

Planning & Design Statement

208 Bedroom Hotel

112A Great Russell Street, Bloomsbury

July 2020

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1. Introduction

- 1.1. This statement has been prepared on behalf of Central London Investments Limited in support of its planning application ('the Application') pursuant to Section 73 of the Town and Country Planning Act 1990 (as amended) in relation to planning permission ref: 2015/3605/P (referred to as 'the Original Application')¹, for a 166 room hotel at basement levels -4 & -5 at 112A Great Russell Street, London, WC1B 3NP. Planning permission was granted on appeal on the 4th November 2016 (PINS ref: APP/X5210/W/16/3147078).
- 1.2. This application seeks variations to conditions, fundamentally a minor material amendment to increase the number of bedrooms from 166 to 208 rooms (these changes are described in full at Appendix 1). The application also provides an enhanced level of information and detail, such that, if approved, the planning permission would not be subject to conditions requiring discharge (a schedule of suggested re-wording of relevant conditions is provided at Appendix 2).
- 1.3. The primary purpose of this statement is to assess relevant land use considerations.
- 1.4. Section 2 of the report provides the description of the application site and the surrounding area. Section 3 examines the planning context. Section 4 of this report establishes the decision making framework here. Section 5 reviews the proposal against relevant policies. Section 6 assesses other planning considerations. Section 7 concludes the Statement.
- 1.5. This statement should be read in conjunction with the Planning Statement (dated June 2015) which formed part of the Original Application, and the Planning Inspector's appeal decision letter (dated November 2016).

¹ Amended under NMA ref: 2020/1438/P

2. Description of Application Site and Surrounding Area

Site Description

- 2.1. The site is a component part of a substantial modern post-war building occupying an entire street block. It is bounded to the south by Great Russell Street, to the north by Bedford Avenue, to the east by Adeline Place and to the west by Tottenham Court Road.
- 2.2. The site predominantly comprises levels -4 & -5 of the basement of the building, which until recently has been used as a pay and display car park, and which is currently undergoing conversion into a hotel.
- 2.3. The site entrances are located on Great Russell Street and Adeline Place. Tottenham Court Road is approximately 80 metres west of the junction of Great Russell Street and Adeline Place, and Bloomsbury Street is approximately 150 m to the east.
- 2.4. The site is surrounded by hotels, offices and small retail shops, with major retail on Tottenham Court Road. Immediately above the site is St Giles Hotel which is accessed from Bedford Avenue. There is also a YMCA which is accessed from Great Russell Street, adjacent to the pedestrian entrance to the car park. To the east, there are hotels on Great Russell Street.
- 2.5. The existing building is not listed, and the site is not located within a conservation area. The site is however adjacent to the Bloomsbury Conservation Area and borders the Bedford Square/Gower Street and New Oxford Street/High Holborn/Southampton Row character areas. It should be noted that the site is not identified as contributing to either of these character areas.
- 2.6. The site is located within the Central Activities Zone (CAZ) as defined by the London Plan, and as such the surrounding area is characterised by a mix of uses including commercial, residential, cultural and leisure uses.
- 2.7. The application site has an excellent level of accessibility, illustrated by a Public Transport Accessibility Level (PTAL) of 6b, which is the highest possible rating. The site is within close proximity of Tottenham Court Road Station which serves the Northern and Central Underground lines, and in due course the new Crossrail line. In addition to this, the site is within close proximity of Goodge Street, Holborn and Russell Square Underground Stations offering further links to the Central, Piccadilly and Northern lines.
- 2.8. The site is also easily accessible by bus, being within close proximity of Tottenham Court Road.

3. Planning Context

The Original Permission

- 3.1. The application seeks an amendment to planning permission (ref: 2015/3605/P), allowed on appeal on 4th November 2016². The description of the consented development is as follows:

“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”.

- 3.2. Permission was granted subject to conditions and a s.106 agreement.

Amendment to the Original Permission

- 3.3. The original Consent has been subsequently varied via a non-material amendment (LPA ref: 2020/1438/P). Thus, the operative consent is to be understood with reference to both the aforementioned appeal decision letter and this NMA decision letter, in combination.

- 3.4. The amendment related to changing the description of development, simply omitting the reference to the number of hotel rooms. Thus the operative description of development is as follows:

“Change of use of part ground floor and basement levels -4 and -5 from Car Park (sui generis) to a hotel (Class C1), including alterations to openings, walls and fascia on ground floor elevations on Great Russell Street and Adeline Place”.

- 3.5. With the consent of the NMA application, the decision notice introduced an additional condition (14), which states the following:

“The development hereby permitted shall not comprise more than 166 hotel bedrooms upon completion and shall be delivered in accordance with the approved plans set out in Condition 2 of this planning permission”.

- 3.6. This non-material amendment was made simply as a result of the ‘Finney’ ruling³ in November 2019. The upshot of this ruling is that it is unlawful for a minor material amendment to result in a proposal which is inconsistent with the operative part⁴ of the ‘parent’ planning permission. In this case, the minor material amendment involves increasing the number of hotel bedrooms to 208, and hence this would have

² Appeal Decision Letter at Appendix 3

³ Finney v Welsh Ministers [2019] EWCA Civ 1868

⁴ Operative part means the description of development in this context

otherwise been inconsistent with the reference to 166 rooms within the description of development within the appeal decision letter – hence the NMA removes the reference to the number of hotel rooms within the operative description of development.

Proposed Minor Material Amendments to the Scheme

- 3.7. The Original Consent has been implemented, via operational development at street level, facing onto Adeline Place. Also, significant progress has been made internally, and the two basement levels have for many months been substantially completed.
- 3.8. Since implementation the Applicant has revisited the proposed design and uncovered the potential to deliver additional efficiencies in terms of the internal layout.
- 3.9. As a consequence, a minor material amendment is sought to increase the number of bedrooms from 166 to 208 rooms (these changes are described in full at Appendix 1). The application also provides an enhanced level of information and detail, such that, if approved, the planning permission would not be subject to conditions requiring discharge (a schedule of suggested re-wording of relevant conditions is provided at Appendix 2).

Procedural Matters

- 3.10. This application is submitted pursuant to s.73 of the Town and Country Planning Act 1990, which allows variations to be made to conditions attached to an existing planning consent. Since 2009⁵, Central Government has advised local authorities to utilise s.73 of the Act to facilitate amendments to planning permissions. The intention is to provide flexibility where amendments to planning permissions are sought.
- 3.11. The term 'minor material amendment' is not defined in statute, however guidance indicates that this applies to proposals "*where its scale and/or nature results in a development which is not substantially different from the one which has been approved*"⁶.
- 3.12. The nature of the development would be unchanged – it would continue to be a hotel. The scale of the development would be unchanged in terms of the amount of floorspace. The increase in the number of rooms would be 25%.
- 3.13. When determining a s.73 application it is to be noted that the original development has already been judged acceptable in principle.

⁵ Greater Flexibility for Planning Permissions: Guidance (November 2009), now replaced by the relevant part of the NPPG.

⁶ NPPG – Flexible options for planning permissions Paragraph 017

- 3.14. The scope of s.73 to make minor material amendments has been recently tested within the Courts, in the case of *Vue Entertainment Ltd v City of York Council* [2017] EWHC 588. In that case the situation revolved around an amendment to a cinema proposal from one of 12 screens and 2,000 person capacity, to one of 13 screens and 2,400 person capacity with an 80% floorspace increase (which is clearly a far more substantial amendment compared to what is being proposed at the Application Site). Collins J held that:

"It is to be noted that section 73 itself, as I have said, does not in terms limit the extent to which an amendment of conditions can be made. It does not have, on the face of it, to be within the adjective "minor", whatever that may mean in the context.

