

# 23-24 Montague Street 2016/7061/P & 2017/0044/L



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

1 Front elevation



<b>Delegated Report (Members' Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	16/02/2017
				<b>Consultation Expiry Date:</b>	16/02/2017
<b>Officer</b>			<b>Application Number(s)</b>		
Rob Tulloch			2016/7061/P 2017/0044/L		
<b>Application Address</b>			<b>Drawing Numbers</b>		
23-24 Montague Street London WC1B 5BH			See decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
		Catherine Bond			
<b>Proposal(s)</b>					
<p>(1) Change of use from hotel (Class C1) to 6x flats (Class C3) and replacement windows to front elevation</p> <p>(2) Replacement windows to front elevation and associated internal alterations in association with change of use from hotel (Class C1) to 6x flats (Class C3)</p>					
<b>Recommendation(s):</b>		<p><b>Grant Conditional Planning Permission subject to a Section 106 Agreement</b></p> <p><b>Grant Listed Building Consent</b></p>			
<b>Application Type:</b>		<p><b>Full Planning Application</b> <b>Listed Building Consent</b></p>			
<b>Conditions:</b>		Refer to Draft Decision Notice			
<b>Informatives:</b>					
<b>Consultations</b>					
<b>Adjoining Occupiers:</b>	No. notified	<b>0</b>	No. of responses	<b>13</b>	No. of objections
					<b>11</b>
<b>Summary of consultation responses:</b>	<p>Site notice 26/01/2017 – 16/02/2017 Press advert 13/01/2017 – 03/02/2017</p> <p>4 objections were received from individuals 22a Montague Street, 100 Southampton Row, and objectors from Milton Keynes and the USA:</p> <ul style="list-style-type: none"> <li>Affordable and personal service, would not be able to find a similarly affordable hotel in the area</li> <li>Loss of hotel would be harmful to the local economy</li> <li>Disturbance from construction</li> <li>Add to parking stress</li> <li>Set a precedent</li> <li>Affect the local economy</li> </ul> <p>Officer response: <i>24% of the hotel rooms within a 1 mile radius are 2 star/budget hotels. The loss of a small hotel is not considered to have a</i></p>				

*significant impact on the local economy (see section2). All planning applications are decided on their own merits. The proposed flats would be car-free. Limited construction would be required.*

6 objections were received from local businesses

Fish Plaice 32 Museum Street; Amarcord Museum Restaurant 28 Museum Street; Il Fornello Restaurant 150 Southampton Row, and other businesses at 110 Southampton Row, 107 Southampton Row and 40a Museum Street

- Contrary to policy DP14
- Would harm local businesses and be bad for tourism
- Would set a precedent
- Add to parking stress

Officer response: *The loss of visitor accommodation is addressed in section 2*

The leaseholder of the application site objects

- The leaseholder has operated the hotel for 40 years and the hotel is his only source of income, he has invested in the hotel and would lose future income.
- If permission were granted it would be impossible for the leaseholder to invest further in the hotel
- Loss of 16-18 staff
- Loss of hotel contrary to the London Plan which seeks to create 40,000 net additional hotel rooms by 2036 across London. Camden has 17,322 hotel rooms as of November 2016 with only 537 in the pipeline
- Policy DP14 states that visitor numbers are expected to increase creating more demand for hotels
- Existing hotel is almost always 90% full and of high quality and has affordable rates
- As most hotels in the area are 3 star and above there is a greater need for budget hotels in the area
- The hotel doesn't need significant future investment as it was renovated in 2015
- The new budget hotels referred to by the applicant are too far away to benefit local Bloomsbury businesses and in a different borough
- High level of customer satisfaction
- This application (and no. 27) would set a precedent which would harm the viability of local businesses
- The hotel provides 20,000 bed night stays a year which equates to £400,000 potentially spent in the Bloomsbury area - residents of the flats would spend considerably less
- When assessed with no. 27 which provides up to 189 beds per night the loss to the local economy could be over £1 million
- Proposal would add to parking stress
- Other proposals are likely to come in for new residential so there should be an affordable housing contribution, as no. 27 is the same applicant the proposals should be treated cumulatively in line with DP3.
- Proposal should contribute to training and skills contribution
- Stacking of flats with kitchens above bedrooms could be harmful to

