

<b>Address:</b>	<b>Tune Hotel</b> <b>322-326 Gray's Inn Road &amp; 76-78 Swinton Street</b> <b>London</b> <b>WC1X 8BU</b>		<b>5</b>
<b>Application Number:</b>	2015/5709/P	<b>Officer: Zenab Haji-Ismail</b>	
<b>Ward:</b>	Kings Cross		
<b>Date Received:</b>	<b>08/10/2015</b>		
<b>Proposal: Erection of new rooftop extension and seven storey rear extension from lower ground to sixth floor to provide additional hotel (Use Class C1) accommodation, relocation of existing plant and installation of new plant and associated works.</b>			
<b>Background Papers, Supporting Documents and Drawing Numbers:</b>			
<p>OS Extract, 1-517-100, 1-517-101, 1-517-102, 1-517-103, 1-517-104, 1-517-105, 1-517-106, 1-517-107, 1-517-108, 1-517-109, 1-517-200, 1-517-201, 1-517-202, 1-517-203, 1_517-00-300, 1_517-00-301, 1_517-00-302, 1_517-00-110, 1_517-00-110, 1_517-00-111, 1_517-00-112, 1_517-00-113, 1_517-00-114, 1_517-00-115, 1_517-00-116 Rev_A, 1_517-00-117, 1_517-00-118, 1_517-00-119, 1_517-00-204 Rev_A, 1_517-00-205 Rev_A, 1_517-00-303 Rev_A, 1_517-00-304, 1_517-00-305 Rev_A, 1_517-00-306.</p> <p>Supporting documents: Design and Access Statement (dated October 2015), Planning statement (dated October 2015), Heritage Impact Assessment (dated August 2015), Statement on Acoustic Implications of Relocating Servicing Plant (dated July 2015), Delta Green Sustainability Report (dated July 2015).</p>			
<b>RECOMMENDATION SUMMARY: Grant conditional planning permission subject to a Section 106 Legal Agreement</b>			
<b>Applicant:</b>		<b>Agent:</b>	
Mr c/o Agent		Gerald Eve LLP 72 Welbeck Street London W1G 0AY	

## ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	C1 Hotel		4810 m <sup>2</sup>
Proposed	C1 Hotel		5484 m <sup>2</sup>

## **OFFICERS' REPORT**

**Reason for Referral to Committee: Total uplift in floorspace of the extension is more than 450 sqm**

### **1. SITE**

- 1.1 Swinton House, at 76-78 Swinton Street is located at the junction of Gray's Inn Road and Swinton Street. The site comprises a richly decorated six-storey building (plus a basement). It is constructed of London stock brick with red brick detailing and has arched modern windows with red brick surrounds, projecting cornices at third floor and roof level, circular windows at fourth floor level and a projecting central entrance bay. In contrast to the front elevations, the existing rear elevation is plainer and utilitarian in design.
- 1.2 The site is currently being used as a 217 room hotel following the grant of planning permission under planning ref. 2010/6535/P. The hotel is made up of two linked unlisted buildings which extend to eight storeys and six storeys respectively and are identified to make a positive contribution to the character and appearance of the Kings Cross St Pancras Conservation Area.
- 1.3 The existing hotel is accessed off Gray's Inn Road (with servicing via a vehicle access off Swinton Street). It is within an area characterised by a mix of uses including hospital buildings, commercial uses and residential properties and is bordered to the North on Gray's Inn Road by the Water Rats public house and to the east on Swinton Street by the Nuffield Health Hearing and Speech Centre, with several buildings housing the Royal National Ear, Nose and Throat Hospital, also to the North adjoining the rear part of the site.
- 1.4 The property is located within sub area four of the Kings Cross Conservation Area and is identified as being a positive contributor to the special character of the area.

### **2. THE PROPOSAL**

#### **Original**

- 2.1 Permission is sought for the following:
  - A five storey rear infill extension – the rear extension would be constructed of brick to match the existing materials to the rear. The proposed extension would tidy up the existing situation.
  - A single storey roof extension of 224 sqm. The proposed single storey roof extension would be constructed of grey zinc to match the existing roof profile on Gray's Inn Road
  - Creation of 33 new rooms and new circulation core to the hotel.
  - The proposal includes servicing to be consolidated into the rear of the hotel. At roof level, the plant, lift overrun and emergency staircase would be set back from Swinton Street by approximately 3.8m and from the side by approximately 11m. An enclosure is included in the proposal to minimise the visual impact.

#### **Revision**

- 2.2 Following comments from the conservation area committee and at the officer's request, the detailed design of the pattern of windows have been amended so the proposed windows sit comfortably with the elevation below on Swinton Street.

