the building's inevitable encroachment onto the protected silhouette of the Palace of Westminster and ignores many other viewpoints from within Westminster. We suggest the Council seeks the opinion of its neighbouring authority in Westminster before determining this application.

4.1.7 Officers would also do well make to reference to the Heritage Impact Statement submitted in support of the 2014 application for the now completed The Post Building at 21-31 New Oxford Street (2014/5946/P). Here four viewpoints (not just one), were provided from the Museum forecourt, and all of these showed a respect for its size, its shape and the way people move around and use the space. Indeed, the Townscape and Visual Impact Assessment prepared for the Post Building is an example of the quality of assessment needed in this case but is sadly lacking.



*The existing Selkirk House / Travelodge building viewed from the steps of St Georges Bloomsbury.*



*The applicant's proposed view from St George's Bloomsbury.*

4.1.8 We note that there is only one view provided to assess the impact from Bloomsbury Square and no views at all from within Russell Square or Lincoln's Inn Fields. There are also numerous instances where viewpoints have been curated to minimise visibility, notably the choice of the western pavement of Drury Lane, rather than the opposite side of the street, where the impact could be far greater. As the applicant's proposed view, shown below illustrates, a 74m high office tower on the footprint of Selkirk house will dominate and close off views of those travelling north on Drury Lane towards the British Museum. These obvious omissions of information, all previously

highlighted by the SMS coalition, should have been rectified at a much earlier stage in the consultation process.



*The existing view from the western pavement of Drury Lane with the Selkirk House/Travelodge building beyond.*



*The applicant's proposal when looking north on Drury Lane showing the effect of the new building facade positioned further to the east and 25 metres higher.*

4.1.9 Consideration should also be given to the impact of the proposals on the existing views from rooftop gardens of the Post Building from where the whole of Central London is set out below in a stunning 360-degree panoramic view. From here, only Centre Point, Senate House and Space House, interrupt the near and distant views across London despite the top storey of the existing Selkirk House building being only just visible. However, with the applicant's proposed new office tower rising a further 25m, it becomes clear that these stunning views will be completely blocked and all sight to the west obliterated. As a secondary consequence these fine roof gardens will be overshadowed and deprived of sunlight and the Public Open space provided as part of a 106 Agreement severely compromised.



*The view looking north showing the close proximity of the neighbouring Grade I listed buildings of St George's Bloomsbury and the British Museum.*



1

*View from the roof terrace of the Post Building showing the existing Selkirk House / Travelodge building and distant views beyond.*

## **4.2 Listed buildings**

4.2.1 At present the famous Grade II listed James Smith & Sons umbrella shop at the junction of Bloomsbury Street and New Oxford Street completely masks the Travelodge tower as can be seen from the image below. The route from Tottenham Court Road station moving east along New Oxford Street is an important thoroughfare, yet no consideration has been given to how intrusive the proposed tower will be as it looms above this shop and its neighbours, causing serious harm to an important landmark and adjacent elements of townscape.



*James Smith & Sons: existing view west along New Oxford Street*



*James Smith & Sons: showing the line of the proposed new development.*

4.2.2 There are many Grade II listed buildings on, or adjacent to, the proposed composite development site (33-37 New Oxford Street, 10-12 Museum Street, 43-45 New Oxford Street and 16 West Central Street Grade II listed buildings also adjoin the site boundary at 43-45 New Oxford Street and 16 West Central Street. Additionally, all buildings within the West Central Street block, including 39-41 New Oxford Street and 16a-18 West Central Street are identified as making a 'positive townscape contribution' in the Camden Conservation Area Appraisal. We therefore fail to understand why the Council has allowed the applicant to lump as one, an individual site containing important heritage assets with another adjacent which contains none.



*The application site shown divided into two parts by the boundary of the Conservation Area*

4.2.3 There are a number of listed buildings nearby that are described in the Built Heritage Report presented as Part 2 of the TVIHR. These are of particular concern:

43-45 New Oxford Street  
16 West Central Street  
Bloomsbury Central Baptist Church  
233 Shaftesbury Avenue adjacent  
83 Endell Street  
Shaftesbury Theatre  
Centre Point  
Holborn Town Hall and Library

4.2.4 They are all close enough to be visually affected and suffer considerable harm by the proposed development. As is clearly evident from the images included below, the settings of 43-45 New Oxford Street, Princes Circus, Bloomsbury Central Baptist Church, Queen Alexandra Mansions and King Edward Mansions will all be affected. The setting of St George's Church, Bloomsbury, would be more informative if seen from a viewpoint further west and ignores the important prospect from the church portico. Examining the effect of a taller building as the backdrop to the Shaftesbury Theatre is accompanied by a commentary that tells an unconvincing narrative about the breaking down of its massive scale, the effect of which is not evident. There is no visual evidence to consider the effect on Centre Point, an icon of Central London's skyline, standing in splendid isolation at St Giles Circus.



*The proposed new backdrop to the Grade II listed Shaftesbury Theatre.*

4.2.5 In considering the impact of these development proposal on the significance of heritage assets the applicant's Townscape and Visual Impact Statement concludes: *"Where visible in views of those heritage assets, the Proposed Development would be seen to a generally limited extent, clearly distinct from the heritage asset in question, and with a stepped form and ordered elevations*

*which would relate well to nearby heritage assets. The proposed development would preserve the settings of these heritage assets, would leave their heritage significance unchanged, and would not affect the ability to appreciate their heritage significance."* The SMS coalition maintains that this statement is misleading and a poor attempt to persuade readers that the development is invisible with no effect on the setting of any assets despite being so close and so much taller and bulkier than the surrounding townscape. Images provided here evidence that these proposals are damaging and the visual 'harm' is very significant.

#### **4.3 Precedent**

4.3.1 While the visual impact of the proposed building would be unacceptably 'harmful' in itself, it would set a precedent for something many others have previously attempted to do and failed: to develop in Bloomsbury a cluster of tall buildings to rival the City in the east and Paddington in the west. Indeed, Section 3.2 of the applicant's Design & Access Statement suggests the intention of setting a new precedent for a new "skyline datum" for the immediate area. The cumulative impact of other developments, pressure for which this would encourage, and which would be of comparable impact, is a further reason for refusal.

4.3.2 As a general proposition, permission for development may set a precedent for further development of the same character and is therefore a material planning consideration: *Collis Radio Limited v Secretary of State for the Environment* (1975) 29 P & CR 390. Camden must also be aware that, with the demise of Canary Warf and with an excess of 3 million square feet of office space vacant in London, this kind of high-rise out-of-scale office led development is neither wanted nor appropriate to this sensitive locality.



*A proposal which is completely out-of-scale with its neighbours.*



#### 4.4 Conclusion

4.4.1 These proposals represent a high degree of overdevelopment, far in excess of anything envisaged in Camden's own 'Holborn Vision & Urban Strategy' (2019), despite this document never formally being approved by the Council. The form and the bulk of this speculative office tower proposal is an extreme example of gross overdevelopment and one which shows little regard for the quality of the Conservation Area and the listed buildings that lie within. This application demonstrates proposals that will be severely destructive of the quality of Bloomsbury's historic townscape and should be rejected for this reason.

4.4.2 The development by reason of its design, height, size and prominence, will be especially detrimental to the appearance of adjoining listed buildings and the character and appearance of the adjacent conservation areas. It will be damaging to the setting and assembly of the Grade I listed buildings in Bedford Square, the setting of the Grade I listed British Museum on Great Russell Street and the setting of Grade I listed St George's Church, Bloomsbury. This is contrary to policy D1 (Design) and D2 (Heritage) of the Camden Local Plan and paragraphs 199, 200, 201, 202 and 202 of the National Planning Policy Framework 2023.

4.4.3 We maintain the view expressed at the pre-application consultation in November 2019, that the existing skyline profile suggests a medium-rise, high site-cover group of buildings would be appropriate, not the creation of a cluster of tall buildings around Centre Point.

4.4.4 The Bloomsbury Association has always taken a firm position in ensuring that the asset value of the area's heritage is not adversely affected by new developments and expects the Council to ensure that the requirements of Policy D2 are met in full and that it will not permit any further development that would cause 'harm' to the setting of listed buildings or that would cause serious 'harm' to the character and appearance of the conservation areas.

4.4.5 The Save Museum Street coalition has commissioned an independent **Heritage Statement** by Historic Buildings Adviser Peter De Figueiredo Dip Arch MA (Urban Design) RIBA IHBC to assess the cumulative impact of these proposals on the Conservation Area and its heritage assets and to make an assessment of the degree of 'harm' that these proposals will cause.

4.4.6 This report is included as an accompanying Supplementary Document to this submission and its contents should be read and understood in detail by officers and by the committee. Peter De Figueiredo's report, concludes that the application, if approved, will have a significant negative impact on the setting of multiple heritage assets, and which together would constitute 'more than substantial harm' in accordance with the National Planning Policy Framework (NPPF). The application should therefore be **REFUSED**.

## 5 DESIGN QUALITY

5.1 The context for this scheme, surrounded by conservation areas is mixed; adjacent on Museum Street is the recently retrofitted Post Building, a substantial structure dating from the 1960s. To the north of the site along New Oxford Street are mainly 19thC buildings of modest scale, mostly 4, 5, or 6 storeys, often individual buildings giving visual variety in the street frontage.

5.2 The site itself also has a mix of buildings, including the modestly scaled West Central Street block bounded by New Oxford Street, Museum Street and West Central Street. Selkirk House, a modern movement 1960s building, consisting of a podium and office tower, is the dominant building, sitting at the corner of Museum Street and High Holborn, it was built as the headquarters office for TrustHouse Forte, a leading hotel and leisure company of the period. The photograph published in the architectural press at the time shows an elegant building proudly displaying the THF logo.



*Image courtesy of the RIBA archive*

5.3 The new planning application follows the listing of a number of the buildings in the West Central Street Block, 33, 35 and 37 New Oxford Street and 10-12 Museum Street. In addition to the listed buildings, Nos 16A and 18 West Central Street are considered in the Bloomsbury Conservation Area Appraisal to make a positive contribution to the conservation area; as a whole this block retains its integrity and continuity on all three frontages.

5.4 The treatment of the small-scale West Central Street block is a missed opportunity to respect and enhance the conservation area. Although the listed buildings are to be retained they will be subjected to alterations and the insertion of a first-floor deck and staircase to the rear of the Museum Street and New Oxford Street buildings, which will damage their historic integrity and interest. The proposed demolition of 16a, 16b and 18 West Central Street involves the loss of a building which makes a positive contribution to the conservation area and is of historic interest as a

19th century central London horse stable. Its replacement with a six-storey residential building is out of scale with the 19th century block and is damaging to its character and that of the conservation area.

5.5 The Design and Access Statement draws from the local context, referring to the influence of the architect Charles Doll, who designed the adjacent King Edward and Queen Alexandra Mansions, as well as the Kingsley Hotel adjacent to St George's Church on Bloomsbury Way and the Russell Hotel in Russell Square.

5.6 Doll's style creates rich street facades using fine terracotta and red brick, classical details such as fluted columns, organic decoration, bays and oriels and horizontal datums.

5.7 The contrast between the 19<sup>th</sup>C buildings of Doll and the new scheme is stark – while his use of horizontal datums has been used as a design key by DHDS, this has not been done to enrich the architectural treatment of the facades of No. 1 Museum Street, but to introduce cut backs in the bulk of the new building. Instead of the low podium of the TrustHouse Forte HQ, the new building fills its footprint to a height of five stories, already a step up from the Cuban Embassy, with a modest cut back to the eighth-storey. The final cut back is at the 11th storey, above which rises the full height of the new tower. The overall impact is of a much bulkier and taller building than its surroundings, which will have a dominating impact, towering over the substantial Post Building, dwarfing the nearby 19thC buildings and having a significant and detrimental impact on important nearby listed Grade 1 St George's Church one of Nicholas Hawksmoor's fine London churches, the Grade 1 British Museum, a building of international importance, and the nearby Shaftesbury Theatre. The applicant claims that the existing Selkirk House is prominent when viewed from the steps of the British Museum but this is an exaggeration – the view as existing shows a modest part of the north elevation of Selkirk House but the new tower will be a dominating presence, rising above the site's North Oxford Street frontage.



*View from the portico of the British Museum*

5.8 In detail, the facades of the new building are regular and bland in contrast to the rich variety of the buildings of Charles Doll, the cut backs are used in the manner of the commercial buildings of New York, built in the period of the 1950s-60s to maximise the volume of the building within the context of planning and daylight legislation. The impact of the bulky and tall new building will be similar to the New York experience, creating canyons with little sunlight.

5.9 The stepped design lacks the architectural simplicity of the building it replaces but does not achieve the visual interest and quality of detail of the nearby 19<sup>th</sup>C buildings. The West facing side of the existing grey tower already makes an impact due to the glow of afternoon sun. The proposed aluminium cladding on a much higher and wider tower will create a distracting, shiny surface especially visible from Bedford Square and above the Shaftesbury Theatre.

5.10 A purported 'benefit' of the scheme, a pedestrian landscaped passageway, Vine Lane, is illustrated by an artist's impression showing a space flooded with sunlight. This image is totally misleading. The very narrow space and its North/South orientation will mean that the sun will rarely penetrate the passageway, when briefly aligned with the route's axis; the sun will for most of the year be too low in the sky not to be obstructed by adjacent buildings. The diagram illustrating scale comparisons in the Design and Access Statement (Design Proposal-Public Realm) shows Vine Lane, 6m wide with 21 and 20 storey buildings to each side, Pavilion Road, an attractive shopping street in Knightsbridge, 8m wide with 8 and 10m high buildings to each side and Floral Street in Covent Garden 7m wide with 18m high buildings to each side. Pavilion Road has an open and light air, Floral Street is narrow with little natural light, Vine Lane would be narrower and the higher buildings to each side would give a canyon-like claustrophobic feel. The diagram in the Design and Access Statement is in fact misleading; to the East of Vine Lane the height of the new building is shown as 21m but at that height there is a very small cut back with the build rising by a further six stories at which point there is a further cut back before the new build rises to its full 19 storey 74 metre height.

5.11 The route proposed does not form a logical corridor between existing pedestrian routes and will be a dark and potentially dangerous alley, offering a new home to the drug dealers who frequent West Central Street. It will be of no public benefit.

5.12 In summary, the new development proposes a building of excessive bulk and height, which will dominate its surrounds and adversely affect views from important public spaces and key heritage buildings.

5.13 This overdevelopment is an example of unintelligent densities and demonstrates the difficulties of such density when impacts become unmanageable. Unintelligent densities and market forces do not shape place, they destroy it.

5.14 The D & A Statement 1 has a longitudinal section along High Holborn (page 31 section AA), this shows the site and nearby buildings as far as Centre Point to the west and shows the Central St. Giles development a key recent scheme on an important site at the north end of Shaftesbury Avenue. Architecturally forceful with the individual blocks clad in vibrant colours, the scheme maintains the general height and scale of its surroundings by breaking the bulk into individual elements and avoiding the ego trip of a tall tower. This is a modern, successful commercial scheme demonstrating that overdevelopment and excessive height and bulk are avoidable.

However, the street level and inner courtyard are sterile experiences despite the cafes, sculpture and an olive tree.

## 5.2 Planning Policy Compliance

Relevant policies include:

### 5.2.1 The London Plan

#### 5.2.1.1 Chapter 3 Design Quality

#### 5.2.1.2 Policy D1

A. Requires Boroughs to 'define the characteristics qualities and values of .. places within the plan area'.

A.3 ...urban form and structure (for example townscape, block pattern, urban grain, extent of frontages, building heights and density).

D. Development Proposals should:

1) enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

The proposal **fails** to respond to local distinctiveness being grossly out of scale with the immediately adjacent listed and heritage assets and being alien to the hierarchy and proportions of these assets.

11) respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

The proposal singularly **fails** to meet these tests, instead of enhancing, it exacerbates the harm caused by the existing tall building and is in a form, bulk and detail which are alien to the nearby conservation area and world-class listed buildings, squares and views.

### 5.2.2 Camden Local Plan

#### 5.2.2.1 Policy D1 Design

Requires that a development:

a. respects local context and character.

7.2 ...will expect developments to consider:

- character, setting, context and the form and scale of neighbouring buildings
- the prevailing pattern and density of surrounding development.

f. Integrates well with the surrounding streets and open spaces.

The proposal **fails** by not respecting the local context and character, not only does the proposed new tower conflict dramatically with the adjacent conservation area but the more recent larger scale buildings along High Holborn are of a consistent height and similar massing, from the St Giles development at the North end of Shaftesbury Avenue past intermediate buildings to the adjacent Post Building and carefully restored and improved Commonwealth House, the new tower will rise substantially above all of these buildings and be inconsistent with these policy tests.

Tall Buildings

p. How the building relates to its surroundings....how the top affects the skyline.

q. The historic context of the building's surroundings.

7.29 The Council will also seek to protect locally important views ...these include:  
views into and from conservation areas and  
views of listed and landmark.... (including) St Georges Bloomsbury.

5.3 The proposal fails to respect its historic context and surroundings and will cause significant harm to the view from the portico of St Georges, the British Museum and Bedford Square as well as adversely impacting the Bloomsbury Conservation Area

## 6 COMMUNITY ENGAGEMENT

6.1 This is a highly controversial proposal, relating to a site which straddles the Bloomsbury Conservation Area and which will have a significant impact on that area as well as on important historic buildings and spaces in the vicinity. If granted, the applications would also significantly and adversely impact views in central London. Consequently, a comprehensive and transparent consultation process is vital. Public law principles, known as the *Gunning Principles*, are engaged.

### 6.2 Initial community engagement for the site

In 2016/17 the previous developer for the site invited BCAAC (Bloomsbury Conservation Area Advisory Committee) to a consultation meeting about their initial plans for redevelopment. They had engaged TP Bennett Architects to come up with a design for the West Central/ Museum St/ New Oxford Street which looked promising as it was much more in keeping with the original Regency period character of the neighbourhood and the Bloomsbury Conservation Area.

6.2.1 Then Labtech took over and our local Tenants and Residents Association took the initiative to meet with them in 2017 via the London Communications Agency. We wanted to express our views early in the process about the need to respect the scale and architecture of the historic area. The TP Bennett plans were mentioned as an appropriate example. Labtech were now engaging Orms (who were responsible for the successful No.1 New Oxford St project and the highly successful retrofit of the 1960s Camden office building, now the Standard Hotel). Orms' chief architect showed some new plans for the site but at no point was there any suggestion of a new tower.

6.2.2 We also expressed our wish, as before with the Post Building, for the community to have some space in any new development for local uses e.g. a new GP surgery and workshops for local artists, ideally with rents to be subsidised in a Section 106 agreement.

6.2.3 Labtech's spokesperson at the meeting was Mark Alper, who had been heavily involved in their Camden Markets venture. He indicated he was interested in meeting again to discuss community engagement but, in spite of promises to do so, there was no further contact from them.

### 6.3 Comments on the developer's statement of community involvement (SCI)

6.3.1 Reading the SCI, one almost gets the impression that Labtech/ BC Partners (and their proxies) do not understand the true meaning of the word consultation, which involves both providing (complete and accurate) information and listening to, and taking some account of, the views of consultees. Consultation is a two-way process, entailing listening and dialogue. This is made clear in guidance and case law on the *Gunning* principles. There is a chasm between the impression which London Communications seek to create in their artfully composed document and the actual reality of the conduct of Labtech, BC Partners and their proxies. Entirely consistent with the candid comments of Mr. Watson on 15 April 2021, discussed below, the so-called consultation process has been an exercise in Labtech/ BC Partners simply telling residents and community and amenity groups what they are going to do on a unilateral basis. Labtech has also sought to claim, without any adequate explanation, that Camden's unspecified requirements leave it with no option but to knock down the existing structures outside the Bloomsbury Conservation Area and erect a conspicuous tower (originally 80 metres, now 74 metres high), on the edge of, and dominating, the Bloomsbury Conservation Area.

6.3.2 Most residents and community groups do not recognize the narrative set out in the SCI of a full consultation process about a proposal to erect an office tower of (originally) 80 metres, now slightly reduced to 74 metres by way of concession. Labtech carried out an erratic process beginning in 2017 with minimal resident involvement on two separate occasions in Dec 2017 and January 2018 but then failed to keep in contact with them or to provide any explanation for the delay, for a further 18 months, until a new design proposal emerged.