	<p>the amenity of future occupiers</p> <ul style="list-style-type: none"> <li>• Proposal would fail to meet Lifetime Homes standards and wheelchair housing standards</li> </ul> <p>Officer response: <i>The proposal would result in a loss of 34 hotel rooms and is not considered to be contrary to the London Plan which specifically seeks to protect strategically important hotel capacity. The minimal loss, compared to new hotel provision in the borough and across London, is not considered to affect the London Plan's aim of providing 40,000 additional rooms nor have a significant impact on the local economy. The proposal would not trigger contributions for affordable housing, or employment and training. Personal circumstances are not a planning consideration (see section 2).</i></p> <p>2 letters of support were received from:  <u>École Jeannine Manuel</u> - the proposal would provide much needed residential accommodation, as a local school we witness difficulties families have trying to find suitable housing in the area  <u>Huford Salvi Carr</u> – the proposal would bring much needed housing to the area and bring the listed buildings back to their original use</p>
<p><b>CAAC/Local group comments:</b></p>	<p>Bloomsbury CAAC were notified but did not respond</p> <p>Gower Street Hotel Association object to the change of use</p>

### Site Description

The application relates to nos. 23-24 Montague Street which form part of a terrace of 18 houses c1803-6 on the east side of Montague Street. The sites lies within sub-area 6 of the Bloomsbury Conservation Area and the terrace is listed Grade II. Montague Street links the south-east corner of Russell Square to Great Russell Street. The terrace on the west side is a continuation of one facing Russell Square, with several buildings converted to office use for the British Museum. On the east side, properties in the past were laterally converted to create sizeable hotels, which remain a predominant use around Russell Square. On both sides of the street, a number of properties remain in residential use.

### Relevant History

#### 23 Montague Street

6366 Change of use of basement, ground and first floors to office purposes with maisonettes on the upper two floors. Refused 24/04/1969

#### 24 Montague Street

6367 Change of use of basement, ground and first floors to office purposes with maisonettes on the upper two floors. Refused 24/04/1969

#### 27 Montague Street

2016/7062/P & 2017/0045/L Change of use from hostel (sui generis) to 3x flats and associated internal alterations. Referred to Members' Briefing Panel

### Loss of hotels

#### Avalon Hotel, 46 - 47 Cartwright Gardens

2007/2140/P Change of use form hotel (Class C1) to form two dwelling houses (Class C3). Granted 04/04/2008

### 18 - 20 Frognal

2014/5454/P Change of use from hotel (Class C1) to residential (Class C3) to provide 13 flats (4 x 1 bed, 7 x 2 bed, 2 x 3 bed), erection of single storey first floor rear extension, rear dormer roof extension, side dormer roof extension, and alterations and additions to doors and fenestration on side and rear elevations. Provisionally granted subject to a Section 106 Agreement

### 34-35 Store Street

2010/5784/P Change of use of the first, second and third floors from an 18-room hotel to 2 x 1 bedroom flats and 2 x two bedroom flats with associated first floor rear extensions and conversion of existing hotel floorspace at ground floor level to a retail unit. Granted 04/07/2011

### 1 Birkenhead Street

2015/6470/P Change of use from hotel (Class C1) to offices (Class B1) including alterations to fenestration and doors. Granted 13/04/2016

## **Relevant policies**

### **National Planning Policy Framework 2012**

### **The London Plan 2016**

### **LDF Core Strategy and policies**

CS1 (Distribution of growth)  
CS2 (Growth areas)  
CS5 (Managing the impact of growth and development)  
CS6 (Providing quality homes)  
CS8 (Promoting a successful and inclusive Camden economy)  
CS9 (Achieving a successful Central London)  
CS11 (Promoting sustainable and efficient travel)  
CS13 (Tackling climate change and promoting higher environmental standards)  
CS14 (Promoting high quality places and conserving our heritage)  
CS19 (Developing and monitoring the Core Strategy)

DP2 (Making full use of Camden's capacity for housing)  
DP3 (Contributions to the supply of affordable housing)  
DP5 (Homes of different sizes)  
DP6 (Lifetime homes and wheelchair homes)  
DP14 (Tourism development and visitor accommodation)  
DP17 (Walking, cycling and public transport)  
DP18 (Parking standards and limiting the availability of car parking)  
DP22 (Promoting sustainable design and construction)  
DP24 (Securing high quality design)  
DP25 (Conserving Camden's heritage)  
DP26 (Managing the impact of development on occupiers and neighbours)