### 3. **RELEVANT HISTORY**

- 3.1 2013/2201/P (21/09/2012) planning permission granted for the retention of new garage building and the erection of a substation unit within rear courtyard with associated stair access and cycle stands to existing office (Class B1a) following demolition of existing garage.
- 3.2 2011/3890/P (21/10/2011) permission granted for the variation of condition 2 to replace Class A4/A3 and A1 uses with two Class A1 uses on ground floor and to increase the number of bedrooms from 114 to 200 as a minor material amendment pursuant to permission granted on 02/03/2011 (ref: 2010/6535/P) for change of use of office building (Class B1a) to dual use tourist hostel (Sui Generis) and/or hotel (Class C1) to provide short stay overnight 'tourist type' accommodation comprising of 114 rooms, ancillary bar (Class A4), restaurant (Class A3) and retail (Class A1) units, and associated alterations including erection of a ground floor rear extension, alterations to existing rear garage, new shopfronts to Gray's Inn Road elevation, erection of a lift shaft to rear elevation and associated installation of plant.
- 3.3 2010/6535/P (02/03/2011) planning permission was granted for the change of use of Office building (Class B1a) to dual use tourist hostel (Sui Generis) and/or hotel (Class C1) to provide short stay overnight 'tourist type' accommodation comprising of 114 rooms, ancillary bar (Class A4), restaurant (Class A3) and retail (Class A1) units, and associated alterations including erection of a ground floor rear extension, alterations to existing rear garage, new shopfronts to Gray's Inn Road elevation, erection of a lift shaft to rear elevation and associated installation of plant

### 4. **CONSULTATIONS**

#### **Statutory Consultees**

- 4.1 Transport for London has requested that a CMP is submitted prior to commencement. The CMP should include measures to ensure the footway and carriageway is not blocked at any time and any temporary obstructions are kept to a minimum. TfL also noted that a separate licence would be required from TfL.

#### **Conservation Area Advisory Committee**

- 4.2 Bloomsbury CAAC – object for the following reason:

The proposed mansard is wholly out of keeping with the original facade and the proposed stair enclosure above just confirms that very little attempt has been made to take the qualities of the existing building into account.

#### **Adjoining Occupiers**

<i>Number of letters sent</i>	8
<i>Total number of responses received</i>	2
<i>Number in support</i>	0
<i>Number of objections</i>	1

- 4.3 Objection received from UCLH for the following reasons:  
Impact of construction impact. The Royal National Throat, Nose and Ear Hospital (RNTNE), the clinic is highly sensitive to noise, vibration and dust. The building to the rear of the subject site houses wards from the 1st floor to the 4th floor, with theatres and recovery on the 5th floor, together with a sleep clinic. These clinical activities are particularly sensitive to noise and vibration. This is particularly the case for ear surgery patients that are very sensitive to noise post operatively and have open wounds. Furthermore, dust generated from the demolition and construction represents an Infection Control concern to UCLH.

There are also hearing clinics on the ground floor of the building across the courtyard which use sound proof booths that are currently just on the margin of being sound proof. Any construction noise or vibration would adversely affect the integrity of the booths and therefore directly impact the Hospital's service.

In light of the above, UCLH is keen to ensure that construction activities on site will not negatively impact on the running of the RNTNE hospital. A Construction Management Plan which should identify measures that will reduce the impact on the local amenity, particularly vulnerable patients at the RNTNE hospital, is essential. A CMP has not been submitted, it is therefore contrary to policy.

*\*the applicant has had a discussion with UCLH with regard to appropriate times for carrying out the proposed works which will be agreed in advance and included as part of the Construction Management Plan to be secured through the S106.*

## 5. POLICIES

### 5.1 LDF Core Strategy and Development Policies

National Planning Policy Framework 2012  
National Planning Policy Guidance 2014  
London Plan March 2015  
Mayor's Supplementary Planning Guidance

#### Core strategy

CS1 Distribution of growth  
CS2 Growth Areas  
CS5 Managing the impact of growth and development  
CS8 Promoting a successful and inclusive Camden economy  
CS9 Achieving a successful Central London  
CS11 Promoting sustainable and efficient travel  
CS13 Tackling climate change through promoting higher environmental standards  
CS14 Promoting high quality places and conserving our heritage  
CS16 Improving Camden's health and well-being

CS17 Making Camden a safer place  
CS18 Dealing with our waste and encouraging recycling  
CS19 Delivering and monitoring the Core Strategy

#### Development Policies

DP1 Mixed use development  
DP14 Tourism development and visitor accommodation  
DP16 Transport implications of development  
DP17 Walking, cycling and public transport  
DP18 Parking standards and limiting the availability of car parking  
DP19 Managing the impact of parking  
DP21 Development connecting to the highway network

### 5.2 **Supplementary Planning Policies**

Camden Planning Guidance (CPG) 2015 – CPG 6, 7 and 8  
Camden Planning Guidance (CPG) 2015 – CPG 1, 2, 3 and 4  
King's Cross Conservation Area Statement

## 6. **ASSESSMENT**

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

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

- Land use considerations
- Design – scale, bulk and detailed design
- Transport
- Noise
- Sustainability
- Planning obligations

