

# 2024/3389/P - 1-19 Torrington Place

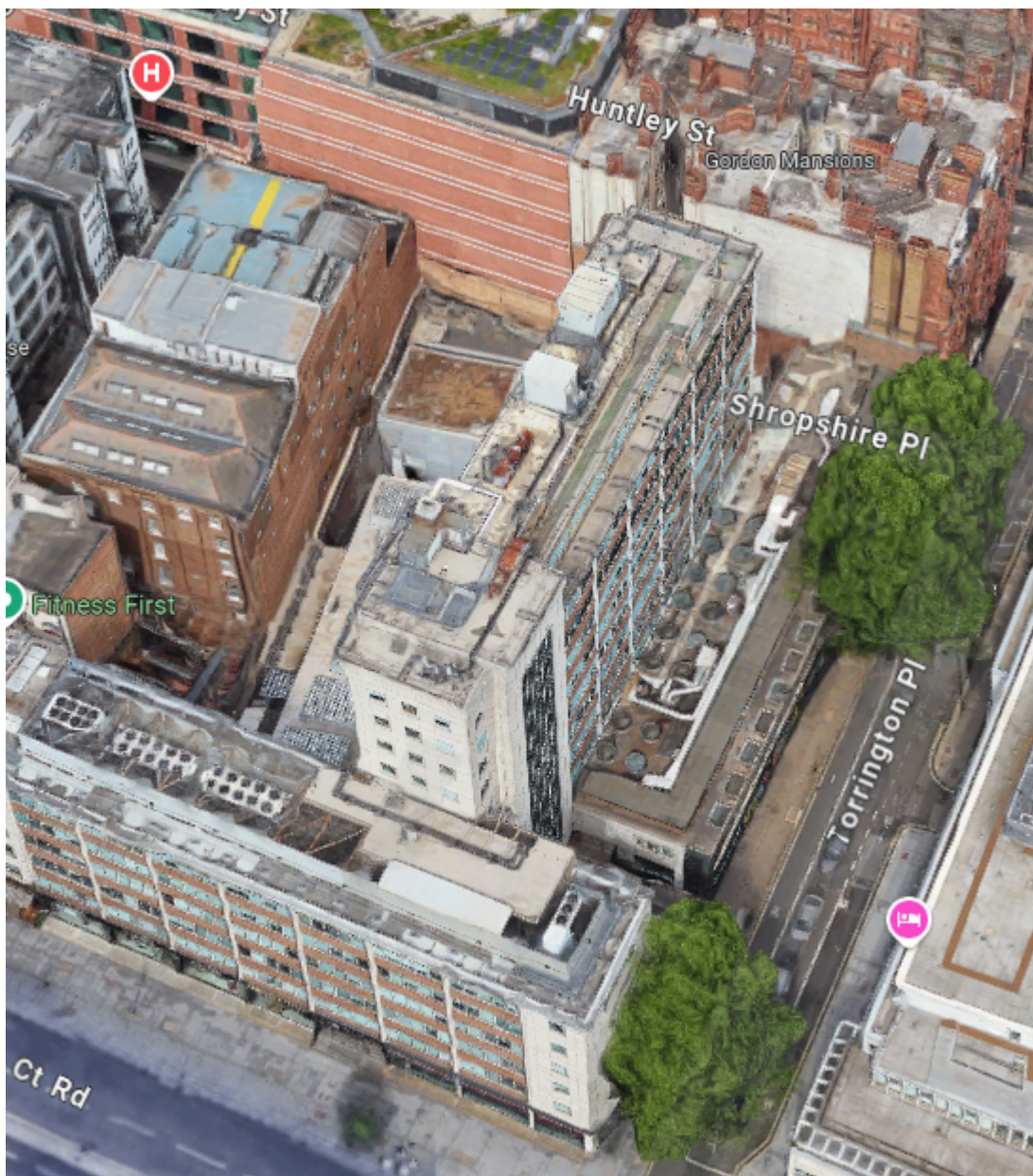


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## Site Photos



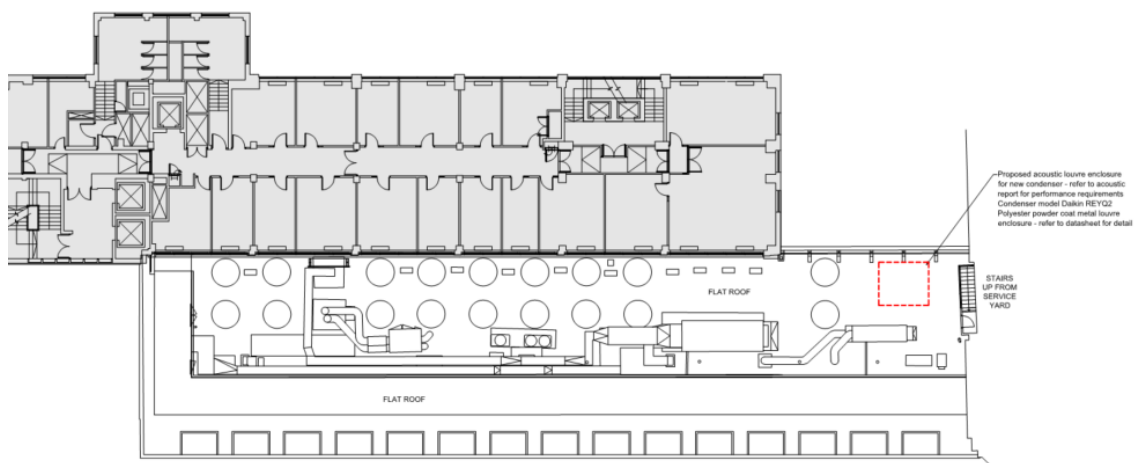