It is, I suppose, possible that there might be a case where a change of condition, albeit it did not seek to vary the permission itself on its face, was so different as to be what could properly be described as a fundamental variation of the effect of the permission overall. But it is not necessary for me to go into the possibility of that in the circumstances of this case because I am entirely satisfied that that does not apply in this particular case.

Now it must be obvious that it is necessary, if there is to be an amendment which is likely to affect a would-be objector, particularly where as, here, the claimants were objectors on the basis of the adverse effect on their operation of the proposal that there must be proper notification, consultation and ability to make representations. There was such, and representations were made...

It follows that there is no prejudice so far as the claimants are concerned, because they have been notified and they have been able to make representations. Those representations have been taken into account, as have those by the other cinema operators and thus the position so far as that is concerned is precisely the same as it would have been had there been a need for a fresh application.

It follows that in all the circumstances of this case there really is nothing to be gained from the quashing of this decision, even it were a decision which had any unlawfulness in it".

New Consent

- 3.15. Fundamentally the application seeks to amend Condition 2 ('Approved Plans & Documents') such that the consented drawing references are replaced with the proposed drawing references, and Condition 14 ('Number of Hotel Rooms'), such that it refers to 208 rooms instead of 166.
- 3.16. A further purpose of this application is to provide detail which was previously reserved by the conditions. Consequently, it is proposed that a number of the existing planning conditions are re-worded from ones which require discharging, to ones with which compliance is required.

The Planning Application Package

- 3.17. In practice, some of these plans/documents replace those referred to in the Original Consent. In other instances, some plans/documents referred to in the Original Consent remain up to date without any need for replacement/updates. This is explained in Appendix 4.

4. Decision Making Framework

- 4.1. The following section sets out the decision making framework that is relevant to the determination of this application.
- 4.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for development must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

- 4.3. The development plan comprises:
- Adopted GLA London Plan (March 2016)
 - Adopted Camden Local Plan (July 2017)

Material Considerations

- 4.4. The NPPF (February 2019) and National Planning Practice Guidance (NPPG) are important material considerations in decision-making.
- 4.5. At the heart of the NPPF remains a presumption in favour of sustainable development (paragraph 11). The presumption, which is set out in the framework, states that where this test is met, applications should be approved without delay.
- 4.6. The NPPF states that *“decision-takers may also give weight to relevant policies in emerging plans according to...the stage of preparation...the extent to which there are unresolved objections...and the degree of consistency of the relevant policies in this Framework”* (paragraph 48).
- 4.7. In this regard, the intend to publish London Plan was submitted to the Secretary of State on 9th December 2019, alongside a schedule of the Mayor’s responses to the Panel’s recommendations. The SoS published a response to the intend to publish version on 13th March 2020, which outlined that the draft London Plan requires amendments to be carried out. Nevertheless, given the very advanced stage that the draft London Plan has reached, the draft policies carry moderate weight.
- 4.8. The GLA and LB Camden Council have published supplementary guidance, evidence bases and other documents which are relevant to the determination of this proposal. These will be identified at the relevant points within this Statement, along with any commentary on the appropriate weight to be attached.

5. Planning Assessment

- 5.1. In light of the development objectives of the project, and in the context of planning policy, the following paragraphs consider the key considerations associated with the proposed amendments.

Land Use Considerations

- 5.2. The proposed amendments to the ground floor and basement levels -4 & -5 do not change the use of or increase the floorspace. As such the proposals do not increase the scope of land use considerations. It is however necessary to consider the proposed increase in hotel rooms, in the context of the latent demand existing, as well as other planning benefits – set out below.

Benefits of Hotels

- 5.3. Hotels (and other types of visitor accommodation) are of fundamental importance to a location's economy. As well as creating direct, indirect and induced employment and economic activity, they enhance the viability of local business and leisure economics.
- 5.4. *"The total gross value added contribution to GDP from the hospitality industry is estimated to have been £143 billion in 2014. This is equivalent to 10% of UK GDP"⁷.*
- 5.5. By another measure *"the hospitality industry is estimated to have supported a total of 4.6 million jobs in 2014 either through its own activities, its supply chain or the induced expenditure of its employees and those in its supply chain. This equates to 14% of the total employment in the UK"⁸.*
- 5.6. Businesses, whether domestic or international operations will often have requirements for visitors to remain within their vicinity for more than a day, in which case, visitor accommodation will need to be provided. An absence (or lack of cost effective options) of this type of accommodation can have serious implications for a business's ability to function properly and grow, and can create a lack of desire to locate in that particular destination.
- 5.7. The viability of leisure destinations is reliant on the existence of visitor accommodation in all its guises. Leisure attractions are heavily reliant on visitor patronage. Many of these visitors will be international or reside domestically, but sufficiently far away to require short term sleeping accommodation. Again, without an adequate available and cost effective supply of visitor accommodation, a location's leisure economy can suffer and become eroded.

⁷ Page 22, Economic contribution of the UK hospitality industry (September 2015), Oxford Economics (on behalf of the British Hospitality Association).

⁸ Page 8, Economic contribution of the UK hospitality industry (September 2015), Oxford Economics (on behalf of the British Hospitality Association).

- 5.8. Indeed, this general presumption is recognised by the London Plan (2016) which encourages boroughs to “support London’s visitor economy and stimulate its growth, taking into account the needs of...leisure visitors and seeking to improve the range and quality of provision”⁹.

The Issues Facing London and Camden

- 5.9. London has one of the world’s most important business economies, and is the second most visited city globally for international tourism. International and domestic tourists created 31.5 million overnight visitors within the capital in 2015¹⁰.
- 5.10. “Given the importance of tourism to London’s economy, London needs to ensure that it is able to meet the demands of tourists that want to visit the Capital, and a most important aspect of that is to provide suitable accommodation for those that wish to visit. However, currently the supply of serviced rooms is tight and the cost of accommodation expensive. In 2015 London had the highest occupancy rate of all European cities, and the fourth highest average daily rate, behind Zurich, Paris and Geneva”¹¹. The average daily rate in 2015 was £194.40¹².
- 5.11. Consequently, whilst the current London Plan seeks at least 40,000 new visitor rooms over a 20 year period (i.e. 2,000 per annum)¹³, the draft London Plan explains that “it is estimated that London will need to build an additional 58,000 bedrooms of serviced accommodation by 2041, which is an average of 2,230 bedrooms per annum”¹⁴. In other words, the draft London Plan seeks more than a 10% uplift in the annual target, compared to its adopted counterpart.
- 5.12. LB Camden contains the second highest number of serviced accommodation rooms amongst London Boroughs – 18,038 or 12.4% of London’s total¹⁵. Based on demand, it is estimated that Camden will need to provide 1,595 additional rooms to meet the growing demand by 2041. This equates to 2.7% of London’s total demand. Accounting for losses across the Borough, the number increases to 2,113¹⁶ serviced accommodation rooms.
- 5.13. It is therefore helpful that Camden’s Local Plan (July 2017) acknowledges the importance of hotels to the Boroughs’ continued role as a business and leisure hub. It explains that “Camden has a wide variety of tourist and cultural attractions, from major institutions, such as the British Museum and British Library; to open spaces like Hampstead Heath and Primrose Hill; shopping destinations like Camden Town’s markets and Covent Garden; venues such as the Roundhouse, Koko and the Forum; Regent’s Canal;

⁹ Policy 4.5, London Plan

¹⁰ Page 3, Projections of demand and supply for visitor accommodation in London to 2050, GLA, April 2017.

