

Application ref: 2017/7051/P
Contact: Laura Hazelton
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Development Management
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Iceni Projects
Flitcroft House
114-116 Charing Cross Road
London
WC2H 0JR

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Refused

Address:

135-149 Shaftesbury Avenue
London
WC2H 8AH

Proposal: The comprehensive refurbishment of the existing Grade II listed building and the provision of a new two storey roof extension and new basement level, providing a new four-screen cinema (Class D2) and spa (sui generis) at basement levels, a restaurant/bar (Class A3/A4) at ground floor level, a 94-bed hotel (Class C1) at part ground and first to sixth floors and associated terrace and bar (Class A4) at roof level, together with associated public realm and highways improvements.

Drawing Nos: 2818-JW-001, 2818-JW-002, 2818-JW-011, 2818-JW-012, 2818-JW-013, 2818-JW-014, 2818-JW-015, 2818-JW-016, 2818-JW-017, 2818-JW-018, 2818-JW-019, 2818-JW-051, 2818-JW-052, 2818-JW-053-P02, 2818-JW-054-P02, 2818-JW-055-P02, 2818-JW-056-P02, 2818-JW-057-P02, 2818-JW-058, 2818-JW-059, 2818-JW-102-P02, 2818-JW-110-P02, 2818-JW-111-P02, 2818-JW-112-P02, 2818-JW-113-P02, 2818-JW-114-P02, 2818-JW-115-P02, 2818-JW-116-P02, 2818-JW-117-P02, 2818-JW-118-P02, 2818-JW-119-P02, 2818-JW-120-P02, 2818-JW-121-P02, 2818-JW-122-P02, 2818-JW-040, 2818-JW-041, 2818-JW-042, 2818-JW-091-P02, 2818-JW-092-P02, 2818-JW-140-P02, 2818-JW-141-P02, 2818-JW-142-P02, 2818-JW-147, 2818-JW-030-P02, 2818-JW-031-P02, 2818-JW-032, 2818-JW-033-P02, 2818-JW-034-P02, 2818-JW-081-P02, 2818-JW-082-P02, 2818-JW-083-P02, 2818-JW-084-P02, 2818-JW-130-P02, 2818-JW-131-P02, 2818-JW-132-P02, 2818-JW-133-P02, 2818-JW-134-P02, 2818-JW-143-P02, 2818-JW-144-P02, 2818-JW-135-P02, 2818-JW-136-P02, 2818-JW-137-P02, 2818-JW-138-P02, 2818-JW-145-P02, 2818-JW-146-P02, 2818-JW-200-P02, 2818-JW-201-P02, 2818-

Documents: Design & Access Statement dated March 2018, Air quality Assessment dated December 2017, Drainage and SuDS strategy report dated November 2017, SuDS proforma dated 13/04/2018, Overheating analysis dated April 2018, Energy statement dated April 2018 rev1, Sustainability statement dated December 2017, Statement of community engagement dated December 2017, Preliminary ecological appraisal dated November 2017, Planning statement dated December 2017, The need for renewal report dated December 2017, Heritage and Townscape Assessment dated December 2017, Archaeological desk based assessment dated 2017, Building condition report by Hallas & Co. dated August 2017, Transport statement dated December 2017, Framework travel plan dated December 2017, Daylight, sunlight & overshadowing report, Environmental noise survey report dated December 2017, Draft construction management plan dated December 2017, Draft delivery and service management plan dated December 2017, Construction method statement & Basement impact assessment dated December 2017, Operational management plan dated March 2018.