6.3.3 Since then, by its own admission, Labtech has chosen to ignore the views of local residents and community associations. Simten on behalf of the invisible BC Partners private equity, apparent successors to Labtech, have confirmed more recently (meeting of 31 May 2023) that there has been no consultation and that that meeting was intended simply to present as a *fait accompli* some changes (apparently agreed with Camden) made to the plans for the plots within the Bloomsbury Conservation Area in order to get over the problems for BC Partners caused by the recent listing of some of those buildings.

6.3.4 The SCI document purporting to summarize the consultation process is fundamentally misleading both because of its slanted presentation and because of the significant matters it omits.

6.3.5 In passing, it is noted that LCC have chosen to include in its materials action purportedly taken in relation to the 2021 application. It seems unfair and unreasonable for the Council to allow this, whilst at the same time insisting on disregarding submissions made by the public in relation to the 2021 application.

6.3.6 It has not been possible in the time permitted for public comments on the Planning Applications to refute exhaustively the content of LCC's documents, but, depending on the timetable adopted for the consideration of the application, it is intended to supplement this submission with some more detailed corrections of the significantly inaccurate record submitted by LCC in the name of BC Partners as part of the Planning Applications. In the meanwhile, the Appendix contains some examples of the inaccurate, incomplete or misleading claims made in the SCI.

6.3.7 The SCI document is also very selective in a number of key respects. In particular, it fails to acknowledge that the principal meetings which have taken place were organised either by Camden (in one case) or by SMS. One of the meetings organized by SMS was held on 15 April 2021. The purpose of this meeting, faced with a complete lack of community engagement by Labtech, was to propose a genuine and constructive dialogue between Labtech and the various community groups and individuals who had organised to express their concerns about this development. At that meeting, Jonathan Watson, a senior member of the Labtech team, made the categorical statement that Labtech had no intention to discuss their brief, nor for that matter anything above the ground floor level, with the local community, asserting (incorrectly as it subsequently turned out) that this had been agreed with Camden. Any consultation would be limited to the landscaping proposals.

6.3.8 It is important to bear in mind that the Planning Applications constitute in reality several proposals combined in one massive project. Understandable focus on the proposed 80/74 metre bulky tower block means that there has been very little disclosure or transparency about the detailed proposals for the New Oxford Street/ Museum Street block in the Bloomsbury Conservation Area or the proposed new constructions on West Central Street. By way of example, there has not been any attempt at public engagement in relation to what seem very problematic aspects of the proposed demolition stage, both in terms of the acknowledged engineering challenges and the risks and adverse impacts on the amenity (including asbestos removal, piling, pollution and even access to our homes) of local residents.

6.3.9 More generally, there has been a pattern of evasiveness, initially on the part of Labtech and its team and then continued by the private equity firm BC Partners, who seem to have chosen to hide behind Simten. For example, it is noteworthy that the onemuseumstreet website, which calls itself a (unilateral) consultation, never indicates the height of the proposed skyscraper. There is a consistent pattern of our legitimate requests for information and clarification being ignored.

6.3.10 Labtech and subsequently BC Partners/ Simten have been selective in a number of key respects:

- they appear to have been selective about who they decide to consult with, referring in the SCI to unidentified *stakeholders*. Local residents and businesses have been ignored. There



is some sort of database used by the applicant's publicists, but it is unclear what methodology has been used in compiling the data. It seems that the database excludes important persons and groups known to be following the applications whilst including rather marginal organizations. The most egregious recent example of this was a meeting on 25 January 2023 arranged by Simten and LCC, to which those on the LCC circulation list were not invited, which brought together a small and seemingly unrepresentative group of people. It is not clear on what basis these people were singled out for the privilege of a meeting. Requests to hold a similar meeting with SMS and local residents have been ignored. Simten have even declined to put us in contact with the lucky invitees to this meeting. It is not clear why BC Partners consider engagement with the Asian Women's Resource Centre more important than engagement with individuals resident in Bloomsbury and groups representative of residents and businesses in Bloomsbury.

- They have been selective, bordering on evasive, about the information they choose to make public. Some of that information, notably about existing residential accommodation, appears to have been inaccurate.
- They have camouflaged their proposal to erect a 74-metre tower by summarizing their application as *Commercial Minor Alterations, New Mixed Redevelopment, Residential Minor Alterations*. Sadly, Camden have reproduced this completely misleading summary on the Camden planning portal.
- They have been selective in producing the summary in the SCI of their "consultation" process.
- They have been selective in what views they have been prepared to make available of the impact of the proposals on heritage buildings and places in the local area, as well as of the particular angles they have chosen to use for their images. The images they have chosen to make public of their project (including the two-dimensional image now on display in Selkirk House) seek to present their skyscraper as less overwhelming than it would in fact be.
- The impressions the developers have sought to portray of light levels in new/refurbished residential properties in plots in the Bloomsbury Conservation Area are misleading; it has been acknowledged by the architects that these levels could only be achieved in reality at midday in high summer. Indeed, the details lodged in connection with the Planning Applications show that, for a number of properties and residents, light levels would be reduced significantly below recommended levels.
- Even indications of the timetable seem to have been selective. A brief mention on the project website that the demolition and construction periods would continue until 2028 was rapidly removed, and 12 months cut from the programme, when this was queried with Simten earlier this year.

6.3.11 During the period which, according to Labtech/ BC Partners/LCC, began in 2017, there have been four set piece general presentation sessions for local residents.

These were held as follows:

- The first, in December 2020, was organised and hosted by Camden.
- The second, referred to above, in April 2021, was organised by local community groups.
- The third, on 7 September 2022 was also organised by SMS and was an attempt to engage with the new private equity owners, BC Partners, who, sadly, failed to attend.
- The fourth, on 31 May 2023 was arranged by Simten and, as indicated above, was acknowledged by Simten not to be a consultation session but a meeting to present to Councillors and affected residents and community groups the decisions (in relation to the plots within the Bloomsbury Conservation Area) which had apparently been previously agreed between BC Partners and the planning team at Camden.

6.3.12 None of the first three sessions was organised by Labtech or BC Partners. None of them involved any **listening** by Labtech or BC Partners. In the absence of any explanation of the purpose or outcome of the bizarre session, with a limited invited audience, on 25 January 2023 (which in any event seems to have been another “this is what we are going to do” session), this has been disregarded.

6.3.13 In 2022 there were two very poorly advertised “open days” in the car park on Museum Street. Once again, these were presented as “This is what we are going to do” sessions. A few display boards, conveying a very sketchy high-level impression, were available for inspection. For reasons which are unclear, the model was only available at the second session.

6.3.14 This lack of genuine consultation is particularly remarkable given that Labtech boasts a director whose title is *Director of Community Engagement* and who, in addition, managed to combine that role with being a Camden Councillor and Cabinet Member for a long while during the process.

6.3.15 One example of the blatant lack of consultation and engagement on the part of the Applicants relates to the very important question of sustainability. SMS consider this so important that they commissioned the expert Simon Sturgis to carry out an independent report in relation to the applicant’s proposals.

What happened was as follows:

- Simten (on behalf of BC Partners) initially (September 2022) asked to discuss their draft sustainability report with SMS before it was submitted to Camden. SMS agreed and followed up with many reminders asking in September and October 2022 when they would have sight of the BC Partners’ draft; SMS informed them that SMS would be in a position to meet a couple of weeks after having had the BC Partners draft, so that SMS could read it carefully and be able to have an informed discussion. Simten never replied, nor did they provide a draft of their sustainability report.
- In fact, Simten reneged and submitted it straight to Camden, not even informing SMS that they had done so. SMS only found out when they looked at the planning portal.
- Simten/ BC Partners have also failed to engage with the report by Simon Sturgis commissioned by SMS on sustainability, merely saying in their latest report that they disagree with it but without any reasons given.

6.3.16 For completeness, we acknowledge that, at the 31 May 2023 meeting, Simten did belatedly commit to arranging a meeting with the BC Partners sustainability expert, although there has not been any follow up. This was in any event rather late, as the report had already been filed.

6.3.17 Another illustration of how low a priority information, let alone consultation, is, is provided by the saga of the model. Prior to 2023, this was made available on one solitary day, 9 April 2022.

6.3.18 Once SMS was aware of the existence of the model, SMS lobbied hard (from April 2022 onwards) to have it placed on public display. It seems that Camden may also have sought to persuade BC Partners to do this.

6.3.19 At a meeting with a SMS representative on 6 January 2023 Simten confirmed that they would place the model on display in Selkirk House, so that it would be visible from the street. It took Simten until March 2023 to achieve this.

6.3.20 Shortly after the Planning Applications were submitted in summer 2023, the model was removed from public display. The reason given was that continuing to make the model available might make BC Partners liable to pay business rates. Even assuming that is correct, it shows that avoiding paying tax is more important to BC Partners than transparency and enabling genuine consultation. Subsequently a two-dimensional image has been put on display which seeks to

minimise the pretended impact of the 74-metre tower by an artful and artificial choice of a completely unrealistic viewpoint. This is positively (and presumably deliberately) misleading. It does however reveal the nervousness of BC Partners as to the real impact of the Tower, if allowed to go ahead.

6.3.21 Looking back, it would seem that the Covid crisis was rather convenient for Labtech in providing a pretext to avoid the sort of transparency which is required for a controversial development of this nature in so sensitive a location. Since Covid restrictions were relaxed, there would have been an opportunity to have a proper consultation following a fully informed presentation of the totality of the proposal, including the impact on the local community and on surrounding streets, monuments and open spaces. In particular, Labtech and BC Partners have to date been opaque on what sort of ordeal it is proposing to inflict on the local community over the (now at least 4-year long) demolition and construction exercises to erect its 80/74-metre tower block and the other structures proposed. No advantage has been taken of that opportunity to engage in genuine dialogue. The Demolition Management plan and Construction Management plan are long winded exercises in going through the motions without providing much in terms of real information.

6.3.22 SMS believe that Labtech/ BC Partners are aware that they are vulnerable to the fact that they have failed to follow Camden's policies in relation to consultation. This is supported by:

- The claim made by Mr Watson of Labtech that this had been agreed with Camden (see 5.3.3 above); SMS understands that Camden does not agree with this assertion;
- A letter written by Simten on 21 July 2023 which claims that there has been consultation and which therefore attempts to rewrite history and contradicts entirely what a representative of Simten unambiguously confirmed at the meeting (convened by Simten) on 31 May 2023, as supported by multiple contemporaneous notes.

6.3.23 As a result, this is a flawed process and the Planning Applications should be withdrawn pending a proper and open consultation process.

6.3.24 In view of the above, SMS wholly rejects the claims made in paras 3.44 and 3.45 of the SCI, as follows:

*3.44. The SCI is in accordance with Camden Council's Statement of Community Involvement guidance (adopted in 2016) and the Applicant has taken the advice of the Council before commencing, and throughout the consultation programme.*  
(In passing, we do not know what advice from the Council is referred to by LCA)

*3.45 It also reflects the principles for consultation in the Localism Act (2011) and in the National Planning Policy Framework (2012 / 2019). The Applicant has fully considered the comments received and has addressed them where feasible within the SCI.*

6.3.25 The SCI makes claims that there has been consultation with unidentified stakeholders. SMS has been unable to identify who (apart from Camden officers) these are, with one exception. The Asian Women's Resource Centre (**AWRC**) is undoubtedly a worthy organization and SMS welcome their interest in the Planning Applications. SMS has asked, without success, to be put in contact with them. SMS questions the judgment of BC Partners/ Simten/ LCA in considering that AWRC deserve more attention and engagement than SMS and the residents and local groups brought together under the SMS umbrella. To this extent the process (which has not been a consultation) has been flawed.

6.3.26 It is interesting to contrast the non-consultation on this controversial and very sensitive application with:

- The extensive consultation process which took place in relation to the redevelopment of the

- The recently announced and well publicized consultation about revised plans for the redevelopment of the historic Odeon cinema in Shaftesbury Avenue.

#### **6.4 Camden's role in relation to consultation**

6.4.1. This submission focusses on the deliberate failures by Labtech and BC Partners to conduct any genuine consultation.

6.4.2 There are also issues in relation to Camden's separate consultation responsibilities, including under the *Gunning* principles. Those principles include a requirement to conscientiously take into account feedback from consultation processes. For completeness therefore we mention some important points below. Camden has issued a policy document which addresses its expectations in relation to public consultation in the context of planning applications.

6.4.3 Para 3.10 of the Council's Policy document states that Camden:

*expect the applicant/ agent to agree the extent and type of the pre-application consultation with [you] to make sure that the consultation process proposed is suitable.*

In the light of this clear statement of Camden's policy, there are only two alternatives:

*Either*

the applicant has, to Camden's knowledge, failed to agree the extent and type of pre-application consultation and Camden has chosen to do nothing to ensure compliance with the Council's policy.

*Or*

Camden has agreed with BC Partners (and previously with Labtech) that the applicant should dispense with public consultation.

6.4.3 It is not clear which of the two alternatives has transpired. We have already alluded to the fact that Labtech have claimed that their decision to avoid any public consultation had been agreed with Camden. Attempts have been made to clarify the position with Camden, but have been met with equivocation.

6.4.4. Both are entirely unacceptable in the context of such a controversial proposal in a sensitive and historic part of central London. It is hard to see how Camden could have concluded, on any reasonable basis, that what has transpired is "suitable".

6.4.5 If the former is the case, Camden should require the applicant to withdraw the Applications and revert with a fresh proposal following a proper two-way consultation process, involving genuine engagement with affected residents, local businesses and community groups.

6.4.6 If the latter is the case, this, combined with Camden's decision to ignore previous submissions when the applicant has acknowledged that the Planning Applications are "unchanged" insofar as relates to the most problematic aspects, is likely fundamentally to vitiate the processing of the Application.

6.4.7. Although Camden has not itself consulted on the applications, it did carry out a "site allocations" consultation which included (within a more limited scope of consultation) the plots comprised in the applications. Camden has also produced a summary of the submissions made in relation to that site allocations consultation. **The *Gunning* principles will require Camden to have regard to these submissions in considering the applications.**

## 6.5 Conclusion

6.5.1 In conclusion, suffice it to say, there is not a single community, political or local group that has come out to support this proposed development. A groundbreaking coalition of community members have, in fact, come together to oppose this project, very clearly signalling that the area does not want this to go ahead. We have made perfectly clear that we want something done with this site but we fundamentally disagree with destroying the existing structure, building something taller and providing so little public benefit such as housing (which seems of poor quality in general). The developers have openly refused to engage with the local community throughout the process, going so far as to offensively say that the only thing we can have a say about is the street level gardening. If that's community engagement then it's laughable and Camden should insist on its policies being adhered to, particularly in so controversial a case as this, and intervene to see due processes are followed in a meaningful way. Community engagement thus far has been a sham, and that's without mentioning that LabTech have had a director of Community Relations, who was for part of the time also a Councillor. Sadly, he hasn't engaged with a single community group.

6.5.2 This is a community, people are living here, raising children, working, growing and learning. A demolition and building project of this scale would have an enormous impact on our quality of life, not least in noise, pollution, congestion and the pain felt by those who have tried so hard to push for a better alternative. We've already dealt with several mental health crises at the point of this development being proposed, let alone carried out. What safeguards and benefits are on offer for the people who create, support and make this area great? So far none, and there has already been significant damage to many. The people get a say and our message is clear; we say, '**No**' to this application.

## 7 DAYLIGHT SUNLIGHT AND OVERSHADOWING

7.1 The London Plan (March 2016) states under Policy 7.6: “Buildings and structures should not cause unacceptable harm to the amenity of the surrounding land and buildings, particularly residential buildings in relation to their privacy and overshadowing”.

7.2 Camden’s Planning Guidance: Amenity (January 2021) states under 3.1 that: “the Council will seek to protect the quality of life of residents, occupiers and neighbours....and.... will aim to ensure that developments do not cause unacceptable harm to their amenity in terms of daylight and sunlight”.



*The bulk of this overbearing development will overshadow the entire northern part of the site*

7.3 The Council’s guidance also refers to a requirement for developers to refer to Building Research Establishment (BRE) recommended good practice for Daylight and Sunlight in buildings. This guidance includes, for example, that open amenity spaces should be able to enjoy: “a minimum of 2 hours of full sunlight over 50% of their area on 21<sup>st</sup> March” This is a standard that aims to ensure that users of such spaces enjoy at least a modicum of sunshine to support their health and wellbeing and that plants and trees receive sufficient sunlight to grow. It should be noted that this “2 hours of full sunlight” standard is now being reviewed upwards by many authorities and an accepted standard of 6 hours may soon be accepted as the norm.

7.4 Camden’s Local Plan (2017) reassures us that the council will have: “an integrated approach to health and wellbeing” (page 134 section 4.14) and that the council recognises: “the benefits of open space” (Policy A - Open Space). These proposals, however, contain only a minimal amount of poor-quality open space and that space is mostly devoid of sunlight throughout the day, all due to the looming presence of the massive office tower, which the Council appears to support, just a few metres away.

7.5 The Save Museum Street (SMS) coalition have commissioned Mr Paul Hearmon of Right of Light Consulting (ROLC) to carry out an appraisal of the daylight, sunlight and overshadowing aspects of these planning applications. His independent findings are included as a Supplementary Document in support of this section of our submission and it is essential that these findings are studied in detail by Planning Officers and their recommendations to the Planning Committee amended accordingly.



*These proposals will plunge Museum Street into deep shadow throughout the day*

7.6 In his report Paul Hearmon draws our attention to an alarming statement made in Section 5 of the independent submission provided by Delva Patman Redler (DPR), commissioned by Camden, which states: *“Overall the development appears to provide a relatively low level of adherence to daylight and sunlight guidelines. It should be noted that there would be a number of rooms where none of the area would see the target lux and/or see no sunlight”*.

7.7 In West Central Street, the ROLC appraisal notes, 56 out of 68 dwellings do not meet minimum recommended standards for acceptable levels of daylight and 17 out of 21 living rooms here fail to meet even minimum levels of sunlight, with 9 of these achieving zero hours of sunlight on 21<sup>st</sup> March as recommended.

7.8 In Vine Lane 36 out of 41 habitable rooms do not meet the minimum BRE recommended standards and 18 of these *“severely underperform”*. For acceptable levels of sunlight, only 3 out of 19 living rooms here comply with minimum standards and 63% of rooms receive no sunlight at all.

7.9 In High Holborn 9 out of the 13 habitable rooms do not meet BRE minimum standards and 2 are described as *“severely underperforming”*.

7.10 In the light of this evidence, it is clear to SMS that these proposals will result in an unacceptable degree of overshadowing to existing and proposed accommodation and will deprive residents, businesses and visitors alike, of the beneficial aspects of open sky, sunlight and daylight that they could, or presently do, enjoy. Overshadowing of adjacent streets by this huge office tower will also cause an unacceptable degree of harm to the neighbourhood and will inflict irreparable damage to the Conservation Area by removing for ever a very large element of its light, views, sun and open sky.

7.11 The Council has a responsibility to the community and to Camden as a whole, to safeguard against the further erosion of these life enhancing elements of sunlight and daylight, so vital in maintaining wellbeing and quality of life.

7.12 In many parts of London, the fallout from granting planning permissions for overpowering high-rise developments such as this, is now being recognised and the damage they cause to adjacent neighbourhoods is acknowledged.

7.13 By overshadowing and blocking the daylight and sunlight onto the façades of existing neighbouring buildings this tower will be removing an existing benefit and then transferring these valuable assets to itself, all to the permanent detriment of the rest of the existing residential community. It should be remembered in this calculation that post-Covid most London office blocks are rarely open for more than about 30 hours in any one week, so this new edifice, if built, will be empty, except for a few security guards, for the remaining 138 hours (7days x 24hours = 168 hours).



