

21 Stephen Street, reference 2013/0958/P



Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	29/04/2013
		N/A		Consultation Expiry Date:	11/04/2013
Officer			Application Number(s)		
Nicola Tulley			2013/0958/P		
Application Address			Drawing Numbers		
British Film Institute 21 Stephen Street London W1T 1LN			See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Installation of external plant equipment to the roof of the ground floor rear addition.					
Recommendation(s):		Grant conditional permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	15	No. of responses	03	No. of objections	03
			No. Electronic	00		
Summary of consultation responses:	<p>A site notice was displayed from 13/03/2013 to 03/04/2013. A publicity notice was placed in the Ham & High on 21/03/2013.</p> <p><u>Three letters of objection</u> have been received, the following issues are noted:</p> <ul style="list-style-type: none"> The extract system to the rear of the building should avoid causing pollution to the lightwell and should therefore be extended above roof level and not sited at the ground floor. Object to the kitchen extract and plant at rear first floor level as this is adjacent to windows in the neighbouring premises used for ventilation. <p><u>Officers response</u> See assessment below.</p>					
CAAC/Local groups* comments: *Please Specify	No letters of comment or objection have been received.					

Site Description

The application site relates to a six storey building on the north side of Stephen Street, between Tottenham Court Road and Gresse Street. The subject building was likely to have been built in the 1950's. It is concrete framed and clad in brick featuring a projecting element at first and upper floors which is mainly glazed and broken up by spandrel panels.

The application site is within Charlotte Street Conservation Area but is not listed as making a positive contribution to the character and appearance of the conservation area.

The building is currently occupied by the British Film Institute (BFI) and recently received planning permission (2012/6649/P) for the use of part of the ground floor as a restaurant/café (Use Class A3).

The surrounding area is characterised by a mix of building types mainly in office use, from more modern 1960's construction to 19th Century Mews buildings. Stephen Mews, sited to the rear of the application site which is formed by three and four storey buildings and are occupied by small businesses. The bricklayers Arms pub and the Fashion Retail Academy are located on Gresse Street.

Relevant History

Advertisement, reference 2012/6645/A, **Granted** on 01/02/2013: Installation of internally applied vinyl to ground floor level front window.

Full planning permission, reference 2012/6246/P, **Granted** on 04/02/2013: Alteration to facade at ground floor level to front and rear including new windows/doors, canopy and louvres to front and new windows/doors, platform lift, entrance stairs to rear, installation of new bike shed, creation of terrace with planters and canopy at rear raised ground level all in connection with existing offices (Class B1a).

Full planning application, reference 2012/6649/P, **Granted** on 22/03/2013: Use of part of ground floor as a restaurant and cafe (Class A3) and installation of a kitchen extract and plant at rear first floor level.

Advertisement, reference 2004/5039/A, **Granted** on 10/12/2004: Display of non-illuminated exterior sign 1150mm x 1150mm over the ground floor entrance.

Full planning application, reference 2001/2059/P, **Granted** on 01/07/2004: Minor alterations to provide sliding doors to existing office building.

Full planning application, reference PSX0204120, **Granted** on 07/05/2002: Erection of 2.4 metre high fencing and gates to secure the use of two bicycle storage sheds.

Full planning application, reference PSX0104560, **Granted** subject to S106 15/04/2004: Demolition of existing building and erection of new building comprising, basement, ground and 6 upper floors to provide 5458 sq.m of office floorspace and 5 residential units (978 sq.m.)

Full planning application, reference 9401792, **Granted** on 06/01/1995: The erection of a ground floor rear extension for office use.

Advertisement, reference 8880013, **Granted** on 16/03/1988: The display of seven internally illuminated projecting box signs measuring 550mm x 550mm positioned beneath canopy.

