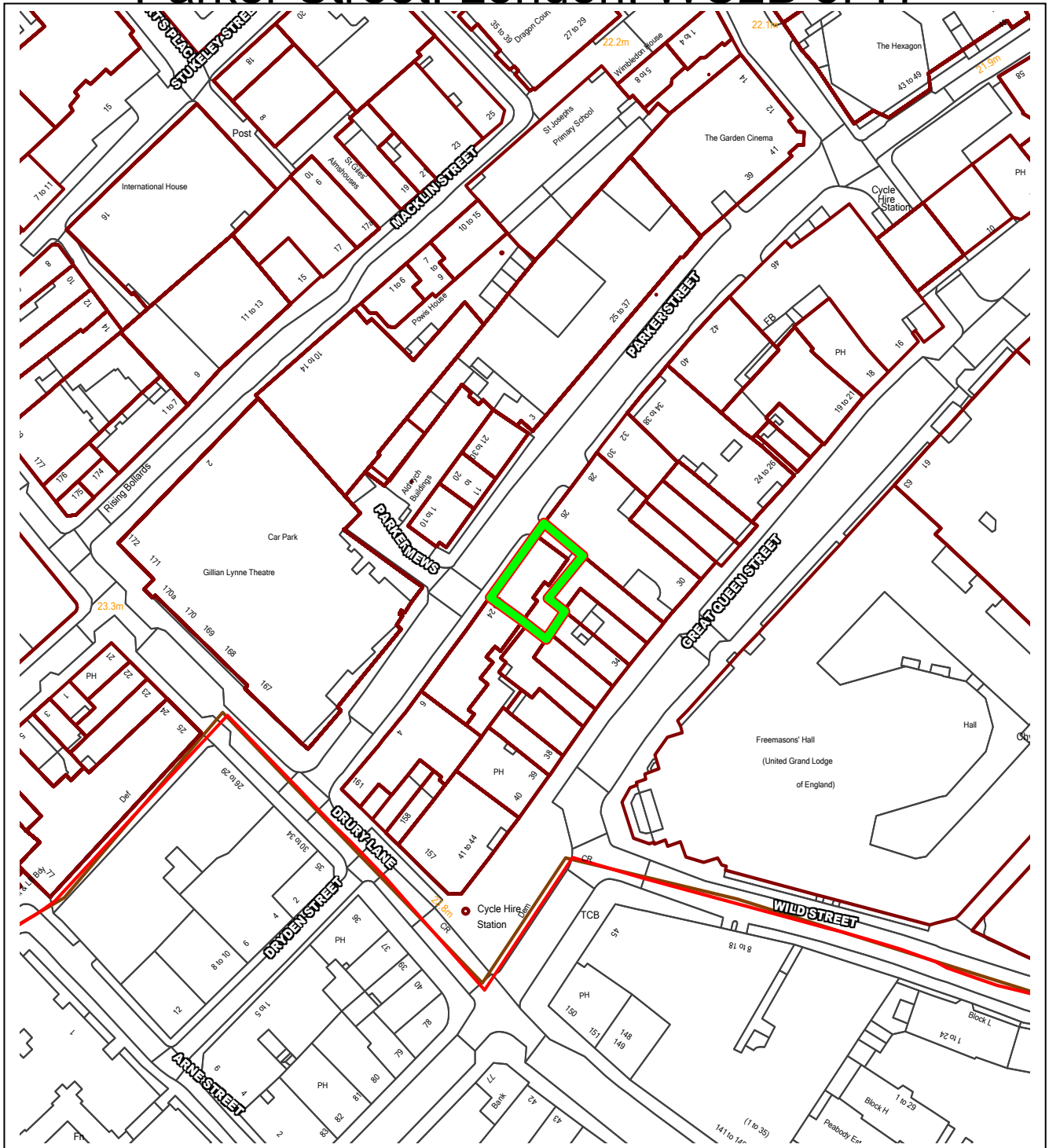


2022/4952/P – Ruspini House, 22 Parker Street, London, WC2B 5PH



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Photo 1 (above): Front elevation of Ruspini House



Photo 2 (above): Front elevations of Ruspini House (entrance doors painted black, to left hand side of building) and Market House (entrance doors painted blue, to right hand side of building)



Photo 3 (above): Rear elevation of Ruspini House (first floor to roof levels, taken with wide-angled lens)



Photo 4 (above): Close-up views of rear elevation of Ruspini House



Photo 5 (above): View of courtyard to rear of site, looking south-west towards boundary with Market House



Photo 6 (above): View of courtyard to rear of site, looking north-east



Photo 7 (above): View of area of rear courtyard where plant enclosure is proposed to be located