*This development, which is twice the bulk of the existing Travelodge building, and 20m higher, will rob sunlight from all neighbouring properties to the east, north and west*

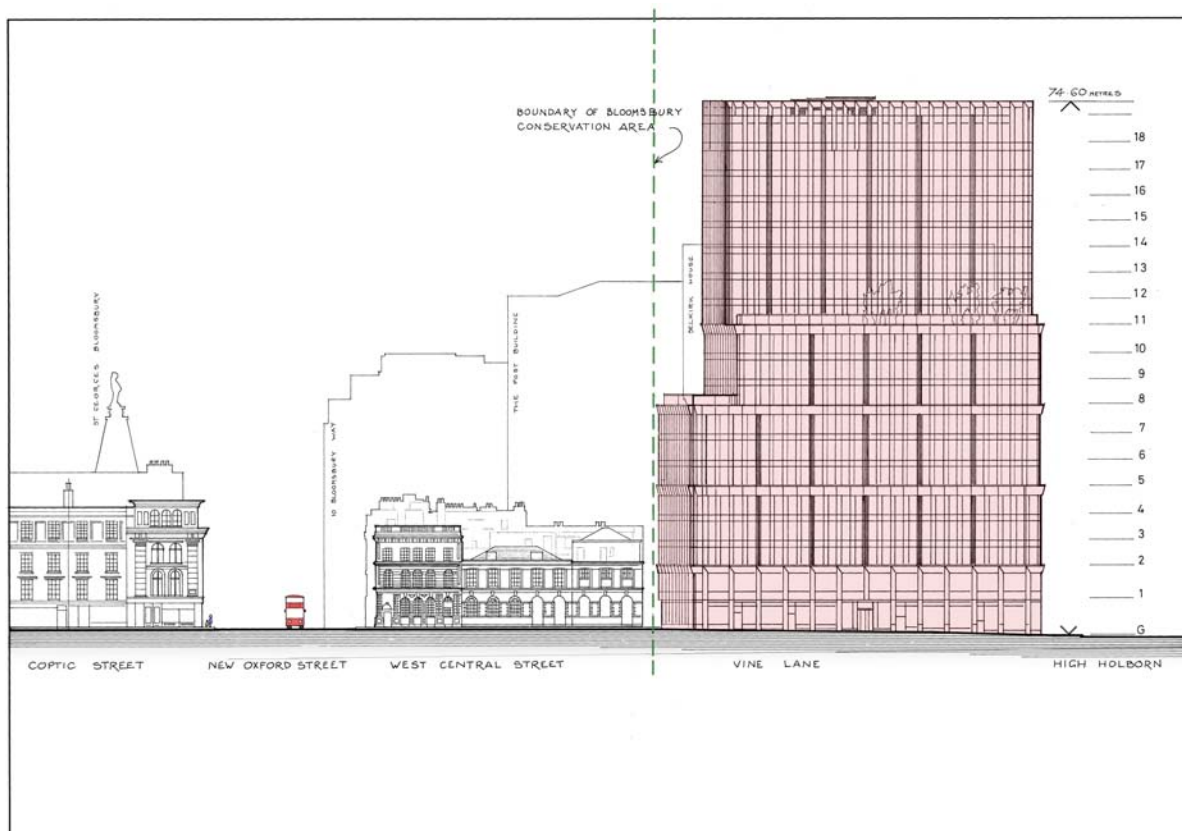


7.14 At night-time the light spill from office windows will also be a nuisance to neighbouring homes as will the glare from the inevitable red warning beacons required for aircraft safety.

7.15 The shadow cast by this tower block will also at times extend into Museum Street, putting this street into shade and harming the street environment for both residents and the thousands of visitors to the British Museum each day. All buildings to the east, south and west of the proposed tower will suffer loss of daylight and sunlight.

7.16 Critical to any assessment of the harm that the overshadowing created by this building will cause, is: (a) the height of the building and (b) its distance from neighbours. In this case, not only is the height of the tower excessive and bulky but its distance from neighbouring mid-rise buildings, such as the Post Building, is as little as 20 metres. These factors will turn Museum Street and West Central Street into shaded 'canyons' and the unnecessary intervention, called Vine Lane, will be a narrow dark and gated place, all to the detriment of the Conservation Area and to those who live in, work in, and visit the area.

7.17 On the grounds of the damaging Daylight, Sunlight and Overshadowing issues raised in this submission, the Save Museum Street coalition strongly **OBJECT** to these proposals which are incompatible with the Council's obligation to implement the policies in the London Plan (2017) and its own Planning Guidance (2021), and which fail to protect the shared resources of daylight and sunlight which should continue to enhance the Bloomsbury Conservation Area to the benefit of the community as a whole.



*A site cross-section illustrating the scale of overshadowing proposed to the Bloomsbury Conservation Area*

## 8 PUBLIC OPEN SPACE, PLAY FACILITIES, PUBLIC REALM AND PRIVATE OUTSIDE SPACE

### 8.1 Public Open Space

8.1.1 Both the London Plan (Policy G4 (B)) and Camden's Local Plan (Policy A2) make it clear that new public open space, in areas where there is a clear deficiency, including in the Central Area, is to be provided, and that improvements to the public realm are secondary considerations. Large scale developments are **expected** to provide public open space and play facilities. Developers must show that it is not feasible to do so *before* any suggestion of offsetting the failure to comply with public open space planning policies is to be considered. Improvements to the public realm and financial contributions in lieu are clearly **not** the default position.

8.1.2 Camden has identified Covent Garden/Holborn as an area seriously deficient in public open space and areas deficient in access to Children's Play Provision (see Open Space Sports and Recreation Study and Plan 2 Camden Local Plan). The planning application falls within the Covent Garden/Holborn ward. In addition, the household occupancy in the ward is 2.28 which matches the highest level within the whole of Camden (see Appendix E in Camden's Public Open Space Supplementary Planning Guidance 2021). There is clearly a need to provide **new** public open space and a need to provide access to good quality children's play facilities if the GLA's London Plan and policies in Camden's Local Plan are to be addressed.

8.1.3 Camden's Local Plan defines what it means by Public Open Space in its Open Space Supplementary Planning Guidance published in 2021, that states in paragraph 1.4:

"Public open space is open space that can be used and enjoyed by all the community. It is distinct from privately accessible open space such as private or communal gardens or balconies that do not ordinarily provide access for everyone."

And goes on to say that in paragraph 1.27

"Private amenity space, such as gardens and balconies, do not provide a substitute for the particular experience and opportunities for interaction provided by public open space and therefore, should not be counted towards meeting a scheme's open space contribution."

And para 1.24 states

"Given the amount of hard surfaces in Camden, our priority will generally be for green spaces. The Council will generally not support public open space dominated by hard landscaping unless the need for this can be strongly justified."

Camden's Local Plan eloquently states the case why the provision of public open space is so important in paragraph 6.31 under the heading 'Provision and enhancement of open space'

"Open space is critical to sustainability and wellbeing. It performs a social role by providing a variety of areas in which to relax, socialise, enjoy sport and take part in physical exercise. This is especially important at a time when the Council is seeking to address the prevalence of obesity and weight issues and their link with conditions leading to premature death. Quiet areas of green space can enhance personal wellbeing and play space is an important tool in supporting the development of children and young people. Businesses are more likely to invest in areas which offer attractive green spaces. The upgrading of open spaces and the public realm is often a key driver of regeneration and renewal"

The Local Plan goes on to say in paragraph 1.7

“Policy A2 outlines the need to ensure that growth in the numbers of residents and workers in Camden will be supported by increases in public open space provision. It states that public open space within a development site is the Council's priority, with off-site provision when this is not feasible. Where applicants can demonstrate to the Council's satisfaction that it is not possible to provide public open space on or off site, the Council will accept a financial contribution towards other public open space in the area”

Paragraphs 1.8 and 1.9 go on to say

“The increase in population from new development will place additional pressure on existing facilities, which without mitigation will be detrimental to the quality and standard of the borough's open spaces.”

and

“The Council *will give particular priority to creating new public open space where a development is proposed within the deficiency areas*, or their catchment areas, as shown on Map 2 of the Local Plan.”

**(The development site is within a deficiency ward)**

And para 1.12 states

“There is a particular need *to take a creative approach* to delivering open space south of the Euston Road. This may include the greening of the public realm, for example through the provision of pocket parks or reclamation of road space.”

8.1.4 The developer has not been asked by Camden Planners why their proposals contain no public open space on or off the site, and the developers have demonstrably failed to take ‘a creative approach to delivering open space’ despite the expressed need for more open space in this part of Camden. Clearly the development is contrary to the London Plan and Camden's Local Plan Open Space planning policies.

8.1.5 In addition, the Council and developer have been shown in the Alternative Proposals prepared by SMS Coalition, that there is a creative approach available, namely to provide public open space at roof level. Moreover, there is an example of just such an approach right on the doorstep of the development site, namely the Post House development opposite that recently took place where a public roof terrace has been incorporated into the overall development, though the size is very significantly smaller than should have been provided to comply with Camden and the GLA's requirements.

8.1.6 The development is located within the Tottenham Court Road Growth Area and policy (see para 2.29) states Development within the Tottenham Court Road growth area should contribute to the Council's wider vision and objectives for this part of the borough:

- development of the highest quality, as befits this historic area in the heart of London, which preserves local amenity and seeks to enhance and conserve the significance of heritage assets such as the character and appearance of conservation areas;<sup>3</sup>

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<sup>3</sup> The failure of the development “to enhance and conserve the significance of the heritage assets such as the character and appearance of conservation areas” is discussed in a separate submission, but it is self-evident from the adverse comments concerning the damage the development will do to the setting of listed buildings, damage to important views and the conservation areas that have been submitted to Camden from many organisations including Historic England, The Georgian Group, The Victorian Society, The Bloomsbury Area Conservation Advisory Committee and a large number of the public, the proposals utterly fail to meet this Local Plan objective

- remedying the lack of open space in the area through on-site provision or contributions to assist in the provision of new spaces.

### **Clearly the proposals do not endeavour to provide any public open space**

8.1.7 The Local Plan sets out how Camden Council, will secure new public open space, which developments are expected to contribute towards public open space and play facilities, and applies the policies of the GLA London Plan. The Council's Open Space Planning Guidance sets out the GLA's requirements (see para 1.6)

8.1.9 All developments will need to make a contribution to the provision of new public open space and play facilities when the development falls within the following categories:

1. 11 or more additional dwellings - the development proposes 22 additional dwellings.
2. Student accommodation - not applicable.
3. Developments of over 1,000sqm that will increase the working population - the development proposes 24,131 sqm office/commercial space.

8.1.10 It is self-evident that the development falls within criteria 1 and 3 above. It should provide new public open space and new play facilities especially as the site is within a ward that is designated as being seriously deficient in both.

8.1.11 The London Plan stipulates how new public open space and play space provision is to be calculated and this is repeated in Camden's Local Plan Policy A2 which sets out under the heading 'New and Enhanced Open Space' (paragraph 6.31) how the quantity of required new public open space is to be calculated

"Apply a standard of 9 sqm per occupant for residential schemes and 0.74 sqm for commercial and higher education developments while taking into account any funding for open spaces through the Community Infrastructure Levy"

and

"Give priority to securing new public open space on-site, with provision off-site near to the development only considered acceptable where provision on-site is not achievable. If there is no realistic means of direct provision, the Council may accept a financial contribution in lieu of provision"

and

"Give priority to play facilities and the provision of amenity space which meet residents' needs where a development creates a need for different types of open space"

And para 1.23 of Camden's Open Space Supplementary Planning Guidance states

"The Open space standards set out in the Local Plan relate specifically to **public open space**. Public open space means open space which is fully accessible to members of the public and provides an inclusive environment in which all communities feel welcome. Free public access will normally be available throughout the year, although the sensitivity of some nature conservation sites may justify restrictions to access."

And paragraph 1.24 goes on to state

"Given the amount of hard surfaces in Camden, our priority will generally be for green spaces. The Council will generally not support public open space dominated by hard landscaping unless the need for this can be strongly justified."

8.1.12 Applying the Council's policies that residential development should provide 9 sqm per occupier and for commercial development 0.74 sqm per worker:

The developer's scheme should provide as a consequence of the *additional residential* element (22 additional dwellings with a potential occupancy of 58 persons x 9sqm) **522 sqm public open space**

8.1.13 The developer's scheme consists of 24,131 sqm of *commercial* floor area and Appendix F Supplementary Planning Guidance Public Open Space page 29 shows how to calculate the total public open space the development should provide (24,131/12 x 0.74 - 12 is the number of employees per sqm for a professional services organisation like offices) which comes to **1,488 sqm of new public open space.**

**Consequently, the total public open space area the development should provide is therefore 2,010sqm (522 + 1,488sqm) in order to comply with the London Plan and Camden Local Plan**

8.1.14 The developer's proposals include a 'pocket green space' (developer's description) which is the only element of their 'open' space provision that could possibly be called public open space. They describe this facility a public realm facility, as it is within their private ownership and rightly do not offer it as a public open space. The area of this "pocket green space" is tiny and is likely to be prejudiced with the inclusion of extract and intake air ducts that will be required but are currently not indicated in order to serve the basement areas.

8.1.15 There is clearly a huge discrepancy in the Public Open Space that should be provided and what is being provided which **is precisely zero sqm**, and it is clear that the developer's scheme does not complying with GLA and Camden's Planning Policies set out in their local plan and their Supplementary Open Space Planning Guidance. *There is no evidence that any effort has been made by the developers to address the need to provide any public open space and the required quantum of children's play area.*

8.1.16 As the alternative design approach has demonstrated, the existing roof of Selkirk House could be transformed into a public open space and if the single storey sheds were removed from the West Central St/Museum St/New Oxford Street block to create Stable Yard, which could incorporate a dedicated children's play area, the site could provide up to 740sqm Public Open Space on site which, while being well short of the 2010 sqm target, is a significant contribution towards the total.

## **8.2 Children's Play Facilities**

8.2.1 The overall development includes 19 affordable dwellings that will 'generate' (a terrible planning term) 17 children and the 25 private/market housing will 'generate' 11 children giving an overall total of 33 children, of which 25 are located within the West Central Street/Museum St/New Oxford Street block.

8.2.2 The London Plan stipulates (see para 2.2.16 Play Supplementary Planning Guidance - SPG) that any new housing development that 'generates' more than 10 children must provide suitable play space and that paragraphs 4.5 to 4.7 of the Play SPG sets out the type and quantity and location for different age groups, placing particular emphasis on securing on-site provision for children under 5. This is particularly important provision in areas defined as deficient, as applies to the development site, and that such play provision *cannot* be off-set by off-site provision.

8.2.3. The GLA Policy S4 set down that 10sqm play area should be provided per child. Hence the West Central Street/Museum Street/New Oxford Street block should provide a minimum of 250sqm of dedicated play space. Camden's Local Plan says that where the 9sqm open space provision is made for additional residential accommodation then a lesser figure of 6.5sqm rather than the London Plan's 10sqm would apply. But as the development scheme failed to meet the 9sqm requirement that totals 552 sqm (see above), then it is reasonable to apply the London Plan 10sqm rule for play space provision

8.2.4 The deck at first floor level within the West Central Street/New Oxford Street/Museum Street block is primarily an access deck with some planters separating hard pathways as can be seen on the architect's drawings (295\_P20.101 rev c and detailed layout of the deck). The total area of this deck is given as 151 sqm, so not only is the area 40% too small, but cannot be described in any way or form as a dedicate children's play area. It is even too small if the lesser 6.5sqm rule were to be applied, especially as most of the 151 sqm area of the access deck is just hard surfaced pathways.

8.2.5 The GLA calculate that 66 sqm play space dedicated to 1-4 age group is required, but no such provision is included. The developers might say that they can provide this facility as part of the access deck, but it would be of very poor quality due to the lack sunlight and being permanently in shadow. Moreover, the facility would prejudice the amenity and privacy of adjacent accommodation

8.2.6 In addition, both the GLA London Plan and Camden's Local Plan stipulate that play areas should have direct sunlight and benefit from good daylight. Camden's Open Space Supplementary Planning Guidance expressly states that quality must be provided when designing play and open space and states (Appendix D Ensuring Quality when designing public open space)

"Consideration of microclimate should encourage positive use and not prevent enjoyment. This should include identification of sunny areas and prevention of excessive wind. Areas where a comfortable microclimate cannot be delivered will not be considered as suitable public open space (sic. play areas) provision. Open spaces should not be dominated by movement corridors, including access routes in and out of the associated development"

8.2.7 The GLA's Housing Design Standards published June 2023 states the obvious, that the orientation of new buildings is important and you should not have taller buildings on the south side of a site as it will inevitably cause shade to the residential properties to the north and to the area between. In the case of 16a/18 West Central Street, it is located on the south side of the block and is the tallest building within the whole of the urban block and is completely alien to the historic morphology of this part of the Conservation Area. The fact that the tower block is also on the south side of the housing block will make the situation even worse and both buildings are clearly contrary to GLA recommendations

8.2.8 The London Plan has a number of relevant planning policies that the current development/public open space/Public Realm the Policy and housing design fails to meet namely:

A1.4 states

"Heritage assets and their settings should be conserved, enhanced and integrated into the design of new development. They should contribute to the sense of place and make a specific contribution to placemaking and regeneration".

Policy A.1.7 states:

"The height and massing of new development should align with the design parameters and guidance for sites where this is set out in a local plan, design code or other policy or guidance document. In areas that are not identified as those that may be appropriate for tall buildings, the height of new development should not exceed the relevant tall building definition. In areas that are within these designated areas, the height parameters should not be exceeded".

Policy 1.1.8 states:

"Particular consideration should be given to the impact of new development on the level of daylight and sunlight received by the existing residents in surrounding homes and on existing public green space".

Policy B.9.5 states:

“Maximise the quality and availability of daylight and sunlight in communal outside spaces, particularly in winter. It is particularly important that spaces designed for frequent use (including sitting and play spaces) receive direct sunlight through the day, particularly at times they are most likely to be used”.

8.2.9 The Access Deck will be almost in shadow all the year round as a consequence of the 74m high office block adjacent and the 5/6 storey proposed development along the north side of West Central Street. Almost every day of the year the yard will be a dark, dank and thoroughly unpleasant space and certainly not conducive to a comfortable environment for outside play space or as an amenity space. It clearly does not comply with the GLA London Plan policy B.9.5 see above. The availability of sunlight should be for all open spaces where sunlight is required. The BRE guide recommends that, for an open space to appear adequately lit throughout the year, at least 50% of its area should receive two hours of sunlight on 21 March. Based on the facts and analysis undertaken by the developer’s daylight experts GIA, the communal amenity area within the access deck will receive 0% sunlight on 21 March due to the excessive overshadowing from the tower block and the redevelopment of 16a/18 West Central Street.

8.2.10 The access deck will be penetrated with a variety of air intake and extract outlets, two such ducts are shown on the layout of the access deck but no details given, and what is shown will clearly be inadequate in size and location, bearing in mind what uses are shown on the proposed layouts of the ground and basement floors under the access deck. It is inevitable the required penetrations will adversely affect the amenity value of the access deck and they are another reason why the access deck proposal, doubling as an amenity space, is not policy compliant.

8.2.11 The access deck/ first floor yard, and new-build block along West Central Street (these elements are intertwined) clearly does not comply with Camden’s Local Plan policies D1 and D2 which set out the need for new developments to be of a good standard. The proposal utterly fails in achieving a high-quality design and fails by not taking the opportunity available for improving the character and quality of the Conservation Area and existing residential accommodation within the West Central Street/Museum Street/Oxford Street block (see Policy D1 and D2 para 2.3). Indeed, it significantly damages the amenity of all the adjacent properties and existing residential accommodation, as it will increase overlooking, substantially reduce daylight and sunlight penetration, reduce privacy, and due to the close proximity of the proposed 74m high tower block will result in a very unpleasant and windy micro climate. All of these attributes conflict with Camden’s Amenity Planning Guidance published in 2021 Policy 2 Overlooking Privacy and Outlook, Policy 3 Daylight and Sunlight, Policy 6 Noise and vibration.

8.2.12 The applicants state that the area of the access deck within the West Central Street, Museum Street and New Oxford Street block is to double up as both a children’s play area as well as communal open space for residents that traverse the access deck to their accommodation. On both counts the quantum of space is grossly inadequate when compared to what the GLA and Camden standards require and the quality of space is extremely poor.

8.2.13 If it is suggested that the failure to provide the required level of play space to comply with the standards set by the GLA or for that matter Camden Council is a consequence of the tight inner-city site and site restraints, then clearly the Alternative Proposals submitted by SMS coalition show that this is not the case. By reinstating the historic, Stable Yard, open to the air at ground level, and retaining 16a/18 West Central Street, all the open space and children’s play-space failures of the current proposals for the West Central Street, Museum Street, New Oxford Street disappear.

8.2.14 The failures associated with the developer’s proposals and the innumerable instances of noncompliance with Camden’s Amenity and Open Space SPGs would also vanish. The proposed reinstatement of Stable Yard will provide 225sqm of public open space from which the dedicated 66sqm play space facilities for 0–4-year-olds can be easily accommodated. The fact that the existing 16a/18 West Central Street is only a 3-storey building (rather than the 5/6 storey and much

bulkier replacement proposal) ensures much better daylight penetration and will have the added benefit that Camden's Amenity SPG requirements will be met. The proximity of the proposed 74m high tower block will remain a huge impediment to a good overall urban design, but at least the northern section of the site will have a design clarity, be sympathetic to the conservation area and listed buildings, and provide good quality housing with good open space and play space.

