

Camden Council
Planning Services
Planning Solutions team
Judd Street
London
WC1H 9JE



For attention of; Rob Tulloch

8th February 2017.

Dear Mr Tulloch,

Ref: Planning application 2016/7061/P and listed building consent application 2017/0044/L – 23-24 Montague Street, London, WC1B 5BH

I am writing on behalf of the leaseholder of the Ruskin Hotel, at 23-24 Montague Street, London, WC1B 5BH to formally object to the above applications and proposed change of use from a Hotel (Use Class C1) to 6no flats (Use Class C3) and replacement windows.

I am also, on the leaseholder's behalf asking the Council formally through this objection letter to put these two applications to the Members' Briefing meeting first and then to the full Planning Committee for a decision, rather than allow these applications to be determined under the officers' delegated powers.

I am asking for this because the applicant, through his agents Gerald Eve LLP, clearly stated in the cover letter submitted with the application, that he has received a positive response at pre – application consultation stage from officers to the proposed change of use.

It seems to my client and I that in these circumstances, and because of the much wider ramifications for the Council, the Borough, and the local economy of Bloomsbury should these applications be granted permission, then such decisions would create a serious and unacceptable precedent in ways which I will describe later. In addition I understand that if a proposal is for 5 or more residential units that it should be referred to the Members' Briefing meeting anyway.

I have also noted that the Council is dealing with another similar application for the change of use of hostel accommodation nearby at 27, Montague Street, which has been submitted by the same applicant. This demonstrates that there is now mounting pressure on hotels and hostels in this part of the Borough because of the substantial increase in property values which can occur when a property changes use to residential flats or houses from a hotel or hostel use.

If that is not the case then why are such applications for this type of change of use being submitted now?

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It is also the case that The London Plan and Camden's own development plan policies seek to resist the loss of hotels and hostels in order to avoid the very many problems that such changes of use to residential will result in should these and other applications be granted permission. I will deal with the planning policy context later.

My client has a number of objections that he wishes to make in response to these applications and they are as follows:

1. The loss of the hotel/hostel and its implications for the leaseholder's business and future livelihood

I feel that it is only right to deal head on with the impact of such a change of use on the leaseholder and his family. This hotel has been in the leaseholder's family for the past 40 years and has been his family's only source of income. Currently, two families in fact are reliant on the income the Ruskin Hotel generates. Taking into account that the leaseholder is 56 years of age he is seriously concerned that at this stage in his life, and with those two family commitments still in place he faces the potential loss of all his previous investments and potential future income from the hotel.

It should also be noted and is of significance that the Ruskin Hotel employs 16 - 18 people and the loss of employment which would be triggered by the proposed change of use is another factor in this application.

It is also the case that even if the proposed change of use to residential flats, should planning permission be granted, does not take place immediately or for several years, the ability of the applicant/freeholder to trigger such a permission at any time in the future would make it impossible for the leaseholder to invest further in the hotel because of the huge financial risk in doing so.

Although the planning system does not normally give great weight to personal circumstances in decision making, I would ask that this situation and the impact on the leaseholder's only business and source of income be taken into account by the Council in its decision, as one of a large number of factors, including those set out below.

2. The change of use proposed is contrary to The London Plan and planning policy in Camden's own development plan (Development Policies DPD).

In relation to what weight is given to planning guidance and policies at national, London wide and local levels, it is clear that there is still a presumption against the loss of hotels and visitor accommodation in the adopted 2015 London Plan.

However The London Plan not only seeks to protect existing tourist and visitor accommodation but actively seeks to create 40,000 net additional hotel bedrooms by 2026 across London.

According to source AM:PM, The Borough of Camden has a total of 17,322 hotel and hostel rooms as of November 2016, with an active pipeline that will increase total rooms by only 537, which are expected to open by year end of

2019. This is only a 3.1% increase. Closing existing hotels and hostels is counterproductive to The London Plan's strategic objective to not only retain but improve and expand the range and quality of the capital's visitor accommodation offer.

How can this strategic objective be achieved if a large number of hotels and hostels which are currently experiencing high demand all year round, are forced to close through such proposed changes of use to residential flats?

Policy DP14 in Camden's own Development Policies DPD as adopted in 2012 advises that visitor numbers to London are expected to increase, creating demand for more hotels and other overnight accommodation, especially in Central London (paragraph 14.2)

In relation to the National Planning Policy Framework (NPPF) this advises in paragraph 11 that....." planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise."