#### Land use consideration

- 6.2 Policy CS8 indicates that the Council will support the tourism sector as an element of securing a successful and inclusive Camden economy. Policy CS9 also supports and promotes Central London as a focus for a range of uses, including tourist accommodation. Policy DP14 expects tourist development to be located in the most appropriate locations, specifically the Central London area and the identified growth areas. This site, being located within the Central London Area and located close to the Kings Cross Growth Area is considered suitable for such a use. On the basis that this is acceptable this Central London location is particularly suited to hotel accommodation for visitors and tourists. The principle of the extension to the existing hotel to accommodate an additional 33 rooms is considered acceptable. The floorspace increase is not considered to be sufficient to intensify the use to an extent that would be out of character with the area or harmful to the amenity of neighbouring occupiers (addressed in more detail in paragraphs 6.7 – 6.9).
- 6.3 The proposal involves an extension of more than 200 sqm and therefore Policy DP1. By virtue of the site's location within the CAZ/Central London Area, Policy

DP1 requires that for all developments where more than 200 sq m (gross) additional floorspace is proposed, up to 50% of this should be provided as housing. Due to the character of the site and the extent of the extension, it is considered that self-contained housing could not be practicably delivered at this site. It is therefore considered appropriate that a sum of £248,850 is sought in line with the guidance set out in CPG8. This will be secured via S106 legal agreement.

### Design/impact on conservation area

#### *Rear extension*

- 6.4 The building is within the Kings Cross St Pancras Conservation Area, with the nearest Listed Buildings being opposite the site on Swinton Street. The rear extension would project from ground to fifth floor level and consolidate the existing ad hoc rear giving this elevation a more uniform appearance. The massing of the rear infill extension is considered to be subordinate and in this context is considered acceptable.
- 6.5 The proposed rear extension is located in between two courtyards and on elevations that have limited visibility from the wider public realm. The proposed extension would be constructed of brick to match the existing rear elevation. As the proposed extension would be viewed in a back land context from the public realm (from across the railway cutting on Wicklow Street) and would enhance the existing situation, it is considered acceptable.

#### Roof extension

- 6.6 Currently there is a clear hierarchy between this application building and 322-326 Gray's Inn Road with it being dominant due to its height, scale, mass and its prominent corner position. The flank elevation of this same building has finite architectural and structural details such as the quoins and pronounced chimneys. No. 76-78 Swinton Street exhibits fine Italianate detailing on its (original) principle façade, creating visual flamboyancy and a delicate and lightweight quality. The existing glazed addition which comprises a staircase on Swinton Street is considered to detract from the architectural merits of the building.
- 6.7 The proposed roof extension which would be located on the Swinton Street elevation is proposed to be of a single storey which would sit behind a parapet wall. The Mansard style extension would take a traditional form sloping 61 degrees. Following the objection received from Bloomsbury CAAC, the fenestration has been revised so that the roof respects and sits more comfortably with the fine Italianate building below. The proposed mansard extension would be clad in grey zinc to match the materials used at 322-326 Gray's Inn Road (the primary elevation of the hotel). The emergency stair core will be enclosed and the plant which is receded to the rear of the new mansard is screened from views from the conservation area. The proposal maintains the sense of hierarchy between 322-326 Gray's Inn Road and 76-78 Swinton Street and improves the roofscape of this elevation by removing the unattractive staircase.

#### Amenity

- 6.8 The closest residential units to the site are on the upper floors of the adjacent public house on Gray's Inn Road; the residential upper floors on the opposite side of Gray's Inn Road; and on Swinton Street. To the rear the building backs onto hospital buildings. The proposal includes the addition of 33 rooms. It is considered that in the context of the existing hotel, the increase is relatively modest. There is an existing management plan in place which would apply to this proposal. Given the scale of the roof extension, the distance between the hotel and the residential units (the nearest being 19.1m away), the proposal is unlikely to result in adverse impact in terms of loss of outlook, loss of privacy or the loss of daylight/sunlight to neighbouring occupiers.
- 6.9 The applicant has submitted a Noise Impact Assessment that concludes that the proposed plant will be in accordance with Camden's noise limits. There are therefore not considered to be any noise impacts on nearby properties. However, UCLH RNTNE has expressed concerns about the potential impact during construction. A CMP would therefore be required which would require the applicant to engage and work with UCLH RNTNE to ensure that any disruption would be kept to a minimum and would not adversely impact the running of the hospital.

### Noise

- 6.10 An acoustic report has been submitted which sets out that in order to service the additional load two extra heat pumps will be added to the existing bank to make 16 in all these are located at roof level as existing. The increase in noise output will be very slight - an additional 0.5dB which will be imperceptible. There is likely to be noise during the construction period that may impact the neighbouring UCLH. The S106 legal agreement will include an obligation within the CMP clause to ensure the applicant works with the neighbour to minimise the impact of development during the period of the extension. A condition will also be imposed to ensure that the proposed additional plant continues to operate within the Council's standard noise levels.

### Sustainability

- 6.11 A BREEAM pre-assessment report has been submitted which has been assessed against BREEAM New Construction 2014 criteria for Other Buildings (residential institutions) – Hotels. The predicted BREEAM score of 57.63% demonstrates that a robust Very Good rating will be achieved when the full assessment is undertaken. A sustainability clause within the legal agreement would require the applicant to submit a post construction and post occupation review to ensure the hotel maintains the pre-assessment 'Very good' BREEAM standard.

