



112A GREAT RUSSELL STREET
LONDON WC1B 3NP

PROPOSAL: Details of cycle storage (Condition 6) of planning permission 2015/3605/P allowed at appeal ref: APP/X5210/W/16/3147078 dated 04/10/2016 for 'Change of use of part ground floor and basement levels -4 and -5 from Car Park (sui generis) to 166 bedroom hotel (Class C1), including alterations to openings, walls and fascia on ground floor elevations on Great Russell Street and Adeline Place'.

Application for planning permission reference: 2019/0226/P

22 June 2019

The Bloomsbury Association objects to this application and wishes to make the following additional comments on revised details proposed for cycle storage (Condition 6). This should be read together with the comments made in our letters dated 3 June 2019, 18 April 2019 and those submitted on the Association's behalf by Roger Wilson on 9 February 2019. The commentary on the Servicing Management Plan sent to the Planning Obligations Team on the Association's behalf by Roger Wilson on 15 May 2019 is also material.

We wish to clarify items 4, 5 and 6 of our letter dated 3 June 2019 because it appears from the Officer's Delegated Report (Members' Briefing) these have not been properly considered. The relevant comments from the Officer's Delegated Report are reproduced below.

Officer Response:

...The agent has confirmed that the use of the goods ramp would not be hindered by the cycle parking proposal. In any event, planning cannot seek to restrict how an occupier moves goods through a building (only to/from it).

Whilst it is acknowledged the proposal may not adhere to the above referenced dimensions, it is noted that this is not a regularly used route for motor vehicles. On balance, given the constraints of the site, and frequency of use of the ramp, this is considered not to warrant the refusal of this details application.

Similarly to above, whilst it is acknowledged the proposal may not adhere to the above referenced dimensions, it is noted that this is not a regularly used route for motor vehicles. On balance, given the constraints of the site, and frequency of use of the ramp, this is considered not to warrant the refusal of this details application.

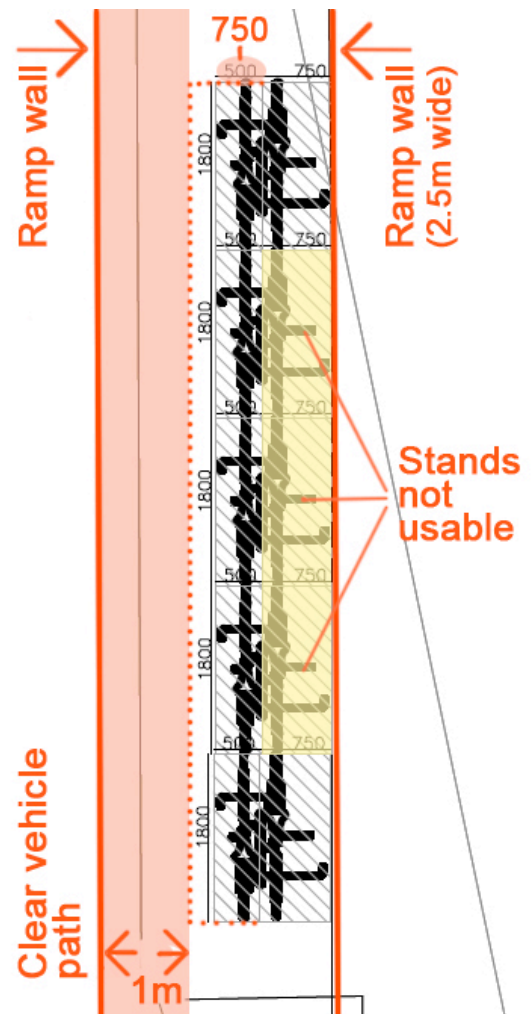
We do not agree with the Officer assessment for the reasons that follow.

1. Condition 6 states that the cycle parking facilities should be designed to Camden Council's design specifications as detailed in CPG7. This has now been superseded by *Camden Planning Guidance: Transport*. Where Camden's CPG is lacking, layout and dimensional criteria given in Transport for London's documents *Workplace Cycle Parking Guide* and *London Cycling Design Standards, Chapter 8: Cycle Parking* are also relevant.
2. The footprint required for each cycle stand is 500mm in width and 1800mm in length (CPG item 8.39).