1. Top down view of application site and surrounding area



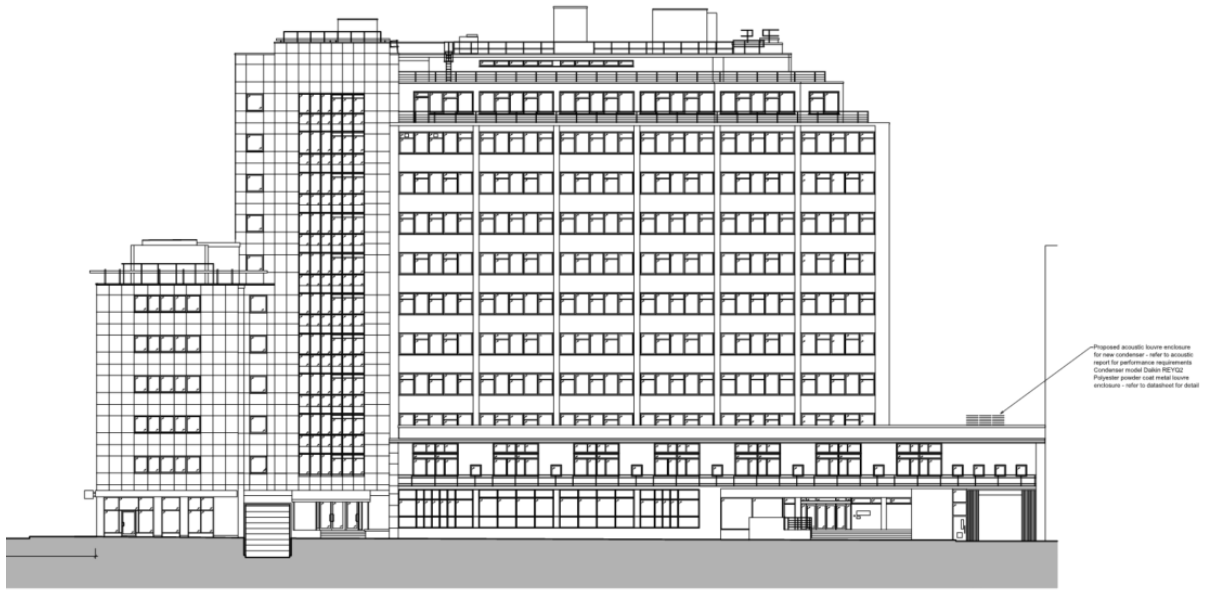
2. Aerial view showing application and neighbouring buildings, including Gordon Mansions to the east.