I would contend that in this context it is apparent from both The 2015 London Plan and Camden's own Development Policies DPD that the proposed change of use would be contrary to the development plan and Policy DP14 in particular because the Policy specifically confirms that....."The Council will protect existing visitor accommodation in appropriate locations". In my view this is certainly an appropriate location and one used by many thousands of tourists to stay in, in order to access The British Museum, other Bloomsbury attractions and Central London.

In order to overcome this presumption against the change of use from a Hotel to C3 residential flats, then I consider that the applicant should have demonstrated that other material circumstances should be given greater weight before any decision to grant planning permission is made by the Council.

I have read the applicant's Hotel Market Review Report dated 22nd December 2016, which is clearly an attempt to try to deal with the restrictions imposed by The London Plan and the Camden Development Policies DPD and Policy DP14 in particular, and asked the leaseholder to make comment on its contents in so far as the report makes comments on the Ruskin Hotel and future demands from potential users and guests.

The leaseholder has confirmed that the Ruskin Hotel attracts many different nationalities from all over the world and is almost always 90% full in terms of its occupation overnight. It can often have 73 guests staying overnight.

The hotel is located in a popular tourist location, and is of a reasonably high quality but also has very affordable rates for overnight accommodation. This is pivotal to maintaining an affordable choice for tourists in the Bloomsbury area and the wider Borough of Camden.

The leaseholder considers that the Hotel Market Review Report includes a number of points which he does not agree with.

The applicant refers in the Report to most hotels in the immediate vicinity of the Ruskin Hotel as being of 3 or 4-star quality and suggests that guest accommodation should be of 3-star quality to conform to market standards, as if there is no need for budget hotels in this area. By the Report's own admission that most hotels are not

budget hotels, it follows that, to allow for a mix of hotel choice there is more need to retain and even expand the number of budget hotels in this area, because most of the other hotels in this area are 3-star or above.

On the contrary, the leaseholder believes that the Ruskin Hotel's popularity and 90% occupancy is due to both its quality and affordability. Year on year he confirms that the hotel has attracted more and more visitors to stay, which in turn has helped boost the local economy in this part of Bloomsbury and the local business and restaurant community to prosper.

The applicant has portrayed in the same Report the Ruskin Hotel in too negative a manner in the leaseholder's view, asserting that a large future investment is required to fulfil the requirements of guests.

The applicant has, in the leaseholder's view used a dated picture to describe the hotel which must have been undertaken prior to a recent renovation of the hotel in 2015, in order to illustrate his case. In discussions with guests who have stayed at the hotel they have confirmed to the leaseholder that the hotel is of a sufficient standard to cater for all their needs.

The report also highlights that more budget hotels are planned to enter the hotel market shortly. In particular, they give reference to Ibis Styles in Piccadilly Circus.

That hotel and that location are both too far away to benefit the local Bloomsbury business and its restaurant community not to mention that it is in a different Borough.

As a reference the Report has also used the Ibis Styles Kensington as a model that is highly modernised and suggested it as what visitors now require.

Yet when you compare the actual customer feedback on the Ruskin Hotel on Booking.com it clearly shows that the hotel surpasses such a fully modernised hotel on every assessed aspect of the guests' experience (See Appendix One to this letter).

In the summary of the Report the applicant concludes that the absence of en-suite rooms is a key issue for the Ruskin Hotel in being able to compete directly with other hotels. However the leaseholder would point to actual customer reviews of his hotel that rate The Ruskin Hotel more highly than the ones that The Ruskin Hotel is being compared to in the Report which are supposedly of much higher quality and star rating.

It seems to us that surely before the Council makes a decision in such a crucial area for this hotel and others, it should commission its own independent hotel market report to review the assertions and data used in the applicant's report. It would not be right to rely solely on that submitted Report to make a decision.

3. Loss of the hotel / hostel use and the precedent that this would set for many other proposals for change of use from other hotels to dwellings and the consequent impact on local businesses, shops and the income from hotel users in this part of the Borough.

These two applications, if approved are likely to establish a clear precedent for such changes of use to take place in the future, and my client considers that this would be to the detriment not only to the hotel offer in this part of the Borough but that the change of use would seriously harm the financial

viability of local businesses in this community by way of a significant reduction in spending by guests who would have been forced to look elsewhere for accommodation in this lower price range.

My client has assessed through his own hotel occupancy and records of bed night stay at the hotel in a given year that around 20,000 bed night stays per annum take place at the Ruskin Hotel alone.

Considering a conservative £20 a head per day is spent by each guest of the Ruskin Hotel (assuming the following as a possible daily spend of a guest (a cup of coffee £3.50, a pint of beer/drink £4.50, a sandwich £4.50, a takeaway meal £8.00) in the immediate area for shopping and use of nearby restaurants and local public houses, this comes to a staggering £400,000 total potentially spent in the Bloomsbury area in any year from guests of the Ruskin Hotel alone.

