

Address:	Thistle Bloomsbury Hotel, Bloomsbury Way, London, WC1A 2SD	
Application Number:	2006/4429/P	Officer: Stuart Minty
Ward:	Holborn & Covent Garden	
Date Received:	26/09/2006	
Proposal:	Change of use of part ground floor and part basement of the Thistle Hotel Bloomsbury (Class C1) together with the change of use of No 35 Bloomsbury Way from retail (Class A1) to casino use (sui generis). Alterations to the shopfront at No. 35 Bloomsbury Way comprising the replacement of two entrance doors.	
Drawing Numbers:	Site Location Plan (PL) 100; Covering Letter (Dated 25/09/2006); (PL)001; (PL) 002; (PL)110 Rev A; (PL)102 Rev B; (PL)101 Rev A; Planning Statement (Dated 09/2006); Planning Statement Technical Appendices (Dated 09/2006); Addendum to September 2006 Transport Statement (Dated 10/2006)	
RECOMMENDATION SUMMARY: Grant Planning Permission subject to a S106 Agreement.		
Applicant:	Agent:	
Thistle Hotels (Management) Ltd c/o agent	DTZ Consulting & Research One Curzon Street London W1A 5PZ	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace (m ²)
Existing	C1	Hotel	6527m ²
	A1/A2	Retail/Financial Professional Services	25m ²
	Total		6552m²
Proposed	C1	Hotel	5734m ²
	SG	Casino	818m ²
	Total		6552m²

OFFICERS' REPORT

Reason for Referral to Committee:

Any grant of permission would require the conclusion of a Section 106 Planning Obligation relating to, *inter alia*, matters outside the normal scheme of delegation. [Clause 3 (vi)].

1. SITE

- 1.1 The application site relates to the Thistle Bloomsbury Hotel located on the north side of Bloomsbury Way and the south side of Little Russell Street. The building is 9 storeys in height and comprises 138 guest bedrooms on the upper floors, together with seven meeting and function rooms, six syndicate rooms, a restaurant and bar facility, all located at ground and basement floor levels.
- 1.2 The ground floor of the adjoining premises to the east, No 35 Bloomsbury Way, is also included within the application. The premises has a lawful use for retail purposes (Class A1), and is currently vacant following its closure as an unauthorised 'Bureau de change' (Class A2).
- 1.3 To the east the site adjoins Museum Chambers which is a 6 storey residential mansion block comprising 36 flats. Also to the east at ground floor level on the Bloomsbury Way frontage there are two commercial units, a firm of solicitors at No 34 and a bar/restaurant at No's 31-33. To the west lies St Georges Church which is a grade I listed building, whilst to the rear and on the north side of Little Russell Street there is a terrace of residential dwellings, a number of which are grade II listed. Opposite the frontage of the site lies St Georges Court (No's 2-12 Bloomsbury Way), which is a 9 storey office building.
- 1.4 The site is located within the Bloomsbury Conservation Area, the Central London area and is on the edge of the Museum Street special policy area. The frontage has no specific retail designation, but lies just over 100 metres north-west of the Holborn Central London Frontage and just over 300 metres east of the Tottenham Court Road/ Charing Cross Road Central London Frontage.

2. THE PROPOSAL

Original

- 2.1 The proposed development seeks a change of use of part of the ground and part of the basement of the hotel to a casino use (818m²).
- 2.2 Access to the casino would be possible from either Bloomsbury Way directly through the existing retail unit at No 35, or via the hotel foyer. The casino reception would be located on the ground floor which would allow access to the basement, which would contain the gaming area, lounge bar and 'back of house facilities'. The casino would accommodate 13 gaming tables and 52 slot machines.
- 2.3 At ground floor level, the scheme would result in the loss of the retail unit (25m²) and a conference room associated with the hotel. At basement level the casino would replace storage/maintenance space, toilets, and three conference rooms.
- 2.4 Externally, alterations to the shopfront of No 35 Bloomsbury Way were originally proposed including removing the existing central glazed pane and replacing it with automatic frameless sliding glazed entrance doors. Replacement glazed doors are proposed for the two existing points of access to the unit.