### **8.3 Public Realm**

8.3.1 Both the Council and the developers rely on the claim that the benefit accruing from the public realm improvements and proposed housing are so great as to offset any damage caused by the demolition of Selkirk House, construction of a significantly taller and bulkier tower block, and the demolition of the acknowledged buildings of merit in Museum Street.

8.3.2 The public realm works can be split into two.

- i. The first is 1083sqm of public realm works within the land owned by the developers, consisting of Vine Lane, a proposed new alleyway/narrow walkway parallel to Grape Street, linking West Central Street to High Holborn and containing a 'pocket park'
- ii. The second public realm area is 729sqm of improvements of the existing pavements and roads, along Museum Street, High Holborn and West Central Street

#### **8.3.2.1 Public Realm: Vine Lane.**

8.3.2.2 The Council has published two consultative planning briefs as part of its Opportunity Development Sites appraisal that is to be incorporated into the Local Plan. The first report dated 9 September 2013 section 4, only concerned the buildings within the Bloomsbury Conservation Area bounded by New Oxford Street, Museum Street and West Central Street and the planning brief set out a number of requirements that any development would be expected to undertake including:

- Retain and preserve the architectural and historic character of the listed buildings and other heritage assets on the site.
- Preserve and enhance the character and appearance of the Bloomsbury Conservation Area, the setting of listed buildings including the British Museum and sustain and enhance the other buildings which positively contribute to the conservation area.
- Maintain an active frontage to New Oxford Street.
- Make a contribution to improving the public realm providing more pedestrian space in the vicinity of the site, improved crossing facilities across New Oxford Street and better north-south links.
- Provide or contribute to the provision of new open space.

8.3.2.3 The description of the proposed design brief received public support. It is important to stress the need to provide more open space was an *expectation* of any development and the retention of 16a/18 West Central Street, a building that positively contributes to the Conservation area, was *expected*.

8.3.2.4 There was no suggestion of a cut-through to High Holborn, probably because the opportunity site only concerned the Conservation Area block, but there was a clear recognition that better crossing of New Oxford Street/Bloomsbury Way is a high priority (none is proposed in the current application, though of all public realm improvements this would be the most significant). What is remarkable is how the conservation-led approach as to how the block was to be treated was completely ditched in the later version, when Labtech developers bought the site and the adjacent Selkirk House and assisted Camden in drafting of the next version of the opportunity site.

8.3.2.5 The second version of the Opportunity Sites was published in 2020 and consultations held in 2021.



8.3.2.6 This time the opportunity site (HCG3) was extended to include Selkirk House, and it included the idea of a cut through from West Central Street to High Holborn and the possibility of a taller tower block in place of the existing Selkirk House. These elements of the revised draft were as a consequence of property developer Labtech and Camden Planning Policy unit working together; the treatment of the northern section was not recorded as part of the Bloomsbury Conservation Area but as a potential development block to locate housing that would be required as a consequence of the new taller proposed tower block.

8.3.2.7 Consultation took place and the overwhelming response was highly critical of the proposed increase in height of a new tower block, and the idea of the cut through, that the developers now call Vine Lane was rejected. (See Draft Camden Site Allocations Local Plan Summary of initial consultation and engagement published November 2022)

8.3.2.8 The Council has yet to consider this report, so the current status of the Opportunity Sites and for that matter Holborn Vision cannot be described as Council Policy. Certainly, in the case of the Selkirk House Opportunity site HCG3 and the idea of a cut through has been rejected overwhelmingly by the general public. The reason is self-evident when the quality of the cut through, as is shown very clearly in the developer's model of their proposals, is considered (see below). The developer's effort to use the existence of these emerging policy documents as reasons to justify their proposals should have recorded that the public comments received are overwhelming in opposition to the idea of Vine Lane and a larger tower block.

8.3.2.9 The statements by the developers that their scheme complies with emerging policies is a falsehood, as the documents have not been considered by the Planning Committee and the overwhelming public response has been negative. Of course, it may be the Council has no intention to consider public comments, but that begs the question, why in that case did they invite public comment, if it is to be ignored?

8.3.2.10 The idea of Vine Lane is also contrary to Camden's Local Plan policies D1 Design and D2 Heritage as the proposal damages the character and quality of the locality and the site in particular. There is absolutely no historical precedent for the cut-through and the proposed Vine Lane will seriously erode the historical street layout. Moreover, there is no benefit gained by the route through the site as the alleyway makes no connections and follows no desired pedestrian route.

8.3.2.11 It certainly does not improve connection between Covent Garden and The British Museum, as the developers would wish everyone to believe, as the route does not go to the British Museum and starts at a section of High Holborn where there is no pedestrian crossing, let alone road refuge. The most direct route from Covent Garden to The British Museum from Drury Lane is appropriately named Museum Street. It also will be a most unattractive narrow passageway that will be exceedingly dark and permanently in shadow as a consequence of the adjacent tower block.

8.3.2.12 Policy D1 Design and Heritage states as its first requirement that the Council will require that a development:

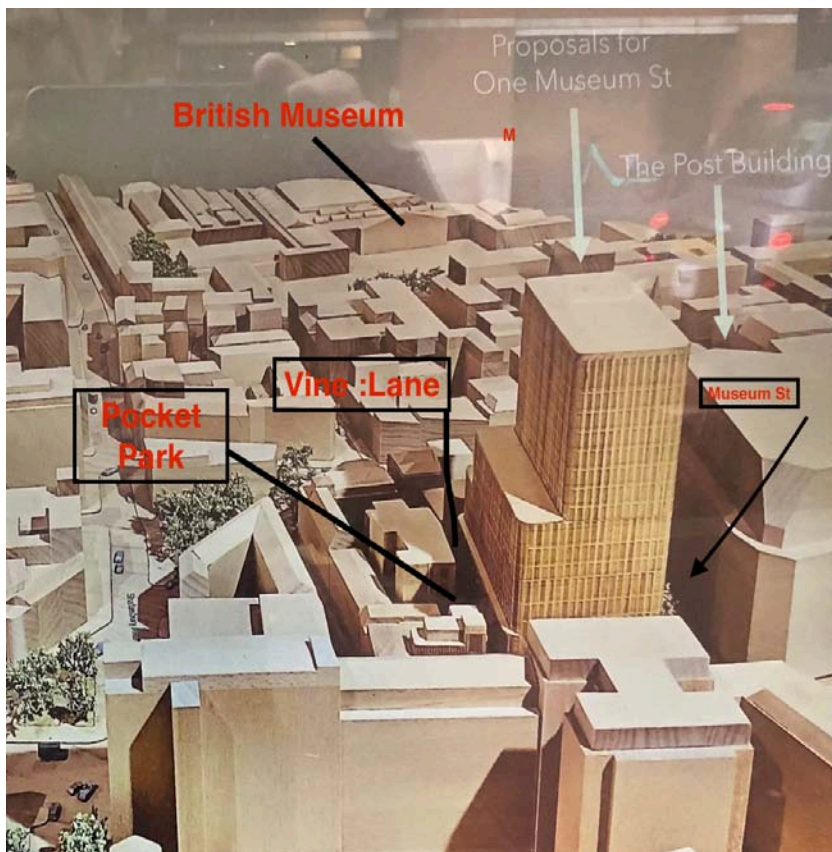
- respects local context and character
- preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage

8.3.2.13 Vine Lane does neither. It is entirely an artificial construct to enhance the commercial frontage of the development, but as the alley and pocket park attached is so narrow, will be in shadow all year round, and only receive sun on the equinox, it will be a very unattractive space, and will be infrequently used, as it makes no connection between anywhere. What it is very likely to attract is anti-social behaviour and in time is likely to be gated in order to combat anti-social behaviour and crime (in contravention with Camden's Design policy D1).

8.3.2.14 The local Plan Design D1 goes on to say that the Council will require that developments

- integrate well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage

8.3.2.15 Vine Lane fails to satisfy any of these requirements; it does not integrate well with surrounding streets, as it destroys the historical street layout; it does not improve movement through the site as it connects nowhere to nowhere and certainly is not an easily recognisable north south route as it is an entirely artificial construct, unlike Museum Street, and will not contribute to the street frontage as the retail units off the alleyway are very likely to remain empty as it is a very unappealing passage with minimal footfall. The alleyway will be overwhelmed by the office tower, and the seven-storey rising to eight blocks on the west side and the proposed architecture has rightly received highly critical comments from Save as well as the Victorian Society. Vine Lane will be grim and the same applies to the minuscule pocket park off it. Rather than being a public benefit it is likely to become a considerable public nuisance. Vine Lane does not lead to a realistic destination but to a four-lane road with no safe means of crossing.



*Image of developer's model of the proposed scheme*

8.3.2.16 The image above is of the developer's model of their scheme. The dingy nature of Vine Lane is all too apparent and is shown to be overwhelmed by the proposed tower block adjacent, and by the residential block alongside the west side, backing onto Grape Street's existing residential accommodation. As the model shows, the daylight and sunlight penetration to both Vine Lane, the 'pocket park' and Museum Street will be miserable, and certainly the development public realm around the tower block will not be attractive and welcoming spaces.

8.3.2.17 Camden Planning Guidance concerning Landscaping and the Public Realm under the heading 'Ensuring Quality in the Provision of New Public Open Space' states:

*"Consideration of microclimate should encourage positive use, and not prevent enjoyment. This should include identification of sunny areas and prevention of excessive wind. Areas where a comfortable microclimate cannot be delivered will not be considered as suitable public open space provision".*

*"Open spaces should not be dominated by movement corridors, including access routes in and out of the associated development".*

Clearly neither Vine Lane nor the pocket park meets these requirements and neither are policy compliant

8.3.2.18 In addition, the planning guidance sets out general principles of landscape design applicable to the public realm and open space in paragraph 4.62. High quality public realm must:

*"Provide attractive streets and spaces".*

8.3.2.19 Because of its narrowness, being in permanent shadow and dark, with no sunshine, following no pedestrian 'desire line' and being overwhelmed by the adjacent office block, Vine Lane will certainly not be an attractive street and space and again is not policy compliant.

8.3.2.20 The same planning Guidance goes on to say in 4.21 that public realm areas in new developments have to show:

*"how the scheme would reduce opportunities for criminal and anti- social behaviour".*

Clearly the narrow Vine Lane which will be shaded and dark all the time, except at high summer, and *will encourage* criminal and anti-social behaviour, is clearly not policy compliant. This might be resolved by gating the alleyway, but then the developer's claim that Vine Lane will improve the public realm is clearly a falsehood as it will not be available to the public 24hrs a day.

What Vine Lane actually does is to *design in* future criminal and anti-social behaviour. It has no intrinsic public benefit but rather a considerable dis-benefit.

## **8.4 Museum Street, High Holborn and West Central Street**

### **8.4.1 Museum Street in front of the tower block.**

8.4.1.1 Currently the existing Selkirk House is set back some considerable way from the curtilage of Museum Street and the pavement area is dominated, particularly at the corner with High Holborn, by a series of London Plane trees running up Museum Street to West Central Street, most having large crowns, and a further four plane trees along High Holborn, two of which are of significant quality. (Reference Tim Moya Associates (TMA) 'Arboricultural Impact Assessment of Selkirk House Development' (June 2023).

8.4.1.2 It is proposed to cut down **ten** trees and replace the same number, notably the most mature and the most significant, located on the High Holborn frontage. These two trees (T1 and T2) are required to be felled in order to facilitate the demolition of Selkirk House, to allow for piling drilling rigs and future servicing facilities for the tower block. TMA states in paragraph 6.3

*"Of these four specified removals, it is the loss of T1 (a *Category B* early-mature London plane tree) that is most noteworthy. This specimen is a prominent feature of the public realm, which means that its loss will have an adverse impact upon the character of the public realm and how it is perceived."*

8.4.1.3 The GLA London Plan States in Section 7 Greening Infrastructure and Natural Environment in Policy G7.C titled Trees and Woodlands, states:

“Development proposals should ensure that, wherever possible, existing trees of value are retained. (Category B and lesser trees apply)”

8.4.1.4 It goes on to say that if planning permission is granted the developers should provide a replacement. But the important point is that Camden Council should ensure where possible existing mature trees of value are retained.

8.4.1.5 In addition, the London Plan states in para 8.7.1:

Trees and woodlands play an important role within the urban environment. They help to trap air pollutants, add to amenity, provide shading, absorb rainwater and filter noise. They also provide extensive areas of habitat for wildlife, especially mature trees.

8.4.1.6 Camden’s Design Planning Guidance states in para 4.20

“Urban spaces have particular character which results from a combination of factors including geology, ecology, topography, architectural design and the history of their development and use. The Council will expect new landscape design to respond to, preserve and enhance local character, through the:

- o preservation of existing trees and hedges”.

8.4.1.7 Clearly the proposed felling of 10 trees is not policy compliant with this primary objective of retaining existing particularly mature trees.

8.4.1.8 Camden Local Plan calls for developments to be sustainable and Section CC1 has a large section discussing climate change and the need to take steps to mitigate climate change.

8.4.1.9 Clearly cutting down 10 mature and semi-mature trees is not a green approach, especially as the need to cut down these, particularly the mature trees that have taken over 60 years to grow to their current size, only arises as a consequence of the choice to demolish Selkirk House and construct a taller tower block.

8.4.1.10 There is no mention in the developer’s reports as to the ecological dis-benefits of their proposals and clearly the extent of tree felling is a very considerable dis-benefit. That new trees will be planted in replacement does not mitigate the environmental damage caused and clearly the maturity of the replacement trees will not match those that are being felled. In addition, the urban landscape will be adversely affected by the loss of the mature trees and the benefits of mature trees described in the London Plan para 8.7.1 above.

8.4.1.11 It is telling that Camden’s planners have not required the developers to retain the mature trees T1 and T2; rather they have apparently agreed to their felling, subject to replacement, ignoring the Council’s primary planning objective of the preservation of existing trees. It is all too evident that developers are forcing the mature trees to be felled as a consequence of their design, not as Planning Policy requires, that the design should start with the default obligation that all mature trees should be retained.

8.4.1.12 The current public realm area directly in front of Selkirk House is approximately 560sqm. As a consequence of the new office tower being pushed forward, approximately 58sqm of open area will be lost. The developers claim (and it appears Camden planners are of the same opinion which is most strange), that the arcade at street level is public realm space when clearly it is private space, personal to the office block, especially as it contains a flight of steps up to the entrance of the office block. This represents a 10% decrease in the public realm in the most important location and will have many negative consequences. The width of the pavement at the north end is only 2.5-

3m due to the taxi drop-off point and the planters around the trees. This bottleneck, which is about 14m in length, is likely to be compounded by the negative effect of cycle deliveries and it is likely that pedestrians will be obliged to walk in the street!

8.4.1.13 The north-south route from the British Museum to Covent Garden is along Museum Street. In the section of Museum Street between West Central Street and High Holborn, the street scene will be extraordinarily boring and inactive; on one side there is already the vast private entrance lobby to the Post House office development and directly opposite will be the equally private and dominating office foyer entrance to the proposed new office tower. This juxtaposition of two soulless office foyers and the reduction of the public domain will clearly not make for an active street frontage, as required in Camden's Local Plan (see Camden Plan D1(f)).

8.4.1.15 The fact that 85% of the Museum Street frontage between West Central Street and High Holborn will be given over to private entrance lobbies to the office blocks on either side of the road, is not in accordance with Policy D1(f). The Local Plan states under the heading Street Frontages and Legibility in para 7.11

“Building facades should be designed to provide active frontages and respond positively to the street. Active frontages are building facades that allow people on the street to see inside the building. A more active type of frontage is one where the use opens out to the street, like a shop with a window display and entrance, or a use like a café or restaurant with outdoor dining. Active frontages add interest and vitality to public spaces.... Positive factors for frontages are entrances, shop fronts and windows. *Negative factors include long blank facades, high boundary walls, solid roller shutters and service entrances and yards*”.

8.4.1.16 What both the Post House and the proposed tower block have in common are ground floor entrance lobbies that are long blank facades that deliberately show off and actively reject anyone walking in off the street. The foyers say ‘this is a private area for those with privilege and it is not for the general public’. They are blank facades that exclude rather than invite and deaden rather than enliven the street scene.

8.4.1.17 The Council say they wish that the wide pavement in Museum Street should be ‘greened’ and take the opportunity to significantly improve the public realm in this location because Museum Street is the main route to the British Museum and to Covent Garden.

8.4.1.18 This is set out in Camden's Opportunity Area site description HCG3 paragraph 7.30 states the development must:

- Maximise opportunities for high-quality urban greening, in particular along the wide pavement on Museum Street

8.4.1.19 In this context the fact that the public realm has been reduced and the pavement will not be as wide, as a consequence of the proposed office tower being much closer to Museum Street, shows that the proposals clearly do not meet this requirement and will have the following negative effects:

- will significantly reduce the available space for the public realm from what currently exists with a consequential reduction of the free pedestrian area; this will be further reduced as a consequence of the four planters with integral seating that are proposed to encircle the retained trees. It is very likely that pedestrians will be obliged to walk in the road especially outside the entrance of the office tower block.
- will make the pavement area much darker as the two tall buildings will be significantly closer. The section of Museum Street alongside the two tower blocks will appear like a chasm; on one side an office tower 74m high and on the other an office block circa 50m high, with a narrow pavement on both sides of Museum Street and in-between a one-way very busy traffic route.

- will militate towards an unpleasant micro-climate due to the wind tunnel effect of the two tower blocks being so close together and because of the permanent shadow that the towers cause.
- The conflict between pedestrian movement and vehicular movement will be much more pronounced especially as taxi and service drop-off points will be required along the length of Museum Street to service both tower blocks. Some allowance has been made for Uber-like food delivery cycle provision mirroring the deficiency on the east side of Museum Street in front of the Post House, where delivery cycles often block the pavement. As the available space has been reduced, the taxi set-down points and Uber cycle-parking area (that will be required), will bite into the available public realm area, and the conflicts with pedestrian movement will be much worse than at present. However much greening is suggested with planters, the inherent problems will remain unresolved, and the free flow of pedestrians along Museum Street will be seriously impeded.
- The existing trees that are being retained have significant crowns and will further reduce the daylight along Museum Street. The consequence is that there will not be a significant public realm improvement, indeed the proposed development and siting of the tower block will substantially reduce the quality of the public realm in the location most needing improvement.

8.4.1.20 Camden's Design Guide Heading 4 Landscape and the Public Realm has as its key message:

“High quality public realm must be inclusive and accessible and contribute to supporting and improving the character and quality of the borough's environment”.

The public realm proposals along Museum Street will not meet this very basic planning objective.

#### **8.4.2 Public Realm: High Holborn in front of the tower block**

8.4.2.1 Turning to the proposals for the High Holborn pavement area, the felling of the two mature London Plane trees, both of which are of a size to warrant protection under existing planning policy, but are in fact to be felled, and the existing clear pedestrian route will be interrupted by a substantial pavement lorry 'cross over' to the proposed office tower service area.

8.4.2.2 Camden Local Plan, Chapter heading Biodiversity states as Policy A3:

“The Council will protect, and seek to secure additional, trees and vegetation. We will:

resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value including proposals which may threaten the continued wellbeing of such trees and vegetation”.

8.4.2.3 Clearly there is something fundamentally wrong, when the most precious existing green features on the site - two very mature trees- are to be felled in order to facilitate the extremely climate damaging demolition of the tower block. When considering sustainability this approach is a double whammy; first to design a building that requires the felling of two mature sound trees and then the reason given that it is necessary in order to facilitate the demolition of a building that should and could be retrofitted, and in the future to allow for the servicing cross over to the tower block service bay. The false logic is even harder to justify when Camden's greening policy is to preserve and protect mature sound trees, in this case trees that are 50/60 years old and are of particular local importance. (See London Plan policy G7.3; Camden Planning Guidance 4.2, Camden Local Plan Biodiversity A3 (j), and clearly failing to protect important existing public amenity (Planning Guidance para 6.13)

### **8.4.3 Public Realm: West Central Street**

8.4.3.1 The public realm 'improvements' along West Central Street will be similarly undermined by the height and bulk of the proposed tower block on the south side and the inappropriate height and bulk and design of the new residential block that will be up to five-storeys high on the north side. Like Vine Lane and Museum Street, West Central Street will be an extremely dark road, enjoying minimal sunlight and with completely dead street facades on either side of the road.