Delegated Report		Analysis sheet	Expiry Date:	06/01/2023
(Members Briefing)		N/A / attached	Consultation Expiry Date:	25/12/2022
Officer			Application Number(s)	
Charlotte Meynell			2022/4952/P	
Application Address			Drawing Numbers	
Ruspini House 22 Parker Street London WC2B 5PH			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Alterations to front and rear elevations including installation of new and replacement windows and doors; installation of cycle storage to rear; erection of external plant enclosure in rear yard, to accommodate air source heat pumps; installation of solar PV panels and air source heat pumps on main roof; in connection with continued use of building as 6 self-contained flats.				
Recommendation(s):	Grant Conditional Planning Permission			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	05	No. of objections	04
Summary of consultation responses:	<p>A site notice was displayed on 30/11/2022 and expired on 24/12/2022. A press notice was advertised on 01/12/2022 and expired on 25/12/2022.</p> <p>The following objections were received:</p> <ol style="list-style-type: none"> 1. Concerned about noise from proposed Air Source Heat Pumps and other plant on the roof and would like a time constraint to be placed over the usage of the units and an assurance that the noise from the units will not be intrusive to adjoining residential units. 2. Need to be assured that noise containment for the proposed ASHPs is future-proofed for mid-life fan noise emissions. 3. Concerned about new ventilation flue – this should be placed internally away from the party wall with Market House. 4. The proposed sound insulation between the site and the attached neighbour Market House is very poor and should be improved. 5. The proposed alterations to staggering of room types adjacent to Market House is unacceptable and will create noise issues. <p>Officer response:</p> <ol style="list-style-type: none"> 1. <i>The Council's Environmental Health Noise Pollution Officer has reviewed the submitted Plant Noise Assessment and confirmed that the proposals would comply with planning policy and are acceptable in terms of noise impact, subject to conditions. The proposed restriction of the use of the proposed Air Source Heat Pumps is both unnecessary and unreasonable as they would be the only source of energy for the flats within Ruspini House, as the existing gas boilers would be removed. Please refer to sections 4 and 5 of the report for further discussion.</i> 2. <i>A site-specific lifetime maintenance schedule has subsequently been provided for the Air Source Heat Pumps; please refer to sections 4 and 5 of the report for further details.</i> 3. <i>The proposed ventilation grilles will be located at least 2.9m from the boundary with Market House.</i> 4. <i>Details of enhanced noise insulation have subsequently been submitted to mitigate against potential noise impacts through the alteration of room types, and are considered acceptable. Please refer to section 4 of the report for further discussion.</i> 5. <i>Details of enhanced noise insulation have subsequently been submitted to mitigate against potential noise impacts through the alteration of room types, and are considered acceptable. Please refer to section 4 of the report for further discussion.</i> 			

<p>Covent Garden Community Association comments:</p>	<p>The Covent Garden Community Association offered the following comments and objections:</p> <ol style="list-style-type: none"> 1. Support the addition of internal space for waste storage and bicycle storage. 2. Replacement windows: Support replacement of window frames with similar metal ones – should be aluminium and not uPVC. 3. Access to outside space: Object to the rear alterations to the fenestration at ground floor level to increase access to the outside space. Use of the space for smoking or leisure at anti-social hours will have a negative impact on neighbouring occupiers. Conditions should be added to restrict the hours of use of the private outside space to between 08:00 and 21:00 during the week, 9:00 to 22:00 on Saturdays and 10:00 to 21:00 on Sundays and to not permit smoking in the private outside space. 4. Air Source Heat Pumps (ASHPs): Object to installation of ASHPs in the outside space due to noise. The projected sound levels should be reduced to 4dB below the target range rather than 1dB, and conditions should be added to restrict the hours of use of the ASHPs to between 08:00 and 22:00 and to provide a professional maintenance contract for the ASHPs. <p><u>Officer response:</u></p> <ol style="list-style-type: none"> 1. <i>The replacement windows would be metal framed and not uPVC.</i> 2. <i>The outdoor rear amenity space is existing and it is not reasonable to restrict the hours of use of this space or to prevent smoking.</i> 3. <i>The Council's Environmental Health Noise Pollution Officer has reviewed the submitted Plant Noise Assessment and confirmed that the proposals would comply with planning policy and are acceptable in terms of noise impact, subject to conditions. A site-specific lifetime maintenance schedule has subsequently been provided for the ASHPs. The proposed restriction of the use of the proposed ASHPs is both unnecessary and unreasonable as they would be the only source of energy for the flats within Ruspini House, as the existing gas boilers would be removed. Please refer to sections 4 and 5 of the report for further discussion.</i>
<p>Bloomsbury Conservation Area Advisory Committee (CAAC) comments:</p>	<p>The Bloomsbury CAAC offered the following comments on the application:</p> <ul style="list-style-type: none"> • We concur with the pre-application advice that was provided regarding, in particular, the replacement windows, and as this and other concerns have been given due attention by the applicant, we have no further comments.