Revisions

- 2.5 The proposal to install automatic frameless sliding entrance doors to the shopfront of No 35 Bloomsbury Way has been omitted from the scheme. The alterations to the shopfront now comprise the replacement of 2 existing entrance doors.

3. RELEVANT HISTORY

Thistle Bloomsbury Hotel

- 3.1 Planning permission granted 21/5/02 (PSX0005296) for air conditioning plant.

35 Bloomsbury Way

- 3.2 8800021 - Change of use of ground and basement floors of 35 Bloomsbury Way from retail to public bar and toilets (including the formation of a new shopfront and entrances) in association with the adjoining hotel use – Refused (14/06/1988)
- 3.3 8900151 - The formation of an entrance and access route to the rear conference room in the Kingsley Hotel through the existing shop unit on the basement and ground floor – Approved (07/12/1989)
- 3.4 P9602408 - Change of use of the ground floor and basement from retail use to public bar/ wine bar ancillary to the use of the adjoining hotel together with a new shop front – Refused (09/01/1997)

4. CONSULTATIONS

Statutory Consultees

- 4.1 None required to be consulted

Conservation Area Advisory Committee

- 4.2 The ***Bloomsbury Conservation Area Advisory Committee (CAAC)*** have objected to the scheme on the following grounds: -

- Objects to the loss of the existing shopfront
- Doubts whether a casino use would enhance the Conservation Area

Local Groups

- 4.3 The ***Bloomsbury Association*** have objected to the scheme on the following grounds:-
- The premises are situated sufficiently close to affect a well established residential part of Bloomsbury Village, which is distant and distinct geographically from the entertainment areas of Charing Cross and Soho and its associated activities.
 - The proposal does not accord with UDP policies relative to residential amenity

- The use is likely to create late-night disturbance caused by patrons of the casino, associated vehicle noise and people waiting for night buses.
- The Council have produced an Area Framework for St Giles, which includes an intensification of development in the area for housing when such late-night uses may be more inappropriate.
- The further encroachment of late-night West End entertainment would harm the character of Bloomsbury

4.4 The **Bury Place Residents Association** have objected to the scheme on the following grounds:-

- The residential area consists of a series of small streets and these will, given the times the Casio operates, become nothing more than a car park for users of the proposed facility
- Residents would be disturbed during the early hours of the day, when users attend and leave the Casino, and disturbance from associated traffic.

4.5 **Adjoining Occupiers**

<i>Number of Letters Sent</i>	<i>98</i>
<i>Number of responses Received</i>	<i>9</i>
<i>Number in Support</i>	<i>0</i>
<i>Number of Objections</i>	<i>9</i>

4.6 The owner/occupiers of No's **5, 9 and 10 Russell Chambers**, No's **2, 9, 21, 25 and 36 Museum Chambers** and No **49a Museum Street** have all raised objections to the application. These are summarised below: -

- Noise and disturbance associated with the use
- Noise from associated traffic
- The hotel has no parking areas and therefore the Impact of cars and taxi's would lead to over-congestion
- Problems from late night drinkers will add to existing 'drug problems' in the vicinity
- Type of clientele the casino may attract
- The hotel have erected a number of unauthorised air conditioning units in the courtyard which has backs onto Museum Chambers, whilst there is also a duct on the rear of No 35 Bloomsbury Way which has been erected from ground to 5th floor to rear which are not part of the application, which would be supported if this issue could be addressed
- The proposed opening hours are excessive
- All night use of the basement would increase the air conditioning needs of the building.
- There is already two casino's in the area, in Great Russell Street/Tottenham Court Road and in the National Hotel on Southampton Way
- The proposal will attract more people into an already overcrowded area
- Increased chances of robbery/mugging

- The architectural integrity of the shopfront will be compromised if sliding doors are introduced and would be inappropriate in close proximity to the church building.