¹¹ Page 3, Projections of demand and supply for visitor accommodation in London to 2050, GLA, April 2017.

¹² Table 7, Projections of demand and supply for visitor accommodation in London to 2050, GLA, April 2017.

¹³ Policy 4.5, London Plan 2016

¹⁴ Paragraph 6.10.2, draft London Plan (July 2019)

¹⁵ Table 4, Projections of demand and supply for visitor accommodation in London to 2050, GLA, April 2017.

¹⁶ Table 14, Projections of demand and supply for visitor accommodation in London to 2050, GLA, April 2017.

and historic places, such as Hampstead and Bloomsbury. These attract high numbers of visitors throughout the year from London, the UK and beyond and contribute greatly to the vibrancy, image and economy of Camden and London as a whole". As well as the importance of visitor accommodation to the local economy, the Local Plan states *"Camden's visitor economy provides around 16,500 jobs in the borough, 10% of all tourism related employment in Inner London (Study of the Visitor Economy in Camden 2009) and is worth £566 million per annum"*.

The Appropriateness of a Hotel at Great Russell Street

- 5.14. The site falls within the Central Activities Zone, lies on the edge of the Tottenham Court Road Growth Area, and alongside transport hubs, making the area well connected to central London and beyond. As a consequence of all the above, it is one of the most sustainable locations in London. Locating a hotel at this site therefore stands entirely to reason.
- 5.15. The principle of delivering a hotel in this location is supported by planning policy across all levels of government.

Central Government

- 5.16. By definition, hotels are 'main town centre uses'¹⁷ and as such, the NPPF requires *"applications for main town centre uses to be located in town centres"*¹⁸. As explained above, the site falls within the Central Activities Zone and lies within the edge of the Tottenham Court Road Growth Area.
- 5.17. The NPPF also states the importance of identifying opportunities for business growth in particular areas¹⁹. Furthermore, the NPPF emphasises the effective use of land and make as much use as possible of previously developed or brownfield land²⁰.

Regional Government

- 5.18. Policy 4.5 of the London Plan follows similar trends in promoting hotel use, stating borough and relevant stakeholders should: *"support London's visitor economy and stimulate its growth, taking into account the needs of business as well as leisure visitors and seeking to improve the range and quality of provision especially in outer London"*. As well the policy seeks to direct new visitor accommodation to 'appropriate locations' within the Central Activities Zone (CAZ)
- 5.19. The strength of these policies has been further reinforced by the London Mayor's recent decision to call-in and approve the planning application for the redevelopment of the Kensington Forum Hotel (LPA ref:

¹⁷ Glossary, NPPF.

¹⁸ Paragraph 24, NPPF.

¹⁹ Paragraph 80, NPPF

²⁰ Paragraph 117, NPPF

PP/18/03461), following the Royal Borough of Kensington and Chelsea's notification of intended refusal. In bringing the application under his jurisdiction, the Mayor explained that *"the provision of high quality visitor accommodation...that would deliver a net increase in bed spaces...in a highly accessible and sustainable location...would contribute towards the overarching London Plan objective of ensuring London remains an internationally competitive and successful city with a strong and diverse economy and retains and extends its global role as a sustainable and competitive centre for business and a world class visitor destination through delivering significant visitor infrastructure to support the Capital's visitor economy"*.

Local Government

- 5.20. Policy E3 (Tourism) of Camden's Local Plan 2017 states that *"It recognises the contribution that tourism makes to the character of Camden and the way that is perceived by those living outside the borough, and also the substantial number of jobs it provides."*
- 5.21. Further the Local Plan outlines the opportunities for Camden, which states: *"The Council will guide tourism development that is likely to attract large numbers of people to Camden's part of Central London, particularly the growth areas of King's Cross, Euston, Holborn and Tottenham Court Road"*. The site is located within close proximity of Tottenham Court Road Station.
- 5.22. Lastly, the Council expects the following outcomes from the Growth Area as stated in the Local Plan *"Growth here is being supported by the transport enhancements as part of Crossrail due to open in 2018, in addition to upgrades to the Northern Line and ticket hall area. These works will see a significant increase in the number of passengers using this area and improvement of the public realm is a high priority. The London Plan expects a minimum of 500 new homes and 5000 new jobs to be delivered in the growth area. Based on the identified opportunity sites in the Sites Allocations document, the Council expects around 60% of homes and more than half of the jobs to be provided in Camden's part of the growth area..."*

Summary

- 5.23. The adequate provision of visitor accommodation in Camden is of fundamental importance to the economic success of its Central London Area, Greater London, and the UK as a whole.
- 5.24. The site lies within close proximity to Tottenham Court Road Station, has PTAL 6b, and is hence is an appropriate location for a hotel in Camden.
- 5.25. In conclusion, it is considered that increasing the number of rooms in this location would be wholly compliant with national, regional and local policy and would provide an excellent facility within a highly accessible location.

6. Other Planning Considerations

Design

External Changes

- 6.1. The proposal would result in minor alterations to the elevations of the buildings – comprising the entrance doorway onto Great Russell Street, and the majority of the ground floor onto Adeline Place. Alterations would occur as a result of the different internal layout versus the approved original one.
- 6.2. Permission was previously granted for a gate entrance and a steel door set with vision panel to the bike store and ventilation louvre panels and doors to the substation (Adeline Place). The proposal in this application retains the material and colours of the approved one but include only the use of ventilation louvre for all the accesses, gates doors and panels.
- 6.3. Lastly, it is sought to locate a louvre penthouse for the new air handling unit exhaust on the roof of the first floor. The colour will be matching that of the existing roof.

Sub-terranean Hotel

- 6.4. The original application consented 166 rooms below the ground floor level. The additional 42 rooms is not considered to raise any amenity issues to the hotel guests. The Planning Inspector in his appeal letter found that guests have the option to choose a variety of different accommodation options across London: *“Some of those who made written and/or oral representations were of the opinion that underground hotel rooms without windows are in principle an unsuitable way of accommodating visitors. Whilst that is a legitimate point of view, it does not find support in planning policy or guidance. Visitors to London have a wide choice of hotel accommodation. Perhaps some would choose not to sleep in an underground room. However, others may well decide that the benefits of a highly accessible location, close to numerous visitor attractions, would outweigh the absence of a window. I can see no land use planning reason why that choice should be precluded”*²¹.

Internal Alterations

- 6.5. The revised plans would utilise the -4 & -5 basement levels in a more efficient manner to allow the total number of rooms to increase from 166 to 208.

²¹ Appendix 3

Size & Layout

- 6.6. The London Plan does not provide any guidance on minimum space standards for hotel accommodation.

Transport

- 6.7. This application is supported by a revised Transport Assessment which confirms that the access arrangements approved under the Original consent remain acceptable for the proposed amended plans. Furthermore, the amendments will not lead to any significant highways effects over and above those identified in the transport assessment submitted with the Original Application, therefore no further mitigation measures are required to make the proposed development acceptable.

Cycle

- 6.8. The proposed amendments include an increase to the amount of cycle parking to serve the needs of the increase in number of hotel rooms. Please refer to the accompanying transport statement for explanation and justification of the proposed changes.
- 6.9. This is in line with the London Plan's bicycle parking standards which require 1 space per 20 bedrooms for long stay parking and 1 space per 50 bedrooms for short stay parking (i.e. 19 spaces).
- 6.10. Furthermore, the site's excellent public transport links and proximity to Cycle Hire stations will place less demand on cycle parking provision and provides further sustainable transport options.
- 6.11. The Applicant has made a £200,000 S106 'Cycle Hire Docking Station Contribution' and currently there is ongoing discussion with the Council and TfL around the new docking station being provided adjacent to the site. There is also the £133,500 S106 'Pedestrian, Cycling and Environmental Contribution', which has been made, for the purpose of improving the public realm for cycling in the vicinity of the site.

