

Application No: PA/11/00163
Site: 38-40 Trinity Square, London EC3N 4DJ
Development: Erection of a 9 storey hotel with ancillary facilities along with a pedestrian walkway alongside the Roman wall and the creation of a lift overrun and step free access to Tower Hill tube station.
Council Decision: REFUSE PLANNING PERMISSION (Strategic Development Committee)
Appeal Method: PUBLIC INQUIRY
Inspector's Decision: ALLOWED

This case was refused by the Strategic Development Committee earlier this year on three grounds:

- Design and massing and the effect of the development on the character and appearance of the Tower Conservation Area and neighbouring conservation areas, adjacent listed buildings and the Tower of London World Heritage site.
- The effect of the proposed development on protected/safeguarded views (from the south side of the River Thames)
- The effect of the development on pedestrian safety in and around Trinity Square, with the development relying on on-street servicing.

Prior to finalising the Council's Statement of Case, officers, in consultation with the Chair of the Strategic Development Committee, confirmed to the Planning Inspectorate and all other parties involved in the appeal, that the Council did not intend to present evidence to on the second and third reasons for refusal, instead concentrating on the first reason. The Grange Hotel (one of the objectors to the scheme) was accepted as a formal Rule 6 Party and they presented evidence to cover the two other reasons for refusal. As a consequence, the Planning Inspector considered evidence covering all three reasons for refusal although significantly, he did not consider the highway issues as being a main consideration in this case.

He considered the main issues to be

- The effect of the development on the Tower of London World Heritage Site and its setting
- Whether the proposed demolition and the development preserved or enhanced the character and appearance of the Tower Conservation area and adjacent conservation area
- The effect of the proposed development on the architectural character and historic interest of adjacent listed buildings and their settings (particularly 41-43 Trinity Square).

Dealing with the first issue, the Planning Inspector felt that the appreciation of the World Heritage Site needs to be seen in the context of what already exists. Seen from the opposite side of the River, the Tower is flanked by new development of mainly commercial space including the existing Grange Hotel. He was content that the proposed hotel would be significantly lower than the existing Grange Hotel and he felt that the proposed building would obscure

some of the conspicuous right white cladding of that building. He was satisfied that the proposed building would not contradict or interfere with the townscape ensemble of the Tower of London and he felt the screening of the Grange hotel would enhance the setting of the Tower of London.

In terms of its relationship when viewed from the north side of the River Thames, he was satisfied that the proposed development would appear similar to other recent schemes of very contemporary modern design and he was satisfied that the 7/8 storey building would not challenge the dominance of the White Tower, in view of intervening distances. He concluded that the proposed development would not have harmed the Outstanding Universal Value, authenticity, integrity or significance of the Tower. The views of the proposed building would always be in the context of other more intrusive and taller buildings behind.

Dealing with the second issue, the Planning Inspector made particular reference to the view of the building when approaching from Coppers Row. Again, he referred to the contrasting Grange Hotel and he was not that concerned about the contrasting height between 41 Trinity Square and the proposed hotel (which would be most apparent from the western footway along Coopers Row). He was satisfied that the proposed building design was well considered which had evolved through time with positive input from heritage/design specialists, English Heritage, Historic Royal Palaces and CABE. He concluded that the proposed hotel would relate satisfactorily to 41 Trinity Square in important respects; the step forward and the rhythm of the fenestration and stone banding. He was satisfied that the development would preserve the character of the Tower Conservation Area. He was also content with the effect of the development on the Trinity Square and Crescent Conservation Areas. He made particular reference to the appropriate height of building which would not dominate the height of the PLA building and he concluded that the use of Portland Stone horizontal elements would link visually with the entablature of the PLA building and Trinity Square.

On the third issue, the inspector reviewed the effect of the development on the various listed buildings in the vicinity of the site, including the memorials in Trinity Square Gardens and concluded that the architectural and historic interest of listed buildings would be protected as would their settings.

On other matters, the Planning Inspector was content that the principle of a hotel on the site was acceptable and in accordance with policy. Whilst he acknowledged that the level of pedestrian activity was high during certain times of the day, he was content that on street servicing could take place, as long as the timing of serving activity is limited to outside peak pedestrian activity, controlled through a Delivery/Servicing Management Plan. He did not find streets particularly heavily trafficked. Interestingly, the Planning Inspector placed very limited weight on the requirement that bookings from coach parties should be restricted. Finally, he welcomed the station access works and concluded that the existing curve of the platform was not a reason to discourage such improvement. He concluded that this public benefit weighs in favour of the scheme.

The appeal was ALLOWED. This was a very involved public inquiry (which sat for 8 days) with the Council presenting evidence on design/heritage issues, using an independent consultant with expertise in design and heritage matters as well as one of your officers, presenting more general planning evidence. No

costs were awarded against the Council, although there were reasonably high costs associated with the Council defending its position at this lengthy and involved planning appeal.

