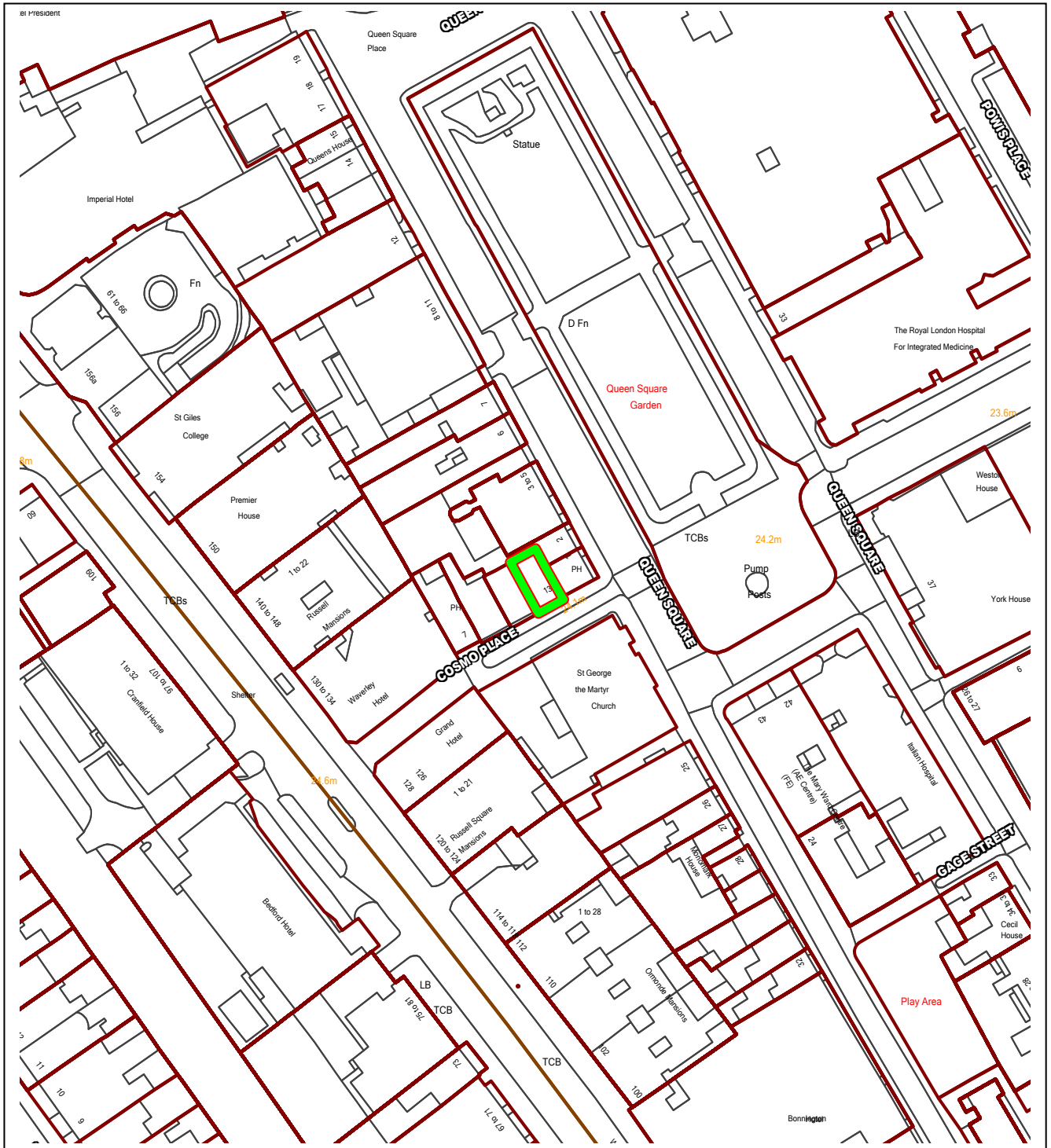


# 13 Cosmo Place 2023/0294/P



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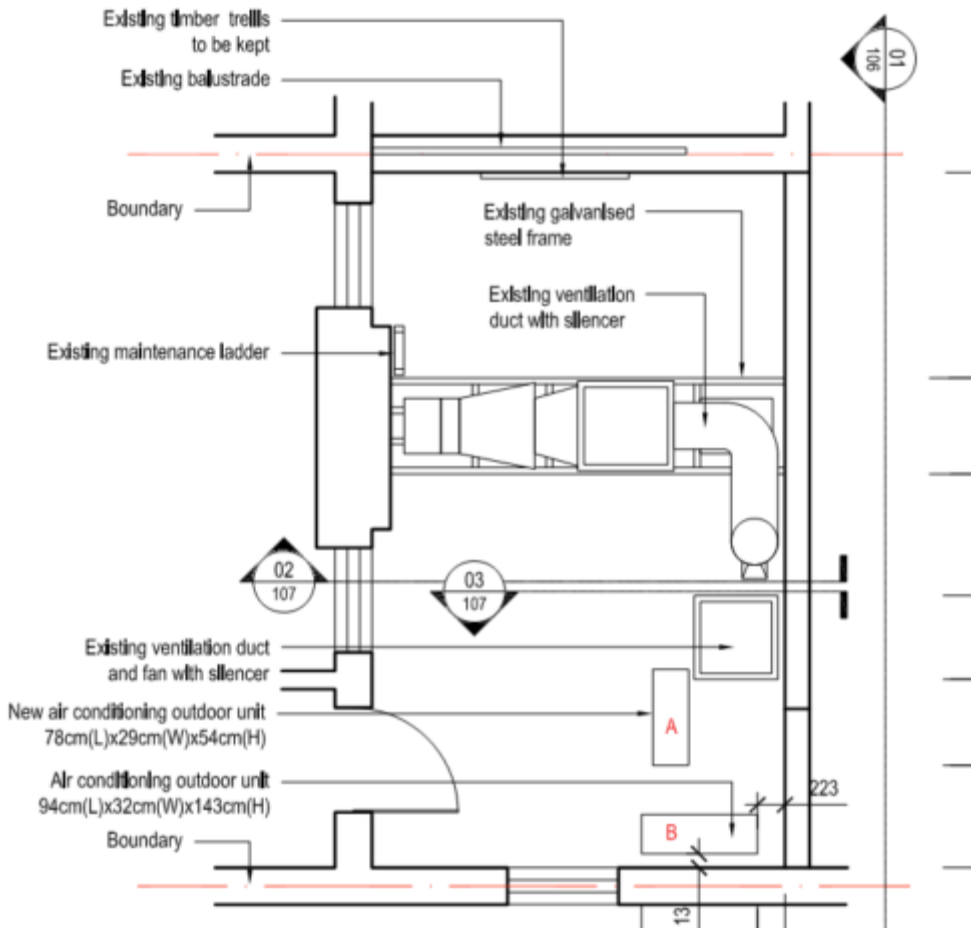