Site Description

The site is a 3 to 4 storey plus mansard roof level residential building located on the south-eastern side of Parker Street, in the Central London Area. It was built with Nos. 8-18 (even) Parker Street (also known as Market House) in the late 1980s as part of a mixed-use development. The lawful use of the building has been established as 6 self-contained residential units (see relevant planning history section below). The units have been vacant for over two years.

The site is situated within the Seven Dials Conservation Area, and borders the Grade II listed 36 Great Queen Street and Grade II* listed 34 and 35 Great Queen Street to the rear.

Relevant History

2022/3224/PRE - External alterations to the existing building, including the replacement of the windows in the front elevation; alterations to the openings in the rear elevation and installation of replacement windows and doors; erection of an external plant enclosure in the rear yard to accommodate an air-source heat pump; installation of solar PV panels on the main roof and installation of cycle stand; all in connection with the continued use of the building as six self-contained residential units. **Pre-application advice issued 15/09/2022**

2021/2471/P - Use as dwellinghouses (C3). **Certificate of lawfulness granted 25/10/2021 - for use of building as 6 residential flats**

2009/5944/P - Erection of in-fill mansard roof extension at fourth floor level to provide additional living accommodation and the installation of windows at ground floor level on front elevation (in association with removal of garages and creation of additional living accommodation) to existing student accommodation (Sui Generis). **Planning permission granted subject to a Section 106 Legal Agreement 07/07/2010**

PSX0005063 - The replacement of all windows with powder coated aluminium casement windows. **Planning permission granted 21/05/2001**

Relevant policies

National Planning Policy Framework (2021)

London Plan (2021)

Camden Local Plan (2017)

A1 Managing the impact of development

A3 Biodiversity

A4 Noise and vibration

D1 Design

D2 Heritage

CC1 Climate change mitigation

CC2 Adapting to climate change

CC3 Water and flooding

CC5 Waste

H1 Maximising housing supply

H6 Housing choice and mix

H7 Large and small homes

T1 Prioritising walking, cycling and public transport

Camden Planning Guidance

CPG Amenity (2021)

CPG Biodiversity (2018)

CPG Design (2021)

CPG Energy efficiency and adaption (2021)

CPG Home improvements (2021)

CPG Housing (2021)

CPG Transport (2021)

CPG Water and flooding (2019)

Seven Dials Conservation Area Statement (1998)

Assessment

1. Proposal

1.1 Planning permission is sought for the following:

- Replacement of front and rear double-glazed white uPVC windows with double-glazed white metal framed replacements with a similar design and profile;
- Replacement of ground floor rear windows and doors with enlarged window and new sliding doors to facilitate access to private amenity space for two ground floor units;
- Replacement of existing first, second and third floor rear windows with bifold doors to facilitate access onto the existing rear balconies;
- Enlargement of existing rear windows at first, second and third floor levels and reduction in size of existing first floor rear windows to new en-suite bathroom;
- Insertion of 8 new powder coated metal ventilation grilles to rear elevation, colour to match existing brickwork;
- Installation of 2 lockable bike stores and 2 Sheffield bike stands to the rear, to provide storage for 8 bikes;
- Erection of external plant enclosure measuring 7.6m wide, 3.1m deep and 3.5m high in rear yard, with a biodiverse roof above the internal plant room roof, to accommodate 4 Air Source Heat Pumps (ASHPs) to serve the existing 6 self-contained flats;
- Installation of solar PV panels and 2 ASHPs on main roof to serve existing 6 self-contained flats.

Revisions

1.2 The following revisions were made throughout the course of this application:

- Removal of replacement of existing blues tiles on front elevation from the scheme.
- Alterations to proposed cycle parking to replace proposed vertical racks with secure cycle storage boxes and Sheffield stands to comply with CPG Transport requirements.
- Enhanced sound insulation proposed between Ruspini House and the adjoining Market House.
- Site-specific lifetime maintenance schedule provided for the proposed Air Source Heat Pumps and PV panels.

