

Second Planning Application relating to rear of 12 to 16 Fitzroy Street, London W1T 4BL

Planning and design and access statement

1. The applicant owns a building at 12 to 16 Fitzroy Street which has a service yard in Maple Street. The lower ground and ground floors are in office use and have been refurbished. The upper floors of 12 to 16 Fitzroy Street are in residential use. This application relates to the service yard in Maple Street.
2. Prior to the refurbishment of the ground and lower ground floors, there were some air handling units within the space. These were stripped out and have been replaced by 7 new chiller units on the north wall in the service yard facing Maple Street.
3. They were in fact installed many months ago and part of this application is seeking retrospective consent for their retention. At the same time, a roller shutter door was replaced by a new metal louvered door powder coated black. Retrospective consent is also sought for its retention.
4. A planning application was submitted for retention of these works in June 2011. It was dealt with by Camden's case officer Ben Le Mare. In visual terms that application was found to be acceptable. However, in a technical sense the acoustic report was found to be unacceptable. The reasons for this are set out in an email chain which is attached. These emails confirm the acceptability of design and the precise omissions from the earlier acoustic report.
5. The first application was therefore withdrawn as noted by Camden's letter dated 15 September, a copy of which is also attached.
6. Accompanying this application is a photograph showing the units mounted on the wall, which was taken in September 2010.
7. Also accompanying this application is the revised acoustic report prepared by Hann Tucker Associates. This includes an updated 24 hour noise survey and explains the equipment installed and to be installed and its location. This is specified to be 8 air handling units (the 7 already installed together with an additional). It also explains that an acoustic enclosure should be installed in order to minimise the noise level and to meet the appropriate tolerances.
8. What is now being applied for is permission to (a) retain the 7 units already installed (b) add the remaining 1 air handling unit referred to in the Hann Tucker report, (c) add the acoustic enclosure which will be powder coated in a colour to match the adjacent brickwork and (d) with retain the metal louvered door which replaced the roller shutter.
9. The air handling units are well set back from Maple Street and are within a service yard. As such their visibility is not high. Once they are screened by an acoustic screen which is similarly coloured to the brick wall on which they are mounted they will be visually unobtrusive. The units are consistent with the commercial nature of the existing building.
10. Access. This is mainly an application related to plant and therefor access for all is not an issue in that regard. Similarly, the replacement of a roller shutter with a metal door without changing the levels is not an access issue.
11. The application site is not within any Conservation Area and so no conservation area issue arises.
12. Policy. The Applicant believes the application is within Policy CS5 as the refurbished building is sustainable and to the highest quality and has no adverse local affect.

13. The applicant has also considered Policies 24, 26 and 28 and considers the proposal will be in line with each of these policies.
14. The applicant also considers the proposals are within Policies DP26 and DP28 in that the effect on the amenity of neighbours has been addressed by appropriate attenuation measures.

Hillebron, Richard

From: Le Mare, Ben <Ben.LeMare@camden.gov.uk>
Sent: 24 August 2011 17:06
To: Hillebron, Richard
Subject: RE: 12-16 Fitzroy Street, London, W1T 4BL - 2011/2868/P

Dear Richard

Many thanks for confirming your client's decision to withdraw the application.

Speak to you soon regarding the re-submission!

Kind regards

Ben Le Mare
Planning Officer - West Team

Telephone: 020 7974 1278

From: Hillebron, Richard [mailto:Richard.Hillebron@derwentlondon.com]
Sent: 24 August 2011 17:03
To: Le Mare, Ben
Cc: Hillebron, Richard
Subject: RE: 12-16 Fitzroy Street, London, W1T 4BL - 2011/2868/P

Dear Ben,

Thank you for the below. We are dealing with the further information with our consultants and will be back in touch asap.

In the meantime, I confirm that we withdraw the current application.

