

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	28/06/2013
		N/A / attached		<b>Consultation Expiry Date:</b>	1/07/2013
<b>Officer</b>			<b>Application Number(s)</b>		
Hugh Miller			2013/2644/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Maverick Television Ltd 40 Churchway London NW1 1LW			See draft decision		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Installation of two wall mounted air conditioning units to office class B1.					
<b>Recommendation(s):</b>		Grant planning permission			
<b>Application Type:</b>		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	<b>57</b>	No. of responses	<b>01</b>	No. of objections	<b>01</b>
			No. electronic	<b>00</b>		
Summary of consultation responses:	<p>Site Notice displayed 17/5/2013, expires 7/6/2013.</p> <p><u>17 Seymour House – Objection</u></p> <ul style="list-style-type: none"> <li>Concern that the 2x wall mounted air conditioning units will take some space out of the small outside space. No design was submitted so we don't know where those [walls] air conditioning units will be mounted.</li> <li>Concern about the noise nuisance impact of the air conditioning units will have, because of the proximity from the plants. This is very relevant as we are already quite disturbed with the noise the air conditioning unit of the UNISON building is having ; especially in summer when the windows are left open most of the time. (<b>Officer Comments:</b> See Amenity section below.</li> </ul>					
CAAC/Local groups* comments: *Please Specify	N/A					

## Site Description

The application site contains a two storey property on an irregular shaped site located on the eastern side of Churchway. The property is bounded by mixed-use buildings on Chalton Street to the east, Seymour House a five storey residential block to the west and a four storey office building to the north. The application site is located behind Seymour House and is accessed from Churchway via a gated private access road. The site is not in a conservation area nor is it listed.

## Relevant History

**August 2010 – PP Granted** - Installation of 2 no. air conditioning units to rear first floor roof level of offices (Class B1); ref. 2010/3042/P.

**February 2008 – PP Granted** - Installation of an additional 3 no. air conditioning units on the roof of the ground floor rear extension of existing office (B1 use); ref. 2007/4283/P

**December 2003 – PP Granted** - The installation of 6 x air conditioning compressor units on the rear north-east flat roof; ref. 2003/1440/P

## Relevant policies

### LDF Core Strategy and Development Policies

CS5 – Managing the impact of growth and development

DP24 – Securing high quality design

DP26 – Managing the impact of development on occupiers and neighbours

DP28 – Noise and vibration

**CPG 2011** - CPG6 - Amenity

**London Plan 2011**

**NPPF 2012**

## **Assessment**

### **Proposal**

- ✓ Installation of two wall mounted air conditioning units to office class B1.

The main issues to consider are the impact on the proposal on the appearance of the building and neighbour amenity.

### **Design**

The units (2X Fujitsu AOYA14L) would be located on the north elevation of the host building, within a narrow passage opposite, a large office building at 39-43 Chalton Street and the R/O a restaurant (the former Victoria Public House) back onto the application site. The proposed plant units would be enclosed by the neighbouring buildings which are of varying heights and the a/c units would not be visible from the public realm and limited views from the rear of the adjacent buildings in Chalton Street. The plant equipment would not have any detrimental impact on the appearance of the host building and is considered acceptable here.

### **Amenity for occupiers and neighbours**

#### **Plant equipment**

The closest noise sensitive window (office) lies opposite approx. 2.0m away at no.s. 39-43 Chalton Street. The closest noise sensitive windows to residential units to the host building are 18m away at No's 29-35 Chalton Street to the east of the application site. There are existing plants on the roof of the host building as indicated in the history section above and also shown on accompanying drawings.

Nos.1-30 Seymour House a 1930's residential block of flats lies approximately 18m away on the south – west side. Whilst distance per se is not a complete barrier to noise disturbance from the proposed plant, it is considered that the plants would be limited to daytime operation only and would therefore not impact adversely on residential amenity.

The acoustic report carried out noise measurement between the 20<sup>th</sup> & 21<sup>st</sup> March 2013. The report states that the lowest background noise level in respect of two a/c units measured was 43 dB LA90 during daytime (07:00 – 23:00) and; 40 dB LA90 during the night time (23:00 – 07:00). Thus the adjustment of at least 10 dB LA90 below the prevailing lowest background noise in line with the Council's CPG recommended noise levels would result in noise level of 36 dB LA90 for the Operating hours (09:00-18:00) for two air conditioning units.

The Council's Environmental Health officer is satisfied that with the acoustic report the plant will be in compliance with the Council's required standards subject to the installation of the noise barrier referred to in paragraph 5.1 of the noise report which states, *"The barrier should be formed of timber panels, a minimum of 25mm thick. In order to minimise the effects of reflections, we would recommend treating the unit facing side of the barrier with an absorptive backing. The absorptive backing should be formed from a 30-50mm layer of non-flammable and waterproof absorbent layer, such as rock wool or glass fibre, held in place by a strong, permeable (minimum 20% open area) facing. It must be ensured that no gaps exist between the barrier and surrounding fixtures, or at any joints between panels"* and the usual conditions which will ensure that should the plant be noisier than anticipated, the local planning authority will have sufficient powers to take the necessary enforcement action if required.

### **Conclusion**

It is considered that the installation of the plant equipment would not result in any significant material harm in terms of design and appearance to the host building. The submitted acoustic report has demonstrated that there would be no harm to residential occupiers' amenities (noise nuisance) at nearby buildings and a condition is proposed to ensure noise levels remain within the Council's standards in the future.

**Recommendation.** Grant planning permission