### **Draft Local Plan 2016**

H1 maximising housing supply  
H4 Maximising the supply of affordable housing  
H6 Housing choice and mix  
H7 Large and small homes  
E2 Employment premises and sites  
E3 Tourism

- A1 Managing the impact of development
- CC1 Climate change mitigation
- CC2 Adapting to climate change
- D1 Design
- D2 Heritage
- T1 Prioritising walking, cycling and public transport
- T2 Car-free development and limiting the availability of parking

*The Camden Local Plan was formally submitted to the government for public examination in summer 2016. Following the public hearings, the Council is consulting on Main Modifications to the Local Plan. Following the Inspector's report into the examination, which is expected in early-mid April 2017, policies in the Local Plan should be given substantial weight. Adoption of the Local Plan by the Council is anticipated in June or July. At that point the Local Plan will become a formal part of Camden's development plan, fully superseding the Core Strategy and Development Policies, and having full weight in planning decisions.*

### **Supplementary Planning Guidance**

- CPG1 Design (2015)
- CPG2 Housing (2016)
- CPG3 Sustainability (2016)
- CPG6 Amenity (2011)
- CPG7 Transport (2011)

### **Bloomsbury Conservation Area Statement/Bloomsbury Conservation Area Appraisal & Management Strategy (2011)**

## **Assessment**

### **1 Proposal**

1.1 Consent is sought for the conversion of the 34 room Ruskin Hotel to 6x flats and associated internal alterations. The principal considerations material to the determination of this application are as follows:

- Land use
- Residential development standards
- Amenity
- Transport
- Planning obligations
- CIL

### **2 Land use**

#### Loss of visitor accommodation

2.1 Policy 4.5 of the London Plan recognises the important role visitors play in the city's economy and expects boroughs to support the visitor economy with the aim of providing 40,000 net additional hotel rooms by 2036 (4.5A(b)). It does not unilaterally oppose the loss of visitor accommodation, only stating that developments should "not result in the loss of strategically important hotel capacity" (4.5B(c)). This is defined as typically being at least 20,000sqm in central London. Camden's Core Strategy policy CS8 (Promoting a successful and inclusive Camden economy) recognises this, and whilst Development Policy DP14 (Tourism development and visitor accommodation) largely deals with the provision of new visitor accommodation, it does state that the Council will "protect existing visitor accommodation in

appropriate locations” (14.5), a sentiment repeated in policy E3 (Tourism) of the draft Local Plan.