8.4.3.2 On the north side of West Central Street over 60% of the street frontage will be dead, with doors leading to residential service areas (bin storage), an electrical substation and a staircase leading to the proposed housing access deck at first floor level. The remainder will be given over to shops/office flexible use. The south side of the road, which is only 6m wide, will have a potentially more animated street with a cafe proposed along its length, but the pavement area will be entirely given over to cycle racks that will make it impossible to walk along the pavement, and will result in pedestrians having to walk in the road or on the north side pavement which is exceedingly narrow (some 2.8m wide). There is no proposed greening or tree planting and the street will be hard surfaced throughout.

8.4.3.3 Due to the height of the office block on the south side and the height of the proposed residential block along the north side of West Central Street, the sunlight penetration will be minimal and the street for almost all of the year will be in shadow.

8.4.3.4 While the materials proposed for the public realm (road and pavement) will be superior to the existing, the public gain is minimal as the developers would undertake this work anyhow as a consequence of destroying the existing finishes during the demolition and construction of the office tower block.

8.4.3.5 The public realm along West Central Street as a consequence of the development will be considerably worsened because:

- i. The street will be in shadow almost continuously and will have minimal sunlight penetration whereas the height of Selkirk House on the south side and the two-storey height of the properties on the north side of the street allow for reasonable sunlight penetration and considerably less overshadowing.
- ii. The pavement areas will be substantially reduced as the south pavement is to be given over to cycle hoops.
- iii. The staircase leading to the housing access deck at first floor level on the north side of the street is an invitation for anti-social and criminal behaviour. It is a given fact that entry to residential accommodation is best when the entrance is not shared and has direct access to the street.

8.4.3.6 In summary, the suggestion that the improvements to the public realm will offset the damage to nationally important heritage and to the conservation areas included within the development site and surrounding the block, is untenable because:

- The planning requirement is first to provide new public open space commensurate with the size of the development, but none has been included let alone considered in the proposals.
- Fails to provide public play space for children particularly for the age group 0-4 years old.
- The purported public realm improvements consist of a new cut through called Vine Lane that fails to meet a host of planning requirements and will be a most unwholesome element of the scheme that actually designs in the likelihood of criminal and anti-social behaviour.
- The public realm proposals for Museum Street suffer by the fact that the area of the public realm has been substantially reduced as a consequence of the proposed office tower building line being

brought considerably closer to the Post House office development opposite that will produce a most unpleasant microclimate and due to the planters, steps up to the office entrance, and the taxi set-down point there will be pinch points in the available space for pedestrians where the pavement area is only 2m wide along an 8 m length.

- The Museum Street public realm proposals fail to cater for the plethora of cycle and motor bike deliveries that already occur to the Post House and is likely to grow considerably with the proposed office tower block.
- The proposals fail to meet Camden's biodiversity policies by the fact that ten trees are required as a consequence of the development to be felled, two of which are high quality and any replacement will take at least 60 years to equal the quality of the best of the trees that are to be felled.
- The public realm proposals for High Holborn will seriously reduce the existing public realm quality of the street by introducing a large lorry cross-over and by the felling of the two highly mature trees.

### **8.5 Private Open Space for Residential Accommodation**

8.5.1 This is discussed in detail within the comments on Housing but as the developers have lumped private open space attached to the housing element of the development in with their Public Open Space and Public Realm description, the basic facts are discussed here.

8.5.2 The relevant policies that apply when considering the private open space for the housing accommodation are set out in the GLA's Housing Design Standards (June 2023)

Policy C.4.2 states:

"The location of the main living and eating spaces, and *the main private outside space*, should be optimised to make the most of the best views and the orientation. These spaces should receive *direct sunlight* (south-facing is preferable, provided that appropriate shading devices are incorporated) and enjoy reasonable privacy through the careful placement of windows, balcony design or other measures"

Policy C.10.1 states:

"Provide a minimum of one 5m<sup>2</sup> of step-free private outside space for homes with one or two bedspaces, with a minimum depth and width of 1.5m. An extra 1m<sup>2</sup> should be provided for every additional bedspace".

8.5.3 Only 8 of the 44 dwellings proposed will comply with the required area of private open space for each dwelling and the level of daylight and sunlight penetration that is required. The six dwellings that do comply are all designated as private/market housing located at the top end on the west side of West Central Street (the current vacant site).

8.5.4 The remaining 38 dwellings will have exceedingly poor daylight penetration, some so bad that they score **zero daylight penetration** as measured by BRE standards, and none receive direct sunlight. Nine dwellings, of which three are for large families, have no private open space. The worst daylight and sunlight penetration conditions apply to the designated social and affordable dwellings.

8.5.5 Private communal space is provided for nineteen of the private/market housing but none for the affordable/social rented accommodation as the access deck at first floor level is firstly inadequate in size and does not comply with any of the daylight and sunlight GLA housing standards requirements.



## **8.6 Summary**

8.6.1 The proposals fail to meet a host of planning policies contained in GLA's The London Plan, The GLA's Housing Design Standards, The Camden Local Plan, Camden's Supplementary Open Space and Amenity planning guidance and Camden's Opportunity Areas emerging proposals. GLA The London Plan Policies D1, D3, D6, D9, G7, S4, S14, paragraph 8.71

The GLA Housing Design Standards, Policies A1.4, A1.7, A1.8, B9.5

The GLA Play Supplementary Planning Guidance para 4.7

Camden Local Plan, Policy Growth G1 para 2.29, Policy A2, paras 1.7,1.8, 1.9, 1.12, Policy A.3(j) Map 2, Open Space para 6.31, Policy D1, Policy D2, para 2.3

Camden Public Open Space, Supplementary Planning Guidance: 1.23, 1.24, 1.27, 1.40, 1.60 Appendix D 6

Camden Amenity, Supplementary Planning Guidance: Policy 2, Policy 3, Policy 6, para 6.13

Camden Landscaping, Supplementary Planning Guidance Heading 4, 4.20, 4.21 4.62,

Camden Site Allocations emerging proposals. 2013 version and 2022 version subsection HCG3,

Draft Camden Site Allocations Local Plan summary of comments para 7.30

## 9 BASEMENT IMPACT ASSESSMENT

9.1 The BIA report states the site is directly over Royal Mail Group Post Office tunnels; and additional assets owned by LUL, Crossrail, TWUL and UKPN fall within the zone of influence of the proposed works, as follows:

- Post Office tunnels
- LUL Central Line tunnels north of the site under New Oxford St
- An Elizabeth Line tunnel south of the site under High Holborn
- Various Thames Water sewers and Mains water pipes surround the site on all sides
- An existing UK Power Networks Ltd substation will need to be temporarily relocated, and another added

9.1.1 Apart from the risks posed to these assets by the proposed works, mitigation will involve massive and costly piling work to limit both ground heave following demolition of Selkirk House, and then limit settlement when the new 74m tower is built.

9.1.2 This vanity project, to demolish Selkirk House and erect a new, significantly taller tower instead of simply refurbishing what is already there, will involve more than 4 years of noise and disruption for local people and businesses, taking twice as long as the sustainable option of using what already exists and refurbishing Selkirk House.

9.1.3 The deep basement proposed for the Vine Lane building requires a secant piled wall abutting the residential and commercial properties in Grape Street and will involve over two years of construction right adjacent to occupied homes. Local residents are only now recovering from the noise and disruption caused by the Post Building site; an 18-month complete office refurbishment in Grape Street; and the construction of Princes Square. They are also currently tolerating a further major refurbishment in Grape Street.

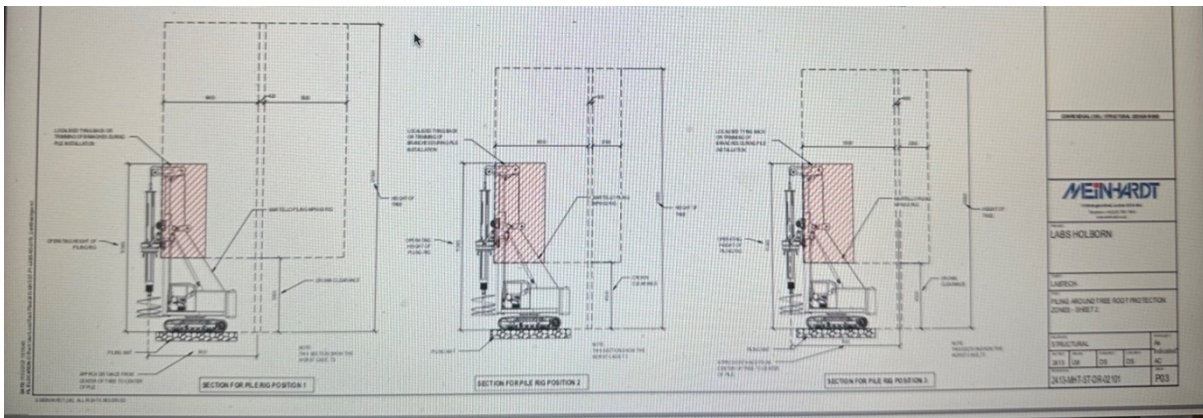
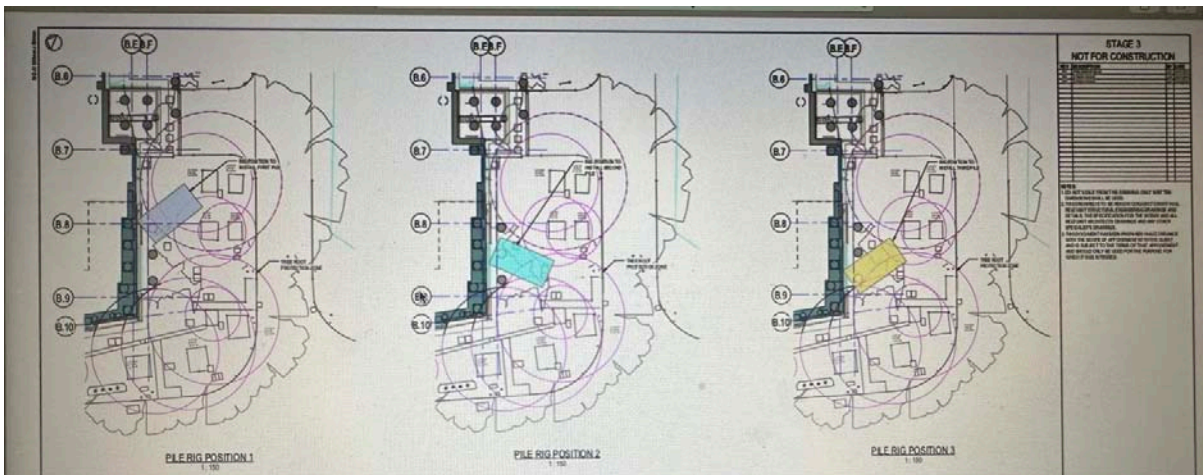
9.1.4 The BIA identifies that the proposed Vine Lane basement pile wall and underpins will create a cut-off to any existing ground water flow paths. There is more site investigation work to be done to identify whether non-static groundwater exists. Groundwater control/dewatering may be required during construction, which will add yet more noise nuisance.

**9.1.5 The second phase of site investigation works is reported to have been halted due to access restrictions.** The planning application acknowledges that significant post-planning investigation will be required to inform the RIBA stages 3 and 4 design and the Phase II Geo-environmental Quantitative Risk Assessment, which could change the design done to date. Already, since January, there has been a significant increase in the designed below ground works. Drawings included with the previous planning application submission showed some 28 piles of 900mm diameter, 20 metres deep, to protect the Post Office tunnels from downward movement (settlement) from the load of the new tower. In the latest drawings, there are now 44 of these settlement reducing piles. This indicates an increase of some 320 metres of large diameter bored piling, constituting an additional 490 tonnes of concrete in the ground.

9.1.6 It is noteworthy that 9 trees are to be felled in tree protection zones, which is in itself a further negative aspect of the scheme, but which will also affect the moisture take-up pattern of the area.

9.1.7 The BIA provides many assurances that there is a low risk of damage to existing assets, but that is highly questionable. For example, next to Selkirk House there are tree root protection zones where a piling rig is going to be working. Drawings indicate that tree branches will have to be roped back or locally cut off to enable access by the piling rig which has an operating height of 11.5m, working amongst trees of up to 20m height. It is very difficult, if not impossible, to believe that the trees will remain unharmed by these piling operations, as their roots will be susceptible to damage by the piling mat on which the rig stands and also by the weight of the rig, and the branches will be cut or roped back as described above.

9.1.8 Meinhardt's drawing no. 2413-MHT-ST-DR-02100, and -02101 shown below, clearly show the dangers to trees, particularly at the south end of Museum St near High Holborn:



9.1.9 As part of LB Camden's planning procedures, Campbell Reith were appointed to carry out an audit of the previous BIA. The information provided was insufficient to satisfy the requirements of LB Camden's Planning Guidance for basements, January 2021, because whilst questions were answered, in many cases the answers required to be confirmed or changed once further work has been done.

9.1.10 For example, the proposed protection to the Post Office tunnels, which run directly under the present tower, relies on ground stabilisation in the form of constructing 15 no. bored piles of 900mm diameter and 25m deep, before the demolition of the tower is done, to mitigate the potential heave of the ground due to removal of the tower's weight. To construct those piles with the limited headroom available in the building as it stands is a challenging operation and may be close to the limits of any available plant. Specialist company, Martello Piling Ltd, have said it is within their capability. Campbell Reith advised in their audit that due to the complexity of the proposed construction and sensitivity of the surrounding urban area, a **Basement Construction Plan (BCP)** should be submitted to include final construction method statements, sequencing and programming information, and detailed design of basement and foundations work (temporary and permanent). The current planning application does now contain method statements and sequencing information, for example showing that demolition above 4<sup>th</sup> floor level can only be commenced once the 15 piles have been installed, though it is expected that some further detailed design is likely to be required.

9.1.11 Campbell Reith also confirmed that **further investigation, modelling and assessment** was recommended by the BIA; that it had not been completed; and should be carried out, with a final

assessment and proposed mitigation actions (if any) confirmed within the BCP. Then, once the BCP has confirmed the final design and construction methodology, the Ground Movement Assessment (GMA) should be reviewed and updated, including a **detailed monitoring scheme and appropriate contingency actions**. Those have not been seen.

9.1. 12 The drawing below is a plan of the site from the Basement Impact and Structural Impact Assessment Report, dated June 2023, and shows the Post Office tunnels in green. To the layman, there are 15 blue dots and 44 red dots on the plan of the site.

Each blue dot represents a reinforced concrete pile, of 900mm diameter, and 25m long. Each pile has a volume of 15.9 cubic metres, and weighs about 38tonnes.

Each red dot represents a reinforced concrete pile of 900mm diameter, and 20m long.

Each of these piles has a volume of 12.7 cubic metres, and weighs about 30tonnes.

**The total weight of the 59 reinforced concrete piles is calculated to be 1890 tonnes.**



9.1.13 The engineering and construction challenges and associated risks described above, together with the need for the installation of the 1890 tonnes of piling would vanish if the option to **retrofit** the existing tower was pursued.

9.1.14 Furthermore, the price of demolition of Selkirk House in terms of noise, dust, dirt, disruption, and lack of sustainability, is unacceptably high.

## 10 TRANSPORT, ACCESS AND SERVICING

### 10.1 Summary Transport Comments

Arup have yet again revised the previous Transport Assessment for the development. These comments are based on the most recent version (May 23).

10.1.1 As before, the Assessment sets out in some detail the expected routes by which people will access the premises as well as the way in which servicing will be managed. The site is very accessible for pedestrians and cyclists and so our comments are focussed on the **servicing** aspects of deliveries and waste collection.

10.1.2 For some reason Arup have chosen to base this Transport Assessment on the April 21 version and not on the September 22 version. In the September 22 version they corrected an apparent mathematical error from the April 21 version and took the worst-case assumption for the uses of the flexible Class E space which were both things we had pointed out in our response to the April 21 version. We now have to again to point out that these issues exist with the calculation.

10.1.3 We note that none of the other substantive points that we made on **either** of the previous versions has been addressed.

### 10.2 Servicing Demand

10.2.1 We believe that Arup have **underestimated** the number of trips which will be generated by **23%**. If Arup had used in this TA the same assumptions as they used in their September 22 version they would have produced the same estimate (86 daily deliveries) as we have.

10.2.2 We also believe that the proposed delivery facilities do not have capacity to handle the number of deliveries that will be generated, even at the lower number estimated by Arup. As a result, the servicing of the development as currently proposed will have a significant negative impact on the surrounding area. These issues should be addressed in the design phase.

### 10.3. Servicing Capacity

10.3.1 The key servicing facility is twin loading bays in the basement of the Museum Street building accessed via a single vehicle lift. The capacity of this facility is driven by the estimated turnaround time of delivery vehicles. The DSP has used a figure for this which does not appear to take into account the time required for the use of the vehicle lift or the time required for goods to be moved to their final destination. The result is that this facility cannot handle the likely level of demand.

The details are set out in our Transport Comments.

10.3.2 Our key requests are as follows:

1. All of the commercial units in the development area should be required to manage their deliveries **and** waste through the basement loading bay accessed from High Holborn and that this facility is redesigned so that it is sized appropriately for this purpose. We believe that this is required to comply fully with Camden's Policy requirements and is also appropriate for a significant development in this area.
2. This scheme is an **ideal** opportunity to provide a micro-distribution facility. This would have significant benefits in terms of reducing the total number of van deliveries, especially for parcels, in the West End as a whole. A number of operators are seeking space for this purpose and this site would be an ideal location for this type of operation. This is something which we made clear to the applicant during pre-app discussions and again in our

comments on the previous Transport Assessment. The failure to explore this is something which the developer and Council will regret in the future.

3. The Council should impose a daily limit on freight vehicle deliveries to the site which is significantly lower than that estimated by the developer (and is set at 70% of the capacity of the infrastructure they are proposing). The choice of how to manage with this limited number of deliveries is left to the developer. The Council will need to be able to enforce this through a performance bond or similar approach.

## 10.4 Detailed Transport Comments - Transport Assessment – May 23

### Number of Deliveries Required

10.4.1 The deliveries assessment sets out the expected demand for servicing and how servicing will be managed. Our first comment is on the way in which the number of deliveries has been calculated.

10.4.2 Arup have used an estimate of the number of deliveries per m<sup>2</sup> GIA for different use types and used this to calculate the required number of deliveries. This is shown in Table 13 of the TA.

10.4.3 There has been a change in the rate for the Class E office use from 0.2 in both of the previous TAs to 0.18 in this one. However, in the DSP which is attached to the TA the rate used for the office use is 0.2. There is no explanation given for the 10% difference in trip generation between these documents. This is reduction in 5 daily trips for the office part of the development in the TA compared to the DSP. We are assuming the higher figure in our own calculation.

10.4.5 Our other major concern is that Arup have returned to using the assumption that the flexible class E uses at the ground floor will be 50% food and 50% non-food retail. They have described this as a 'reasonable worst-case forecast'. This is misleading. There is no basis for this assumption. Class E is a flexible use and there is no reason to expect that **any** of the units will be in non-food retail use. The same assumption was made for the St. Giles Court development (2005/0259/P) and yet **all** of the ground floor units are now in Class E food use. The Post Building (opposite this development) has seen a similar change. With retail suffering all over Central London it is not credible to make an assumption that 50% of the Class E units will remain in non-food retail use and it is certainly not a 'reasonable worst-case scenario' as claimed by Arup.

10.4.6 We pointed out this issue in our response to the April 21 TA and this was corrected in the September 22 version in which A stated that they were using the higher trip rate to 'represent a robust assessment'. Our view is that a 'reasonable worst-case scenario' and a 'robust assessment' are broadly equivalent. We calculate that the reasonable worst-case scenario is at least 86.

10.4.7 Our view is that either Arup should return to the September 22 trip generation assumptions OR accept a planning condition which **ensures** that 50% of the Class E space remains in non-food uses.

10.4.8 The comparison of the trip rate calculation between the 3 TA's and our own calculation is in Table T at the end of this document.

Arup's estimate in the May 23 TAs is that there will be **70 daily trips**

Our estimate is that there will be **86 daily trips**, an increase of **23%**.