The Ruskin Hotel can attract up to 73 visitors per night. Based on an occupancy rate of 90% this equates to a huge loss of visitors and spending to the area if this application succeeds and the hotel is changed to six residential flats. I do not consider that the future residents of these six flats, who might be investors from overseas and who will rarely live here would make up this lost income to the economy of the Borough and spending locally.

Feedback from the Hotel's guests is testimony to the fact that this affordable hotel accommodation is vital for the area as most of the immediate hotels in the area tend to be of higher grade with noticeably higher costs to the visitors. The applicant's Report does not conflict with this view.

I would contend therefore that if this type of accommodation for visitors is removed from the hotel market in the Borough and in Bloomsbury in particular this would, in conjunction with the proposed closure of other hostels such as at 27 Montague Street, be very detrimental to the economy of this area and the wider economy of the Borough.

Such changes of use will also result in the loss of employment in this Hotel for up to 18 staff, and if repeated elsewhere such changes of use would add further to that loss of employment in the Hotel sector, especially part time jobs which many poorly paid residents of the Borough are reliant on.

In fact when taken in conjunction with the proposed change of use of 27, Montague Street to flats the leaseholder has advised me that the combined loss of visitors would potentially be up to 189 beds per night and that this could translate to over £1 m loss of trade to local shops and restaurants annually.

4. On - street car parking – The proposed change of use to 6no flats would add further demands for on - street parking permits by the new residents

Parking is already very restricted in this area and further resident parking pressure from future residents of these six flats is not beneficial to the local community or nearby traffic conditions. Air pollution arising from cars and other vehicles waiting in long traffic jams in this area can cause significant levels of air pollution, which The Mayor and the Council are rightly concerned about and taking action on.

The Ruskin Hotel does not create such pressure for more on – street car parking since almost all of its guests arrive by foot, or by public transport or taxi.

At the very least the Council should be seeking a Section 106 Planning Agreement to be entered into with the applicant to make this development a 'car free' scheme and to preclude future occupants from applying for on street car parking permits, before any such planning permissions are granted.

5. Not truly sustainable development - no affordable housing provision offered and no construction/building skills training or local employment offered

The Council needs to be mindful that these are one of the first applications where such a change of use from C1 Hotels to C3 Residential flats is proposed, along with that at 27, Montague Street and they are likely to be the forerunner of others, if these are successfully granted planning permission and listed building consent.

However they are piecemeal applications, and if they are the forerunner to others should not the Council urgently seek to change its planning policies in the new Local Plan or through an interim Policy statement to try to secure some contribution towards affordable housing elsewhere in the Borough from this and other similar proposals?

Given the potential for a large number of similar such proposals to come forward and that sustainable development is at the heart of adopted national and local planning policy frameworks, I consider that it would be right for the Council to try to secure such a contribution from these applications and others through these applications.

I am aware that the government has established a threshold of 10 units or 1,000 square metres of residential development as the threshold after which affordable housing provision would be required, in Planning Practice Guidance (PPG).

However there have been at least two recent appeal cases where appeal Inspectors have applied a lower threshold despite that national level, and given more weight to the adopted Local Plan in those areas.

The adopted Core Strategy confirms in paragraph 6.22 that given the scale of affordable housing need in the borough, the Council will seek the maximum reasonable amount of affordable housing on development sites in accordance with the London Plan. For development proposals, Development Policy DP3 sets out site-specific considerations for assessing whether an affordable housing contribution is appropriate, and what form it should take.

It seems to me that since nos 23-24, and 27, Montague Street are so close to one another and that the same applicant is involved, it would be consistent with Policy DP3 to treat them as cumulatively. A total of 9no apartment units are proposed in total between the two hostels/hostels applications for change of use.

Policy DP3 states that....''The Council will seek to ensure that where two-or-more development sites are adjacent and related, the appropriate affordable housing contribution is comprehensively assessed for all the sites together. Where development sites are split or phased, the Council will seek to use legal agreements to ensure that all parts or phases make an appropriate affordable housing contribution''.

I would therefore ask the Council to consider the applications at both 23-24, Montague Street and at 27 Montague Street as being split sites but within the same freehold ownership and made by the same applicant, and that in the context of recent appeal decisions the local planning authority should require some provision to be made for affordable housing either on site or by way of a financial contribution.