4.7 A site notice was posted around the boundary of the site on the 06/10/2006 (Expiry 27/10/2006).

5. POLICIES

5.1 Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

5.2 Camden Replacement Unitary Development Plan 2006

S1-S3 Strategic Sustainable Development; (complies subject to conditions);

SD1 Quality of life (complies);

SD2 Planning obligations (complies subject to S106);

SD3 Mixed use development (complies);

SD6 Amenity for occupiers and neighbours (complies subject to conditions and S106);

SD7 Light, noise and vibration pollution (complies subject to S106);

SD8 Disturbance (complies subject to S106);

SD9 Resources and energy (complies subject to S106);

B1 General design principles (complies);

B3 Alterations and extensions (complies);

B4 Shopfronts, advertisements and signs (complies);

B7 Conservation Areas (complies);

T1 Sustainable transport (complies subject to S106);

T3 Pedestrians and cycling (complies subject to conditions);

T4 Public transport (complies);

T12 Works affecting highways (complies subject to S106);

T16 Movement of goods (complies);

R1 Location of new retail and entertainment uses (complies);

R2 General impact of retail and entertainment uses (complies);

R3 Assessment of food and drink and licensed entertainment (complies);

R7 Protection of local shops (complies);

C5 Tourism uses (complies)

5.3 Camden Planning Guidance 2006

The following sections of the Camden Planning Guidance are of particular relevance to the application:

- P1 - Access for all
- P49 – Conservation areas
- P53 – Construction and demolition
- P61 – Cycle parking and storage

- P67 – Designing safer environments
- P117 – Noise and vibration
- P123 – Parking stress
- P133 – Planning obligations
- P217 – Sustainable buildings
- P225 - Town centres, retail and entertainment uses

5.4 Other Supplementary Planning Documents

- SPG for Central London – Food, Drink, Entertainment and Specialist and Retail Uses (June 2004)
- Bloomsbury Conservation Area Statement

6. ASSESSMENT

6.1 The principal considerations material to the determination of this application are summarised as follows:

- Land use – The loss of retail/hotel floorspace and the principle of a casino use
- Impact on the amenity of neighbouring occupiers
- Transport, access and parking
- Sustainability - resources and energy
- Other matters

Land Use

Loss of retail floorspace

- 6.2 The proposals would result in the loss of approximately 25m² of retail floorspace at No 35 Bloomsbury Way. The retail unit is currently vacant with its last use being as a currency exchange bureau, owned by the hotel. The Council's records show that planning permission was not obtained for the change of use, however the applicants have stated that the unit began trading in 2001 before ceasing early 2005. It is thought the unit has been vacant for approximately two years.
- 6.3 The site is not within a designated retail frontage, and therefore the loss of retail space is subject to policy R7 (local shops). This policy resists developments that involve *a net loss of shopping floor space unless the development contributes to local character, function, vitality, viability and amenity, including housing and / or essential services for businesses and residents*. The unit has been vacant for some time and in its vacant form makes little contribution to the function or character of the area. The re-activation of the frontage would improve the vitality of the local area and is therefore welcomed by officers.
- 6.4 A bureau de change in this location would be attractive primarily to visitors to the bookshops and hotels in the vicinity of the British Museum. Officers consider there no basis to suppose the proposed use would contribute any less to vitality, or to provide any less of a service to residents and businesses. There is a wide range of convenience and comparison retailers available at Central London Frontages within walking distance of the proposal site.

- 6.5 The site is located on the edge of the 'Museum Street' area as specified in the Council's SPG for Central London. This document states that the Council will not grant planning permission involving the loss of retail uses or the stock of retail premises (para 10.6), on the basis that this would harm the specialist character of the area for retail of antiquarian books, prints, coins and vintage cameras. A casino use is a high turnover tourist oriented facility, as are most of the uses that have displaced specialist A1 uses in the past (gift shops, sandwich bars and restaurants etc) and officers consider there no reason why it should be any more acceptable.
- 6.6 The unit is at the southern edge of the Museum Street area, whereas the specialist uses are predominantly focused immediately south of the Museum on Great Russell Street and the side roads joining it. Given that the unit has not operated as an A1 use in the last two years, officers consider it would be difficult to sustain a case that its loss would harm the specialist character of the area.

Loss of hotel/conference floorspace

- 6.7 Policy C5B resists the loss of existing hotels in suitable locations. The proposal would not result in the loss of space for overnight guests, but to conference facilities. There are no UDP policies that protect conference facilities and consequently, the scheme does not conflict with policy C5B.

The location of a new casino use.