10.4.9 If Arup had used the **same** assumptions in the May 23 TA as they used in the September 22 version they would **also** have produced an estimate of 86 trips. We therefore believe that our estimate is to be preferred to that in the May 23 assessment.

## 10.5 Management of Deliveries

10.5.1 Deliveries are proposed to be managed in 2 different ways. Those for the Museum Street and Vine Lane units are managed via an underground loading bay accessed from High Holborn. The units on High Holborn and West Central Street are intended to be serviced from bays on Shaftesbury Avenue and Museum Street.

### *Museum Street/Vine Lane*

10.5.2 The TA assumes that the deliveries to this building will be managed from the 2 underground loading bays accessed from High Holborn via a vehicle lift. The number of daily deliveries assumed is 67 by our estimate and 55 according to Arup. Arup have assumed that the turnaround time for deliveries will be between 15 and 30 minutes depending on vehicle size.

10.5.3 There are 2 critical pieces of information required to be able to assess whether the proposed way of operating is feasible. These are the number of deliveries required and the turnaround time of each delivery (the time between entering and leaving the site).

10.5.4 We have given above the reasoning for why the number of deliveries is too low. Our estimate puts the number of deliveries to be handled in these bays at 67 and not 55, an increase of 22%.

10.5.5 We also have significant concerns about the turnaround time assumption used. This is because

- a) There is no evidence that the additional time required for the use of a vehicle lift to enter and leave the site has been taken into consideration
- b) The proposed times need to include the time for the driver to take the delivery to its destination, via a single service lift. There is no evidence that this has been included in the calculation of cycle time.

### *Impact of using a vehicle lift*

10.5.6 The proposed turnaround time **does not include** the time required for the descent to the basement and the return to street level. The turnaround time assumed is the same as that for a street level loading bay, which takes seconds to enter and leave. The time required to enter the lift, descend to basement level, reverse into the loading bay are not taken into account, nor is the time required to leave the loading bay, enter the lift and get to the surface. If this adds an additional 5 minutes to the time required for each delivery then this makes a significant difference to the overall capacity to accept deliveries. 5 minutes is not unreasonable. Vehicle lifts are slow and a confined space and drivers need to be very careful entering and leaving them.

### *Movement within the building*

10.5.7 The DSP states that once a vehicle reaches the basement loading bay then the driver will leave the vehicle and deliver the goods to the destination. To do this he will need to use the single service lift in the building, both to get to the upper floors and also to get to the ground floor to make deliveries to the 9 separate Class E ground floor units. The time required for this entire process therefore needs to be taken into account. No modelling of the average length of this process has been provided. Our experience of observing delivery processes in multi-occupancy buildings in the West End suggests that the time required for this will be substantial. We have all had the experience of waiting for a lift to arrive in order to get to another floor, and decided to use stairs instead, this is not usually an option available to the delivery driver.

10.5.8 The 15–30-minute offloading time proposed is assumed for vehicles whether they use the surface loading bays or the basement ones. This suggests to us that, like for the vehicle lift, no attempt has been made to take account of the impact of in-building logistics to estimate the turnaround time. This reduces further the capacity of the loading area.

10.5.9 The Council should impose a daily limit on freight vehicle deliveries to the site which is significantly lower than that estimated by the developer (and is set at 70% of the capacity of the infrastructure they are proposing)

### 10.6 Delivery Capacity

10.6.1 We have calculated the capacity of the 2 bays in Museum Street/Vine Street based on the assumptions on turnaround time provided by Arup together with an additional 5 minutes for the lift cycle time. This is shown in Table C below.

Delivery Demand vs Capacity – Vine Street/Museum Street Bays

	Turnround Time	Lift Cycle Time	In Building Logistics	Total	Assumed Split
LGV	15	5	5	25	50%
MGV	25	5	7.5	37.5	25%
HGV	30	5	10	45	25%
Average Total Time				33.125	Minutes

Bay Capacity

No. of Bays	2
Operating Hours	12
Operating Minutes	720
Capacity in Minutes	1440

Delivery Capacity		43	Vehicles per day
Assumed Waste Collections		2	per day
Remaining Capacity		41	Deliveries per day

			% of Capacity	
Assumed Demand	ARUP		49	120%
	Objectors		58	141%

Assuming lift cycle and in-building logistics included

	Turnround Time	Lift Cycle Time	In Building Logistics	Time to unload
LGV	15	5	5	5
MGV	25	5	7.5	12.5
HGV	30	5	10	15

			% of Capacity	
Assumed Demand	ARUP		49	75%
	Objectors		58	89%

#### Table C – Delivery Demand vs Capacity for Basement Loading Bays

10.6.2 This table assumes a 5-minute cycle time for the lift, between a 5- and 10-minute time for in-building logistics and that there will be only 2 collections of waste per day. On this basis the basement loading bays will be 120% occupied using the Arup's assumption for the number of deliveries and 141% occupied using our assumptions. This cannot be successfully operated.

10.6.3 Clearly these are only estimates. In the red box we have given the available times for offloading if Arup did take into account the lift cycle time and the in-building logistics in their estimate of turnaround time – even though the TA and DSP, which between them are 95 pages long, do not mention either aspect. This this case the capacity is between 75% and 89% utilised.

10.6.4 It is **not possible** to manage a delivery operation in London with its unreliable journey times on the assumption that the loading area will be more than 75% utilised. The result will be vehicles arriving without the possibility of entering the site and then having to park up (which is not possible in the vicinity) or drive around the area to await a slot. A more usual rule of thumb is that the system should be designed with no more than 70% utilisation of the loading bays. This means that either the number of deliveries needs to be reduced or the number of loading bays needs to be increased.



10.6.5 We would point out that IF we are correct in our assumption that the lift cycle and in-building logistics have not been taken into account by Arup then the number of bays may have to be increased to 4, in which case it is likely that a 2<sup>nd</sup> vehicle lift would be required.

### **Non-Compliant Behaviour**

10.6.6 The combination of a vehicle lift and the fact that the driver has to make the onward delivery in the building adds a considerable time to that required for each delivery. If Arup have included these times in their 15–30-minute estimate then the drivers will be taking between **2 and 3 times as long** to make a delivery by following the DSP compared to doing a “stop and drop” delivery at the kerbside. We would therefore expect there will be a significant amount of non-compliant behaviour by delivery drivers. The risk of this has not been mentioned in the report and there is no mention of how this will be addressed.

### **Lift Breakdown**

10.6.7 The building only has a single lift and if it breaks down the basement loading bays will no longer be accessible. The DSP suggests that the deliveries will then use the existing loading bays at street level. However as discussed below these bays will be heavily used not just for this development but for other businesses in the vicinity. It is simply not possible for the back-up solution to be to use these bays. The preferred option would be to have a 2<sup>nd</sup> lift, which would allow for a fallback solution but in the absence of this the public realm design in the vicinity should allow for the addition of 2 (or more) loading bays which allow easy access to the service lift within the tower block.

### **West Central Street/High Holborn**

10.6.8 Deliveries to the units on West Central Street and High Holborn are assumed to be made from the inset area on Museum Street and the new loading bays on Grape Street. The TA gives a demand for these bays of 12 vehicles per day. We calculate it to be 17 per day.

10.6.9 The small unit on High Holborn is expected to have a small number of deliveries. It is only 24m<sup>2</sup> and we suspect it will be in a single use (Arup have assumed 12 m<sup>2</sup> of food and the same of non-food, which seems unlikely) and we expect only 1 delivery per day would be needed. We believe that this would be better serviced from the loading bay in the basement rather than from the street level bays.

10.6.10 The TA and the DSP assume that the inset area on Museum Street a loading bay, meaning that it is designated for this purpose at least during certain hours. This **NOT** the case. It is an area which has Double Yellow lines (DYL) and so loading is permitted but must be continuous. (see Image L below) Loading also needs to compete with other users for the bay. This produces 2 issues

- Because loading has to be continuous to avoid a PCN being issued the use of the bay for loading is a risk for drivers, who may have to be away from their vehicle, and out of sight of it, for several minutes to make a delivery. This makes the use of this bay for loading a risk for them and means that it cannot be assumed that they will see it as usable unless the bay is changed to a loading bay, when there is less risk of enforcement action being taken.
- This bay is frequently used by PHV's waiting for passengers from the Post Building and would also be used for the same purpose for passengers from the development proposed here. The occupancy of the office building is not given in the TA but the figures used to generate the trip estimate assumes that there will be 1,225 occupants at any one time. This number is likely to generate a significant number of PHV trips. The TA in fact assumes that **no-one** will arrive at or leave the building by taxi. This assumption is not supported by **any** casual observation of the usage of PHV vehicles in the West End. It appears to have been generated by assuming that all the visitors to the building will make exactly the same choice

of method of transport as those who work at the building (as suggested by the 2011 census, before app based PHV booking was available and when the number of PHV's in London was 66%<sup>4</sup> of the current figure.

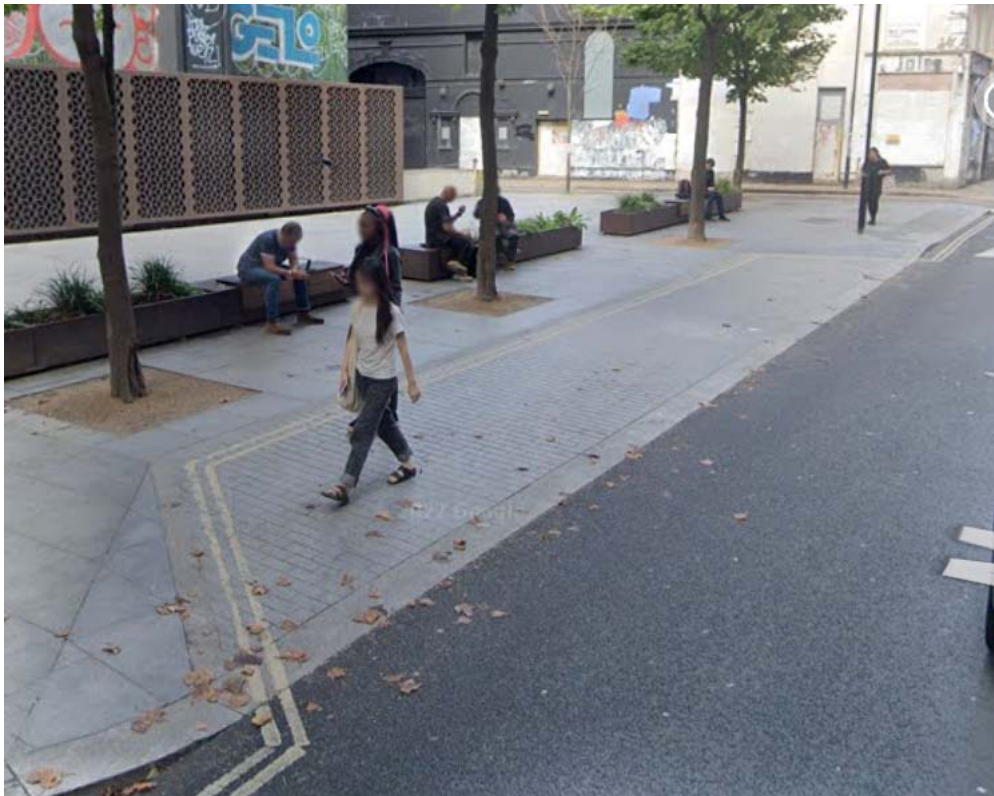


Image L (image from Google Maps)

Given that the DYL bay is not designated for loading and it is also used for PHV pick up, drop off and waiting it seems optimistic to assume that there is significant capacity available here.

10.6.12 The bay on Grape Street is designated as a loading bay (although not currently signed as such). It is not clear during what hours it will be available for use. In this area of Camden, it is usual that such bays are available for loading for 10 hours per day and are in resident or disabled use outside this period. This bay could contain 2 LGV's but only 1 MGV.

10.6.13 Using a dwell time assumption of 20 minutes (50:50 split between 4.5 and 7.5 Tonne vehicles) as before the capacity of the Grape Street bay is 45 deliveries per day over a 10-hour period. Whilst this may **seem** to be ample this takes **no account** of other users of the bay. The Grape Street bay needs to serve **all** of the retail uses in the new pedestrian area formed from the closure of part of Shaftesbury Avenue, including several other restaurants and 2 pubs.

10.6.14 The TA makes no attempt to estimate the likely level of current demand for these bays. It just **assumes** that there is space for 12 (or 17) more deliveries a day. We do not believe that this is a justifiable position. Camden's Policy document CPG – Transport section 4.16 states that where it is proposed to use an existing bay then:

*“Further consideration should be given to the cumulative impact from deliveries to nearby developments. Where the proposed loading may adversely affect the existing servicing arrangements of nearby occupiers, the DSP should state the way in which conflict between deliveries will be minimised and any mitigation required.”*

<sup>4</sup> Source - <https://tfl.gov.uk/info-for/taxis-and-private-hire/licensing/licensing-information>

This has not been done in the TA/DSP. It is merely assumed that there will not be an issue.

Camden's Policy A1 (Managing the Impact of Development) covers servicing requirements. The explanatory notes state that:

*“To avoid congestion and protect residential amenity, developments will be expected to provide on-site servicing facilities wherever possible.”*

Policy T4 explicitly states that developments over T4 are expected to accommodate deliveries on site if they are over 2,500 m<sup>2</sup> but Policy A1 has no such limit in the notes.

10.6.15 We believe that it would be reasonable in this case for the deliveries to **all** of the commercial tenants in the development as a whole, **including** those on Museum Street, to be made from the basement loading bay, although it will clearly need to be enlarged to be able to accommodate this. We see no reason to regard the Museum Street part of the development separately. The split seems arbitrary. As mentioned above the High Holborn Unit is intended to be serviced from the Museum Street service bay but the unit on Vine Lane, just across from it, is serviced from the basement loading area (see Draft DSP Figure 14).

### **10.7 Waste Management**

10.7.1 The proposal assumes that waste for the Museum Street/Vine Lane part of the development will be handled within the basement waste store and that commercial waste from the units in the West Central Street/High Holborn part of the development will be put out on the highway for collection “immediately before the collection”. The process of putting bags on streets for collection is not appropriate for a new development such as this one. The CPG Design section 8.33 is clear that *‘Buildings must have off-street collection areas at ground level’*. These are not just storage areas. They are areas which waste collection operatives enter to remove waste. In order to keep the area clean we believe that a better solution is that the Facilities Management team ensures that the waste from **all** of the commercial units in the development is consolidated for collection in the basement waste store. This will remove the need for waste to be collected from West Central Street. Waste from the residential units can be managed via the 3 communal waste stores as proposed.

### **10.8 Other Comments**

#### ***Reducing demand for Trips***

10.8.1 There is a recognised need to reduce the number of servicing trips required in the intensively used areas of the CAZ, including this development. The DSP sets out a number of options to achieve this type of reduction in Section 2.5. These include the following:

- Personal Delivery Deduction (we assume it should read Reduction)
- Collective Procurement
- Nominated Carrier Scheme

10.8.2 All of these schemes can contribute to a reduction in the number of vehicles delivering to the development, especially to the office use. However, the DSP merely states that this will be encouraged. We believe that the developer needs to go further and undertake to ensure that the eventual tenants of the scheme are required, through their leases, to use these approaches wherever feasible. This can be done as part of either the Planning Conditions or the S106 Agreement. Unless there is some form of enforceable mechanism to ensure that these activities are undertaken they will remain activities which are only encouraged rather than required, and so are unlikely to take place.

#### ***Provision of a Micro-Distribution Hub***

10.8.3 Both TfL's Freight Action Plan and TfL's recently published Cargo Bike Action Plan refer to the need to provide locations to permit modal shift (from freight vehicles to cargo bikes) in the City Centre. As we have pointed out before, this site is in an ideal location for this, given its central location and its easy access to the main road network. We believe that the scheme could include provision for this type of space and that a failure to insist on this will be something that both the developer and Camden will regret in the future. We have been making this point ever since we first became aware of development proposals for the site. Arup have written many reports encouraging the use of cargo bikes, including mentioning it in their TA (3.6.1.1). However, they have not mentioned at all the possibility of using this development to facilitate this and nor have they given any explanation about why it would not be suitable.

### Setting a limit on Deliveries

10.8.4 All the Councils in London wish to reduce the number of freight vehicles coming into the area and this is particularly important in the West End. The City of London has chosen to place a limit on the number of deliveries permitted for any development, leaving it up to the developer to decide how to achieve this, including by the use of a consolidation centre. This has an additional cost but ensures that the development results in a significant reduction in vehicle movements. We believe that it is appropriate that this is done in this case, which the number of daily delivery trips capped at 30. We believe that is 70% of the capacity of the basement loading bay as currently designed and so could be operated without causing an issue in the vicinity. This may require the developer to take action to require, rather than encourage, the range of delivery reduction measures already suggested and may also require some detailed work on options for delivery consolidation. However, it would ensure that this development produces a benefit in terms of traffic reduction and can be operated with the facilities they are planning to construct.

If you have any detailed questions on these Transport comments please contact [licensing@coventgarden.org.uk](mailto:licensing@coventgarden.org.uk)

10.8.5 Our view is that either Arup should return to the September 22 trip generation assumptions OR accept a planning condition which **ensures** that 50% of the Class E space remains in non-food uses.

10.8.6 The comparison of the trip rate calculation between the 3 TA's and our own calculation is in Table T at the end of this document.

Arup's estimate in the May 23 TAs that there will be **70 daily trips**

Our estimate is that there will be **86 daily trips**, an increase of **23%**.

Building	Use	ARUP Table 11 (April 21)				ARUP Table 11 (Sept 22)				ARUP Table 13 (June 23)				Objectors Calculation June 23			
		GIA	Trip Rate	Arup Table	Recalc	Use	GIA	Trip Rate	Arup Table	Use	GIA	Trip Rate	Arup Table	Use	GIA	Trip Rate	Trips
Museum Street	E (Office)	21566	0.2	39	43	E (Office)	22650	0.2	46	E (Office)	22650	0.18	41	E (Office)	22650	0.18	41
	E (Non-Food)	361	0.52	2	2					E (Non-Food)	317	0.52	2				
	E (Food)	361	1.8	7	7	E (Food)	663	1.8	12	E (Food)	317	1.8	6	E (Food)	634	1.8	12
<b>Sub Total</b>				<b>48</b>	<b>52</b>				<b>58</b>				<b>49</b>				<b>53</b>
Vine Lane	E (Office)	1793	0.2	4	4	E (Office)											
	E (Food)	64	1.8	2	2	E (Food)	319	1.8	6	E (Food)	160	1.8	3	E (Food)	360	1.8	7
	E (Non-Food)	64	0.52	1	1					E (Non-Food)	160	0.52	1				
	C3	0	0.07	0	0	C3	1579	0.07	2	C3	1579	0.07	2	C3	1579	0.07	2
<b>Sub Total</b>			<b>7</b>	<b>7</b>				<b>8</b>				<b>6</b>					<b>9</b>
High Holborn	E (Food)	12	1.8	1	1	E (Food)	23	1.8	1	E (Food)	12	1.8	1	E (Food)	24	1.8	1
	E (Non-Food)	12	0.52	1	1					E (Non-Food)	12	0.52	1				
	C3	426	0.07	1	1	C3	426	0.07	1	C3	426	0.07	1	C3	426	0.07	1
<b>Sub Total</b>			<b>3</b>	<b>3</b>				<b>2</b>				<b>3</b>					<b>2</b>
West Central Street	E (Food)	296	1.8	6	6	E (Food)	572	1.8	11	E (Food)	346	1.8	8	E (Food)	692	1.8	13
	E (Non-Food)	296	0.52	2	2					E (Non-Food)	346	0.52	2	E (Non-Food)	346	0.52	2
	C3	2480	0.07	2	2	C3	2480	0.07	2	C3	1978	0.07	2	C3	1978	0.07	2
<b>Sub Total</b>			<b>10</b>	<b>10</b>				<b>13</b>				<b>12</b>					<b>17</b>
<b>Total</b>				<b>68</b>	<b>72</b>				<b>81</b>				<b>70</b>				<b>81</b>

**Table T – Trip Rate Calculations**

## 11 CONSTRUCTION MANAGEMENT AND NOISE

11.1 Local community groups, residents and businesses object to these proposals on the grounds that quality of life and business viability will be seriously damaged by the proposed construction process. The severity of this damage is being exacerbated by the developer's unwillingness to consider the environmentally appropriate option of reusing the existing structure of Selkirk House in line with current best practice, rather than proposing its total demolition.