Kind regards

richard

From: Le Mare, Ben [mailto:Ben.LeMare@camden.gov.uk]
Sent: 24 August 2011 14:45
To: Hillebron, Richard
Subject: 12-16 Fitzroy Street, London, W1T 4BL - 2011/2868/P

Dear Richard

Thank you for discussing the application earlier.

As you are now aware, the LB Camden's Noise Officer (Lee Perella) has concerns with the acoustic report which was submitted with the application. I provide a summary of those concerns below, which you will note have also been sent directly to your acoustic consultant, Hann Tucker.

Given that the LB Camden's determination date is 1st September 2011 and there is a requirement to re-consult on the application, I am unable accept any amendments to the report at this stage in the planning process. Your client's best option is therefore to withdraw the application and re-submit with a revised acoustic report which addresses all the necessary issues.

Whilst the acoustic report is unacceptable in its present form, I can confirm that I am supportive of the proposal from a design perspective as it represents an improvement on the existing situation.

Should your client decide to withdraw the application then please email me directly so that this can be done before next Thursday. If you have any questions then please don't hesitate to contact me.

Kind regards

Ben

Ben Le Mare
Planning Officer - West Team

Telephone: 020 7974 1278

From: Perella, Lee
Sent: 24 August 2011 13:57
To: Le Mare, Ben
Cc: 'enquiries@hanntucker.co.uk'
Subject: 12-16 Fitzroy Street, London, W1T 4BL - 2011/2868/P

REPORT 16531/ PNA1 28 JUNE 2010 (revised 3 June 2011)

Ben,

I have looked at the application and the planning standard as not been demonstrated by the acoustic report.

The conclusion also states "that the proposed plant exceeds the requirements of the local authority at the nearest sensitive façade". The report makes comment on recommendations of plant reselection or acoustic enclosure to meet the standard.

I would advise that the applicant put forwards their specific proposals as to how the planning standard will be met.

Further submission of details will be required to demonstrate that any mitigation measures used will ensure the compliance with the planning standard.

This will include details of plant selections and number, position, performance of the enclosure and noise level achieved at the nearest receptor. The receptor address and distance shall be provided (5 metres in this case.. address LSE halls of residence?)

In section 6.0 the time history graph was not submitted and needs to be included. There is a retrospective application as well as proposed plant and therefore the report should state whether plant was operating at the time of the monitoring i.e the retrospective plant?

The Mitsubishi plant which will be daytime use only could be described as non tonal and therefore on the basis of the monitored background levels the plant needs to achieve 48dB at 1 metre although the calculated level is 60 dB, which at 7 dB above the background is significant and likely to cause complaint. The plant will be operating 12 dB above the planning standard.

It is assumed in section 9.1 that the 68dB @ 1m is the combined levels for all 8 units. For clarity the report should either include a single unit sound performance data in a table or enclose the manufacturers sound data sheet for 1 unit.

Regards

Lee Perella
Compliance and Enforcement

Telephone: 020 7974 2724 / 020 7974 2090

20 SEP 2011



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Richard Hillebron
Derwent London
25 Savile Row
London
W1S 2ER

Application Ref: **2011/2868/P**
Please ask for: **Ben Le Mare**
Telephone: 020 7974 1278

15 September 2011

Dear Sir/Madam

Town and Country Planning Acts 1990 (as amended)
WITHDRAWAL OF APPLICATION

Address:
King Regent's Place
12 - 16 Fitzroy Street
London W1T 4BL

Proposal:
Installation of 8 air conditioning units (6 retrospective & 2 new) at first floor level and associated acoustic screen and louvred metal door at ground floor level (retrospective) on the elevation of the building facing into the rear service yard in connection with the existing office building (Class B1).

I am writing to inform you that your application was withdrawn by the Council on 15th September 2011, as requested in your email or letter dated 24 August 2011.

Yours faithfully

Culture and Environment Directorate
(Duly authorised by the Council to sign this document)

It's easy to make, pay for, track and comment on planning applications on line. Just go to www.camden.gov.uk/planning.