- 2.2 The aforementioned policies are somewhat limited in their approach to the protection of visitor accommodation and do not offer any indication as to when a change of use may be acceptable, other than the London Plan specifically referring to strategically important hotel capacity, however from the limited planning history it appears that a change of use may be acceptable with sufficient justification.
- 2.3 There have been relatively few permissions in the last 10 years for changes of use in the borough from hotel to residential (see history section). Store Street was approved as it was recognised to be in a poor state of repair and refurbishment would have been too costly. 18-20 Frognal was considered acceptable as it was not in a strategic location and its modest size (30 rooms) was not considered to make a significant contribution to the supply of visitor accommodation. Birkenhead Street was considered to be unviable, and recent approvals for extensions to existing hotels, and conversions to new hotel uses, in the area were considered to compensate for loss of a relatively small (7 rooms) hotel.
- 2.4 A supporting statement has been submitted which assesses the current hotel provision: it provides 34 rooms, 8 of which have en-suite facilities, and 60 beds. There are five shared showers and 6 WC's with ancillary features including a breakfast room and lounge and a guest lift. It has a high average occupancy (90%) against a relatively low daily rate (£75-£95 per night for a double room); and the applicant considers the hotel to have a poor specification compared to competitive bed and breakfasts in the local market offering poor quality 2-star accommodation. The statement notes that the majority of existing supply in the area is 3 or 4 star, and suggests it would require significant investment to bring it up to a 3-star level which would be expected in this location. The statement also states that replacement of bedrooms and en-suite facilities would typically range between £15,000 and £20,000 per room (£510,000 - £680,000 in total). It further notes that the majority of competitive hotels provide full inventories of en-suite bedrooms and it is difficult for the hotel to be directly competitive as only a quarter of the rooms are en-suite, suggesting a future occupier may seek to reduce room count to provide more en-suite facilities. Any refurbishment is somewhat limited by the buildings' listed status. The London Plan states that the quality of visitor accommodation is vital to encouraging repeat visitors.
- 2.5 The statement has also looked at local hotel provision, reporting that there are 208 hotels with 25,305 rooms within a 1 mile radius. 29% of these are 4-star and 24% are 2-star (as of 1<sup>st</sup> November 2016 using AM:PM Hotel data). 128 of these hotels (15,668 rooms) are in Camden, and given the high volume of budget hotels the statement considers that the loss of 34 rooms would not have a material impact as 34 rooms would only constitute 0.13% of total hotel room supply within a 1 mile radius, or 0.22% of rooms in Camden within a 1 mile radius. The statement also points out that there are a further 66 hotels in the pipeline within a 1 mile radius (5,932 rooms) with 22 of these (973 rooms) in Camden which will increase competitiveness in the local market, particularly as half of these would be 2-star. The most significant schemes being the LDN Hotel (166 rooms - speculative), Hub London Goodge Street (179 rooms due 2017) and the Standard Hotel (270 rooms due 2018)
- 2.6 The Bedford Estates, the freeholder and applicant, have 27 hotels (1,074 rooms) in the borough, mainly around Gower Street and Bedford Place, many of which, like the application site, are poor quality and lacking in investment and suffer the same constraints of being small listed town houses. More recent AM:PM data from March 2017 indicates that there are 157 hotels across the whole of Camden (17,428 rooms), the second highest in London, with 35 hotels in the pipeline (1,606 rooms). Of the pipeline provision 7 hotels (607 rooms) are due in



the next 3 years with 25 hotels (944 rooms) speculative and 3 (55 rooms) on hold.

- 2.7 The data also shows that the overall number of additional hotel rooms provided in London has been strong with 7,000 in 2012, 1,900 in 2013, 5,500 in 2014, and 3,200 in 2015. Overall data from another database (the Hotel Intelligence Hub) indicates there are approximately 1,550 hotels in London with 140,000 rooms (June 2016) and a further 18,000 rooms expected in the three years up to 2019. This does not include any increase in hostel provision which has increased 26% in the last 5 years.
- 2.8 As mentioned, the London Plan seeks to achieve 40,000 net additional hotel rooms by 2036 and specifically states that developments should not result in the loss of strategically important hotel capacity (typically at least 20,000sqm in central London). The figure of 40,000 net additional hotel rooms is derived from the GLA's evidence base (GLA Working Paper 58, Understanding the demand for and supply of visitor accommodation in London to 2036 August 2013) which gives a best estimate of an annual need for just under 1,800 net rooms between 2013 and 2036, 37% of which is expected to be met in Westminster, City of London and Camden.
- 2.9 Using all the available data Camden has 35 hotels (1,606 rooms) in the pipeline with at least 7 of these (607 rooms) expected to be delivered in the next 3 years. Across the city as a whole, visitor accommodation has increased by 17,600 rooms over the period 2012-2015 (an average of 4,400 rooms per annum) with a further 18,000 rooms (6,000 per annum) expected from 2017-2019. Thus, the target is comfortably on course for being met before 2036, potentially by 2023 based on the figures from 2013-2019, and the loss of a small number of hotel rooms would not have a significant impact on hotel provision in the borough or in the city as a whole.
- 2.10 The loss of hotel provision in this location is not considered to set a precedent, as all cases are assessed on their own merits. Additionally, the Bedford Estates has compiled a hotel strategy (which is not a public document at this time and does not form part of their submission) which identifies underinvestment in its current hotel stock and an overprovision of 2 and 3 star accommodation when compared to the central London average. The strategy is also considering the potential for a smaller number of larger hotels which, in the medium term, would maintain the overall level of visitor accommodation provision by the estate whilst enhancing its quality.