Deliveries and Servicing

- 6.12. An updated Delivery and Servicing Management Plan is submitted with the application to account for the proposed scheme amendments. This follows the principles established under the Original Consent, and subsequent discharge of the relevant S106 obligation, which has been judged to be acceptable.

Flood Risk

- 6.13. The application site falls within Flood Zone 1 and is at low risk of flooding. An updated Flood Risk Assessment has been prepared to account the increase in the number of hotel rooms.

Sustainability

- 6.14. An addendum to the Energy Statement, which formed part of the Sustainability Strategy submitted as part of the Original Application, has been submitted with this application. The Statement updates the existing approved strategy to account for the additional 42 units within the development; ensuring that the proportional (%) carbon saving commitments agreed under the original consent (25% against 2013 Part L Building Regulations) are maintained within the proposed consent.
- 6.15. The savings and proposed efficiency measures outlined within the report result in dwellings across the scheme achieving a reduction in regulated emissions of 32.92% against the 2013 Part L Building Regulations in accordance with March 2016 GLA Guidance. Therefore, this fully satisfies the applicable planning policies relating to energy conservation, distributed energy networks and renewable energy.

Air Quality

- 6.16. The updated Air Quality Assessment confirms that the air quality at basement levels -4 & -5 would remain acceptable under the proposed amended plans.
- 6.17. Further, an air quality neutral assessment has been undertaken in line with Policy 7.14 of the London Plan and the guidance contained within Section 4.3 of the Sustainable Design and Construction SPG. It was determined that the proposed development will be '*Air Quality Neutral*', as there are no building emissions and negligible transport emissions associated with the proposed development.

Noise

- 6.18. An updated Noise Assessment, confirms the revised proposals will not cause any additional effects or disturbance to the existing local residents or occupants of the proposed hotel, compared to the Original Application scheme.

Local Community Engagement

- 6.19. Prior to submission of the application the Applicant has engaged in consultation with local residents and interested parties, to present the draft proposals and provide the opportunity to engage in the design developments.
- 6.20. One consultation response was received, from the Bloomsbury Association. Consideration has been given to these comments received and the proposals have been revised accordingly, where appropriate.

7. Conclusion

- 7.1. This Planning Statement has been prepared by Centro Planning Consultancy on behalf of Central London Investments Limited (“the Applicant”), the landowner, in support of minor material amendment application at 112A Great Russell Street, London, WC1B 3NP, to LB Camden Council. In essence, the proposed amendment is for a 208 room hotel, compared to the consented 166 room hotel.
- 7.2. Recent case law (*Vue Entertainment Ltd v City of York Council [2017] EWHC 588*) confirms that the MMA procedure is appropriate and lawful in this instance.
- 7.3. The Site is an appropriate location for hotel use given its location within the Central Activities Zone and proximity to the boundary of Tottenham Court Growth Area and Tottenham Court Underground Station.
- 7.4. This Statement has demonstrated that the proposed development complies with the overall objectives of national, regional and local policy guidance, and in so doing, would deliver a sustainable development of the site that would contribute to the supply of visitor accommodation in the Central Activities Zone – a significant planning benefit.
- 7.5. This benefit would be realised without any increase to the volume of the building nor the basement approved under the Original Consent. Furthermore, no major external changes are proposed compared to the Original scheme. Other planning effects arising (highways, environmental, and technical etc) would be only marginally different, and far outweighed by the benefit of the additional rooms.
- 7.6. Overall, the proposal is in full accordance with the development plan, and no material considerations indicate otherwise. Consequently, the application should be approved without delay.

Appendices

Appendix 1 – Physical Changes

Appendix 2 – Condition Changes

Appendix 3 – Appeal Decision Letter

Appendix 4 – Schedule of Updated Information

Appendix 1 – Physical Changes

Ground Floor

- For the hotel lobby, minor internal revisions are proposed. The revisions will allow a better internal layout of the lobby and will rationalise the number of lifts within the lobby and Core 1 of levels -4 & -5.
- Internal and external alterations to the Adeline Place entrance.
- The proposed substation is to be installed within 'basement ramp -4' (as opposed to 'basement ramp -5'), as required by UK Power Networks.
- The reallocation of the substation will have the effect of switching the function of the two existing ramps. Under the consented plans 'basement ramp -4' was used for servicing the hotel. The reallocation of the substation will cause 'basement ramp -4' to become obsolete. Consequently 'basement ramp -5' will become the new servicing route for the hotel.
- Removing both of the existing vehicle crossovers remains part of the proposal.
- Reduction of proposed on-site cycle parking spaces from 32 to 19. The revised number (19) would comply with adopted the London Plan requirements and Camden's Transport Guidance document (2019), which seeks an additional 20% of spaces over and above the London Plan.

Levels -4 & -5

- Internal reconfiguration of the layout to increase the number of rooms from 166 to 208.
- Hotel Lobby to be relocated.
- Reception area removed from level -5.
- Additionally, it is sought to introduce minor revisions in all three Cores (1, 2 & 3) of both levels (-5 & -4). The aim is to improve the layout of the cores and to reflect the changes aforementioned in the paragraphs above. Furthermore, the proposals rationalise the number of lifts within Cores 1 & 3.

Elevations

- The proposal would result in minor alterations to the elevations of the building – comprising the entrance doorway onto Great Russell Street, and the majority of the ground floor onto Adeline Place. Alterations would occur as a result of the different internal layout versus that approved.

Appendix 2 – Condition Changes

Original Condition

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

2897/L/01, 2897/P/01B, 2897/P/02B, 2897/P/03B, 2897/P/04B, 2897/P/05B, 2897/P/06A, 2897/P/07, 2897/P/08A, 2897/P/11F, 2897/P/12C, 2897/P/13C, 2897/P/14D, 2897/P/15G, 2897/P/16G, 2897/P/17D, 2897/P/18C, 2897/P/19B, 2897/P/31, 2897/P/32, DMWR/A3/3233/PL-00300revP1.

Revised Condition

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

GRS-0101 REV P1, GRS-0102 REV P1, GRS-0103 REV P1, GRS-0104 REV P1, GRS-0105 REV P1, GRS-0152 REV P1, GRS-0153 REV P1, GRS-0154 REV P1, GRS-0170 REV P1, GRS-0171 REV P1, Noise Assessment, Air Quality Assessment, Service Management Plan, Hotel Management Plan, Drainage Strategy, Transport Assessment and Travel Plan, Energy/Sustainability Statement and Fire Strategy.

Original Condition

3. Prior to first occupation of the development, an Air Quality Report shall be submitted to and approved in writing by the local planning authority. The report shall provide evidence that an appropriate NO₂ scrubbing system on the mechanical ventilation intake has been installed. The system shall be generally in accordance with the recommendations of the submitted Air Quality Assessment by Hoare Lea dated 22 May 2015. The report shall include a detailed maintenance plan for the system. The scrubbing system shall thereafter be operated and maintained in accordance with the approved report for the lifetime of the development.

Revised Condition (to be removed)

3. The Air Quality Assessment produced by Hawkins Environmental addresses all the points required in the original condition, and its compliance can be secured via condition 2.

Original Condition

5. 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) manufacturer's specification and details of all facing materials including colour and samples of those materials.

