

<b>Delegated Report (Members' Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		20/09/2012	
		N/A / attached		<b>Consultation Expiry Date:</b>		06/09/2012	
<b>Officer</b>				<b>Application Number(s)</b>			
Rob Tulloch				2012/3530/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
21-27 Lambs Conduit Street London WC1N 3BD				See decision notice			
<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 4x a/c units at roof level and extension to the existing plant housing (Class B1).							
<b>Recommendation(s):</b>		<b>Grant Planning Permission</b>					
<b>Application Type:</b>		<b>Full Planning Permission</b>					
<b>Conditions:</b>		<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>11</b>	No. of responses	<b>01</b>	No. of objections	<b>01</b>
<b>Summary of consultation responses:</b>		Site notice 08/08/2012-29/08/2012 Press advert 16/08/2012-06/09/2012  38 Lamb's Conduit Street objects: <ul style="list-style-type: none"> <li>• They are in the sightline of the existing plant</li> <li>• The existing plant can be heard day and night even when the windows are closed, and a complaint has been made to Environmental Health</li> <li>• They believe their property and adjacent properties may be "hotspots" missed by the acoustic report</li> <li>• They would like the applicant to consult with them to agree suitable noise suppression measures</li> </ul>					
		Officer comment: see sections 2.3 & 3.1-3.3					
<b>CAAC/Local group comments:</b>		Bloomsbury CAAC object in the absence of a full elevation.  Officer comment: Full elevations were not originally requested, but provided later and Bloomsbury CAAC informed.					
		Rugby & Harpur Residents Association object as the existing plant causes nuisance and there is no indication that there will be an improvement in insulation.  Officer comment: see sections 3.1-3.3					

## Site Description

The application relates to a four storey office building on the corner of Lamb's Conduits Street and Dombey Street. It is located between a part seven, part nine storey office building to the south and a four storey residential building to the west. The site lies within sub-area 11 of the Bloomsbury Conservation Area with Listed Buildings to the east and north at nos. 28-38 and 29-37 Lamb's Conduit Street.

## Relevant History

2010/5109/P Extension and alterations to include the erection of a new fourth floor mansard roof extension and the replacement of existing plantroom at roof level to existing office accommodation (Class B1). Granted 20/12/2010 not implemented

PSX0105241 The retention of five roof top air conditioning units installed within an acoustic enclosure, together with a new stair enclosure to the southern end of the roof. Granted 21/02/2002

PSX0104671 The installation of roof plant. Refused 18/09/2001

## Relevant policies

### LDF Core Strategy and Development Policies

CS5 Managing the impact of growth and development

CS14 Promoting high quality places and conserving our heritage

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 2011

Bloomsbury Conservation Area Appraisal and Management Strategy

NPPF 2012

## Assessment

### 1 Proposal

1.1 The proposal is for additional rooftop plant and the extension of the existing plant housing. The main issues are:

- design
- neighbour amenity

### 2 Design

2.1 The application site is a four storey building located on the corner of Lamb's Conduit Street and Dombey Street. The existing plant occupies a central location on the roof and is accessed by a metal walkway leading from a staircase at the southern end of the roof. The plant is set back approximately 4m from the eastern Lamb's Conduit Street elevation and 8.5m from the north Dombey Street elevation. The plant is surrounded by metal acoustic screening approximately 2m high with a footprint of approximately 5.5m x 5m.

2.2 It is proposed to install 4x additional a/c units and increase the size of the acoustic housing around it. The proposed housing would extend southwards towards the stair tower by approximately 2.5m, as such the footprint of the plant housing would increase from 5.5m x 5m to 8m x 5m. The height of the enclosure would remain 2m. The new acoustic housing would be constructed in materials to match the existing acoustic housing.

- 2.3 The existing plant is not visible from street level due to its set back and the height of the building. The proposed extension to the plant housing would not be visible from the street, but would be visible from the second floors and above of neighbouring buildings, as is the existing plant. From this level it would be seen as an extension to existing plant on top of a commercial building.
- 2.4 As such the proposal is not considered to harm the character or appearance of the host building or conservation area and would comply with policies CS14, DP24 and DP25 of the LDF and Camden Planning Guidance.

### **3 Amenity**

- 3.1 The submitted acoustic report identifies the closest sensitive location as the third floor of no. 28 Lamb's Conduit Street. Policy DP28 states that all noise levels emanating from proposed plant must be at least 5dB(A) below the measured background noise level at 1m from the faced of the nearest noise sensitive premises, and 10dB(A) below the measured background noise levels where the plant noise has a discrete continuous note or distinct impulses. The acoustic report concludes that the proposed plant will be 11dB(A) below the lowest measured background noise level at the nearest noise sensitive receptor which means the noise from the proposed plant would produce no observed effect. A Council Environmental Health Officer agrees with findings of the report and considers that the proposed plant would comply with the Council's noise standards.
- 3.2 Two complaints have been received by the Council's Environmental Health Team about noise from the existing plant. One historic complaint has been closed. The other complaint, from no. 38 Lamb's Conduit Street, is currently being investigated. An Environmental Health Officer has visited no. 38 and although noise from the plant could be heard it was not considered to be a statutory nuisance. For the purposes of Environmental Health investigations, just because a noise is audible does not automatically constitute a nuisance in law (a statutory nuisance). No. 38 is approximately 32m away from the plant whereas no. 28, which the acoustic report referred to as the closest sensitive location, is 16m away. Although the complainant referred to the possibility of hotspots, this is not considered to be the case as an Environmental Health Officer has visited the affected site.
- 3.3 The proposed plant would comply with the Council's noise standards so there would not be a cumulative increase in noise resulting from the existing and proposed plant. Furthermore, the applicant has confirmed that the plant (existing and proposed) is programmed to be in use between 0630hrs to 1830hrs only and that this would be controlled by a Building Management System (BMS), which is a computer based control system controlling ventilation, lighting, security systems etc. It is not possible to add a condition covering the hours of operation to the existing plant as these already have permission under PSX0105241 and are not subject to a condition restricting the hours of operation (there are conditions restricting the noise levels of the existing plan). A condition restricting the hours of operation of the proposed plant would be unenforceable as it would be extremely difficult to identify which plant was in operation, in addition the noise report concludes that the plant would comply with the Council's noise standards if in operation during the night. It is recommended that a condition be attached to the proposed plant ensuring that noise levels comply with the Council's noise standards to protect the amenity of adjoining occupiers.
- 3.4 The proposed plant is not considered to affect daylight or sunlight to any neighbouring properties.
- 3.5 As such the proposal is not considered to harm the amenity of adjoining occupiers and would comply with policies CS5, DP26 and DP28 of the LDF and Camden Planning Guidance.

### **4 Recommendation: Grant Planning Permission**

## **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 17<sup>th</sup> September 2012.**  
For further information please click [here.](#)