- 6.8 Policies SD5, C3 and R1B all apply a sequential approach for new leisure/entertainment uses relative to travel demand, leisure facilities, food and drink uses and licensed entertainment respectively. The proposal complies with policy SD5 as the site is situated within the Central London Area which is one of the preferred specified locations. Notwithstanding issues of residential amenity which are given consideration later on in this report, the proposal would also comply with policy C3. Policy R1B is concerned with food and drink uses and licensed entertainment (including D2 and SG). The preferred locations are similar, except that the preference in Central London relates to Central London Frontages rather than the whole area.
- 6.9 The applicant has submitted a sequential test which sets out parameters in terms of the style of property, the area's activity levels, and the premises' floorspace and layout characteristics. The sequential test focuses on an area of High Holborn and Kingsway and reveals there are no suitable properties in existing retail/ leisure uses, and only 5 available at any scale in those uses. Of the 5 properties identified, only 2 are actually contained within the Central London Frontage. All the sites were found to be unsuitable in terms of the minimum floorspace requirements (800sqm) and all but the two largest did not even reach half of the parameter size.
- 6.10 Given the very close proximity of the hotel and of the proposal to the Holborn frontage, the high level of public transport accessibility, and the absence of any significant stock of vacancies within the Central London Frontage, officers consider that there would not be any significant harm arising from the failure to locate within a designated frontage. The principle of a casino use is therefore considered acceptable.

Impact on the amenity of neighbouring occupiers

- 6.11 The applicant has requested that the use be operational and staffed until 6am (Monday – Saturday) and until 4am on Sundays. This raises a number of residential amenity, management and anti-social behaviour issues.
- 6.12 The intention of the applicants is to provide a 4* casino within the Bloomsbury Hotel. The applicants have stated through market research that there are likely to be 525 visits per week, amounting to 75 per day. Club membership, as approved under licensing regulations, is achievable by registering at the casino. Around 30 staff are expected to be employed operating a range of shifts, commencing at midday, usually changing at 10pm with the late staff finishing between 4am and 6am.
- 6.13 There are frequent public transport services along Bloomsbury Way 24 hours a day which result in existing background noise levels being fairly constant. There are very few residential addresses anywhere on Bloomsbury Way, however there are mansion blocks on Bury Place and residential to the rear of the site on the north side of Little Russell Street. According to the market research, a very high proportion (approximately 65%) of the casino clients would already be guests at the hotel which helps to reduce disturbance and movements in the area. The applicant has indicated that the total non-residential capacity of the hotel will be reduced by the proposal, and have submitted a draft Management Plan to control its impact.
- 6.14 The majority of the gaming area is to be located at basement level on the Bloomsbury Way frontage, and therefore the only potential for noise spillage associated with the building would only occur from the front lightwells. A condition is recommended to ensure all external windows remain closed when the use is in operation. The management plan states that there would be no customer or staff access to the building from the rear of the building and no deliveries, collections, waste or recycling would take place during sensitive hours. The management plan states that the hotel have an adopted policy to arrange guests transport prior to their leaving, and to ensure there is no congregation or obstacle blocking access to the front entrance. The internal link between the hotel and the casino would be kept open at all time to ensure that hotel guests do not have to leave the hotel to re-enter.
- 6.15 Given all of the aforementioned officers consider that the proposed casino management plan and planning conditions relative to hours, window opening and the removal of permitted development rights is sufficient to satisfy concerns that the use could operate overnight without causing harm to the character of the area, public order or residential amenity. The casino management plan would be secured via S106 agreement.

Transport, access and parking

Cycle parking

- 6.16 The Councils UDP Standards require the provision of secure cycle parking, with Appendix 6 of the revised UDP requiring the scheme to provide 1 cycle storage space per 250m² GFA (or part thereof) for staff and the same number for visitors i.e. 2 per 250m². The total area subject to the application is 818m², meaning a total of 8 cycle parks are required to be provided. A condition is recommended to ensure a suitable area is provided within the site for both staff and visitor parking.

Pedestrian Access

- 6.17 The proposed internal access to the Hotel Lobby and external access via the empty retail tenancy onto Bloomsbury Way are both considered adequate, and will readily accommodate expected pedestrian movements.