- b) plan, elevation and section drawings, including fascia, cornice, pilasters and glazing panels of the new hotel entrance at a scale of 1:10
- c) details including sections at 1:10 of all windows (including jambs, head and cill details), ventilation grills and external doors
- d) details of service ducts

The relevant parts of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Revised Condition (to be removed)

5. The detailed drawings produced by MY Construction addresses all the points required in the original condition, and hence this can be controlled via condition 2.

Original Condition

6. Before the development commences, details for the provision of a minimum of 8 covered, secure and fully enclosed cycle storage/parking spaces for staff and 24 cycle parking spaces for visitors shall be submitted to and approved in writing by the local planning authority. The cycle parking facilities should be designed to Camden Council's design specifications as detailed in CPG7. The cycle parking facilities shall be provided as approved prior to the occupation of the development and shall thereafter be permanently retained as such.

Revised Condition (to be removed)

6. Nineteen secure and covered cycle parking spaces will be provided within the development for staff and visitors of the hotel, accessible from Adeline Place. This level of provision is in excess of the draft New London Plan standards which requires a minimum of 1 space per 20 bedrooms for staff and 1 space per 50 bedrooms for visitors. This provision also adheres to Camden's Transport Planning Guidance. This detail is contained on the Architects drawings, compliance with which can be controlled via condition 2.

Original Condition

9. Prior to the commencement of the authorised use, a written acoustic report detailing measures to control noise from fixed plant and equipment shall be submitted to and approved in writing by the local planning authority. The noise level from any plant and equipment, together with any associated ducting or vents, shall be 15 dB(A) or more below the lowest relevant measured LA90 (15min) at the nearest noise sensitive premises. The method of assessment is to be in accordance with BS4142:2014. The plant and equipment shall be installed and constructed in accordance with the approved scheme and shall be permanently maintained as such thereafter. Prior to the plant being used a validation test shall be carried out following completion of the development. The use hereby permitted shall not commence until a report of the validation test has been submitted to and approved in writing by the local planning authority.

Revised Condition (to be removed)

9. *The Noise Assessment produced by Hawkins Environmental addresses all the points required in the original condition, and its compliance can be secured via condition 2.*

Original Condition

10. Development shall not commence until a drainage strategy has been and submitted to and approved in writing by the local planning authority. The strategy should be prepared in consultation with the sewerage undertaker and should demonstrate that the existing and proposed foul and surface water connection points and peak flow rates will have an acceptable impact on the public sewer system. The drainage strategy shall be implemented as approved before the first occupation of the development hereby permitted.

Revised Condition (to be removed)

10. *Revised drainage report produced by MY Construction addresses all the points required in the original condition, and its compliance can be secured via condition 2.*

Original Condition

12. Prior to the installation of any electrical plant or equipment in basement levels -4 or -5, details of the installation shall be submitted to and approved in writing by the local planning authority. The details should be prepared in consultation with Transport for London to ensure that the plant or equipment does not harm the operation of the transport system. Any plant equipment installed shall thereafter be operated and maintained in accordance with the approved details.

Revised Condition (to be removed)

12. *The detailed electrical plant information produced by MY Construction addresses all the points required in the original condition, and its compliance can be secured via condition 2.*

Original Condition

14. The development hereby permitted shall not comprise more than 166 hotel bedrooms upon completion and shall be delivered in accordance with the approved plans set out in Condition 2 of this planning permission.

Revised Condition

14. The development hereby permitted shall not comprise more than 208 hotel bedrooms upon completion and shall be delivered in accordance with the approved plans set out in Condition 2 of this planning permission.

Appendix 3 – Appeal Decision Letter

Appeal Decision

Hearing held on 4 October 2016

Site visit made on 4 October 2016

by David Prentis BA BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 4 November 2016

Appeal Ref: APP/X5210/W/16/3147078

Quick Parking Car Park, 112A Great Russell Street, London WC1B 3NP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Central London Investments Limited against the decision of the Council of the London Borough of Camden.
 - The application Ref 2015/3605/P, dated 1 October 2015, was refused by notice dated 4 February 2016.
 - The development proposed is 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.
-

Decision

1. The appeal is allowed and planning permission is granted 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 at Quick Parking Car Park, 112A Great Russell Street, London WC1B 3NP in accordance with the terms of the application, Ref 2015/3605/P, dated 1 October 2015, subject to the conditions set out in the attached schedule.

Main issues

2. The main issues are:
 - whether the proposal would provide acceptable environmental conditions for future occupiers
 - the effect of the proposal on the living conditions of local residents and the amenity of users of the public realm

Preliminary matters

3. The appeal was initially submitted under the name of Criterion Capital, managing agent for Central London Investments Limited. Central London Investments Limited, the original applicant for planning permission, has since provided written confirmation that it is content for the appeal to proceed under its name. I have determined the appeal on that basis.
-

4. A unilateral undertaking (UU) under s106 of the Town and Country Planning Act was submitted at the hearing. This had not been signed due to the need for changes to the document shortly before the hearing. However, the document discussed at the hearing was complete in all respects other than the signatures. I therefore allowed a period following the hearing for a signed version to be submitted. The statement of common ground confirms that the Council is satisfied that the UU addresses all those matters referred to in its reasons for refusal numbered 3 – 12.
5. The Bloomsbury Association expressed concern that there are other occupiers of the building who are not party to the UU but who might be affected by it. The appeal relates to part of the ground floor and to basement levels -4 and -5 of a large multi-level building which has other occupiers, including the St Giles Hotel and the YMCA. It may be that there are some areas within the application red line boundary which are in the control of other parties. However, the Council's legal department is satisfied that the appellant has sufficient control over the parts of the building which are relevant to the development for the obligations to be effective. I share that view. Moreover, the UU does not introduce matters which have not previously been in the public domain. The heads of terms were set out in the committee report and the justification for the various obligations is given in the Council's appeal statement. The final UU is very similar to the draft submitted with the appeal. Consequently, I am satisfied that no party has been prejudiced by the process leading up to the completion of the UU.
6. The UU contains provisions relating to an employment and training plan, local employment and local procurement, a construction management plan, a highways contribution, a pedestrian/cycling and environmental improvements contribution, a sustainability plan, a hotel management plan, a public open space contribution, a travel plan, a Crossrail contribution, an energy efficiency and renewable energy plan, a cycle hire docking station, a servicing management plan and car-free development.
7. The Council provided a statement of compliance with the Community Infrastructure Levy (CIL) Regulations. This showed how the various obligations relate to provisions of the development plan and the Council's *CPG8 - Planning obligations*. Further detail was provided in answer to my questions. The Bloomsbury Association expressed concern that the UU leaves too much to be settled at a later date. I appreciate that a number of matters would require subsequent approval by the Council. However, the scope of the various plans required by the UU is set out within the definitions section of the UU. Although numerous, these are not novel or unusual provisions. I consider that the UU accords with the CIL Regulations and I have taken it into account in my decision. I comment further on some of the individual provisions below.

Reasons

Background and policy context

8. The appeal relates to parts of a large complex which occupies the street block bounded by Tottenham Court Road, Great Russell Street, Adeline Place and Bedford Avenue. Other occupiers of the complex include the St Giles Hotel, which is entered from Bedford Street, the YMCA, entered from Great Russell Street, the VQ restaurant, which is also on Great Russell Street, and the St Giles casino which is entered from Tottenham Court Road. There is residential

accommodation nearby, including Bedford Court Mansions on the opposite sides of Adeline Place and Bedford Avenue respectively. There are two other hotels close by (the Cheshire and the Bloomsbury) on opposite sides of Great Russell Street.