Photo 1 (above): Aerial view (source: Google 3D)



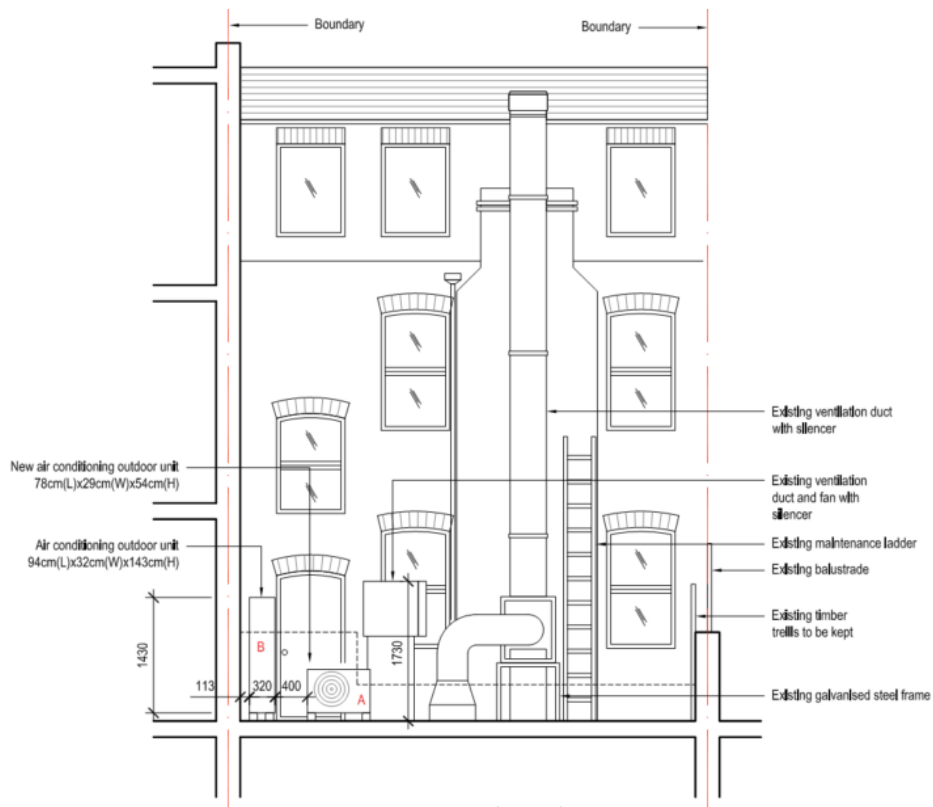
Photo 2 (above): Aerial perspective view (source: Google 3D)



