

London Borough of Camden  
Regeneration and Planning  
5 Pancras Square  
London  
N1C 4AG

10<sup>th</sup> February 2025

Dear Miriam,

**Town and Country Planning Act 1990 (As Amended)**  
**Planning Application for retention of 1no. air conditioning condenser and associated external cabling, and installation of new acoustic enclosure at 27 & 29 Shorts Gardens and 7-8 Mathew's Yard, London WC2H.**

**Planning Portal Reference: PP-13684872**

On behalf of the applicant, Shaftesbury Covent Garden Ltd, we submit an application for planning permission for retention of 1no. air conditioning condenser and associated external cabling, and installation of new acoustic enclosure at 27 & 29 Shorts Gardens and 7-8 Mathew's Yard, London WC2H.

The requisite application fee of £578.00 has been paid via the Planning Portal on the date of submission.

The following information is attached in support of this application:

- Application Forms, prepared by Rolfe Judd Planning.
- A-001-P2: Site Location Plan, prepared by Fresson & Tee.
- A-300-P2: Pre-Existing Elevations (Mathew's Yard), prepared by Fresson & Tee.
- A-301-P2: Pre-Existing Elevations (27 & 29 Shorts Gardens), prepared by Fresson & Tee.
- A-310-P2: Existing Elevations (Mathew's Yard), prepared by Fresson & Tee.
- A-311-P2: Existing Elevations (27 & 29 Shorts Gardens), prepared by Fresson & Tee.
- A-320-P2: Proposed Elevations (Mathew's Yard), prepared by Fresson & Tee.
- A-321-P2: Proposed Elevations (27 & 29 Shorts Gardens), prepared by Fresson & Tee.
- CPT/301124/010: Environmental Noise Assessment, prepared by Quinn Ross.

## **Site and Surroundings**

27 Shorts Gardens is a four-storey building situated on the northern side of Shorts Gardens, separated from 29 Shorts Gardens by the access route into Mathew's Yard to the north. The basement and ground floors are in commercial use (Class E) whilst the upper floors are in use as residential dwellings (Class C3).

The condenser is used in connection with the commercial use at 27 Shorts Gardens; however, as shown on the plans and photographs (see Figure 1 below), the cabling runs across to 29 Shorts Gardens and 7-8 Mathew's Yard to the north, with the condenser attached to the rear elevation facing into the yard.

None of the properties in question are statutorily or locally listed but the site is situated within the Seven Dials Conservation Area (SDCA).

The surrounding area comprises a mixture of uses, with retail and food and drink premises at ground level and

generally offices and residential above.

**Figure 1** – Photos showing the condenser unit (left) and cabling behind the existing arch (right).



## Relevant Planning History

A search of Camden’s online planning portal has returned the following applications of relevance:

App Ref.	Description of Development	Decision / Date
2006/0862/P	Change of use of basement and ground floor from retail (Class A1) to mixed use comprising retail (Class A1) and associated beauty treatment rooms (suitable for use as a beauty treatment rooms).	Approved 24/04/2006
2005/2340/P	Installation of a new shopfront and alterations to the side elevation.	Approved 01/08/2005

## Proposed Development

The Applicant proposes to retain the existing air conditioning condenser on the 7-8 Mathew’s Yard elevation (albeit in a slightly lower position), along with retaining external cabling, a section of which will be relocated to sit behind the arch so that it is not visible from either Shorts Gardens or Mathew’s Yard.

Following noise surveys at the site, and to ensure neighbouring amenity is preserved, it is proposed to house the condenser within an acoustic enclosure. This will sit marginally lower in height than existing adjacent units and infills a ‘gap’ on the Mathew’s Yard elevation, maintaining spacing to the other units and the existing set of double doors.

The condenser will serve the commercial use at ground floor level of 27 Shorts Gardens but has been placed in this location as there are already other pieces of plant equipment and it will sit comfortably alongside these.

The proposed arrangement is shown in Figure 2 (below).

**Figure 2** – excerpt from proposed elevation (Mathew's Yard) (dwg. ref. A-320-P2).



## Planning Considerations

### Design & Heritage

As the site is located within a conservation area, due consideration has been given to Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990, which sets out a legal duty for 'special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.' It is also noted that the building is identified as a positive contributor to the SDCA.

Policy D1 of the Camden Local Plan (CLP) concerns design and sets out several criteria which should be met by development, including respecting local character and preserving or enhancing heritage assets. Policy D2 is specific to heritage and requires development within conservation areas to preserve or, where possible, enhance the character or appearance of an area.