### Transport

- 6.12 A travel plan is already in place which is considered to be acceptable. This plan is secured via S106 legal agreement and will continue to apply when the extension is complete. It is not considered necessary that a revised travel plan is submitted for this development. As per the existing hotel it is anticipated that the majority of the additional guests and visitors that would be generated by the extension would arrive by public transport, with additional taxi trips generated by the development expected to make an imperceptible impact on the local road network.

- 6.13 The proposed extension to the hotel will not have any material impacts in terms of traffic generation, servicing or guests arriving and departing and it is not anticipated that any additional staff will be employed in the hotel to serve the additional rooms and so no additional staff movements would be generated. Two additional cycle parking spaces will be provided in accordance with Camden Planning Guidance 7 design standards for cycle parking, raising the total number of cycle spaces serving the hotel to 32. The proposal is considered to accord with Policy CS11, and Policies DP16, DP17, DP18, DP19 and DP21.
- 6.14 A Construction Management Plan is being sought as the proposed site is located on a TfL red route and to manage the construction impact on the patients in the neighbouring property.

### Planning Obligations and CIL

- 6.15 The following S106 would be sought should the proposal be consented be granted
- CMP – including a clause requiring the applicant to engage proactively with the neighbouring UCLH prior to commencing any works on site to mitigate the impact on patients and their treatment
  - Crossrail contribution -£7,099
  - Housing contribution - £248,850
  - Sustainability
- 6.16 The CIL payment would apply to the uplift in floorspace as the proposal involves an increase of more than 100 sqm. The Mayoral CIL contribution is likely to be £38,888 and THE Camden CIL is likely to be £28,440.

## **7. CONCLUSION**

- 7.1 The proposal for an extension to the hotel to create an additional 33 rooms in a highly accessible Central London location is considered to be appropriate. The applicant has demonstrated that is impractical to deliver residential units within the additional floorspace and a payment of £248,850 will be secured through a S106 clause. The proposal for a single storey roof extension is considered to be sympathetic to the host dwelling and is considered to preserve and enhance the conservation area. The detailed design, namely the windows have been revised and are considered appropriate. The six storey rear extension which would neaten the rear elevation is considered acceptable as the extension is not widely visible from public views. A S106 obligation within the CMP clause would require the applicant to engage proactively with the neighbouring UCLH prior to commencing any works on site to minimise the disruption during construction works.
- 7.2 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-
- CMP
  - Sustainability

## **8. LEGAL COMMENTS**



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

## **Appendix 1- Conditions**

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: OS Extract, 1-517-100, 1-517-101, 1-517-102, 1-517-103, 1-517-104, 1-517-105, 1-517-106, 1-517-107, 1-517-108, 1-517-109, 1-517-200, 1-517-201, 1-517-202, 1-517-203, 1\_517-00-300, 1\_517-00-301, 1\_517-00-302, 1\_517-00-110, 1\_517-00-110, 1\_517-00-111, 1\_517-00-112, 1\_517-00-113, 1\_517-00-114, 1\_517-00-115, 1\_517-00-116 Rev\_A, 1\_517-00-117, 1\_517-00-118, 1\_517-00-119, 1\_517-00-204 Rev\_A, 1\_517-00-205 Rev\_A, 1\_517-00-303 Rev\_A, 1\_517-00-304, 1\_517-00-305 Rev\_A, 1\_517-00-306.

Supporting documents: Design and Access Statement (dated October 2015), Planning statement (dated October 2015), Heritage Impact Assessment (dated August 2015), Statement on Acoustic Implications of Relocating Servicing Plant (dated July 2015), Delta Green Sustainability Report (dated July 2015).

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 5 All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle – with or without bodywork) of net power between

37kW and 560kW used on the site for the entirety of the [demolition and/construction] phase of the development hereby approved shall be required to meet Stage IIIB of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the [demolition and/construction] phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of policies CS5 (*Managing the impact of growth and development*) and CS16 (Improving Camden's health and wellbeing) of the London Borough of Camden Local Development Framework Core Strategy and policies DP32 (Air quality and Camden's Clear Zone) and DP22 (Promoting sustainable design and construction) of the London Borough of Camden Local Development Framework Development Policies.

## Appendix 2 - Informative

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.