3. TfL guidance is that Sheffield stands should be aligned at 90 degrees to any slope to stop bicycles rolling away (*Workplace Cycle Parking Guide Section 6, p16*). In the current proposal, stands are parallel to the slope of the ramp.
4. If a Sheffield stand is next to a physical obstruction, such as the ramp wall, there must be at least 750mm between the stand and the physical obstruction to enable both sides of the stand to be used. Similarly, if a stand is next to a vehicular path, as it is on the other side, there must be at least 750mm (CPG item 8.37). So the total space required to accommodate two standard cycles, parked on both sides of the stand, in accordance with the standards set in the CPG, is 1500mm in width and 1800mm in length.

5. Drawing number 2897/P/11 revision G, Proposed Ground Floor Plan, indicates 26 visitor cycle parking spaces with Sheffield stands on the former car park exit ramp. The ramp is approximately 2.5m wide. That leaves a clear zone of 1.0m for service vehicles to move past. This is insufficient space to safely accommodate any servicing vehicle while also allowing visitors convenient and safe access to park cycles. Conversely the requirement for servicing vehicles to move past should not compromise the provision of safe cycle parking. As proposed, servicing on the ramp will prevent it also being used for cycle parking. Both uses require the same space; there is no overlap and they appear to conflict in their spatial needs.

6. Contrary to what the Officer's Delegated Report states, the service ramp will be a regularly used route for service vehicle taking goods in and refuse out - 2 external deliveries/collections daily, each requiring several trips up and down the ramp. It is the only route available. There is a consequential duty under the Construction (Design and Management) Regulations 2015 to eliminate, reduce or control foreseeable risks to health and safety that may arise during the use of the ramp; to design hazards out not in. Whilst this is a design, not a planning consideration, it could be regarded as unsound to discharge a planning condition for something that may be unlawful. If a designer cannot comply with a planning condition and meet their duties under CDM then ultimately it may not be legally possible to implement what is proposed.



7. The Officer's Delegated Report states '*The agent has confirmed that the use of the goods ramp would not be hindered by the cycle parking proposal. In any event, planning cannot seek to restrict how an occupier moves goods through a building (only to/from it).*' Nevertheless a 166-bed hotel has to be practical and capable of being serviced. The planning process has to be satisfied that the proposal considered by the Inspector at Appeal is capable of being implemented and managed in strict accordance with the Servicing Management Plan, compliance with which is a legal obligation under the Unilateral Undertaking. It would be unsound for the Council to discharge the condition if, in doing so, it would frustrate the ability to comply with Section 19.3 of the Servicing Management Plan. This degree of functionality is fundamental to the proposal and without it the condition cannot be discharged.
8. Cycle parking is proposed in rows of five and two stands, parallel to the ramp wall. If the space standards given above are adhered to and the Sheffield stands positioned 750mm from the ramp wall, only those at each end of the line of five stands will be usable. There will be insufficient space relative to the ramp wall to gain access to use the inner side of the three

middle stands. Circulation aisles must be at least 1800mm in width for standard cycles (CPG item 8.40). TfL guidance recommends stands should be set a minimum distance of 900mm from the wall in similar circumstances (*Workplace Cycle Parking Guide Section 6, Diagram 6*, and *London Cycling Design Standards, Section 8.4.4, p14*). If the lesser dimension is applied, the clear zone for service vehicles to move past would reduce to 850mm.

9. The Officer's Report also states: *'The enforcement team has been closely monitoring this site, and whilst preliminary works have been undertaken, this does not equate to the 'commencement of development'*. We reiterate that at a Construction Community Working Group meeting held on 24 April 2019, the contractor stated that the project is now formally being implemented. At the following meeting on 28 May 2019, it was stated that works to be carried out on site over the coming month included partitions on level-4, first fix electrical on level -4, first fix mechanical works on level-4, completion of waterproofing to level -5 and acoustic flooring on level -5. It is in breach of this condition's requirement for details be submitted and approved prior to development commencing and, while not material to the details of cycle storage provided, the Officer would be misleading the Members' Briefing Panel to indicate that development had not commenced.

The Association maintains their view that to consider incremental approval of variations through condition discharge or through submissions under the Unilateral Undertaking at this stage, when the design solution appears unresolved yet is being built, would be an unsound and unenforceable basis upon which to proceed. Conditions and obligations cannot be dealt with in isolation with uncoordinated design solutions and local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion (NPPF 2018, para 130). This submission is fundamentally flawed and should be refused.

Bloomsbury Association

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