As shown on the accompanying elevations, and the existing photographs above (Figure 1), the site has other existing plant equipment at ground level on the Mathew's Yard elevation. Given this is a back land area, which is not publicly accessible, it is considered an appropriate area for such equipment, to preserve other parts of the Seven Dials Conservation Area that are considered to hold greater significance. Notwithstanding this, the existing condenser and its associated enclosure have been positioned so as to infill a gap along the existing elevation, aligning generally with the height of the adjacent units, and retaining adequate spacing with the other units and the existing double doors.

The existing external cabling serving the condenser is proposed to be relocated in-part, positioning a section behind the archway between 27 & 29 Shorts Gardens. Other sections of cabling along the side elevations of 27 & 29 Shorts Gardens and the elevation of 7-8 Mathew's Yard are kept to a minimum required to ensure adequate function of the condenser unit in the location. This will ensure that the visibility of the cabling is minimised, thus limiting any potential visual impact.

As a result of the proposed equipment being situated in an appropriate location with limited visibility, it is considered that the proposal will preserve the character and appearance of the Seven Dials Conservation Area. Policies D1 and D2 of the CLP are therefore complied with.

### Noise & Amenity

Policy A4 of the CLP concerns noise and vibration and seeks to ensure that these are controlled and managed in new development. Planning permission will not be granted for development that is likely to generate unacceptable noise and vibration impacts. New plant and machinery must be able to operate without causing harm to amenity.

The area around the site is characterised by a mixture of uses, with the nearest residential receptors situated on the floors above the condenser unit and others in the immediate vicinity. As a result, due consideration has been given to the potential for impacts to amenity.

It should be noted that on the rear façade of the building within Matthews Yard, five pre-existing air conditioning condensers are installed. These are believed to have been operational for a considerable period of time without complaint in regard to noise, and the noise from these units is therefore considered to form part of the pre-existing environmental noise levels in the area.

In order to fully assess any potential harm, an Environmental Noise Assessment (ENA) has been undertaken by Quinn Ross and accompanies the application. The ENA sets out the results of surveys that were undertaken on-site, which establish the minimum background noise level. In line with the CLP, a Noise Rating Level (NRL) of 10dB below background has been established as the limit. In this case, the minimum background noise level was identified as being 48.2dB, thereby setting the maximum NRL as 38.2dB. With the acoustic enclosure in place, the theoretical rating level of the new equipment operating at full duty would be 35.4dB, which is lower than the maximum NRL.

As such, the proposals will ensure compliance with the criteria in the CLP, preserving the amenities of neighbouring occupiers. The proposals are therefore acceptable in noise and amenity terms.

### **Cooling Hierarchy**

Policy CC2 (Adapting to Climate Change) of the Local Plan requires all development to be resilient to climate change. The policy further states that development should incorporate appropriate climate change adaptation measures such the application of the cooling hierarchy.

Supporting paragraph 8.42 states that *'active cooling (air conditioning) will only be permitted where dynamic thermal modelling demonstrates there is a clear need for it after all of the preferred measures are incorporated in line with the cooling hierarchy'*.

This application is supported by a Cooling Hierarchy Commentary Report prepared by BSEC Design. The report assesses the development proposals in the context of the Cooling Hierarchy and sets out justification against the need for thermal modelling for the proposals. It is stated that since the proposals are retrospective and relate to the installation of plant and the associated enclosure, there are limited opportunities to provide 'lean' measures, and there are no opportunities to make changes such as an increase in ceiling heights.

However, the report confirms that the existing condensing unit is sized to meet the heating load and is considered among the most space efficient available on the market, and that all works will be undertaken to the highest standards and 'best practice' procedures to ensure the highest environmental and energy efficient rating (and improvement upon the existing). The proposals are therefore considered to accord with Policy CC2.

### **Summary**

This application seeks planning permission for the retention of 1no. air conditioning condenser and associated external cabling, and installation of new acoustic enclosure at 27 Shorts Gardens, London WC2H 9AP.

The existing condenser unit is proposed to be slightly lowered, with an acoustic enclosure installed around it and associated external cabling re-routed to minimise visual impact. This, combined with the position of the equipment in a back land area, will ensure that its visibility is minimised, and the character and appearance of the Seven Dials Conservation Area is preserved.

The proposals have had full regard to the amenity of surrounding occupiers and the proposed acoustic enclosure ensured that policy compliant noise levels are achieved during operation of the condenser.

We trust you have sufficient information to determine this application positively; however, should you require any further information please do not hesitate to contact the undersigned.

Yours faithfully

A solid black rectangular box redacting the signature of the undersigned.

For and on behalf of  
Rolfe Judd Planning Limited