Full planning application, reference 8601653, **Granted** on 29/01/1987: Alterations for the British Film Institute involving:- (1)Change of use of the basement from storage to viewing theatres and storage.(2)Change of use of the ground floor from showroom/offices to a library for the British Film Institute.(3)Erection of a ground floor rear extension for goods despatch/collection and post room for the British Film Institute.(4)Erection of extensions at roof level for nitrate film store and viewing cubicles.(5)The installation of air conditioning plant on the roof and associated ductwork to be screened by cream coloured aluminium panels at the rear.

Relevant policies

National Planning Policy Framework 2012

The London Plan: Spatial Development Strategy for Greater London: 2011

LDF Core Strategy and Development Policies 2010

Core Policies

CS5 Managing the impact of growth and development

CS14 Promoting high quality places and conserving our heritage

Development Policies

DP24 Securing high quality design

DP25 Conserving Camden's Heritage

DP26 Managing the impact of development on occupiers and neighbours

DP28 Noise and vibration

Camden Planning Guidance

CPG1 Design

CPG6 Amenity

Charlotte Street Conservation Area Appraisal and Management Strategy 2008

Assessment

Proposal & background

The British Film Institute (BFI) currently occupy the building on Stephen Street which backs onto Stephen Mews and is seeking to improve the presence of the building on Stephen Street, refurbish existing office accommodation to modern standards and change the use of the library area into a restaurant/café (A3). Planning permission was granted on the 22nd March 2013 for the change of use of part of the ground floor to restaurant/café with kitchen extract under planning reference 2012/6649/P.

This application proposes the installation of external plant on the roof of the ground floor rear addition.

The main considerations subject to the assessment of this application are: design & appearance; and amenity.

Design & appearance

The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions to existing buildings are proposed. Development Policy DP24 states that the Council will expect developments to consider the appropriate location for building services equipment. The application site is within Charlotte Street Conservation Area and therefore development will only be permitted that preserves and enhances the character and appearance of the conservation area, in accordance with policy DP25.

The application proposes to install a new heat recovery unit and a condenser unit on the roof of the projecting ground floor which is sited to the rear of the building and facing Stephen Mews. The ground floor projecting roof is approximately 31.6m wide and the proposed heat recovery unit would be sited to the left of this roof (when looking at the rear of the building) towards the rear of 28-30 Tottenham Court Road with the new condenser unit sited centrally. Given the central siting of plant proposed it is not considered that the heat recovery unit and condenser, which would project approximately 0.2m and 1m above the roof respectively, would harm the character and appearance of the building or Mews buildings.

There is existing plant located above the ground floor roof that would be removed as a result of the works. Plant approved under planning reference 2012/6649/P is connected with the A3 use and would be sited to the right of the roof (when looking at the rear of the building) towards the rear of 30 Gresse Street. If planning permission 2012/6649/P is implemented, it is not considered that the proposed plant, which would be used in connection with the existing offices, would be viewed as a proliferation of plant at this level given the size and scale of the building.

Amenity

Development Policies DP26 and DP28 seek to ensure that the amenities of neighbouring occupiers are not unduly affected by noise and vibration from plant. A Noise Impact Assessment produced by KP acoustics dated 19/02/2013 was submitted with the application. The following sets out the results and recommendations of the noise survey.

A 24 hour background noise survey was undertaken on 26th November 2012. The minimum recorded background noise level in the daytime (07:00 – 23:00) was 49db and was recorded at 48db in the night-time (23:00 – 07:00). Development Policy DP28 considers that noise generating from plant/equipment in proximity to noise sensitive facades should be at least 5db below the lowest background noise level or 10db below if the plant/equipment makes a distinguishable noise.

There are offices located within Stephen Mews, to the rear of the application site and offices located to the side of the application site on Gresse Street. The supporting text of DP28 considers that offices are noise sensitive uses and as such the noise level from proposed plant at the nearest noise sensitive receiver should not be greater than 44db at 1m from the facade. The nearest neighbouring noise sensitive receiver are the offices sited directly opposite in Stephen Mews, approximately 15m distance from the proposed plant.