Works Affecting Highways/Footway Improvements

- 6.18 Given the scale of the development, there will be a noticeable increase in pedestrian movements to and from the site and the transport statement submitted with the application suggests that the increase will be in the order of 75-80 additional movements per day. Highways works in the immediate vicinity are soon to be undertaken in accordance with the re-routing of the No.38 bus through Bloomsbury Way and will include a new pedestrian crossing facility across Bloomsbury Way at the intersection of Bloomsbury Way and Bury Place.
- 6.19 There are further area-wide improvements that could be made to improve pedestrian connectivity to the site, which would also improve the general amenity and appeal of the area. A pedestrian scheme is proposed within the Bloomsbury Area (the 'Princes Circus' Scheme), which will improve the pedestrian connection between Covent Garden and the British Museum. The proposed casino will clearly benefit from these improvements in terms of increased foot traffic within the area, improved amenity and increased profile. A financial contribution of £60,000 secured via S106 agreement towards such improvements has been proposed by officers, and agreed by the applicant.
- 6.20 It should be noted that the scheme will benefit from an improved crossing facility across Bloomsbury Way at the intersection of Bury Place, along with additional foot traffic resulting from the No.38 bus re-routing.

Public Transport

- 6.21 The site has excellent connections to bus, underground and national rail networks. There are bus routes immediately along Bloomsbury Way (soon to be further improved through re-routing of the No.38 Bus and installation of a contra-flow bus lane). The site has a public transport accessibility level of 6a (excellent), meaning the site is extremely accessible by public transport.

Construction Management Plan

- 6.22 Construction works and construction vehicle movements may disrupt the day to day functioning of Bloomsbury Way and the surrounding highway network for an extended period, and will need to be carefully managed to ensure disruptions are kept to a minimum. The works may also potentially disrupt other projects, such as highways works on Bloomsbury Way associated with the No.38 bus route. To

ensure any disruptions are kept to a minimum, a construction management plan (CMP) will need to be submitted and approved prior to works commencing, and will be secured by a s106 agreement.

Servicing

- 6.23 The existing servicing bay for the site via Little Russell Street will adequately provide for any increase in servicing demand.

Taxis and minicabs

- 6.24 Taxis will continue to drop-off customers via the bus lane on Bloomsbury Way, which is allowed, provided taxis do not wait. Taxis are also allowed to stop and pick up passengers in a bus lane if flagged down. There are waiting and loading areas within close proximity to the site, along with a taxi rank within 3 minutes walking distance. Overall, taxi set-down and pick-up facilities are considered adequate to service the casino.

Sustainability - resources and energy

BREEAM Assessment

- 6.25 The applicants have undertaken an independent BREEAM pre-assessment which would achieve a 'Very Good' rating. Although this is not strictly a policy requirement, as the scheme is under 1000sqm, these measures are welcomed. All measures included within the pre-assessments are to be secured via S106 agreement to ensure a design stage assessment and a post-construction review with a commitment to achieving the "very good" rating.

Other matters

Shopfront alterations

- 6.26 The proposals to install automatic sliding doors in place of the stall riser and glazed central pane has been omitted after officers raised concern from a design and conservation perspective. The scheme, as revised, proposes to retain the shopfront in its original form, with the only alteration being the replacement of the two external glazed doors. These alterations are fairly minor in scale and would not detract from the character and appearance of the conservation area.

CCTV/Security

- 6.27 Following discussions with the Crime Prevention Officer and on the back of objections with the Bloomsbury Association the applicants have proposed to install a CCTV security system on and around the building in the interests of community safety/crime prevention. No specific details have been provided, and therefore it is considered reasonable to impose a planning condition requiring the submission of further details prior to the commencement of development.

7. CONCLUSION

- 7.1 The loss of retail floorspace and conference facilities associated with the hotel and its replacement with a casino use is not considered to harm the character of the

area whilst conditional/obligational controls are sufficient to address residential amenity concerns.

8. LEGAL COMMENTS

- 8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

9. RECOMMENDATION

- 9.1 That planning permission be granted subject to conditions and to the satisfactory conclusion of a Section 106 Planning Obligation covering the following heads of terms:

- The submission of a casino management plan;
- A highways contribution of £60,000 towards the 'Princes Circus' pedestrian scheme, which will improve the pedestrian connection between Covent Garden and the British Museum;
- All building works to be implemented in accordance with the submitted BREEAM pre-assessment;
- The submission of a construction management plan.