3. Street View image showing the 2 storey portion of the building with Gordon Mansions to the left



4. Proposed level 2 plan with unit and surrounding enclosure in red



5. Proposed south elevation

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>08/10/2024</b>
		N/A	<b>Consultation Expiry Date:</b>	<b>15/09/2024</b>
<b>Officer</b>			<b>Application Number</b>	
Edward Hodgson			2024/3389/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
1-19 Torrington Place London WC1E 7HB			<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>				
Installation of condenser unit within louvred enclosure on level 2 roof and associated works				
<b>Recommendation:</b>	Grant conditional planning permission			
<b>Application Type:</b>	Full Planning Permission			

<b>Conditions or Reasons for Refusal:</b>	<b><i>Refer to Draft Decision Notice</i></b>			
<b>Informatives:</b>				
<b>Consultations</b>				
<b>Summary of consultation:</b>	<p>Site notices was displayed near to the site on the 14/08/2024 (consultation end date 07/09/2024).</p> <p>The development was also advertised in the local press on the 22/08/2024 (consultation end date 15/09/2024).</p>			
<b>Adjoining Occupiers:</b>	No. of responses	<b>01</b>	No. of objections	<b>01</b>
<b>Summary of consultation responses:</b>	<p>One letter of objection was received by the Gordon Mansions Residents Association, which can be summarised as below:</p> <ul style="list-style-type: none"> <li>• Concern that the condensers would be placed at the eastern end of the roof, close to the neighbouring residential windows at Gordon Mansions and the noise from the units regardless of mitigation.</li> <li>• Concerns over the readings of the existing noise levels which appear to be at the western end of the roof, and not the quieter eastern end of the roof.</li> </ul> <p><u>Officer's Response</u></p> <ul style="list-style-type: none"> <li>• <i>Amenity, including noise and vibration, is discussed in section 3 of the report.</i></li> </ul>			
<b>Bloomsbury CAAC:</b>	The BCAAC were invited for consultation however no comments or objections were received.			

## Site Description

The application site is a part 2 storey, part 12 storey and part 6 storey building located on the corner of Torrington Place and Tottenham Court Road. It has an educational use (Class F1), and the surrounding area is a mix of educational, commercial and residential use, with the nearest residential occupiers being Gordon Mansions immediately to the east of the site.

The application site is not listed but is located within the Bloomsbury Conservation Area.

## Relevant History

### Application Site:

**2022/3535/P** - Temporary change of use for a period of up to 10 years for flexible office E(g)(i) and education F1(a) (excluding retail and other commercial units on Tottenham Court Road frontage, the data centre at basement and part ground floor levels and the UKPN substation). **Granted subject to s106 - 07/02/2024**

**2024/1689/P** - Installation of a replacement door, screen and canopy to ground floor rear elevation. **Granted - 12/06/2024**

**2024/3390/P** - Installation of 3no condenser units within a louvred enclosure on level 6 roof. **Granted - 01/11/2024**

## 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
- **A3** Biodiversity
- **D1** Design
- **D2** Heritage
- **CC2** Adapting to climate change

### Camden Planning Guidance

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Energy Efficiency and Adaptation (2021)

### Conservation Statements:

- Bloomsbury Conservation Area Appraisal and management strategy (2011)

### Draft Camden Local Plan

The council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications, but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).



## Assessment

### 1. Proposal

1.1. Planning permission is sought for the installation of a new condenser unit within a louvred enclosure on the flat roof of level 2 towards the eastern end of the building. The proposal is part of wider refurbishment works for the building which includes updating the existing plant which is coming to the end of its useful life. The existing building benefits from active cooling and therefore no new active cooling would be introduced.

1.2. The principal planning considerations for the proposal are:

- Design and Heritage
- Amenity
- Sustainability
- Biodiversity

### 2. Design and Heritage

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 plant equipment would be located at the roof of level 2 where there is already a considerable amount of plant equipment. The plant unit would be set back from the roof edge towards the rear of the roof, and located behind the parapet, as such it would be very limited in views from the public realm. would not detract significantly from the overall appearance of the host building or the wider Bloomsbury Conservation Area.

2.4. It is considered that the proposed plant unit would not cause a detrimental impact upon the character and appearance of the host property and would preserve the special character of the Bloomsbury conservation area. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013. The proposal would be in accordance with policies D1 and D2 of the Camden Local Plan 2017.

### 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.

3.2. The unit would be located at roof of level 2 of the building within an acoustic enclosure. A Noise Impact Assessment has been undertaken, which has established the existing background noise levels in the vicinity around the application site. The report states that with no mitigation measures, the noise from the plant would be 9dba above the noise limit at Gordon Mansions,

5dba above the limit at Woburn Mansions and 4dba above the limit at the nearby hotel. An allowance for plus or minus 3dba is made, and therefore mitigation measures to reduce the noise by 12dba is required in order to comply with the noise level at the worst affected receptor at Gordon Mansions. Conditions are attached to the decision notice to ensure that the recommended mitigation measures are implemented and to ensure that noise from the units does not exceed the Council's requirements. The Noise Impact Assessment has been reviewed by the Council's Environmental Health Team who have deemed it to be acceptable subject to conditions. The Council has powers in any case to take action under environmental health legislation should the noise from the units exceed the requirements.