11.2 The degree of disruption that will be faced by the community will be proportionate to the length of time that work is taking place on site. By adopting a repurposing strategy for the future of Selkirk House, rather than demolishing it, the period of disruption could be drastically reduced. The application documents give the anticipated demolition and construction period as four years. This will no doubt extend to five years, which is excessive and unacceptable to the local community.

Note: The additional benefits gained by the repurposing of Selkirk House as part of a strategy to meet Government whole life zero carbon target, is discussed elsewhere in this document.

11.3 If this project is not reconsidered and fundamental changes made to the overall brief, the local community will bear the brunt of an unwanted and unnecessary office development and will be faced with several years of continuous unwanted disruption.

11.4 Based on the experience gained from other recent major construction projects in the area, residents and businesses expect to suffer from continuous noise throughout the working day. This is often extended to include unsocial hours traffic movements as transport attempts to beat the Congestion Charge, with idling diesel lorries hovering at the site gates from 6.30am.

11.5 The dirt and dust generated on site, especially from demolition and removal of construction materials is rarely suppressed adequately and its effects on the health and well-being of those living in residential properties close-by will be profound. The risk that asbestos may be present in this dust is of particular concern. Although the site management plan refers to the requirement for essential monitoring of pollution levels, it makes no reference to the action that will be taken (and by whom) should these levels be exceeded.

11.6 We also object to the inevitable deterioration of air quality during the construction period. Whether from dust, particulate matter or nitrogen dioxide this will affect residents, businesses and visitors alike. Any business that operates using outside space, such as pubs, cafes, restaurants, will certainly suffer a loss of trade. Air pollution levels currently being monitored at the junction of High Holborn and Bloomsbury Way show that World Health Organisation safe levels are being exceeded on a regular basis. Construction traffic and site machinery, mostly powered by diesel, will further add to this unacceptable pollution mix.

11.7 Children and older people will be especially vulnerable to the deleterious effects of the demolition and construction process. Sleep will be disrupted and general health and well-being all seriously affected.

11.8 For some adjoining residents in properties in West Central Street the period of construction disturbance has already started, with unsocial hours test drilling already taking place on site without any prior warning. Many close residents conduct their businesses from home and construction noise will prevent essential meetings and telephone calls from taking place, all to the detriment of their business and source of livelihood. The quality of life of these residents is likely to be so impaired that no mitigation measures will allow them to continue their way of life, without having to be moved and offered alternative accommodation.

11.9 Although boasting 'green' low carbon credentials in many sections of this planning application, this project embodies a huge array of mechanically driven noise generating plant and equipment.

Numerous banks of ventilation fans, air source heat pumps, kitchen extraction plant, air source chillers and air handling units are indicated, all of which will generate noise in close proximity to neighbouring residents and all to the detriment of their overall quality of life. Again, although monitoring is promised, no indication is given on the action to be taken should the noise from these mechanical sources be deemed too high.

11.10 In recent discussions with Council officers it has become apparent that the developer is now proposing a phased construction strategy for the project. The exact purpose of this is not clear but it is inevitable that such an approach will further extend an already protracted demolition and construction period, so we could now be looking at a total construction period of 6 years.

11.11 It is apparent from the applicant's submission documentation that the full extent of the basement impact has not been fully considered. Our own professional structural assessment highlights many unresolved issues with demolition ground heave and the presence of underground railway tunnels and leads to the conclusion that the whole project may not be completely feasible. This apparent lack of precision leads to an expectation of yet further delays that will inevitably impact on the local community and its quality of life.

11.12 In summary we object to the construction and management plan for this development on the grounds of its:

1. Failure to repurpose the existing Selkirk House structure in preference to demolition and new construction.
2. Failure to follow a meaningful low carbon strategy.
3. Excessive length of the construction period of up to 5 or 6 years.
4. High levels of noise generated during construction and by the proposed buildings in use.
5. Unmitigated addition to the already unsafe pollution levels.
6. Disruption to the quality of life of local residents and businesses.

## 12 HOTEL USE

12.1 In the initial application 2021/2954/P LabTech contended, that hotel use for the site was not economic nor appropriate, and by implication that this was another reason to justify the demolition of the existing building.

12.2 The case put forward then was that there was no market for new hotel accommodation in this part of Camden and it would be uneconomic to undertake such a development.

12.3 Clearly in planning policy grounds, hotel use on this site is appropriate as Camden seeks to provide additional hotel accommodation in the Central Area and in particular in the Area of Intensification. In addition, there can be no dispute that hotel use is an established use on the site, as part of Selkirk House's last use was as a hotel.

12.4 The reason LabTech were endeavouring to suggest hotel use was not appropriate and not viable was that they wished to promote the false and simplistic argument that hotels are no longer the fashion while office blocks are, ergo Selkirk House must be demolished, conveniently forgetting the fact that Selkirk House started life as a prestigious office headquarters.

12.5 It became apparent that these statements were incorrect when SMS contacted the UK Development Director for Travelodge, who confirmed that demand for hotel accommodation remained very strong in the area<sup>5 6</sup>, that Travelodge had not wanted to cease operations at Selkirk House but it was a 'commercial decision' (one surmises, forced upon them). We were also told that the hotel was not an 'overspill' from Drury Lane but was an independent and profitable hotel in its own right.

12.6 This view has been further supported by the fact that Travelodge is seeking sites in the area and has been investigating the possibility of extending its Drury Lane operation.

12.7 In the current planning application, 2023/2510/P the developer has pivoted, conceding that the demand for hotel rooms is buoyant but now contends that there are sufficient planning applications in the pipeline to satisfy the demand.

12.8 The application cites Camden's Policy E3 on tourism, namely to support tourism development and visitor accommodation, and to protect existing visitor accommodation in appropriate locations, but the applicant states that, 'the supply and demand of visitor accommodation is of importance to the consideration of the level of protection required'. The alternative approach put forward by SMS is more in line with Camden's policy for this area because it creates further facilities and attractions for tourists, such as a Tourist Information Centre, (which is sadly lacking here, despite the huge number of visitors making their way to the British Museum) and the exploitation of the Post Office tunnels as a visitor attraction. SMS contends that the retention of Selkirk House as a hotel would be a more immediate way of satisfying the strong demand for hotel accommodation currently experienced in Central London, to which the nightly rates attest, and would furthermore be in line with Camden, and the GLA's climate policies.

12.9 A further argument advanced by the applicant in favour of dispensing with Selkirk House as a hotel, is that it is no longer operating as a hotel and therefore there would in fact not be any 'actual loss' of visitor accommodation. This ignores the fact that the hotel is vacant as a result of the developer's own actions, and Travelodge would have preferred to continue operating the site throughout. They furthermore state that as the other Travelodge on Drury Lane continues in

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<sup>5</sup> See Supplementary Document 9

<sup>6</sup> Bethany Cullen, Head of Development Management, London Borough of Camden, 'there is a high demand for hotel use. We are getting lots of applications for hotels'.  
SMS Meeting with Camden Planners Friday 28<sup>th</sup> July 2023 via Zoom

operation, this will, 'ensure that it meets the future demand of customers'. Only, as we have seen, it doesn't. Demand is outstripping supply, hence Travelodge's urgent desire to expand its operations in Drury Lane.

12.10 The further arguments in support of its application advanced by the developer are that:

'Any potential concerns with the loss of visitor accommodation at the site will also be outweighed by the significant number of other benefits that the scheme will bring. The proposal will facilitate the physical refurbishment and reoccupation of vacant floorspace at the site, which will ensure the floorspace is brought into an economically active use having a positive impact on local economic growth, job creation and local earnings.

Having artificially brought to an end any economic activity on the site, they are now using the dereliction brought about by their own actions, as a justification for imposing their gargantuan building on the site instead. The fact is that the physical refurbishment and occupation of the site could be achieved much more quickly, with less damage to the environment and the historic setting, by refurbishment and retrofitting of the existing building<sup>7</sup>. Adopting this approach, which was implemented very successfully in transforming Camden's offices into the Standard Hotel and on many other nearby sites, would accelerate economic regeneration of the area, be more beneficial in climate-change terms and would not cause damage to the adjacent listed buildings and their setting.

12.11 The applicant's argument that there is an unsatisfied demand for hotel use rather undermines their own application for 22,650 sqm of office space. Where is the pent-up demand for more office space? Currently more than 100 million sqft of office space lies empty in London.<sup>8</sup> This does not bode well for the future of the development, still less so for the supposed benefits of a minimal amount of affordable and social housing that is being dangled in front of Camden. These benefits are scheduled for the end of the construction period, by which time the developers will be pleading poverty, and an inability to fulfil their S.106 commitments.

12.12 There will be little economic benefit for the area, once the period of construction is over when the office workers who are supposed to spend their money in the shops and bars fail to materialise. Museum Street will be left with a hulk of a building, blighting the landscape across London, casting many adjacent buildings into darkness and spoiling the setting of the many charming buildings of architectural and historic interest in the locality.

12.13 For all these reasons, the grant of planning permission would be unsafe and inconsistent with the Council's and national planning policies. The applicant's justification for the removal of this building from hotel use is spurious.

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<sup>7</sup> The time frame for completion of the proposed development is 5 years minimum

<sup>8</sup> <https://www.costar.com/article/869068522/empty-office-space-across-the-uk-surpasses-100-million-square-feet> 12th April 2023



## 13 CONSTRUCTION PHASING AND FINANCIAL APPRAISALS

13.1 The developers have estimated it will take about 5 years to complete their whole scheme from when construction commences. Assuming planning permission is granted in the near future the developers envisage works commencing in the autumn of 2024, and the development will therefore be completed around 2029 applying the developer's timings. The development is proposed to take place at a time of extreme financial uncertainty and the increasing need to address climate change as a priority.

13.2. Their first phase proposes to demolish Selkirk House and also to demolish 16a/18 West Central Street, buildings that are singled out as having merit and enhancing the conservation area. It is proposed to use the West Central Street, Museum Street, New Oxford Street block as the contractor's building site, which means that the works to the listed buildings and the construction of the social and affordable housing are programmed to be the last items undertaken.

13.3. It is estimated that the demolition works alone will take 1 to 1.5 years. The demolition of Selkirk House will be a very complex operation due to the number of 'live' tunnels underneath, (the Post Office's railways system, and the close proximity of TfL's Piccadilly and Elizabeth Lines), that have to be maintained at all times.

13.4. In their second phase the proposed tower block is to be constructed and this is estimated to take 2 years

13.5. The third phase involves all the works to the buildings within the West Central Street, Museum Street and New Oxford Street block contained within Conservation Area, and entails the construction of all of the affordable and social housing and the restoration of the listed buildings. It also contains the private housing in Vine Lane and the Holborn block beside the Cuban Embassy. This work is estimated to take 2 years.

13.6. The pavement and road works improvements and reinstatement will take place within the second and third phases.

13.7. The time allowed for each phase could be described as optimistic and allows very little contingency. It is more realistic to estimate the whole programme taking at least six years.

13.8. What is evident is that the developer's programme proposes that all the housing, both private and affordable, will take place at the end of the overall construction programme. If there is any slippage, which is inevitable due to the construction complexities inherent in the site conditions and design, then it will be the housing element that will be most affected and as West Central Street is to be the contractor's hub, then the delivery of the social and affordable housing will be the last element of the whole development completed.

13.9. The developers insist that the office block must be constructed before the affordable housing content of their scheme commences.

13.10 Gardiner and Theobald (G&T), quantity surveyors, have undertaken costs plans of the various schemes; the latest costed the proposals up to the end of April 2023. The total building costs are estimated to be £ 217,800,000 (A). The tower block element is estimated to be £145m, of which £15m was allocated to demolitions, substructure and facilitating works, which would largely be avoided if the existing Selkirk House were retrofitted. The Vine Lane and High Holborn block is estimated to cost £32m, of which £4m was allocated for demolition and substructure works, and the West Central Street block is estimated to cost £26m of which £6m is for demolitions and substructure works. Finally, an allowance is made of £15m for site wide works. All figures have been rounded. Coupled to the purchase price of £108m (B), the known costs of the proposals are c £316m (A+B).

13.11. To this should be added the finance costs to date, all expended fees, and ongoing costs, which are likely to be of the order of £40m, giving a total cost at today's prices of £356m, an extremely large sum. Approximately £25m is being expended on ground works and demolitions, which would largely be saved, if 16a/18 West Street were refurbished and Selkirk House were retrofitted. Retaining 16a/18 West Central Street would have the knock-on effect that no excavation works would be required to be undertaken within the West Central Street block.

13.12. The current proposals have an inbuilt poor revenue flow from the development as any possibility of any rental income is delayed until the tower block is constructed, which will at the earliest be not until mid-2028. Whereas, if the West Central Street block were renovated in accordance with the alternative design, submitted by Save Museum Street, including the reinstatement of Stable Yard, then within a year i.e. by 2025 there would be the possibility of rental income. This is because the building works to this block would be relatively simple and uncomplicated, with minimal risk elements as no extensive new ground works would be required, in contrast to the developer's current proposals. In addition, the majority of all the affordable housing and social housing would be secured at the first stage of the overall project.

13.13 There have been three financial appraisals all undertaken by Gerald Eve. The first report dated April 2021 was undertaken for Teddy Sagi's Labtech, a privately owned property company. Following the sale of the site in June 2022 to a French based asset management company called BC Partners two further appraisals have been undertaken by Gerald Eve, in September 2022 and June 2023.

13.15 The CIL and section 106 contributions being offered by Labtech and BC Partners are largely the same with a difference of £1.9m between the first and last proposal. The social housing element of the proposals has increased from 9 dwellings to 19 dwellings.

13.16 The first viability assessment (April 2021) stated:

"GE concludes that the **Proposed Scheme is not viable**. It is further concluded that the proposed planning contribution package comprising 40% affordable housing (by GIA) plus S106 and CIL of c. £4.3 million represents the maximum reasonable level that can be anticipated by the Council and any further contributions cannot be justified based upon viability. In order for the Scheme to viably support further contributions, the level of affordable housing would need to be reduced.

13.17 Gerald Eve's report goes on to say

"We test the financial robustness of the Proposed Scheme through sensitivity testing in Section 12, which demonstrates that the Proposed Scheme is potentially capable of being viable. The Applicant has also confirmed that it is willing and able to proceed with the development. The Proposed Scheme is considered to be deliverable for the following reasons:

- *The Applicant is a major land-owner in the Borough that is committed to pursuing large-scale mixed-use development that benefits its wider estate. The Applicant is therefore able to take a holistic approach to the improvement of the wider area;*
- *Due to its financial standing, the Applicant is able to take a 'patient capital' approach to financial returns, whereby immediate returns are not expected, in anticipation of greater returns in the longer-term. It is able therefore to take a long-term view on potential growth in the commercial and residential markets and its own financial cost of capital; and*

- The Proposed Scheme offers the opportunity to create significantly more value and release more profit than the hotel refurbishment AUV.”<sup>9</sup>

13.18 Within less than a year Teddy Sagi, who wholly owns Labtech, sold the development site, which rather undermines the unequivocal assurance by Gerald Eve that Teddy Sagi would take a long-term view and that he was able to take a holistic approach and therefore the fact that they considered the scheme not viable could be overlooked, as it was likely to be viable in the future. It also shows that their statement that additional social housing requirements would render the overall scheme unviable as a spurious assertion.

13.19 The second financial appraisal, dated **September 2022**, by Gerald Eve for BC Partners, following slight revisions to the development scheme that saw the affordable housing being increased to 19 dwellings, stated:

“GE therefore concludes that as per the scheme previously submitted for planning and BPS conclusions in that regard, **the updated Scheme is not viable**. GE further concludes that the proposed planning contribution package comprising 51% affordable housing (by GIA) plus S106 and CIL of c. £4.3 million represents the maximum reasonable level that can be anticipated by the Council and any further contributions, including a residential PIL, cannot be justified based upon viability. In order for the Scheme to viably support further contributions, the level of affordable housing would need to be reduced.”

13.20 This time Gerald Eve gave no explanation as to why BC Partners, a private equity company, whose financial affairs are all off-shore, would wish to carry out the development, bearing in mind GE still claimed it was not a viable proposal and again claimed that any more financial contribution than that being offered would make the situation worse and was not possible.

13.21 The third financial appraisal dated **June 2023** for BC+ Partners again by Gerald Eve, following further changes to the development scheme forced on the developers as a consequence of five properties within the development site being listed grade II, stated:

“We therefore conclude that as per the previous scheme submitted for planning and BPS’ conclusions in that regard, **the updated Scheme is not viable**. GE further concludes that the proposed planning contribution package comprising 51% affordable housing (by GIA) plus S106 and CIL of c. £6.24m represents the maximum viable level that can be anticipated by the Council and any further contributions, including a residential PIL, cannot be justified based upon viability. In order for the Scheme to viably support further contributions, the level of affordable housing would need to be reduced.”

13.22 Once again Gerald Eve gave no explanation why BC Partners, a private equity company, would wish to carry out the development, bearing in mind that GE were stating the scheme was unviable, but was somehow now offering more CIL and section 106 monies.

## 13.2 Conclusion

What is abundantly clear is:

13.2.1 Teddy Sagi, who owned Labtech himself and was using his own money for the development, decided that he wanted to cash in his land holding and had no intention of carrying out the development when it became all too apparent to him that the construction costs and risks made the overall scheme extremely risky.

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<sup>9</sup> The fact that Gerald Eve state that the continued use of the site as hotel would not produce an equivalent return to an office-based scheme appears to be the only justification for changing the land use of the site; this change does not comply with Camden and the GLA’s land use planning policy for this site within the Opportunity Area

13.2.2 BC Partners, who are not using their own money, but are using a whole variety of different equities and pension funds put up by others, have probably purchased the site for a very inflated sum (£108 million see sale details by Michael Elliot company).

13.2.3 Gerald Eve's assertions in every report they have produced over the past three years at the various stages of the development proposals, are highly suspect, especially concerning the ability of the developers to make financial contributions and provide a quantum of affordable housing. However, the one thing they all say, which will inevitably be cited, is that they have made it clear that as far as they are concerned each scheme has not been viable.

13.2.4 The cost plan report for the construction costs prepared by Gardiner and Theobald only concerns the building costs but do include contingency allowances. There are no allowances for any costs incurred and fees of the professional team to date or in the future, (other than a 5% allowance for the main contractor's design expenditure) and no allowances for rights of light claims, which will be many, due to the extent of harm the proposed tower block will cause to all neighbouring properties. The fact that a number of notifications have already been lodged is telling, and it is extremely likely that other *major* landowners that have property interests adjoining the development will make substantial rights of light claims in the future, which will further reduce the viability of the development.

13.2.5 The phasing of the developer's proposals results in a very slow delivery of any rental income as this will only occur once the tower block is completed which is 2028 at the earliest.

13.2.6 The phasing of the development insisted on by the developers, namely that the construction of the office tower block is to take place before the affordable housing, **puts at extreme risk the delivery of the affordable housing and particularly the social housing.**

13.2.7 It is probable that the developer will require the scheme to be varied during the construction period, as unforeseen costs become apparent, and they will claim unviability, indeed as Gerald Eve have already stated. **The optimistic construction period and the complexities of the development and quantity of financial risks associated with the development and its timing, all strongly indicate that the social contents of the scheme, which are minimal, are highly insecure.**

13.2.8 Normally Councils rely on Section 106 agreements to ensure 'planning deals' are delivered. BC Partners are completely new to property development in the UK and their development partners Simten (partnership terms which are all confidential) have a minimal track record.

13.2.9 All BC Partners' trading is off shore and all their financial arrangements are hidden. The risks to Camden are high, and bearing in mind the universal condemnation of the architectural damage the development will inflict on the conservation areas and listed buildings in this unique and important part of central London, the mere possibility that all of the social housing, especially as the quality is so poor, will not materialise until the end of the six year development programme and then possibly not at all, should give yet further reason why the development proposal should not be granted planning approval.

## **14 HEALTH IMPACT**

14.1 The Health Impact Study, dated June 2023, can only be described as a totally misleading, unprofessional piece of work. The statement at page 1, paragraph 1.5, that Selkirk House has been demolished is patently false. If the Health Impact Study has been prepared ignoring the fact that a 17-storey tower block is to be demolished, then all the threats to health of the dust, noise, vibration and dirt of the demolition itself will have been ignored, and so too the hazards of carting away the spoil.