9. The site is a little to the north of St Giles Circus, the intersection of Tottenham Court Road and Oxford Street. Tottenham Court Road underground station is currently being extended to accommodate Crossrail. The area is thus very well served by public transport and has the highest possible public transport accessibility level (PTAL) rating. It is close to many of central London's retail, entertainment and cultural attractions.
10. The development plan includes the London Plan (LP), the Camden Core Strategy (CCS), the Camden Development Policies (CDP) and the Fitzrovia Area Action Plan (FAAP). LP Policy 4.5 identifies a need for 40,000 additional hotel rooms by 2031, with 2,500 additional rooms in Camden by 2026. The site is within the Central Activities Zone (CAZ) which, the CCS notes, comprises the core of the capital with a unique cluster of activities contributing to London's role as a world city. Policy CS9 seeks to support the Central London area of Camden as a successful and vibrant part of the capital and as a focus for growth in homes, offices, hotels and other uses. The policy also seeks to support residential communities in Central London by protecting amenity and supporting community facilities.
11. Policy CS1 of the CSS seeks to focus growth in the most sustainable locations. The policy promotes a number of growth areas, including Tottenham Court Road. The officer's report describes the appeal site as being on the edge of this growth area. The policy also seeks to make efficient use of land and buildings, expecting high density development in Central London and locations well served by public transport. CDP Policy DP14 supports tourism development, expecting that large scale development will be located in the growth areas. This is subject to requirements that proposals for visitor accommodation should provide any necessary off-highway pickup and set down points for taxis and coaches and should not harm the balance of uses in the area, local character or residential amenity.

Environmental conditions for future occupiers

12. The main concerns of the Council and the Bloomsbury Association related to air quality (AQ). The whole of the Borough has been declared an Air Quality Management Zone. Being underground, the proposed hotel would be wholly reliant on mechanical ventilation. Such systems typically include an air intake located at high level, where air quality is likely to be better. In this case that option is not open to the appellant and the proposal is for the intake to be located at street level facing Adeline Place.
13. The application was supported by an AQ assessment, which set out the relevant AQ objectives for nitrogen dioxide (NO₂) and particulates. There was no dispute that the objective for particulates is unlikely to be exceeded so it is NO₂ which is the point at issue here. There are objectives for the annual average concentration of NO₂ and the one-hour average. The former is not directly applicable to hotels, unless used as a permanent residence. The relevant objective for hotels is a one-hour figure of 200 mg/m³, which is not to be exceeded more than 18 times per year.

14. Data from the nearest available monitoring stations shows that there has not been more than 18 incidences of NO₂ levels above the target (in one year) since 2010. However, as the annual average at Adeline Place is likely to be above the objective, the AQ assessment concluded that there is the potential for the one-hour objective to be exceeded in the vicinity of the proposed air intake. The recommended mitigation is that the intake be fitted with an NO₂ scrubber. Details of a system which could be used were included in the AQ assessment. These show that the interior of the hotel would meet the relevant AQ objective. A planning condition has been suggested which would require submission and approval of further details together with arrangements for maintenance.
15. The Council objected to the location of the intake at street level because this is where AQ is likely to be poorest. The appellant readily accepted that, given the choice, the intake would be better located at a higher level. However, as noted above, that option is not available. That said, street-level conditions are already reflected in the baseline on which the AQ assessment's recommendations are founded. The Council did not dispute the findings of the AQ assessment. Rather, it questioned whether the proposed scrubber would be effective in the event of very high levels of NO₂ being present, perhaps for short periods. Concerns were also raised about the possibility of system failure and the need to evacuate the hotel. The Bloomsbury Association was concerned that the system has not yet been proved to be effective because it has not been designed in detail.
16. Information has been provided regarding the efficiency of the system across a range of NO₂ concentrations. The suggested condition would enable the Council to seek further information should that be thought necessary. At the hearing the appellant's AQ consultant explained that the system has no mechanical parts so the risk of failure is low. Moreover, in the event of a failure it is most unlikely that the hotel would be evacuated because the AQ within the hotel would still be better than that outside at street level.
17. It is right to point out that the detailed design of the system has yet to take place. That in itself is not unusual in the context of planning decisions. The question for any decision maker is whether or not the potential impact and the potential means of mitigation have been sufficiently investigated and understood for further details to be made the subject of a condition. On that basis, I consider that it would be appropriate to impose the suggested condition, thereby satisfactorily mitigating the effect of the AQ in Adeline Place on occupiers of the proposed hotel.
18. Typical room layouts have been provided. Whilst the rooms would be compact, I see no reason to think that they would be unsuitable for short term use by visitors. Although the Council's first reason for refusal refers to the layout and design of the development, this was not a point supported by further evidence or analysis at the hearing.
19. Some of those who made written and/or oral representations were of the opinion that underground hotel rooms without windows are in principle an unsuitable way of accommodating visitors. Whilst that is a legitimate point of view, it does not find support in planning policy or guidance. Visitors to London have a wide choice of hotel accommodation. Perhaps some would choose not to sleep in an underground room. However, others may well decide that the

benefits of a highly accessible location, close to numerous visitor attractions, would outweigh the absence of a window. I can see no land use planning reason why that choice should be precluded.

20. To conclude, I consider that the proposal would provide adequate environmental conditions for future occupiers. I find no conflict with CCS Policy CS5, which seeks to protect the amenity of the occupiers of new development, or with Policy CS16 which seeks to improve health and well-being and to recognise the impact of poor air quality on health. Nor do I find conflict with CDP Policy DP26, which seeks to protect the quality of life of occupiers, or Policy DP32 which requires mitigation measures where developments are located in areas of poor air quality.

The living conditions of local residents and the amenity of users of the public realm

21. The scheme has the potential to generate noise from fixed plant including air handling equipment, air source heat pumps and an emergency generator. The entrance to the service ramp and the air intake and exhaust would be located on the Adeline Place elevation, directly opposite Bedford Court Mansions. The appellant's noise assessment found that the night-time noise from plant at Bedford Court Mansions would be 10 dB(A) below the background noise level. That would be in accordance with the noise and vibration threshold referred to in CPD Policy DP28.
22. In this case the Council promoted a criterion of 15 dB(A) below the background noise level. This significantly stricter criterion reflects an emerging policy position which is intended to guard against creeping increases in background noise levels. Following further discussions the appellant confirmed that it would be able to comply with the 15 dB(A) criterion. A condition to that effect was included in the Council's schedule of suggested conditions.
23. The Bloomsbury Association was concerned that there was a lack of detail in the proposals for fixed plant. For example, it was pointed out that the plans showing ductwork were preliminary and it was not clear how the effectiveness of any attenuation measures would be affected by the need to maintain access to the service ramp. As noted above, in relation to AQ, it is not unusual for planning conditions to be imposed in situations where mitigation measures have yet to be designed in detail. In this case, I am satisfied on the evidence before the hearing that this is a matter which can appropriately be controlled by a condition.
24. I am mindful of the potential for multiple sources of plant noise in this location and the close proximity of residential properties. I agree with the Council that, in the particular circumstances of this case, it would be appropriate to stipulate the criterion of 15 dB(A) below the background, notwithstanding that this is a stricter criterion than that set out in the development plan.
25. The proposal would also have the potential to cause noise and disturbance from the comings and goings of hotel guests and from service traffic. In assessing these impacts it is necessary to bear in mind that the appeal site is currently in use as a car park with entry and exit ramps on Adeline Place. Vehicular traffic associated with that use would be removed by the appeal scheme.
26. The appellant's traffic assessment (TA) considered the potential for trip generation and modal split by reference to a comparable hotel in Lambeth. On

that basis, it found that the proposed hotel would generate around 100 trips in the busiest hour (1800 – 1900). Of these, 90% would be on foot or via public transport. The assessment methodology appears to me to be reasonable and I accept these conclusions. Pedestrian movement would be focussed on Great Russell Street where the entrance to the hotel would be located. In the context of this busy central London location I consider that the additional footfall associated with the hotel is unlikely to be discernable.