The applicant has helpfully provided a Sustainability Statement with his applications which focus on energy and water efficiency and green design and construction. This is very commendable. However that Statement is nevertheless deficient in two respects. Firstly, it makes no mention of affordable housing in terms of achieving more sustainable development in the future here. Affordable housing is a key component of sustainable development as defined in various national and local planning guidance and policy statements.

Secondly, employment and skills training are also considered to also be essential planks underpinning a more sustainable development strategy at national and local level when considering proposed new developments through the planning system.

I therefore consider that before either of these applications are ever approved, that a Section 106 Planning Agreement should be entered into with the applicant in order to secure a financial contribution towards affordable housing elsewhere in the Borough in accord with Policy DP3, and also a contribution towards training of construction workers in the building trades and skills, and the use of at least 40% of the building workforce in this development to be living in local area within a limited radius of the sites.

6. Stacking of flats arrangements internally / Lifetime Homes

I have reviewed the proposed plans and layouts for the 6no flats and would ask the officers to check the stacking arrangements between the floors. I consider that where bedrooms are proposed above kitchen / dining rooms as proposed between the first and second floors, because those floors are in potentially different ownerships, there could be a significant problem of noise and disturbance being caused to those on the first floor bedrooms from the use of the kitchen / dining rooms above, particularly late at night or in the early mornings.

This is not ideal, and therefore the stacking arrangements should be reviewed and altered before any planning permission is granted.

It should also be noted that the applicant has accepted in the cover letter with the applications dated 22nd December 2016, that the proposed new flats will not meet all

the requirements of Lifetime Homes or provide adequate wheel chair housing standards. He has asked that these requirements be set aside because the building is listed and that this heritage constraint needs to be taken into account and given more weight.

If this was the only issue involved here, I would accept that greater weight should be given to the listed status of the building as an important heritage asset, however this is only one of a number of substantive objections to these proposals and being more flexible in relation to such standards does not override the very strong presumption against the change of use proposed.

In conclusion therefore, I would ask on behalf of the leaseholder that the Council refuses these two applications as being contrary to The London Plan and the provisions of Camden's own Development Policies DPD, and that significant harm will result, in a number of ways as described above, if planning permission and the related listed building consent application are both approved.

Yours Sincerely,

A black rectangular box redacting the signature of Chris Watts.

Chris Watts MRTPI DMS

Cc: Mr K. Malayeri, Salero Ltd

APPENDIX ONE

Search

Destination/hotel name:
London

Check-in date

Check-out date

Rooms: 1 Adults: 2 Children: 0

Are you travelling for work?
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Show deals

Ruskin Hotel - B&B

23/24 Montague Street, Russell Square, Camden, London, WC1B 5BH, United Kingdom

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All reviewers 2245

Families 484

Couples 495

Groups of friends 351

Solo travellers 915

Business travellers 497

Score breakdown

Cleanliness8.3

Comfort7.3

Location9.3

Facilities7

Staff8.7

Value for money8.1

Free WIFI6.9

Review score

8.1

Based on 2245 reviews

Previous page

Showing 1 - 25 (Total 2245)

Next page

Chris

Solo traveller

United Kingdom

today

9.6

"Great value for money."

Staff were very friendly and informative. Facilities were top notch.

The duvet bedding was quite thin.

Helpful

Show map

Booking.com

UK > Greater London > London > Kensington and Chelsea > £

Back to search results

Search

Destination/hotel name:
London

Check-in date
Check-in date

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Check-out date

Rooms
Adults
Children
120

Are you travelling for work?
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Available rooms

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Back to hotel

ibis Styles London Kensington

15-25 Hogarth Road, Earls Court, Kensington, Kensington & Chelsea, Kensington and Chelsea, London, SW5 0QJ, United Kingdom

Guests' favourite area

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All reviewers 2515

Families 387

Couples 1214

Groups of friends 391

Solo travellers 523

Business travellers 310

Score breakdown

Cleanliness 8

Comfort 6.9

Location 8.7

Facilities 7

Staff 8

Value for money 7.1

Free WiFi 6.7

Review score

7.6

Based on 2515 reviews

Previous page

Showing 1 - 25 (Total 2515)

Next page

Alan

Solo traveller

United Kingdom

today

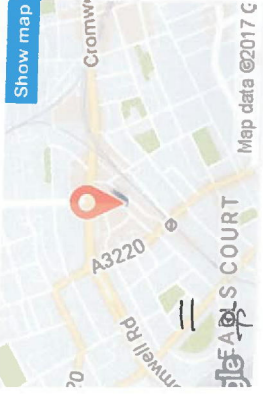
5

"Never ever slept in such a small hotel room. It was a joke."

Good service from reception staff.

This was the best equipped cupboard I've ever slept in. Try Room 208, I won't be back.

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