*Photo 3 (above): Site photograph taken from rear first floor roof level (source: site visit photograph)*



Drawing 4 (above): Proposed first floor plan (source: proposed drawings)



Drawing 5 (above): Proposed elevation (source: proposed drawings)

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>20/03/2023</b>
<b>(Members Briefing)</b>		N/A	<b>Consultation Expiry Date:</b>	<b>18/06/2023</b>
<b>Officer</b>			<b>Application Number</b>	
Lauren Ford			2023/0294/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
13 Cosmo Place London WC1N 3AP			<i>See draft decision notice</i>	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal</b>				
Retrospective planning permission for installation of two air conditioning units on rear first floor roof.				
<b>Recommendation:</b>	<b>Grant conditional planning permission</b>			
<b>Application Type:</b>	<b>Full Planning Permission</b>			

Conditions or Reasons for Refusal:	<b><i>Refer to Draft Decision Notice</i></b>			
Informatives:				
<b>Consultations</b>				
Summary of consultation:	<p>Site notices were displayed near to the site on the 19/05/2023 (consultation end date 12/06/2023).</p> <p>The proposal was also advertised in the local press on the 25/05/2023 (consultation end date 18/06/2023).</p> <p>A site visit was undertaken on 20/12/2023.</p>			
Adjoining Occupiers:	No. of responses	<b>7</b>	No. of objections	<b>7</b>
Summary of consultation responses:	<p>Seven letters of objection were received by neighbouring residents. Their objections can be summarised as follows:</p> <ul style="list-style-type: none"> <li>• Noise</li> <li>• Smell</li> <li>• Neighbour unable to open window due to location of units</li> <li>• Concerns regarding other plant equipment located on site</li> <li>• Site boundary line</li> </ul> <p><u><i>Officer's Response</i></u></p> <ul style="list-style-type: none"> <li>• <i>Please refer to sections 2 (design and heritage) and 3 (amenity) of the report.</i></li> <li>• <i>There are a number of issues raised within the objections (such as plant equipment) that do not form part of this application and are therefore not material planning considerations in this instance.</i></li> <li>• <i>It was clear from undertaking a site visit that the units are now located in the area as shown on the proposed drawings, as opposed to in front of a neighbouring window.</i></li> </ul>			
Bloomsbury CAAC:	The BCAAC were invited for consultation however no comments or objections were received.			

## Site Description

The application site comprises a three storied (plus dormer and basement) terraced building, with Master Wei operating from the ground and basement floors of the building. Cosmo Place is a pedestrianised street with restaurants and pubs at ground floor and residential above on the north side and a combination of hotel, residential and church on the south side.

The application site is not listed but is located within the Bloomsbury conservation area. Two Grade II listed buildings however adjoin the site to the east (No's 1 and 2 Queen Square) and a further Grade II listed building is located directly to the west at 9 Cosmo Place. The St George the Martyr Church which is Grade II\* listed is located directly to the south of the site.

## Relevant History

### Application Site:

**28735** – Installation of new external ventilation duct on the rear elevation (from ground floor to 3' above roof ridge level). **Granted (limited period) 30/08/1979.**

Condition: *The limited period for the retention of the duct shall be until the 1 September 1984 by which date the duct shall be removed.*

Reason for the imposition of condition: *The type of structure is not such as the Council is prepared to approve, other than for a limited period, in view of its appearance.*

**29774** – Retention of modifications to the existing external ventilation duct on the rear elevation. **Granted (limited period), 07/03/1980.**

Condition: *The limited period for the retention of the duct shall be until 1<sup>st</sup> September 1984 by which date the duct shall be removed.*

Reason for the imposition of condition: *The type of structure is not such as the Council is prepared to approve, other than for a limited period, in view of its appearance.*

**EN22/0644** – Noisy air conditioning unit blocking complainant's window. **Opened, 09/08/2022.**

## Relevant policies

### National Planning Policy Framework (2023)

### The London Plan (2021)

### Camden Local Plan (2017)

- **A1** Managing the impact of development
- **A4** Noise and vibration
- **D1** Design
- **D2** Heritage