27. The TA indicates that there would be 7 taxi trips in the busiest hour. There would be no off-street pickup/set down point. However, bearing in mind the location of the hotel entrance and the bus stands in Great Russell Street, it seems likely that taxis would stop in the section of the street closest to Tottenham Court Road where there are double yellow lines. Given the amount of taxi traffic anticipated, it seems unlikely that this would be problematic. I do not think that an off-street facility is strictly 'necessary' in the terms of Policy DP14.
28. At the hearing local residents and Councillors described the particular problems associated with the impact of coaches on the locality. This appears to be related in part to coaches bringing people to hotels but also to coaches bringing visitors to other destinations in the wider area. The appellant stated that the style of hotel envisaged would not be aimed at large groups. Consequently it would be unlikely to add to coach traffic. A condition was suggested which would limit the size of groups which could be booked in to the hotel to somewhere in the range 8 to 14¹, thereby making it unlikely that the hotel would be attractive to coach parties.
29. I note that this is a matter which could be considered within the ambit of a hotel management plan, submitted under the terms of the UU. However, I am also mindful of the fact that the hotel operator is not yet known. The suggested condition would clarify the position for the benefit of potential hotel operators and residents alike. In my view such a condition would be necessary in this case, to manage the potential impact from additional coach traffic.
30. The existing complex has an off-street loading bay but this is used by the St Giles Hotel. The proposed hotel would be reliant on on-street servicing. Clearly this is not an ideal situation, particularly in a busy location such as this where kerbside space is at a premium. Nevertheless, in assessing the degree of harm, there are a number of factors to take into account. First, the proposed hotel would not have any restaurants, bars or function suites. This would reduce the amount of service traffic required. The TA indicates that there would typically be one delivery van per day with a maximum of 3 vehicles on any day. Such vehicles would be able to stop on the double yellow lines in front of the service entrance for a short period whilst loading/unloading.
31. Second, the scheme would increase the length of kerbside available due to the removal of the vehicle crossovers to the two car park ramps. This would be a significant increase in the context of the short section of Adeline Place between Great Russell Street and Bedford Avenue. Third, the hours of servicing could be limited by a condition to avoid disturbance to residents at unsocial hours. Further measures, for example measures to avoid a number of delivery

¹ The appellant's position was that this matter could be addressed through the hotel management plan to be submitted pursuant to the UU. However, the appellant considered that, if found to be necessary, such a condition would be in accordance with the requirements of the National Planning Policy Framework.

- vehicles arriving at the same time, could be agreed through the servicing management plan to be submitted pursuant to the UU. Having regard to all of the above factors, and mindful of the existing use of the car park, I do not consider that the proposed servicing arrangements would result in significant harm to the amenity of the area or the living conditions of nearby residents.
32. The Bloomsbury Association and local residents raised concerns about the potential for disturbance from groups of hotel guests congregating on the pavements near the hotel and for anti-social behaviour. It is fair to point out that the scheme would do little to animate the frontage to Adeline Place at street level. However, this area is currently an unattractive under-croft dominated by the car park ramps. Enclosing the void spaces would be a modest improvement. The officer's report notes that the local policing team had no objection, commenting that any increase in footfall would tend to deter drug users from the area and that existing car parks tend to attract car crime. The hotel management plan, agreed under the UU, would cover matters such as staffing and security.
33. It is possible that a proportion of hotel staff and/or guests would use the public realm near the hotel for smoking. However, there is no reason to think that staff or guests of the proposed hotel would be any more likely to engage in antisocial behaviour than the users of other establishments in the locality. The Bloomsbury Association emphasised the cumulative effect of the proposal in combination with the many hotel bedrooms already present in the immediate vicinity of the site. Whilst I take account of that concern, it is also pertinent to note that the site is in a part of the CAZ which has a vibrant mix of land uses. On the evidence before the hearing, I do not think that the proposal would harm the balance and mix of uses in the area.
34. My overall assessment is that the proposal would not result in material harm to the living conditions of local residents or the amenity of users of the public realm. It would not conflict with CCS Policy CS5, with CDP Policies DP12, DP14 and DP26 or with FAAP Policy 9. Together these policies seek to manage the impact of development in Camden and to protect local character and residential amenity.

Other matters

35. The site is not within a conservation area but it adjoins the Bloomsbury Conservation Area to the north, east and south. The existing complex is an imposing 20th century structure in the Brutalist style. The strong horizontal elements of the first floor podium are a prominent feature in close-up views. The current street level elevation to Adeline Place has a utilitarian character and is visually dominated by the car park entrances. The enclosure of the voids beneath the podium would be an enhancement. Whilst the new elevation to Adeline Place would be visible in the view from Bedford Square, it would be a minor element in the view and would not materially change the way that the building as a whole is experienced in the townscape.
36. The character of a conservation area can also be affected by changes in land use, activities and patterns of movement. However, in this case I do not think there would be a significant change in the overall character of the area for the reasons given above. The character of the conservation area would therefore be preserved.

37. St Giles Casino raised a concern regarding the loss of the car park which, it was suggested, would have a harmful effect on the business. No doubt the existing car park is a convenient facility for some customers of the casino. However, the reduction of off-street parking is consistent with the general thrust of planning policy which is to encourage the use of sustainable modes of transport in this busy central area. The officer's report states that the average occupancy of the car park is 57% and that there are alternative facilities nearby. Given the highly accessible nature of the location there is no reason to think that the loss of the car park would result in a significant impact on local businesses.
38. At the hearing it was stated that a strip of land within the application site boundary, along the Adeline Place frontage, is not in the control of the appellant company. That is not a matter for me to determine. The grant of planning permission does not alter any interests in property which may exist. Any such matters would be for the parties concerned to resolve.
39. Turning to the overall sustainability of the proposal, the fact that the hotel would be permanently reliant on mechanical ventilation must be regarded as a disadvantage. On the other hand, the proposal would make effective use of an underused building in a highly accessible location. It would also support the economy of Camden and London by contributing to the stock of hotel accommodation. The various obligations in the UU would ensure that the scheme would contribute to the economic, social and environmental dimensions of sustainable development. Looked at in the round, I consider that the proposal would represent sustainable development.

Conclusions

40. In conclusion, the proposal would make effective use of an under-used part of an existing building. It would provide additional visitor accommodation in a highly accessible location, consistent with the objectives of the LP and CSS. The impact of air quality on future occupiers of the hotel, potential impacts on the living conditions of local residents and the effect on the amenity of users of the public realm can be managed adequately through planning conditions and the terms of the UU. The absence of off-street servicing is a disadvantage of the scheme. However, taking account of the removal of the existing car park and the closure of the related vehicle crossovers, I do not think that the proposed servicing arrangements would result in significant harm.
41. My overall assessment is that the proposal would accord with the development plan as a whole. I have not identified any considerations which indicate that the appeal should be determined other than in accordance with the development plan. The appeal should therefore be allowed.

Conditions

42. The Council has suggested conditions which I have considered in the light of Planning Practice Guidance. Condition 2 requires development to be in accordance with the plans, to reflect that guidance. Condition 3 requires details of an NO₂ scrubbing system in the interests of ensuring that environmental conditions within the development are suitable for future occupiers. Condition 4 controls hours of deliveries, condition 7 requires submission of a piling method statement and condition 9 sets limits for noise from plant and equipment, all in the interests of protecting the living conditions of nearby residents.