- 3.3. Furthermore, and in response to the above objection from the Gordon Mansion Residents' Association, an additional noise survey was undertaken between 17<sup>th</sup> to 23<sup>rd</sup> October 2024 with readings taken from 2 positions close to Gordon Mansions. This additional noise survey demonstrates that the existing background noise levels at Gordon Mansions are higher than the precautionary values from the initial noise assessment and so it follows that the mitigation measures to reduce the noise levels as demonstrated in the Noise Impact Assessment should be sufficient.
- 3.4. It is considered that the proposed development is not considered to 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. The existing plant serving the building is no longer fit for purpose. The unit would provide the same function as the existing plant, although it would be a more modern unit which is more energy efficient and environmentally friendly than the existing. The active cooling is essentially being replaced and upgraded instead of being increased. Therefore, the active cooling is considered acceptable in this instance. The proposals are thus in general accordance with policy CC2 of the Camden Local Plan 2017.

#### **5. Biodiversity**

- 5.1. Biodiversity Net Gain (BNG) was introduced on 12<sup>th</sup> February 2024 and makes a statutory requirement for all development to provide a net increase of 10% for biodiversity, unless it meets the criteria for exemption. As the development does not impact 25sqm of on-site habitat or 5m of on-site linear habitats the proposal is exempt for BNG requirements. Informatives are attached to the decision notice to further explain the requirements of BNG.

#### **6. Recommendation**

- 6.1. 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 2<sup>nd</sup> December 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: 2024/3389/P  
Contact: Edward Hodgson  
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Date: 25 November 2024

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Judd Street  
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WC1H 9JE

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London  
W1T 3JJ

# DRAFT

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

## **Full Planning Permission Granted**

Address:

**1-19 Torrington Place**  
**London**  
**WC1E 7HB**

Proposal:

Installation of condenser unit within louvred enclosure on level 2 roof and associated works

Drawing Nos: Site Location Plan 086 - 08 - 1, PROP RSS 00 02 DR A 1009 PL1, PROP RSS 00 ZZ DR A 1050 PL1, PROP RSS 00 ZZ DR A 1051 PL1, PROP RSS 00 ZZ DR A 1054 PL1, PROP RSS 00 02 DR A 1207 PL1, PROP RSS 00 ZZ DR A 1410 PL1, PROP RSS 00 ZZ DR A 1411 PL1, PROP RSS 00 ZZ DR A 1412 PL1, Design and Access Statement, Cover Letter, Noise Impact Assessment (Adnitt Acoustics 06/08/2024), Environmental Noise Survey (Adnitt Acoustics 31/10/2024)

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:

Site Location Plan 086 - 08 - 1, PROP RSS 00 02 DR A 1009 PL1, PROP RSS 00 ZZ DR A 1050 PL1, PROP RSS 00 ZZ DR A 1051 PL1, PROP RSS 00 ZZ DR A 1054 PL1, PROP RSS 00 02 DR A 1207 PL1, PROP RSS 00 ZZ DR A 1410 PL1, PROP RSS 00 ZZ DR A 1411 PL1, PROP RSS 00 ZZ DR A 1412 PL1, Design and Access Statement, Cover Letter, Noise Impact Assessment (Adnitt Acoustics 06/08/2024), Environmental Noise Survey (Adnitt Acoustics 31/10/2024)

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

- 3 The external noise level emitted from plant, machinery or equipment at the development with specified noise mitigation hereby approved (as per recommendations contained within Noise Impact Assessment prepared by Adnitt Acoustics dated 06/08/2024), 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 machinery operating 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

- 4 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

#### 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.

- 4 Biodiversity Net Gain (BNG) Informative (1/2):

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information provided, this will not require the approval of a BGP before development is begun because it is below the de minis threshold.

++ Summary of transitional arrangements and exemptions for biodiversity gain condition

The following are provided for information and may not apply to this permission:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.

4. The permission is exempt because of one or more of the reasons below:

- It is not “major development” and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
- It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).
- The application is a Householder Application.
- It is for development of a “Biodiversity Gain Site”.
- It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).
- It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

5 Biodiversity Net Gain (BNG) Informative (2/2):

+ Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

++ The effect of section 73(2D) of the Town and Country Planning Act 1990

If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission (“the earlier BGP”), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.

#### ++ Phased development

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice about your rights of appeal at:

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

Yours faithfully

Chief Planning Officer