**Application No: 2015/5709/P**

**Tune Hotel  
322-326 Gray's Inn Road & 76-78 Swinton Street  
London  
WC1X 8BU**

**Scale:  
1:1250  
Date:  
23-Mar-16**



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

# 1. DC Committee

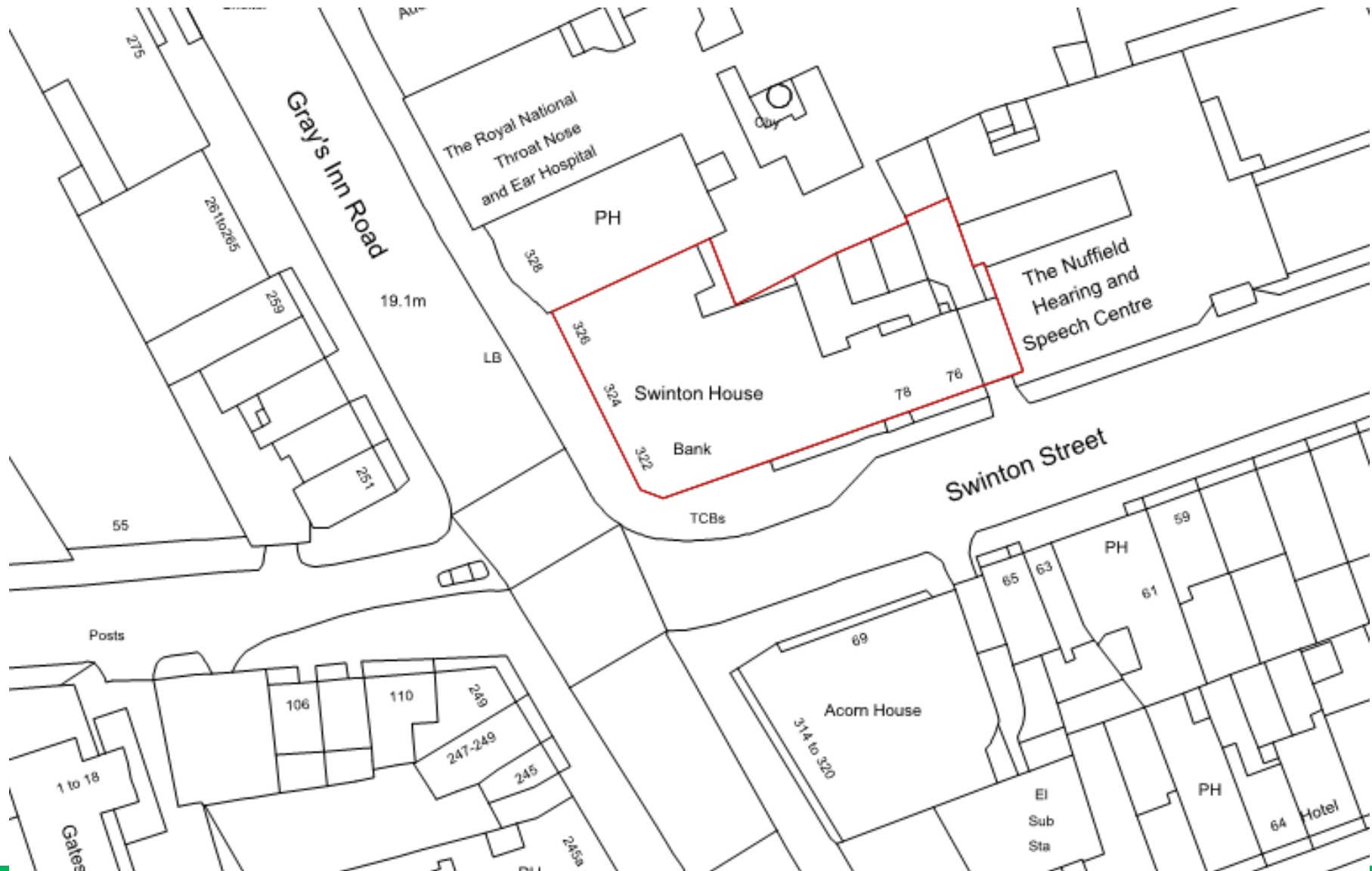
April 7<sup>th</sup> 2016

---

2015/5709/P

Tune Hotel, 76-78 Swinton  
Street

# Site location





# Existing View from Wicklow Street



# Proposed View from Wicklow Street





# Existing Front Elevation (Swinton Street)



# Proposed Front Elevation (Swinton Street)



# Existing Rear Elevation



# Proposed Rear Elevation

Emergency stair from existing seventh floor to roof level

Plant, stair and lift overrun screened from view behind mesh enclosure and recessed to the rear of new mansard extension

Lift overrun concealed behind mesh plant screen

Enclosed emergency stair core leading down to proposed fifth floor

Proposed mansard roof extension to sit behind parapet wall. Mansard clad in grey zinc to match colour of 322-326 Gray's Inn Road grey tile mansard roof.