#### Loss of employment floorspace and Impact on local economy

- 2.11 Policy CS8 (Promoting a successful and inclusive Camden economy) sets out the Council's overall strategy for Camden's economy. It recognises the contribution the visitor economy makes, but also notes that relatively few jobs (<10%) are filled by Camden residents. Development Policy DP13 (Employment premises and sites) seeks to retain land and buildings that are suitable for a continued business use, but makes no reference to tourism, and specifically defines business and employment as B1, B2, B8 and similar sui generis uses, not hotel use. Similarly draft Local Plan policy E1 (Economic development) seeks to secure a strong economy and shares the same definition of business and employment. Draft policy E3 (Tourism) mainly deals with the provision of new tourism development, as the loss of hotels is a relatively rare occurrence, but also states that the Council will protect visitor accommodation in appropriate locations such as central London.
- 2.12 Camden Planning Guidance (CPG8 Planning Obligations) sets out the situations when employment and business support contributions can normally be sought: any commercial use where a development could offer local employment opportunities (i.e. greater than 1,000sqm of floorspace or 50 jobs); development in a location where there are identified employment and

training issues; major developments which result in the loss of existing employment opportunities; and major infrastructure or development projects. The proposal does not meet any of these criteria.

- 2.13 Training and employment contributions can be sought where the loss of employment space is 500sqm or more, but as mentioned above “employment” is defined as referring to hotel use. CPG8 also gives guidance as to when employment, local procurement and apprenticeships, can be secured during the construction process, but this only applies to major developments (more than 1,000sqm) that provide new employment floorspace.
- 2.14 The loss of a hotel would have a limited impact on the local economy, however the figures proposed by objectors are unsubstantiated. Guests at lower quality hotels are more price sensitive, and tourists travel around London and would not normally confine their spending to the local area.
- 2.15 The fact that the hotel is the leaseholder’s sole source of income is not a material planning concern and planning practice guidance states that the protection of purely private interests are not material considerations. Furthermore, such issues must be weighed against the provision of new permanent residential accommodation which is the priority land use of the development plan and the London Plan, and the NPPF states that Council’s should “normally approve planning applications for change to a residential use and any associated development from commercial buildings where there is an identified need for additional housing in the area, provided that there are not strong economic reasons why such development would be inappropriate” (para 51).

#### New residential use

- 2.16 Policy DP2 (Making full use of Camden’s capacity for housing) seeks to maximise the supply of additional homes in the borough, and draft policy H1 (Maximising housing supply) aims for an additional 11,130 self-contained homes from 2015/16 – 2030/31.
- 2.17 The Dwelling Size Priorities Table within policy DP5 (Homes of different sizes) sets out Camden’s priorities in relation to dwelling sizes, for market housing 2-bedroom dwellings are a very high priority, 3-bedroom dwellings a medium priority and 1-bedroom dwellings a low priority. Draft policy H7 (Large and small homes) reclassifies 2 and 3-bedroom market dwellings as high priority.
- 2.18 The scheme comprises 2x 1-bed flats, 1x 2-bed maisonette, and 3x 3-bed maisonettes. Whilst this is below the target of 40% 2-bed units required by Policy DP5, the policy acknowledges that it will not be appropriate for every development to meet the aims set out in the Priorities Table, and the mix is largely constrained by the constraints of the listed buildings’ plan form. However the proposal does provide a mix of large and small units, and the 40% target will be omitted from the local Plan in favour of prioritising 2 and 3 bed units.
- 2.19 Policy DP3 (Contributions to the supply of affordable housing) advises that developments with the capacity for 10 or more units, which is considered to be floorspace of more than 1,000sqm should make a contribution. The proposal would not trigger an affordable housing contribution as the floorspace is under 1,000sqm and only 6x units are being provided, however draft Policy H4 (Maximising the supply of affordable housing) will seek a contribution from all developments that include housing and provide one or more additional homes.
- 2.20 Policy DP3 notes that sometimes two or more adjacent and related sites come forward for housing development in succession, for example where an existing user relocates in phases or

a site is sold in parcels. In these situations, the Council will encourage comprehensive proposals for development of all related sites, and a single assessment of the appropriate affordable housing contribution across all components. Similar considerations will apply where a non-residential building or range of buildings comes forward for housing conversion floor-by-floor or wing-by-wing. It is not considered to be the case here as the sites are separate. They have the same freeholder, but separate leaseholders and are not linked in any way other than having the same freeholder. They are not intended to become a single planning unit or site, and nor is either proposal dependent on the other in any way.