14.2 The Health Impact Study claims that the development will be neutral or positive to health. It may be an inconvenient fact for the developer and the author of the study that Selkirk House is still standing, but without acknowledging that fact, and the planned 15-month demolition programme, the Health Impact Study is worthless and should be withdrawn. Instead, a truthful assessment should be demanded, which takes full account of all the threats to health resulting from the whole project. The conclusions will be very different.

## **POLICY NON-COMPLIANCE**

This section contains a summary of the major policy failures of this proposal which are more fully detailed elsewhere in this document

### **15.1 NATIONAL PLANNING POLICY FRAMEWORK**

**15.1.1 Chapter 2 Achieving Sustainable Development Paragraph 8** - protect and enhance our historic environment; make effective use of land; protect biodiversity; reduce CO<sup>2</sup> emissions by retrofitting rather than redevelopment. - **FAILS to comply**

**15.1.2 Chapter 16 Conserving and Enhancing the Historic Environment Paragraphs 199, 200, 201 and 202** – weight to be given to conservation; harm to the significance and setting of listed buildings and to the character of the Bloomsbury Conservation Area. To comply, it must be shown that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm, or that four additional tests concerning the use of the site or charitable ownership are not otherwise achievable. **These have not been provided.** Even if the scheme is considered to cause less than substantial harm, the compelling evidence presented by SMS and others demonstrates that the public benefits of the proposal would not outweigh that harm. **FAILS to comply**

**15.1.3 Chapter 8, Paragraph 98** - providing adequate open space - **FAILS to comply**

**15.1.4 Chapter 14, Paragraph 152** - strong presumption in favour of repurposing and reusing buildings; support the transition to a low carbon future; radical reductions in greenhouse gas emissions; reuse of existing resources, including the conversion of existing buildings.’ - **FAILS to comply**

### **15.2 GREATER LONDON ASSEMBLY: THE GREATER LONDON PLAN 2021**

**15.2.1 Policy SI2, Minimising Greenhouse Gas Emissions**, Item 3.3, Table 2 - Before embarking on the design of a new structure or building, the retrofit or reuse of any existing built structures, in part or as a whole, should be a priority consideration as this is typically the lowest carbon option. Significant retention and reuse of structures also reduces construction costs and can contribute to a smoother planning process - **FAILS to comply**

**15.2.3 Policy D3** - enhance local context by delivering buildings and spaces that positively respond to local distinctiveness, provide active frontages, deliver appropriate outlook, privacy and amenity, or provide conveniently located green and open spaces for social interaction, play, relaxation and physical activity - **FAILS to comply**

**15.2.4 Policy D4 F 1** – no consistency in design. Abrupt change July 2022, in response to public outcry as to its height. Height reduced; bulk increased dramatically to maintain floor area. Abrupt change June 2023 when 5 buildings on site listed. In each case the design solutions have been reactive, with the aim of propping up a failed scheme. **FAILS to comply**

**15.2.5 Policy D6 Housing quality and standards** – housing should be high-quality; maximise dual aspect dwellings; sufficient daylight and sunlight; provision of private outside space; provision of communal open space and children’s play space. - **FAILS to comply**

**15.2.6 Policy D9 Tall Buildings** – location; engagement with neighbouring boroughs, visual impact; heritage impact; service management; environmental impact; cumulative impact; public access. - **FAILS to comply**

Additionally, no evidence presented to justify increase in height and footprint of Selkirk House which will be harmful to heritage assets; failure to demonstrate that alternatives have been explored and considered - **FAILS to comply**

**15.2.7 Chapter 7 Heritage HC1** - Heritage assets and their settings should be conserved, enhanced and integrated into the design of new development. They should contribute to the sense of place and make a specific contribution to placemaking and regeneration - **FAILS to comply**

**15.2.8 Chapter 8 Green Infrastructure - Policy G4 B Open Space** - promote creation of new areas of publicly-accessible open space; ensure that open space, particularly green space, included as part of development remains publicly accessible; Development proposals should: 1) not result in the loss of protected open space, 2) where possible create areas of publicly accessible open space, particularly in areas of deficiency - **FAILS to comply**

**15.2.9 Play Supplementary Planning Guidance para 2.2.16** – new housing development that ‘generates’ more than 10 children must provide suitable play space  
**GLA Policy S4** - 10 sqm play area per child – **FAILS to comply**

**15.2.10 Policy GG1** - early and inclusive engagement with stakeholders, including local communities, in the development of proposals, policies and area-based strategies. **FAILS to comply**

**15.2.11 Policy HC1 Heritage Conservation and Growth FAILS to comply** as it would cause harm to the significance and setting of heritage assets.

**15.2.12 Policy HC4 Strategic and Local Views FAILS to comply** in the case of LVMF strategic views 18B.2, which would be impacted, and there are several local views where the increased height of Selkirk House would cause harm.

**15.2.13 Policy G5 Urban Greening** - major development proposals should.....[include] urban greening as a fundamental element of site and building design - **FAILS to comply**

**15.2.14 Policy G7 B C Trees and Woodland** - development proposals should ensure that, wherever possible, existing trees of value are retained – 10 trees are to be removed of which two are of particular high quality, being substantial (50+ years), prominent and in good condition, only to facilitate the demolition of the existing building - **FAILS to comply**

**15.2.15 Policy SI2** requires, ‘retrofit or reuse prioritised and should be considered before new build’ - **FAILS to comply**

**15.2.16 Policy SI7** states ‘retaining existing built structures totally or partially should be prioritised before considering substantial demolition..’ **FAILS to comply**

**15.2.17 Policy S4 Play and Informal Recreation** – **FAILS to comply**

**15.2.18 Policy T7 Deliveries, servicing and construction** – proposed delivery facilities do not have capacity to handle the number of deliveries that will be generated this will have a significant negative impact on the surrounding area with congestion and lorries idling - **FAILS to comply**

**15.2.19 GLA Housing Design Standards, Policies A1.4, A1.7, A1.8, B9.5, C4.2, C10.1**– Height and massing; optimising orientation; maximising daylight; utilising and controlling solar gain; impact of new development on the level of daylight and sunlight received by the existing residents in surrounding homes; maximise the quality and availability of daylight and sunlight in communal outside spaces - spaces designed for frequent use (including sitting and play spaces) [should] receive direct sunlight through the day; amount of private outside space; - **FAILS to comply**

**15.2.20 The GLA's Housing Supplementary Planning policy (see 3.4.2) – protection for HMOs - FAILS to comply**

### **15.3 CAMDEN LOCAL PLAN**

**15.3.1 Policy CC1 Climate Change Mitigation** – requires developers to demonstrate that it is not possible to retain and improve the existing building - **FAILS to comply**.

**15.3.2 Policy D1 Design** requires that development respects local context and character; preserves or enhances the historic environment and heritage assets - **FAILS to comply**

**15.3.3 Policy D1(f) Street Frontages and Legibility in para 7.11** - building facades should be designed to provide active frontages and respond positively to the street - **FAILS to comply**

**15.3.4 Policy D1 Tall buildings policy** - relationship to surroundings (streetscape and skyline; historic context of surroundings; relationship between the building and views; degree to which the building overshadows public spaces - **FAILS to comply**

**15.3.5 Policy D2 Heritage** - sustainable in design and construction; best practice in resource management and climate change mitigation and adaptation; comprises details and materials that are of high quality and complement the local character; and integrates well with the surrounding streets and open spaces - **FAILS to comply**

**15.3.6 Policy D2 Heritage – FAILS to comply** as there will be substantial harm to a designated heritage asset, including conservation areas and Listed Buildings; the SMS representation, demonstrates that the harm that would be caused by the proposed scheme is not justified, nor outweighed by any public benefits.

**15.3.7 Policy D2 Heritage para 7.49 Demolition in conservation areas** - general presumption in favour of retaining buildings that make a positive contribution to the character or appearance of a conservation area, listed or not, to preserve character and appearance. The Council will resist the total or substantial demolition of buildings which make a positive contribution to a conservation area unless circumstances are shown that outweigh the case for retention - **FAILS to comply**

#### **15.3.8 Camden Supplementary Planning Document: Design (SPD)**

This document is an additional “material consideration” in planning decisions.

The development **FAILS to comply** with the SPG in the following respects:

- a. Demolition in conservation areas** - the Council will not normally allow demolition of a building in a conservation area without substantial justification, in accordance with NPPF paragraphs 195-196 and 201.
- b. Alterations to listed buildings** - statutory duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; impact of proposals on the historic significance of the building, including its features, such as original and historic materials and architectural features; original layout of rooms; structural integrity; and character and appearance
- c. Preventing harm to heritage assets** - Council **will not permit** development that results in harm that is less than substantial to the significance of a designated heritage asset unless the benefits of the proposal outweigh that harm.



- d. **Consideration of cumulative impact** - The Council will, in addition to considering proposals on an individual basis, also consider whether changes could **cumulatively cause harm** to the overall heritage value and/or integrity of the relevant Conservation Area, Listed building or heritage asset.
- e. **Integrating new development with heritage assets** - development expected to conserve and avoid harm, also to take opportunities to enhance or better reveal the significance of heritage assets and their settings. Development must respect local character and context and seek to enhance the character of an area where possible.

#### **15.3.9 POLICY H4 Maximising the supply of Affordable Housing**

**Policy H2 Quantity of Housing provided as a consequence of the commercial floorspace uplift - FAILS to comply**

**15.3.10 Policy H10 Housing with Shared Facilities** - protection for HMO accommodation - **FAILS to comply**

**15.3.11 Policy A2 New Public Open Space** in areas where there is a clear deficiency, including in the Central Area, is to be provided - **FAILS to comply**

**15.3.12 Policy T4 Sustainable Movement of Goods and Materials** – arrangements for accommodating goods vehicles on site are inadequate; off-street collection areas for waste – **FAILS to comply**

**15.3.13 Camden’s Design Planning Guidance, 6 Landscape Design and Trees** – preservation of existing trees and hedges - **FAILS to comply**

**15.3.14 Camden Amenity, Supplementary Planning Guidance: Policy 2, Policy 3, Policy 6, para 6.13** – Distance between buildings; overlooking privacy and outlook; daylight and sunlight; noise and vibration - **FAILS to comply**

**15.3.15 Building Research Establishment (BRE) Recommended Good Practice** - Daylight and Sunlight in buildings; open amenity spaces should be able to enjoy: *“a minimum of 2 hours of full sunlight over 50% of their area on 21<sup>st</sup> March* - **FAILS to comply**

**15.3.16 Camden Statement of Community Involvement Para 3.10** – expects a suitable consultation process - **FAILS to comply**

#### **Further Planning considerations**

**London Borough of Camden Draft Site Allocations Plan (2020)- Opportunity Site HGC3.** The consultation process has revealed an overwhelmingly negative response to the proposal that a taller building is acceptable, that Selkirk House should be demolished rather than retrofitted in accordance with the Council’s sustainability Policies and that a cut through from West Central Street to High Holborn is beneficial. The developers are using this draft as justification for their development whereas the results of the consultation should guide what the Council does. To date Camden have failed to report the results of the consultation formally to the planning committee.

**Historic England - Conserving Georgian and Victorian Terraced Houses: A guide to managing change July 2020.** This is a supplementary planning document therefore a planning consideration.

Historic England published this document, *“to help local authorities and others implementing historic environment legislation and policy.”* It states *“If there are plans to change the plan form,*

*issues to consider include, but are not exclusive to, the following eleven items....”* (see page 13).  
The proposals to the listed buildings 10,11 and 12 Museum **fail to comply with all eleven points.**

This Objection Document is submitted on behalf of:

**The Save Museum Street Campaign: led by a community coalition including:**

Bloomsbury Residents' Action Group	Leicester Square Assoc.
Bloomsbury Association	Red Lion Residents Association
Camden Climate Emergency	Rugby & Harpur Residents Association
Charlotte Street Association	Seven Dials Trust
Covent Garden Community Assoc.	South Bloomsbury Tenants and Residents' Assoc.
Covent Garden Area Trust	Tavistock Chambers Tenants' Assoc.
Drury Lane Residents Assoc.	The Bedford Estates
Dudley Court Tenants' Assoc.	The Soho Society
Goldsmith Court	Willoughby Street Residents
Grape Street Residents	

**Copies to:**

Sir Keir Starmer, MP  
Anne Clarke, GLA  
Councillor Julian Fulbrook, London Borough of Camden  
Councillor Awale Olad, London Borough of Camden  
Councillor Sabrina Francis, London Borough of Camden  
Councillor Rishi Madlani, London Borough of Camden  
Councillor Adam Harrison, London Borough of Camden  
Neil McDonald, London Borough of Camden  
David Fowler, London Borough of Camden  
Bethany Cullen, London Borough of Camden  
Bloomsbury Conservation Area Advisory Committee  
Save Museum Street group members  
Local residents and businesses

## APPENDIX 1

### Further information required by Camden

1. More accurate computer-generated views required from various vantage points
2. Views outside Camden required. There should be consultation with the neighbouring authority, Westminster.
3. Additional views from Bloomsbury Square and views from Russell Square, Lincoln's Inn Fields and the eastern pavement of Drury Lane need to be requested from the applicant.
4. There is more site investigation work to be done to identify whether non-static groundwater exists.
5. Serious deficiencies in the Transport Assessment need to be addressed. A more accurate assessment should be made of the time required to access the basement loading bays. The number of daily trips should be revised upwards in accordance with the figures using September 2022 estimate rather than the May 2023 figures.

## APPENDIX 2

### Potential S 106 agreement

#### 1. Transport S 106 agreement requirements

- i. A plan for servicing trips should be **required** rather than merely 'encouraged'.
- ii. The Council should impose a **daily limit** on freight vehicle deliveries to the site which is significantly lower than that estimated by the developer (**and is set at 70% of the capacity of the infrastructure they are proposing**).
- iii. The applicant should return to the September 22 trip generation assumptions OR accept a planning condition which **ensures** that 50% of the Class E space remains in non-food uses.

#### 2. Basement Impact S106 requirements

- i. In accordance with Campbell Reith's report **further investigation, modelling and assessment** was recommended by the BIA; that it had not been completed; and should be carried out, with a final assessment and proposed mitigation actions (if any) confirmed within the BCP. Then, once the BCP has confirmed the final design and construction methodology, the Ground Movement Assessment (GMA) should be reviewed and updated, including a **detailed monitoring scheme and appropriate contingency actions**. Those have not been seen to date.

## Supplementary Documents

Documents 1-8, and document 12 are separate documents or expert reports submitted in support of this objection. Documents 9-11 are miscellaneous supportive documents.

### Document Number 9

Email from Tony O'Brien, Regional Manager, Travelodge Hotels

**From:** Tony O'Brien [REDACTED]  
**Sent:** Tuesday, March 28, 2023 3:11 pm  
**To:** Helen Mc Murray <[south.bloom.tra@gmail.com](mailto:south.bloom.tra@gmail.com)>  
**Cc:** John Hardy [REDACTED]  
**Subject:** Re: Hotel development opportunities in central London

Hi Helen,

Thank you for your email.

I do not think that the option of Travelodge reopening a hotel in Selkirk House is available, so I do not believe that it is appropriate for me to answer that hypothetical question. **However, I can confirm that Travelodge would like to open more hotel rooms in this part of central London, so I would strongly contest claims that there is no demand for hotel accommodation in the area. (Our emphasis)**

I believe that there may be some construction issues at the subject property, especially with regards to the car park, so I am not at all surprised by a proposal to redevelop this site.

This is a part of London that I know very well and which is very dear to me, as my first role in London was at Prudential Portfolio Managers on High Holborn. I acted for Travelodge as part of our JV with Bovis and The British Museum for the proposed redevelopment of the former Post Office Sorting Offices site for a new Museum Study Centre and Travelodge hotel, which, as I am sure you will know, failed around 20 years ago. I also acted as Travelodge's Development Manager for the conversion of Selkirk House from offices to the Travelodge. Finally, for a number of years, our London office was located in the existing Travelodge Covent Garden hotel, to which I was a very regular visitor.

I believe that the Central St Giles development scheme and the recently completed Post Building on the old sorting office site have been great new additions to this area.

Selkirk House was always one of the (very few) tallest buildings in this part of London, second only to Centre Point, but Central St Giles and The Post Building are around the same height.

As you know, there has been a general move towards taller buildings throughout central London and I think that there are strong arguments for and against this, but this does appear to be the general trend.

I have not reviewed the proposals for the 166 High Holborn redevelopment and so cannot comment on these plans.

With best wishes

Tony

## Document Number 10

Email from Camden Conservation Team Manager

**From:** Jane Wylie <[Jane.Wylie@camden.gov.uk](mailto:Jane.Wylie@camden.gov.uk)>  
**Subject:** RE: Selkirk House  
**Date:** 18 August 2023 at 18:40:03 CEST  
**To:** "[jim.monahan@mbharchitects.co.uk](mailto:jim.monahan@mbharchitects.co.uk)" <[jim.monahan@mbharchitects.co.uk](mailto:jim.monahan@mbharchitects.co.uk)>  
**Cc:** John Cole <[colejohnpeter@gmail.com](mailto:colejohnpeter@gmail.com)>

Dear Jim (and John),

My apologies that I have not been in contact. I've had to spend a fair bit of time in Scotland recently. However, I will be back in the office properly from the start of September if you would like to discuss things then.

In answer to your email below, the conservation team have now provided our consultation response on the application and our comments will feed into the planning report. I can confirm that the conclusion the comments have reached is that the proposals comprise less than substantial harm, at the middle end of the scale in regards the demolition of 16a and 18 West Central Street. The proposed replacement tower block and associated increase in height also brings less than substantial harm to multiple designated heritage assets, ranging from the lower end of the scale in regards some listed buildings, to the middle end of the scale in regards the impact on the conservation area. Obviously our comments go in to considerably more detail and will feed into the final report. They are broadly in line with those of Historic England.

In response to the comments below, I agree the existing Selkirk House causes harm. I also agree the increase in height of the new proposals exacerbates this harm.

I would also agree that I consider the demolition of 16a/18 West Central Street harmful to the character and appearance of the conservation area and the existing building is more historically appropriate in regards the immediate context than the proposals. (*our emphasis*)

Many thanks

Jane

Jane Wylie  
Conservation Team Manager  
Regeneration and Planning  
Supporting Communities  
London Borough of Camden

## Document 11

Email from the Chief Executive of Historic England

**From:** Chief Executive <[chief.executive@historicengland.org.uk](mailto:chief.executive@historicengland.org.uk)>

**Sent:** Thursday, September 7, 2023 5:00 PM

**To:** Tony Berkeley >

**Cc:** Chief Executive <[chief.executive@historicengland.org.uk](mailto:chief.executive@historicengland.org.uk)>; Chairman <[Chairman@HistoricEngland.Org.Uk](mailto:Chairman@HistoricEngland.Org.Uk)>

**Subject:** RE: Historic England and Museum Street in London

Dear Lord Berkeley

Thank you for contacting Historic England about the current proposals for development at Museum Street and Historic England's response to them. Lord Mendoza has asked me to respond on behalf of Historic England.

We also feel strongly about these proposals. We have objected and provided a robust critique of the scheme. We agree with the Save Museum Street campaign in almost all respects, including that the proposals would harm the recently listed buildings and that an alternative solution needs to be found that avoids harm to the exceptional character of this part of central London.

We have nonetheless used different words to describe the harm. Historic England's advice is framed in accordance with Government policy and in this regard we are confident that the harm which these proposals would cause would be "less than substantial".

The term "less than substantial" has a particular meaning in planning law, which is different to its plain English equivalent. The fundamental point is that all harm to designated heritage assets matters. The National Planning Policy Framework is clear that less than substantial harm is to be taken very seriously and given great weight. This message has been reinforced by recent decisions by the Secretary of State for the M&S building at Marble Arch, 8 Albert Embankment in Lambeth and the Tulip in the City of London.

The bar for substantial harm is set very high in policy and guidance, and this has been confirmed in case law. The Museum Street proposals, harmful to an area of exceptional character though they would be, would not cross this bar. For Historic England to argue otherwise would compromise, rather than reinforce, our advice.

Decision makers must consistently apply national and local policies as they are intended to function. Our letter sets out in detail the robust heritage policies that are engaged by this application and the considerable importance and weight that should be given to the harm it would cause. It should not in these circumstances be possible for that harm to be lightly outweighed by other factors.

We have met Save Museum Street members on a number of recent occasions to discuss the issues and I hope this letter reassures you that Historic England's position is already close to your own.

Best wishes,

Duncan Wilson

Duncan Wilson CBE  
Chief Executive of Historic England