Obscured glass windows within plant room

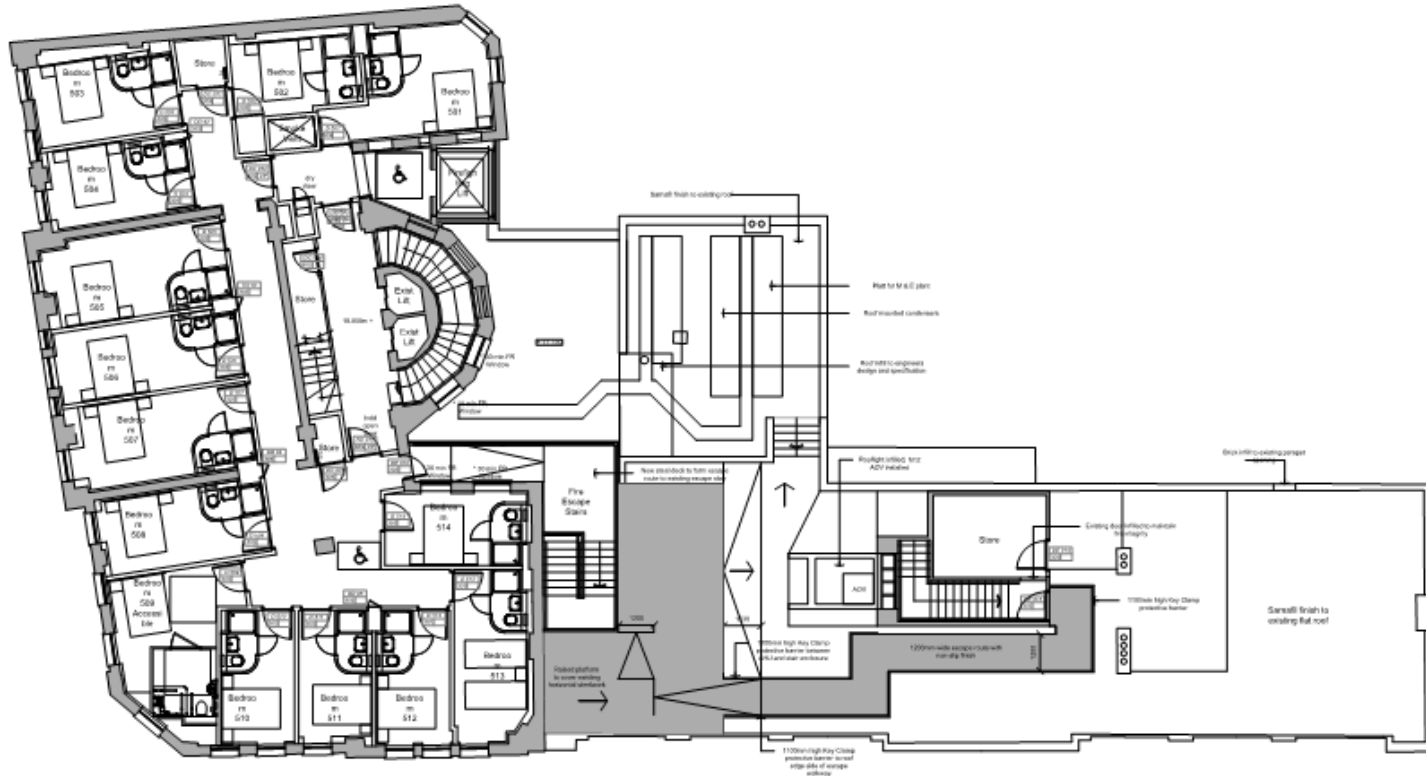
Windows to match head height of existing windows on the rear of Swinton House

Stone parapet coping to match existing

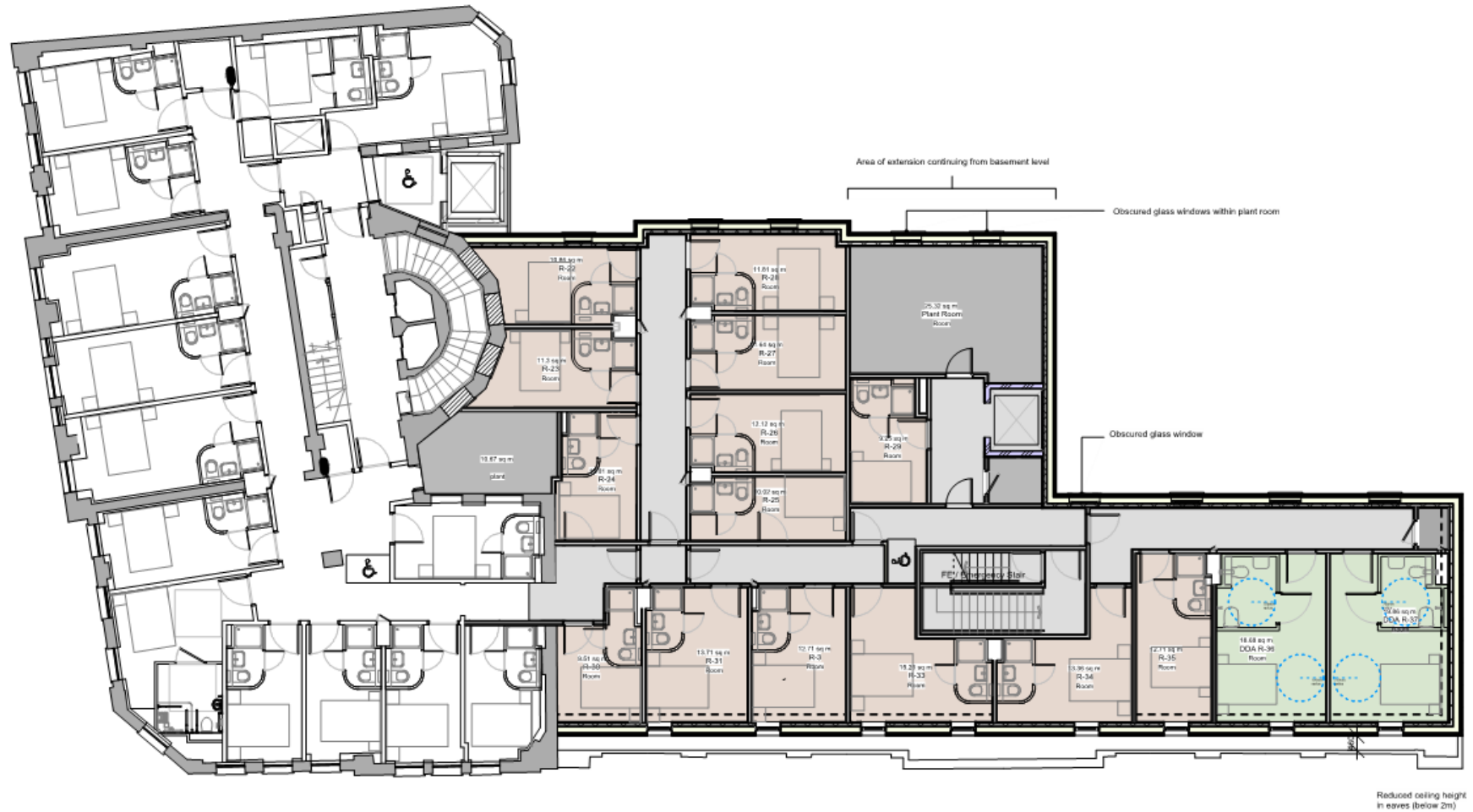
Proposed rear extension to match brick and brickwork detailing of existing adjacent building.