### **3 Heritage impact**

- 3.1 The site forms part of a terrace of 18 houses on the east side of Montague Street and lies within sub-area 6 of the Bloomsbury Conservation Area. The terrace is listed Grade II dating from c1803-6 constructed in yellow stock bricks with stucco ground floors.
- 3.2 Nos 23 and 24 have been laterally converted at a number of levels to create long corridors serving the bedrooms, reception areas, dining room and associated spaces. However, both properties generally retain their original plan form and staircases, although these have been broken up in a generally reversible manner to create modestly sized bedrooms and bathrooms. The exteriors of the properties have not undergone major changes in the past and retain the majority of original features.
- 3.3 The proposal is to reconfigure and fully reinstate the party wall between Nos 23 and 24 Montague Street, which in listed building terms is beneficial. The proposal also includes the subdivision of each property into three residential units of slightly differing configurations, but both with a maisonette spanning upper and lower ground floor levels, a flat at first-floor level and a maisonette at second- and third-floor levels. This arrangement is generally welcomed as it will help to reinstate some of the original spaces in the listed buildings, including principal rooms, and where possible historic features will be restored or reinstated, and existing service runs reused. Although there will continue to be subdivided spaces to provide bathrooms and other facilities, the configuration will be more streamlined than the existing, allowing for the historic plan form to be more legible. The distribution of units vertically in each property does not require subdivision of the hallway or communal areas, other than at second floor where the upper maisonette entrance doors can be neatly inserted into an existing archway adjacent to the secondary stairs accessing the third floor. However, details of compartmentation to stop fire spread and to cover any other building regulation issues will need to be sensitive to the historic fabric.
- 3.4 Externally, there are few changes proposed, and the aim of the project is to undertake sympathetic repairs and reinstatements of original features where missing or in need of renewal. The Council will require a condition survey of all windows proposed for replacement to justify such works. The use of single-glazing for all windows is supported, with secondary glazing to provide insulation. At the rear, the two currently linked gardens will be separated, meaning that the existing steps for the change of level between them will be removed. The Council supports the reinstatement of the historic plot widths.
- 3.5 Officers consider that the scheme causes no harm to the listed buildings or to the Bloomsbury Conservation Area, and will indeed enhance the special interest of each building by improving its plan form at each level and allowing those remaining historic features to be more legible. The removal of insensitive internal partitioning and services is to be welcomed, and their replacement with new fabric, joinery and plasterwork more in keeping with the historic interior.
- 3.6 Further details are required for internal doors, new windows and secondary glazing, extract

fans/boiler flues to be fitted on external elevations, fire and noise compartmentation, and any brickwork repairs, which will be secured by condition.

- 3.7 As such the proposal is considered to comply with policies CS14 and DP24 of the LDF, D1 and D2 of the draft Local Plan and Camden Planning Guidance.

#### **4 Amenity**

- 4.1 The proposals would provide generously sized flats, with good sized bedrooms and good access to natural light and ventilation. All units would exceed the nationally described space standards. The lower 3-bedroom maisonettes would have access to the rear gardens, and the proposals would provide a good standard of residential accommodation.

- 4.2 In terms of stacking this only occurs once where the 1<sup>st</sup> floor bedroom is below the second floor kitchen. There are separate utility rooms in the rear closet wings where noisy equipment such as washing machines and driers could be located. Furthermore the layout is largely determined by the need to protect the historic plan form of the listed buildings.

- 4.3 A new residential use is considered to have less of an impact on neighbouring residential uses in terms of noise and disturbance than the existing hotel use.

- 4.4 As such the proposal is not considered to harm the amenity of adjoining occupiers and would comply with policies CS5 and DP26 of the LDF and Camden Planning Guidance, and policy A1 of the draft Local Plan.

#### **5 Transport**

- 5.1 The site has a Public Transport Accessibility Level of 6b (Excellent) and is within the Bloomsbury Controlled Parking Zone. In line with policy DP18 (Parking standards and limiting the availability of car parking) the Council will expect all units within the developments to be car free. This would be secured by a Section 106 Agreement. Draft policy T2 (parking and car-free development) will also expect all new residential development to be car free.

- 5.2 Limited cycle storage space can be provided in the lightwell vaults. It is accepted that as the proposal is a conversion, and there are constraints on the site, provision will not meet the London Plan's standards in terms of space and location, but due to the limitation of listing the proposed location is considered acceptable in this instance. Details of the cycle provision will be secured by condition.

