

Site Address: 112A Great Russell Street, London W1B 3NP

Planning Application Ref 2020/3107/P: Removal/Variation of Conditions to facilitate a 208-bedroom hotel scheme, as a minor material amendment.

Current Planning Permission Ref: 2015/3605/P (amended via NMA ref: 2020/1438/P) – removing reference to 166 bedrooms: “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”.

Contents:		Page
1.0	Executive summary	2
2.0	Introduction	3
3.0	The current proposal	4
4.0	Basis of The Bloomsbury Association objection to the s73 application	4
5.0	Noise assessment and control of environmental conditions	5
6.0	Fire Strategy	5
7.0	Conditions and s106 Unilateral Undertaking	5
8.0	Conclusions	6

1.0 Executive summary

1.1 These further comments are submitted on behalf of The Bloomsbury Association and focus on drawings and information supplied by the developer's agent Centro Planning Consultancy and uploaded to the case file on 4 September 2020.

1.2 The Bloomsbury Association (BA) continue to object to the proposals set out in the s73 application for the following reasons:

(1) Nothing in the developer's responses has answered the inappropriate nature of the s73 means of determining a retrospective application for approval of 'development' that far exceeds the terms of the original planning permission.

(2) Any amendments made do not satisfactorily resolve the issues arising from the wide range of design and environmentally unacceptable issues. The proposals remain contrary to the adopted Local Plan Policies.

1.3 There continues to be a number of misleading descriptions that compromise its validity and could lead to conflict at a time of enforcement, e.g. whether there is a level pavement on Adeline Place - drawings still show contradictory information. These issues continue in the vein of 'variant' planning procedures adopted since work commenced on site, such as:

- failure to abide by the terms of the Construction Management Plan;
- deviance between plans and principles approved by the Planning Inspector and those submitted for discharges of conditions; and
- failure to disclose deviance between approved plans and those now seeking retrospective approval;

1.4 There remain at least four areas of design difference as a consequence of the proposed 25% increase in the number of rooms and 36% increase in occupancy of the hotel. Each has a differing degree of impact relating to its location, adjacencies, the intensity of activity, noise, vibration, air flow, disturbance or appearance:

- Movement and access: people and vehicles;
- Servicing: goods delivered, waste storage and collection;
- Environmental support systems: ventilation, air-conditioning and power plant;
- Public safety, and
- Presence at street level, including architectural expression.

1.5 The key impacts resulting from the intensification of use have been previously described. These have not been satisfactorily resolved. Imposing amended conditions or omitting some, as this proposal requests, would exacerbate a situation that is already the subject of abuse and flouting. In brief, the expectations of the Planning Inspector in granting planning permission would be subverted.