2. Assessment

2.1 The main material planning issues for consideration are:

- Design and heritage
- Neighbour amenity
- Sustainable design and construction
- Transport

3. Design and heritage

3.1 The proposed replacement of all of the existing white uPVC front and rear windows with white metal framed windows with a similar design and profile would ensure that the uniformity of the fenestrations of Ruspini House and the attached Market House is retained and that the character and appearance of the Seven Dials Conservation Area is preserved.

3.2 To the rear, the proposed enlargement of several windows through combining two windows into one is also considered acceptable as the size and detailed design of the windows would match the design of the existing surrounding windows.

3.3 The proposed insertion of new rear doors at all levels to facilitate access out to the private

terraces and balconies is acceptable. Although the proposed doors would not match the existing fenestration pattern in terms of detailed design, this is considered acceptable as the locations of the doors on the building are either partially or fully obscured from private views, and not visible in any public views. The proposals would therefore not significantly harm the character and appearance of the rear elevation of the host building and the conservation area.

- 3.4 The proposed ventilation grilles to be installed on the rear elevation of the building are appropriately sized, follow a consistent pattern and would match the colour of the brickwork, and therefore do not appear unduly intrusive.
- 3.5 The proposed installation of a new plant enclosure to house 4 ASHPs within the rear courtyard would not harm the character and appearance of the host building or conservation area as it would be located behind existing high boundary walls. The infilling of this part of the rear courtyard would be in keeping with the pattern of development along the terrace and would still maintain sufficient private outdoor amenity space for the ground floor flat No. 20. The proposal to include a biodiverse roof above the internal plant area within the enclosure is welcomed from a design and biodiversity perspective, and details of this will be secured by condition.
- 3.6 The proposed installation of PV panels and 2 further ASHPs on the flat mansard roofs of the building would not be visible in public views, and it is not considered that they would harm the character and appearance of the building or the conservation area.
- 3.7 Special regard has been attached to the desirability of preserving or enhancing the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

4. Neighbour amenity

- 4.1 Owing to the siting of the proposed plant enclosure, it would not result in a loss of light to neighbouring properties. The proposed rear wall separating the rear terrace at No. 20 with the proposed plant enclosure may have a limited impact on light levels to this terrace, but it is not considered to be significant given the location of the terrace already enclosed by high walls to the rear and side.
- 4.2 The proposed provision of a biodiverse roof above the internal plant enclosure, whilst small in size, would improve the outlook for the existing residential units and the neighbouring properties.
- 4.3 The Council's Environmental Health Noise Pollution Officer has reviewed the submitted Plant Noise Assessment and has confirmed that the proposals are considered acceptable in their impact with regards to noise and vibration, subject to compliance with a condition to install anti-vibration measures and a condition requiring the external noise level emitted from equipment to be lower than the typical background noise level by at least 10dBA, and by 15dBA where the source is tonal, at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. It is considered that these conditions would ensure that the amenity of neighbouring residents is protected in terms of noise and vibration.
- 4.4 Although planning permission is not required for the proposed internal refurbishment work, details have been submitted for proposed party wall sound insulation which would provide an improvement of 10dB above the existing wall. This would offer enhanced noise protection to neighbouring occupiers of Market House and future occupiers of Ruspini House compared with the existing situation and is considered acceptable.

5. Sustainable design and construction

- 5.1 The submitted Sustainability and Energy Statements demonstrate that the proposed refurbishment works would be energy efficient and sustainable and would achieve an 'Excellent'

rating in BREEAM domestic refurbishment.

- 5.2 The proposed removal of the existing gas heating system and its replacement with centralised, communal ASHPs for heating purposes is considered renewable and is supported and welcomed. However, ASHPs are not considered renewable in cooling mode, as this is pumping unwanted heat out which uses energy, and Policy CC2 discourages active cooling. The use of the ASHPs for active cooling has not been justified in line with the cooling hierarchy as required by policy CC2 of the Camden Local Plan. A condition will therefore be added to ensure that the cooling function of the ASHPs is disabled on the factory setting, to prevent the units from providing active cooling.
- 5.3 The submitted Energy Statement confirms that modelling has been undertaken to ensure that the proposed solar PV panels to be installed on the flat mansard roof are well positioned to avoid overshadowing, and their inclusion in the scheme is supported from an sustainability perspective.
- 5.4 A condition would be added to ensure that the maintenance of the ASHPs and PV panels complies with the submitted site-specific lifetime maintenance strategy.

6. Transport

- 6.1 The revised proposals include the installation of 8 cycle spaces to the rear, with the provision of lockable bike stores to accommodate 2 cycles each within the rear amenity space of the two ground floor units, and two Sheffield cycle stands within the communal rear courtyard for use by the other 4 flats. This is considered to be acceptable in terms of policy T1 of the Local Plan, and the provision of the cycle parking will be secured by condition.
- 6.2 The Council's Transport Planner has confirmed that a highways contribution is not considered necessary for this development as the cost of any damage to the adjacent footway during construction will be covered by the scaffolding bond that is secured as part of the scaffold licencing process.