### Camden Planning Guidance:

- CPG Amenity (2021)
- CPG Design (2021)

### Conservation Statements:

- Bloomsbury Conservation Area Appraisal and management strategy (2011)



## Assessment

### 1. The proposal

- 1.1. Retrospective planning permission is sought for two air conditioning units located on the rear first floor roof detailed as follows:
- Unit A: 78cm (length) x 29cm (width) x 54cm (height)
  - Unit B: 94cm (length) x 32cm (width) x 143cm (height)

### 2. Design and Conservation

- 2.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.
- 2.2. The Bloomsbury Conservation Area Statement advises that alterations and extensions to existing buildings including the addition of prominent roof level plant can have a detrimental impact to the character and appearance of the area.
- 2.3. The proposal is confined to the rear building, at first floor level, with no visibility from the public realm. The Council's Conservation Officer has reviewed the proposal, and considers that as the units are located to the rear of the building, their presence does not impact the visual character of the conservation area.
- 2.4. Give the size and scale of the units (detailed in Section 1 above) they would read as subordinate to the host building.
- 2.5. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area and the special interest of the listed building under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

### 3. Amenity

- 3.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development. Policy A4 seeks to ensure that residents are not adversely impacts upon by virtue of noise or vibrations, and states that planning permission will only be granted for noise generating development, including any plant and machinery, if it can be operated without causing harm to amenity and noise sensitive locations.
- 3.2. The application is accompanied by an Acoustic Assessment which has been reviewed by the Council's Environmental Health (Pollution) team who are satisfied that the submitted acoustic submission meets local plan guidelines and is therefore acceptable in environmental health terms. The Council's Pollution Officer has recommended conditions around external noise level and requiring vibration mitigation measures to be installed which have been attached.
- 3.3. A noise impact assessment has also been provided as part of an objection received from a neighbouring property. This too has been reviewed by the Council's Pollution Officer, who did not raise any concerns regarding the proposal on the basis of the contents of this assessment.
- 3.4. It is noted that a number of the objections received, including the noise impact assessment

provided by the neighbouring property make reference to the likes of the kitchen extract fan being a noise source. The kitchen extract fan (and other potential noise sources) is outside the scope of this application, which relates only to the two air conditioning units. The planning history in relation to the kitchen extract fan is unclear, and this matter has been referred to Council's Environmental Health (Pollution) and Enforcement teams.

- 3.5. With respect to outlook, an objection from a neighbouring property raised concerns that the units were blocking their window. A site visit was undertaken, which confirmed that the units have now been moved to a location consistent with that shown on the proposed drawings. The units are located in an appropriate area, away from windows of adjoining buildings, so as not to result in any unacceptable outlook related effects.
- 3.6. It is not considered that the development would lead to a significant impact upon the amenities of any neighbouring resident. The development is thus considered to be in accordance with planning policies A1 and A4 of the Camden Local Plan 2017.

#### **4. Sustainability**

- 4.1. While the proposal includes active cooling, this is considered acceptable in this instance given it is associated with an existing commercial use. The host building is historic with very limited opportunities to integrate passive cooling measures. The proposal is in general accordance with policy CC2 of the Camden Local Plan 2017.

#### **5. Recommendation**

- 5.1. Grant conditional Planning Permission

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 15<sup>th</sup> January 2024, 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](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2023/0294/P  
Contact: Lauren Ford  
Tel: 020 7974 3040  
Email: [Lauren.Ford@camden.gov.uk](mailto:Lauren.Ford@camden.gov.uk)  
Date: 10 January 2024

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

Xiaoqing Liu  
13 Cosmo Place  
London  
WC1N 3AP

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:  
**13 Cosmo Place**  
**London**  
**WC1N 3AP**

# DECISION

Proposal:

~~Retrospective~~ Installation of two air conditioning units on rear first floor roof (retrospective).

Drawing Nos: Design and Access Statement, Site Photos, CP100, CP102, CP103, CP104, CP105, CP106, CP107, CP101, Acoustic Assessment of Installed Mechanical Services Equipment 7th July 2023.

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 shall be carried out in accordance with the following approved plans Design and Access Statement, Site Photos, CP100, CP102, CP103, CP104, CP105, CP106, CP107, CP101, Acoustic Assessment of Installed Mechanical Services Equipment 7th July 2023.

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

- 2 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

- 3 Within one month of the date of this decision, the Air Conditioning units 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

**DRAFT**

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](http://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

**DRAFT**

**DECISION**