2.0 Introduction

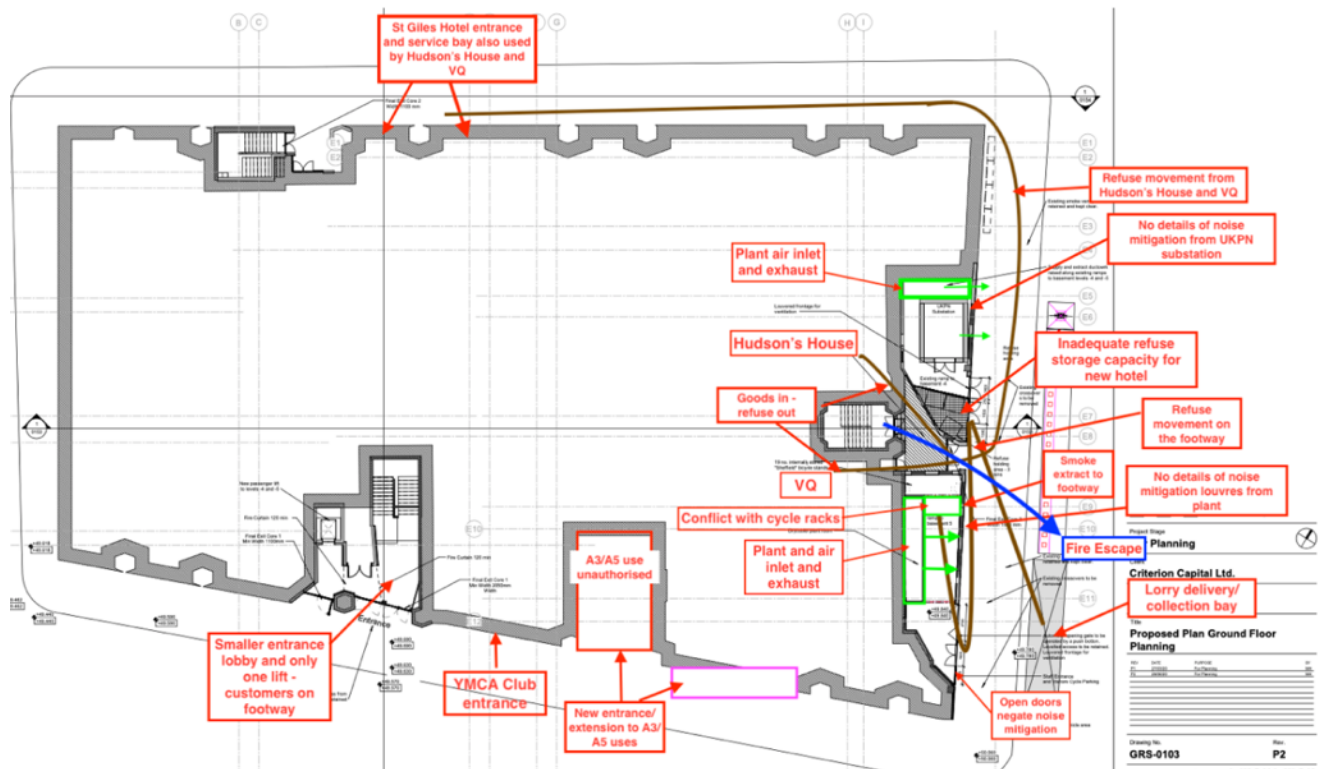
- 2.1 This Addendum report and by its terms, **an objection**, has been prepared on behalf of The Bloomsbury Association which represents a wide range of interests within the area surrounding the proposal, including business and residential interests.
- 2.2 The application is made under s73 of The Planning Act 1990 (as amended) for Determination "... to develop land without compliance with conditions previously attached".
- 2.3 Notwithstanding the applicant's response and comments to the earlier critical report, the basis of that criticism is not removed and therefore stands.
- 2.4 Work on site implementing the wide-ranging changes embodied in the application have gone unabated by Covid-19 working restrictions or Council control and without planning permission, thereby treating the granting of that permission as a fait accompli.
- 2.5 There remain a number of areas where the application is deficient and/or conflicting between various documents:
 - The drawings W602-MYC-00-00-DR-ME-5921 (GF Level Plant Room Location) and W602-MYC-00-00-DR-ME-5924 (Roof Level Ventilation Intake - Exhaust Location) show plant and equipment not included on the drawings submitted for approval. The latter also purports to be a roof plan when clearly it is not.
 - The revised Ground Floor Plan, drawing GRS-103 rev P3, highlights a number of areas about which previous concern has been expressed.
 - The document 'GRS Thames Water Letter 02-2019', dated 20 August 2018, states: "*Proposed extension to the existing hotel. Underground car park to be converted into **225 no. additional rooms**... We're pleased to confirm that there will be sufficient foul water capacity in our sewerage network to serve your development, so long as your phasing follows the timescale you've suggested.*" Again, this reveals that the development as built could ultimately have more rooms than shown on the drawings. Thames Water implemented the connection 5-11 January - see BA e-mail to the Council dated 5 January 2021.
- 2.6 The changes to the layout, elevations and operational details remain fundamental and material, but are fatally flawed to the extent that what is proposed is neither within the essence of the original proposal, nor the expectation of the Planning Inspector in granting the original planning permission.
- 2.7 To reiterate the earlier report, the BA objects to the form and content of the application, which should be refused.

3.0 The current proposal

- 3.1 The application was submitted with some 18 support documents. There are currently some 25 documents, some of which are further drawings that are not consistent with the originals. It is not possible to ascertain which drawings and statements/specifications are deemed to be now under consideration. Some further clarity is required to establish which documents may have been superseded.
- 3.2 The letter from Thames Water (4.9.2020) refers to **225 rooms** which is at odds with the stated application to extend the hotel from 166 rooms to 208.