The Council has considered your application and decided to **refuse** planning permission for the following reason(s):

Reason(s) for Refusal

- 1 The proposed rooftop extension, by reason of the proposed height, mass, detailed design and materials would compromise the form, architectural character and historic interest of the host listed building, and in combination with the change of its main use to a hotel, would result in less than substantial harm to the significance of the host listed building and nearby surrounding Seven Dials and Denmark Street Conservation Areas, contrary to policy D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.
- 2 The applicant has failed to demonstrate that the proposed development would ensure the provision of the maximum reasonable amount of replacement cultural or leisure facilities within the scheme contrary to Policy C3 (Cultural and leisure facilities) and Policy D2 (Heritage) of the Camden Local Plan 2017.
- 3 The applicant has failed to provide sufficient information to demonstrate that the proposed roof top plant would operate in accordance with the Council's minimum noise and vibration standards and that that all plant, when operating at full capacity, would be capable of doing so without causing noise disturbance and harm to the local residential environment , contrary to policies A1 (Managing the impact of development) and A4 (Noise and vibration), of the London Borough of Camden Local Plan 2017.
- 4 The proposed development, in the absence of a legal agreement to secure a workplace travel plan and financial contribution for travel plan monitoring, would fail to promote sustainable forms of transport, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), DM1 (Delivery and monitoring) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.
- 5 The proposed development, in the absence of a legal agreement to secure the development as 'coach-free', would be likely to contribute unacceptably to parking congestion in the surrounding area and cause disturbance to neighbouring

residents, contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and Car Parking), A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.

- 6 The proposed development, in the absence of a legal agreement to secure an appropriate financial contribution towards public highway works, would be likely to harm the Borough's transport and public realm infrastructure, contrary to policies T1 (Prioritising walking, cycling and public transport), T3 (Transport Infrastructure), A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of London Borough of Camden Local Plan 2017.
- 7 The proposed development, in the absence of a legal agreement to secure financial contributions towards pedestrian, cyclist and environmental improvements in the area, would fail to mitigate the impact of the development created by increased trips, contrary to policies T1 (Prioritising walking, cycling and public transport), A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of London Borough of Camden Local Plan 2017.
- 8 The proposed development, in the absence of a legal agreement securing a Servicing Management Plan for the commercial element, would likely give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality).
- 9 The proposed development, in the absence of a legal agreement to secure a construction management plan, community working group and an appropriate financial contribution towards implementation support, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.
- 10 The proposed development, in the absence of a legal agreement securing an Approval in Principle Report and appropriate financial contribution towards an approval in principle would fail to mitigate the impact of the basement works on the adjacent public highway contrary to policies T3 (Transport Infrastructure) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- 11 The proposed development, in the absence of a legal agreement securing an Energy Efficiency Plan and renewable energy plan including the measures set out in the Energy Strategy, would fail to be sustainable in its use of resources, contrary to policies CC1 (Climate change mitigation), CC2 (Adapting to climate change), CC4 (Air quality), C1 (Health and wellbeing) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- 12 The proposed development, in the absence of a legal agreement securing a carbon off-set contribution, would fail to be sustainable in its use of resources, contrary to policies CC1 (Climate change mitigation), CC2 (Adapting to climate change), CC4 (Air quality), C1 (Health and wellbeing) and DM1 (Delivery and monitoring) of the

London Borough of Camden Local Plan 2017.

- 13 The proposed development, in the absence of a legal agreement securing a Sustainability Plan including Design Stage and Post Construction stage BREAM assessment reports and certificates, demonstrating compliance with targets, would fail to be sustainable in its use of resources, contrary to policies CC1 (Climate change mitigation), CC2 (Adapting to climate change), CC3 (Water and flooding), C1 (Health and wellbeing) and DM1 (Delivery and monitoring of the London Borough of Camden Local Plan 2017).
- 14 The proposed development, in the absence of a legal agreement securing a local employment and training package including an appropriate financial contribution, would be likely to lead to the exacerbation of local skill shortages and lack of training opportunities and would fail to contribute to the regeneration of the area, contrary to policies G1 (Delivery and location of growth), E1 (Economic development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 You are advised that reasons for refusal 4 - 14 could be overcome by entering into a S106 legal agreement.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully



Daniel Pope
Chief Planning Officer