- 5.3 The nature and scale of the proposed works are such that a construction management plan would not be required.

#### **6 Sustainability**

- 6.1 The applicant has submitted an energy statement and BREEM Domestic Refurbishment Assessment. This indicates the proposal can achieve a BREEM rating of Excellent (73.86%) meeting the minimum policy requirements for water and materials, but not for energy. In order to meet this requirement, further alterations would be required to the listed buildings which could be considered harmful to their historic fabric and significance. It is considered that the BREEM Excellent rating is acceptable in this case, as the energy score of 57% is limited due to constraints of the listed building. A sustainability plan secured by Section 106 Agreement will ensure the BREEM target is met, along with associated energy and efficiency/renewable energy plan.

## **7 Community Infrastructure Levy**

- 7.1 The proposal may be liable for both the Mayoral and Camden charges. Although new residential units are being created, as no new floorspace is being introduced, and if it can be demonstrated that the sites have been in use for at least 6 months in the last three years, the charge will be nil.

## **8 Conclusion**

- 8.1 The proposal would provide new residential accommodation which is the priority land use of the Local Development Framework. The aim of local and regional policies is to protect tourist accommodation so that an additional 40,000 visitor room can be provided by 2036. The available data suggests that this target is well on the way to being met, and a small loss of hotel provision (34 rooms or 0.2% across the whole of the borough) would not be significant or compromise the aim of the London Plan or Camden's existing and draft plans. This would still be the case taking into consideration the application at no. 27 Montague Street which would result in the loss of 12 rooms. Furthermore, the London Plan states that developments should not result in the loss of strategically important hotel capacity, which is not the case here.
- 8.2 In heritage terms, the existing use is harmful to the listed buildings in terms of loss of historic plan form resulting from the subdivision of the rooms, and the wear and tear associated with a hotel use and the high footfall, and a change of use would go some way to restoring the plan form as well as historic features and return the buildings to their original residential use.

## **9 Recommendation:**

Grant Planning Permission with Conditions subject to a Section 106 Agreement with the following heads of terms:

- Car-free housing
- Sustainability plan
- Energy efficiency & renewable energy plan

Grant Listed Building Consent

### **DISCLAIMER**

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 8<sup>th</sup> May 2017, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Gerald Eve LLP  
72 Welbeck Street  
London  
W1G 0AY

Application Ref: **2016/7061/P**

04 May 2017

Dear Sir/Madam

**DRAFT**  
**FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION**  
Town and Country Planning Act 1990 (as amended)

**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address:

**23-24 Montague Street  
London  
WC1B 5BH**

Proposal:

**DECISION**  
Change of use from hotel (Class C1) to 6x flats (Class C3) and replacement windows to front elevation

Drawing Nos: Site Location Plan 333\_00\_00 Rev P1; 00\_10 Rev P1; 00\_01 Rev P1; 00\_02 Rev P1; 00\_03 Rev P1; 00\_04 Rev P1; 00\_05 Rev P1; 01\_01 Rev P1; 01\_02 Rev P1; 01\_03 Rev P1; 05\_01 Rev P1; 05\_02 Rev P1; 05\_03 Rev P1; 05\_04 Rev P1; 05\_05 Rev P1; 05\_06 Rev P1; 05\_07 Rev P1; 30\_01 Rev P1; 30\_02 Rev P1; 30\_03 Rev P1; 30\_04 Rev P1; 30\_05 Rev P1; 50\_01 Rev P1;

Design and Access Statement by FT Architects dated December 2016; Heritage Assessment by Anthony Walker dated 21st December 2016; Energy Statement Rev A by Abba Energy dated 23rd February 2017; BREEAM Preliminary Assessment by Abba Energy Rev A dated 23rd February 2017; Sustainability Statement Dated December 2016; Market Review by Gerald Eve dated 22nd December 2016