4.0 Basis of the Bloomsbury Association objection to the s73 application

- 4.1 Nothing in the supplementary documents removes the BA's objection to the principle of dealing with the scale and nature of the changes via a s73 application. The BA maintain its objection to the s73 process for such fundamental changes.
- 4.2 The submission has a number of misleading descriptions that compromise its validity and could lead to conflict at a time of enforcement, e.g. whether there is a level pavement on Adeline Place. Drawing 0103 P3 shows pavement crossovers annotated to be removed but internal ramp levels (to levels -4 and -5) remain unaltered and without reference to any recognised datum, such as OS with the note '*levelled access to be retained*'. Similarly, the kerb levels at Adeline Place where the original ramps discharged to the street are unchanged. This, of course, means that pavement crossovers cannot be removed and suggests there is an intention to continue to illegally drive vehicles across and park on the public footway, contrary to the Inspector's understanding. The level of the ramp must be raised to accord with the new external footway level to allow vehicle crossovers to be removed. Whether this is simply carelessness or an attempt to cause confusion is immaterial. It is capable of two different interpretations which have implications for any future enforcement.
- 4.3 The refuse holding area clearly shows only three 1100 litre bins when this is insufficient provision. The Servicing Management Plan states, in Route for General Waste, item (b) on page 19: "*From there (level -5), the linen porter will move the trolleys to the EV at the foot of the ramp on level -5. The porter will then load the black bags onto the electric vehicle to drive these up the service ramp. He will then offload these from the EV and load these into the 1100l bins within the refuse store at street level.*" Clearly there is insufficient space in the refuse store for this to happen. Neither is it clear that 3-point turns can be achieved at the heads of ramps from levels -4 and -5 as claimed. The only way for the EV to get from the service ramp to the refuse store is via the pavement which may go to explaining why level access is to be maintained. The same process is repeated for other categories of waste, as described on pages 20-22. The design proposal is incompatible with the Servicing Management Plan, which cannot be implemented. The intention is clear: to store refuse containers on the public footway with the reassurance that Camden will not take enforcement action. The movement of goods in and out can only be achieved via the public pavement, all contrary to the Planning Inspector's expectations.



Plan at Street Level

- showing adjoining uses and movement of goods and services in and out of the building on the pavement, rather than within the building as required by the Planning Inspector

4.4 There continues to be no adherence to the Construction Management Plan which the developer and construction team seems to treat as any unwarranted intrusion into their working practices.

5.0 Noise assessment and control of environmental conditions

5.1 None of the issues raised in previous report (Section 7) have been addressed, in particular the noise impact from plant at ground level adjoining Adeline Place. The principles of the Developer’s noise consultant’s report have not been incorporated into the construction and the necessary operation of external doors caused by inadequate servicing space internally will negate any amelioration in any event.

5.2 Plant on the roof against the Great Russell Street elevation have not shown on any elevation. Drawing No. W602-MYC-00-00-DR-ME-5924 may indicate the nature of the plant in plan, but its appearance in plan, section and elevation and its material and acoustic characteristics are not detailed.

6.0 Fire Strategy

6.1 There is no satisfactory response to the concerns expressed about public safety issues.

7.0 Conditions and s106 Unilateral Undertaking

7.1 Previous comments remain valid.

8.0 Conclusions

- 8.1 The scale and nature of the amendments proposed in this retrospective application continue to be inappropriate for a s73 application.
- 8.2 There continues to be a serious disconnect between the various consultants' assessments and what has actually happened within the construction. For example, the acoustic consultant recommended a 300mm noise baffle louvre system to attenuate excessive noise from air handling plant in the ramps; what is shown on the drawings and what has already been installed to the substation do not meet that specification. Moreover, open doors, inevitable because of their constant use for service access to Adeline Place, would negate any benefit.
- 8.3 There are a number of instances of inconsistencies between drawings and other information, relating to such things as refuse storage and pavement cross-overs. It is inevitable that this will lead to conflict in interpretation of any permission granted.
- 8.4 Taken together, all these amendments are unacceptable because they have adverse impacts on the local environment for the public, businesses and the living conditions of adjoining residents through noise and disturbance, all as previously stated.
- 8.5 **For all these reasons, the proposals are unacceptable and permission under s73 should be refused.**

Roger Wilson

For and on behalf of the Bloomsbury Association.