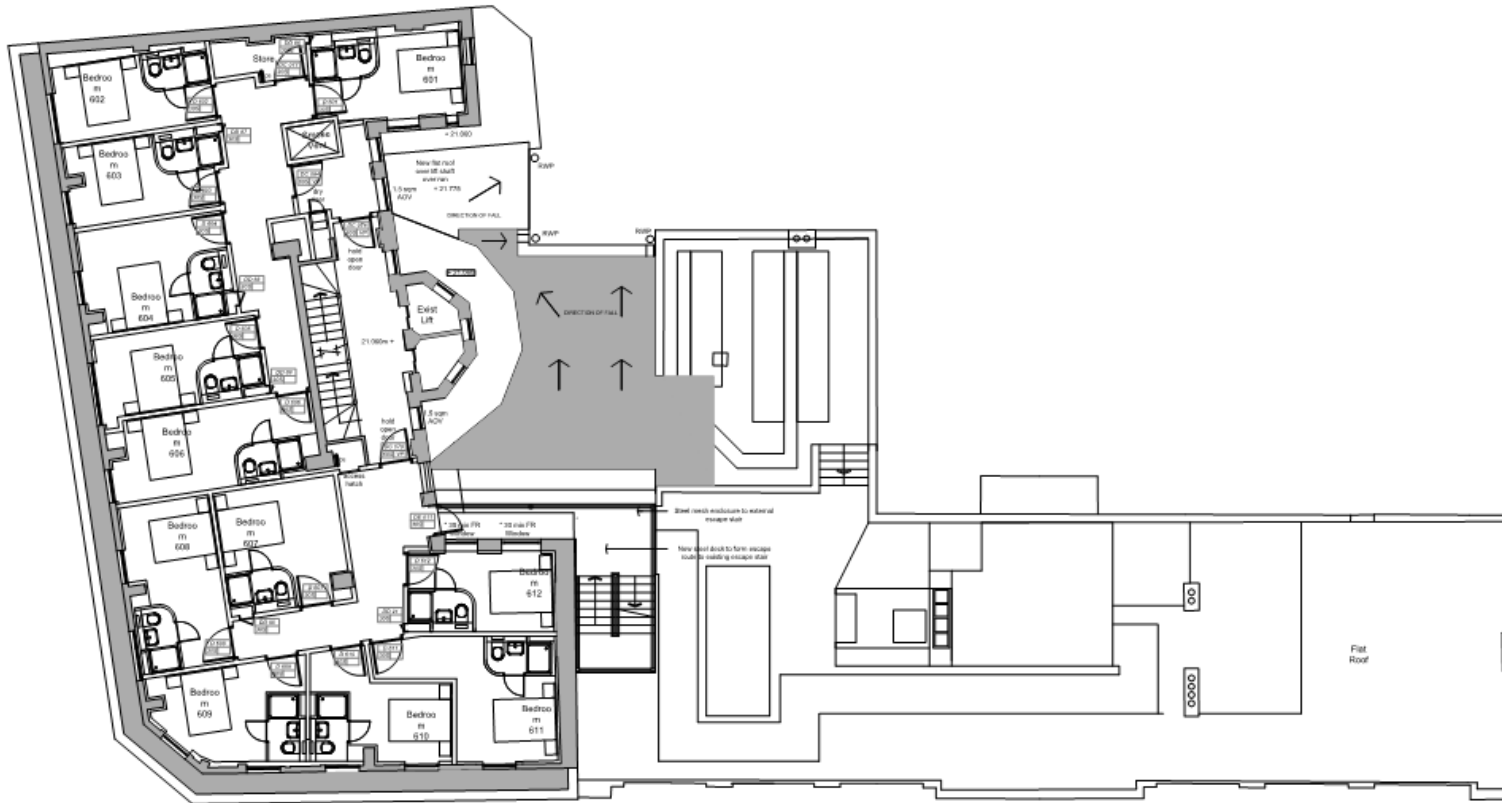
# Existing Fifth Floor Plan



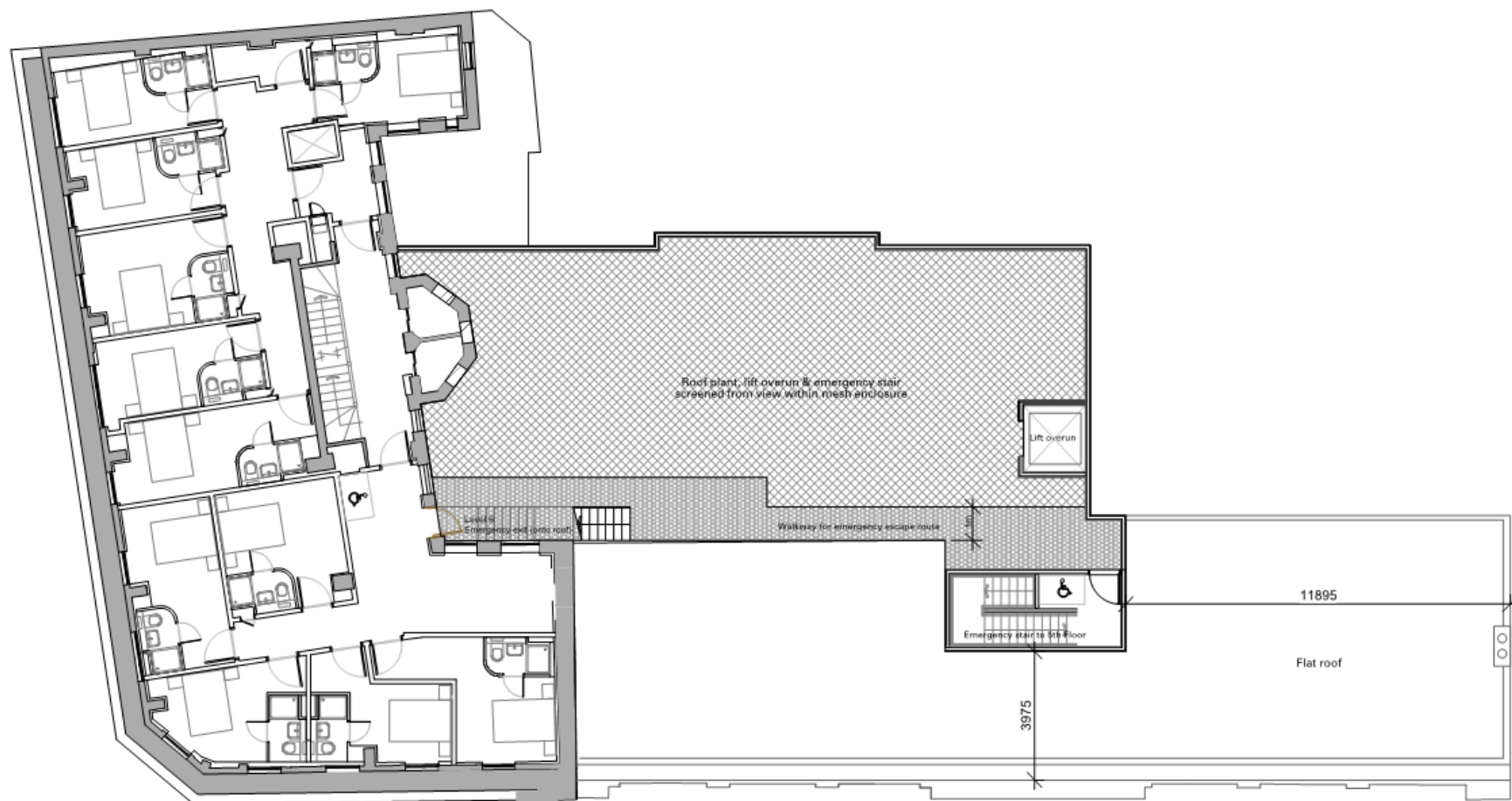
# Proposed Fifth Floor Plan



# Existing Sixth Floor Plan



# Proposed Sixth Floor Plan





# Existing View from Swinton Street



# Proposed View from Swinton Street