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 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 policies 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: Site Location Plan 333\_00\_00 Rev P1; 00\_10 Rev P1; 00\_01 Rev P1; 00\_02 Rev P1; 00\_03 Rev P1; 00\_04 Rev P1; 00\_05 Rev P1; 01\_01 Rev P1; 01\_02 Rev P1; 01\_03 Rev P1; 05\_01 Rev P1; 05\_02 Rev P1; 05\_03 Rev P1; 05\_04 Rev P1; 05\_05 Rev P1; 05\_06 Rev P1; 05\_07 Rev P1; 30\_01 Rev P1; 30\_02 Rev P1; 30\_03 Rev P1; 30\_04 Rev P1; 30\_05 Rev P1; 50\_01 Rev P1; Design and Access Statement by FT Architects dated December 2016; Heritage Assessment by Anthony Walker dated 21st December 2016; Energy Statement Rev A by Abba Energy dated 23rd February 2017; BREEAM Preliminary Assessment by Abba Energy Rev A dated 23rd February 2017; Sustainability Statement Dated December 2016; Market Review by Gerald Eve dated 22nd December 2016

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

- 4 Before the development commences, details of secure and covered cycle storage area for 6x cycles shall be submitted to and approved by the local planning authority. The approved facilities shall thereafter be provided in their entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

- 5 The units hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2) as far as practical, evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the internal layout of the buildings provide flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 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.
- 3 Most permissions which add more than 100sqm of new floorspace or a new dwelling will be liable for the Mayoral and Camden Community Infrastructure Levies. These will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The Mayoral charge in Camden is £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. The Camden charge is £500 per sqm for new residential floorspace. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and



when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to be paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

- 4 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 5 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Supporting Communities Directorate

Gerald Eve LLP  
72 Welbeck Street  
London  
W1G 0AY

Application Ref: **2017/0044/L**  
Please ask for: **Rob Tulloch**  
Telephone: 020 7974 **2516**

3 May 2017

**DRAFT**

Dear Sir/Madam

## DECISION

Planning (Listed Building and Conservation Areas) Act 1990

### Listed Building Consent Granted

Address:  
**23-24 Montague Street**  
**London**  
**WC1B 5BH**

**DECISION**

#### Proposal:

Replacement windows to front elevation and associated internal alterations in association with change of use from hotel (Class C1) to 6x flats (Class C3)

Drawing Nos: Site Location Plan 333\_00\_00 Rev P1; 00\_10 Rev P1; 00\_01 Rev P1; 00\_02 Rev P1; 00\_03 Rev P1; 00\_04 Rev P1; 00\_05 Rev P1; 01\_01 Rev P1; 01\_02 Rev P1; 01\_03 Rev P1; 05\_01 Rev P1; 05\_02 Rev P1; 05\_03 Rev P1; 05\_04 Rev P1; 05\_05 Rev P1; 05\_06 Rev P1; 05\_07 Rev P1; 30\_01 Rev P1; 30\_02 Rev P1; 30\_03 Rev P1; 30\_04 Rev P1; 30\_05 Rev P1; 50\_01 Rev P1;

Design and Access Statement by FT Architects dated December 2016; Heritage Assessment by Anthony Walker dated 21st December 2016; Energy Statement Rev A by Abba Energy dated 23rd February 2017; BREEAM Preliminary Assessment by Abba Energy Rev A dated 23rd February 2017; Sustainability Statement Dated December 2016; Market Review by Gerald Eve dated 22nd December 2016

The Council has considered your application and decided to grant subject to the following condition(s):

Executive Director Supporting Communities



Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) All types of new internal door including jib doors, shown in the context of their installation, with fully annotated plan/section/elevation drawings at a minimum scale of 1:10.

b) All new windows, including new fanlights and sliding timber sash windows on the front elevation of the terrace with fully annotated plan/section/elevation drawings at a minimum scale of 1:10.

c) All types of new secondary glazing installation with fully annotated plan/section/elevation drawings at a minimum scale of 1:10

d) Details of all new extract fans/boiler flues to be fitted on external elevations showing general design, dimensions, materials, finishes and colour (product information and fully annotated plans/sections/elevations at a minimum scale of 1:5).

e) Details including fully annotated plan and section drawings at a minimum scale of 1:5 of typical fire and noise compartmentation (as applicable) between flats and around means of escape (which should avoid the removal of or screening of historic features)

f) Details including written method statements of any brickwork repairs including repointing (if applicable).

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 All new work and work of making good shall be carried out to match the original work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 The works hereby approved are only those specifically indicated on the drawing(s) referred to above.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 A condition survey of all windows proposed for replacement shall be submitted to and approved in writing by the local planning authority before the relevant part of the work commences.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Regeneration and Planning