The acoustic consultants require a silencer of 900mm length to be applied to the heat recovery unit discharge. If approved this shall be conditioned to ensure that the silencer is permanently retained and maintained. The proposed condenser unit would not require any mitigation measures to ensure that the amenities of neighbouring occupiers would not be harmed by the development. In addition, the assessors took into consideration the noise impact if a second condenser were installed on the roof and the total (cumulative) noise received by the nearest sensitive receiver would remain under 5db below the lowest measured background noise level at 1m from the façade.

Environmental Health officers note that the acoustic report meets the requirements of policy DP28. Nonetheless, officers feel that a time clocks condition restricting use of plant between 23:00hrs and 07:00hrs would be beneficial given that the plant is used in connection with offices that would not be actively used during these times.

Neighbouring occupiers have raised objection to the addition of plant on the ground floor roof of the application site. Officers consider that this objection relates specifically to plant approved in connection with the A3 use which would be sited in proximity to office windows towards the rear elevation of 30 Gresse Street. The nearest neighbouring noise sensitive windows to the proposed plant would be those windows sited directly opposite in Stephen Mews. The Noise Impact Assessment submitted and reviewed by Environmental Health officers confirms that the proposed plant would not have a detrimental impact on amenity, in accordance with policies CS5, DP26 and DP28 of Camden's LDF.

Conclusion

Officers consider that the proposed plant on the ground floor roof of the rear addition would not harm the character and appearance of the existing building or mews buildings in accordance with policies CS14, DP24 and DP25 of Camden's LDF. The proposed plant would not be harmful to the amenities of neighbouring occupiers in accordance with policies CS5, DP26 and DP28 of Camden's LDF.

Recommendation

Grant conditional permission.

DISCLAIMER

Decision route to be decided by nominated members on Monday 22 April 2013. For further information please go to www.camden.gov.uk and search for 'members briefing'



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Development Management**
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Ben Adams Architects
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Application Ref: **2013/0958/P**
Please ask for: **Nicola Tulley**
Telephone: 020 7974 **2527**

19 April 2013

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) Order 2010
Town and Country Planning (Applications) Regulations 1988

Full Planning Permission Granted

Address:
British Film Institute
21 Stephen Street
London
W1T 1LN

Proposal:
Installation of external plant equipment to the roof of the ground floor rear addition.
Drawing Nos: P003/A; P106/A; P121/B; P415/-; P215/-Design and Access
Statement February 2013; Noise Impact Assessment produced by KP Acoustics
dated 19th February 2013.

The Council has considered your application and decided to grant permission
subject to the following condition(s):

Conditions and Reasons:

- 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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans P003/A; P106/A; P121/B; P415/-; P215/-Design and Access Statement February 2013; Noise Impact Assessment produced by KP Acoustics dated 19th February 2013.

Reason:

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

- 4 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Before the use commences, the heat recovery unit discharge shall be provided with a silencer of 900mm length in accordance with the details contained within the Noise Impact Assessment produced by KP Acoustics dated 19th February 2013. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies

DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Automatic time clocks shall be fitted to the equipment/machinery hereby approved, prior to commencement of the use of the units, to ensure that the plant/equipment does not operate between 2300hrs and 0700hrs. The timer equipment shall thereafter be permanently retained and maintained and retained in accordance with the manufacturer's recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 Reasons for granting permission.

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS5 (Managing the impact of growth and development) CS14 (Promoting high quality places and conserving our heritage) and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies DP24 (Securing high quality design) DP25 (Conserving Camden's Heritage) DP26 (Managing the impact of development on occupiers and neighbours) DP28 (Noise and vibration). For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officer report.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully

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

Photographs



Front elevation facing Stephen Street



Rear elevation facing Stephen Mews



Noise sensitive windows of Stephen Mews



Corner of ground floor roof adjacent to 30 Gresse Street