- 7. Recommendation:** Grant conditional planning permission

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 20th March 2023, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2022/4952/P
Contact: Charlotte Meynell
Tel: 020 7974 2598
Email: Charlotte.Meynell@camden.gov.uk
Date: 15 March 2023

Development Management
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London Borough of Camden
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WC1H 9JE

Phone: 020 7974 4444

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www.camden.gov.uk

RPS Consulting Services
2 Callaghan Square
Cardiff
CF10 5AZ

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Ruspini House
22 Parker Street
London
WC2B 5PH

DECISION

Proposal: Alterations to front and rear elevations including installation of new and replacement windows and doors; installation of cycle storage to rear; erection of external plant enclosure in rear yard, to accommodate air source heat pumps; installation of solar PV panels and air source heat pumps on main roof; in connection with continued use of building as 6 self-contained flats.

Drawing Nos: 601/D/510 Rev. T3; 601/E/212 Rev. PL2; 601/E/200 Rev. PL2; 601/E/201 Rev. PL2; 601/E/210 Rev. PL3; 601/E/211 Rev. PL2; 601/GA/001 Rev. PL2; 601/GA/100 Rev. PL2; 601/GA/101 Rev. PL2; 601/GA/102 Rev. PL2; 601/GA/103 Rev. PL2; 601/GA/104 Rev. PL2; 601/GA/105 Rev. PL2; 601/GA/106 Rev. PL2; 601/GA/110 Rev. PL2; 601/GA/111 Rev. PL2; 601/GA/112 Rev. PL2; 601/GA/113 Rev. PL2; 601/GA/114 Rev. PL2; 601/GA/115 Rev. PL3; 601/GA/116 Rev. PL2; 601/GA/202 Rev. PL2; Cover Letter for Party Wall Sound Insulation (prepared by Gravity Design, dated 22/02/2023); Energy Statement - November 2022; Maintenance Strategy for the Air Source Heat Pumps and Solar PVs - February 2023; Planning, Design and Access Statement - November 2022; Plant Noise Assessment - November 2022; Sustainability Statement - November 2022.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 601/D/510 Rev. T3; 601/E/212 Rev. PL2; 601/E/200 Rev. PL2; 601/E/201 Rev. PL2; 601/E/210 Rev. PL3; 601/E/211 Rev. PL2; 601/GA/001 Rev. PL2; 601/GA/100 Rev. PL2; 601/GA/101 Rev. PL2; 601/GA/102 Rev. PL2; 601/GA/103 Rev. PL2; 601/GA/104 Rev. PL2; 601/GA/105 Rev. PL2; 601/GA/106 Rev. PL2; 601/GA/110 Rev. PL2; 601/GA/111 Rev. PL2; 601/GA/112 Rev. PL2; 601/GA/113 Rev. PL2; 601/GA/114 Rev. PL2; 601/GA/115 Rev. PL3; 601/GA/116 Rev. PL2; 601/GA/202 Rev. PL2; Cover Letter for Party Wall Sound Insulation (prepared by Gravity Design, dated 22/02/2023); Energy Statement - November 2022; Maintenance Strategy for the Air Source Heat Pumps and Solar PVs - February 2023; Planning, Design and Access Statement - November 2022; Plant Noise Assessment - November 2022; Sustainability Statement - November 2022.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Prior to commencement of development of the rear plant enclosure, full details in respect of the living roof in the area indicated on the approved external space plan shall be submitted to and approved by the local planning authority. The details shall include
 - i. a detailed scheme of maintenance
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
 - iii. full details of planting species and density

The living roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 The external noise level emitted from plant, machinery or equipment at the

development with specified noise mitigation hereby approved shall be lower than the typical existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 7 Prior to first use of the Air Source Heat Pumps hereby approved, the active cooling function shall be disabled on the factory setting and the Air Source Heat Pumps shall be used for the purposes of heating only.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with policy CC2 of the London Borough of Camden Local Plan 2017.

- 8 Prior to occupation, 8 secure cycle spaces as shown on the drawings hereby approved shall be provided, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 9 The solar PV panels and Air Source Heat Pumps hereby approved shall be permanently retained and maintained in full accordance with approved site-specific lifetime maintenance schedule.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of Policy CC1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 This approval does not authorise the use of the public highway. Any requirement

to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

Chief Planning Officer