43. Condition 5 requires further information regarding various building details in the interests of the character and appearance of the area and the living conditions of nearby residents. Condition 6 requires the provision of cycle storage and condition 8 requires the provision of storage space for refuse and recycling in the interests of sustainable development. Condition 10 requires submission of a drainage strategy to manage risks of pollution. Conditions 6 and 10 require the approval of details before the commencement of development because these details could affect the design of the scheme.
44. Condition 11 requires the premises to be used as a single planning unit to avoid future subdivision which could have adverse effects on the locality in terms of traffic generation, servicing requirements and environmental conditions. Condition 12 requires details of any electrical plant in the basement to avoid the risk of harm to the underground railway system. Condition 13 restricts the size of group bookings in order to limit the impact of coach traffic in the locality.

David Prentis

Inspector

APPEARANCES

FOR THE APPELLANT:

Russell Harris	Queen's Counsel
Dr Claire Holman	Brook Cottage Consultants
Ian Cowley	Hoare Lea
Nick Hawkins	Hawkins Environmental
Julian Carter	Savills

FOR THE LOCAL PLANNING AUTHORITY:

Michael Cassidy	Planning Officer
Joanne Stowell	Environmental Health Officer
William Bartlett	Solicitor
Adam Webber	Air Quality Officer
Ana Lopez	Sustainability Officer
Steve Cardno	Transport Officer

INTERESTED PERSONS:

Roger Wilson	Bloomsbury Association
Jim Murray	Chairman, Bloomsbury Association
Stephen Heath	Bloomsbury Association
Mohsen Zikri	Former Director, Arup
Mohammad Tabarra	Associate Director, Arup
Jason Swan	Partner, Sandy Brown Associates
Andrew Dismore	Member of the Greater London Assembly
Cllr Sue Vincent	Member of Camden Council
Cllr Roberts	Member of Westminster Council
Charlotte Grant	Associate, MDA Planning
Stephen Gould	Bedford Estates
Stephen Johnson	St Giles Hotel
David Judd	Director, Bedford Court Mansions Ltd
Roger Myddelton	Director, Bedford Court Mansions Ltd
Chris Gardiner	Resident of Bedford Court Mansions
Peter Dayan	Resident of Bedford Court Mansions
Salwa Heath	Resident of Bedford Court Mansions
Alun Wood	YMCA

DOCUMENTS

- 1 Formalities bundle
- 2 Draft Unilateral Undertaking
- 3 Statement of common ground
- 4 Bundle of agreed plans
- 5 Appearances for the appellant
- 6 Appearances for the Bloomsbury Association
- 7 Draft Unilateral Undertaking (final)
- 8 Unilateral Undertaking dated 13 October 2016

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
2897/L/01, 2897/P/01B, 2897/P/02B, 2897/P/03B, 2897/P/04B, 2897/P/05B, 2897/P/06A, 2897/P/07, 2897/P/08A, 2897/P/11F, 2897/P/12C, 2897/P/13C, 2897/P/14D, 2897/P/15G, 2897/P/16G, 2897/P/17D, 2897/P/18C, 2897/P/19B, 2897/P/31, 2897/P/32, DMWR/A3/3233/PL-00300revP1,
- 3) Prior to first occupation of the development, an Air Quality Report shall be submitted to and approved in writing by the local planning authority. The report shall provide evidence that an appropriate NO₂ scrubbing system on the mechanical ventilation intake has been installed. The system shall be generally in accordance with the recommendations of the submitted Air Quality Assessment by Hoare Lea dated 22 May 2015. The report shall include a detailed maintenance plan for the system. The scrubbing system shall thereafter be operated and maintained in accordance with the approved report for the lifetime of the development.
- 4) Deliveries and collections (including waste collections) shall be taken at or despatched from the site only between 0900hrs and 2100hrs on any day.
- 5) 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) manufacturer's specification and details of all facing materials including colour and samples of those materials.
 - b) plan, elevation and section drawings, including fascia, cornice, pilasters and glazing panels of the new hotel entrance at a scale of 1:10
 - c) details including sections at 1:10 of all windows (including jambs, head and cill details), ventilation grills and external doors
 - d) details of service ducts

The relevant parts of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.
- 6) Before the development commences, details for the provision of a minimum of 8 covered, secure and fully enclosed cycle storage/parking spaces for staff and 24 cycle parking spaces for visitors shall be submitted to and approved in writing by the local planning authority. The cycle parking facilities should be designed to Camden Council's design specifications as detailed in CPG7. The cycle parking facilities shall be provided as approved prior to the occupation of the development and shall thereafter be permanently retained as such.
- 7) No impact piling shall take place until a piling method statement has been submitted to and approved in writing by the local planning

authority. The method statement should be prepared in consultation with Thames Water or the relevant statutory undertaker, detailing the depth and type of piling to be undertaken, the methodology by which such piling would be carried out, measures to minimise the potential for damage to subsurface water infrastructure and the programme for the works. Any piling must be undertaken in accordance with the approved piling method statement.

- 8) Prior to occupation of the development the refuse and recycling storage facilities intended for its occupiers shall be provided as shown on the drawings hereby approved. Thereafter the refuse and recycling storage facilities shall be permanently retained as such.
- 9) Prior to the commencement of the authorised use, a written acoustic report detailing measures to control noise from fixed plant and equipment shall be submitted to and approved in writing by the local planning authority. The noise level from any plant and equipment, together with any associated ducting or vents, shall be 15 dB(A) or more below the lowest relevant measured LA90 (15min) at the nearest noise sensitive premises. The method of assessment is to be in accordance with BS4142:2014. The plant and equipment shall be installed and constructed in accordance with the approved scheme and shall be permanently maintained as such thereafter. Prior to the plant being used a validation test shall be carried out following completion of the development. The use hereby permitted shall not commence until a report of the validation test has been submitted to and approved in writing by the local planning authority.
- 10) Development shall not commence until a drainage strategy has been and submitted to and approved in writing by the local planning authority. The strategy should be prepared in consultation with the sewerage undertaker and should demonstrate that the existing and proposed foul and surface water connection points and peak flow rates will have an acceptable impact on the public sewer system. The drainage strategy shall be implemented as approved before the first occupation of the development hereby permitted.
- 11) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the premises shall not be used other than as a hotel within a single planning unit.
- 12) Prior to the installation of any electrical plant or equipment in basement levels -4 or -5, details of the installation shall be submitted to and approved in writing by the local planning authority. The details should be prepared in consultation with Transport for London to ensure that the plant or equipment does not harm the operation of the transport system. Any plant equipment installed shall thereafter be operated and maintained in accordance with the approved details.
- 13) The hotel hereby permitted shall not accept group bookings for parties of more than 8 people.

Appendix 4 – Schedule of Updated Information

Document/Plan Title	Comment
Application Form & Certificate	New application form submitted
CIL Form	New CIL form submitted
Planning Statement	Revised statement submitted which should be read in conjunction with the Planning Statement relating to the Original Consent
Drawings	Revised drawings submitted
Noise Assessment	Revised version submitted
Air Quality Assessment	Revised version submitted
Service Management Plan	Revised version submitted
Hotel Management Plan	Revised version submitted
Drainage Strategy	Revised version submitted
Transport Assessment & Travel Plan	Revised version submitted
Energy/Sustainability Statement	Revised version submitted
Fire Strategy	Revised version submitted
Employment Training Plan	No need for revisions
Detailed Drawings (Condition 5)	Detailed drawings to be submitted
Details of Electrical Plant (Condition 12)	Details of electrical plant submitted

