

Delegated Report		Analysis sheet		Expiry Date:	24/01/2012
(Members Briefing)		N/A / attached		Consultation Expiry Date:	05/01/2012
Officer			Application Number(s)		
Philip Niesing			2011/3619/P		
Application Address			Drawing Numbers		
2-3 North Mews London WC1N 2JP			Refer to Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Retention of air conditioning unit at rear first floor roof level in connection with existing office use (Class B1).					
Recommendation(s):		Grant planning permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	27	No. of responses	01	No. of objections	01
			No. electronic	00		
Summary of consultation responses:	<p>Site notice: 12/12/2011 until 02/01/2012 Press notice: 15/12/2011 until 05/01/2012</p> <p>One letter of objection was received from the occupier of number 75 Grays Inn Road, which is the property to the south east of the application site, and abuts the rear part of the building where the a/c unit in question is located. No 75 is occupied by Harpers, Solicitors and Advocates (Class B1 offices).</p> <p>Reasons for objection:</p> <ol style="list-style-type: none"> 1. The subject a/c unit causes noise and disturbance in conference rooms located at the rear of the premise at ground floor level; 2. The a/c unit is an eye sore, given its size and proximity to windows; and 3. The a/c is inappropriate in its current location. 					
CAAC/Local groups* comments: *Please Specify	There is no Hatton Garden CAAC.					

Site Description

The application site is located on the north eastern side of North Mews and comprises a relatively modern four storey mid- terrace office block. The rear of the property extends beyond that of the upper floors and adjoins 77 Gray's Inn Road, which is an adjoining office also owned by the applicant. A relatively large, free standing air conditioning unit has been installed on the flat roof at first floor level.

North Mews is a consistent street of mews houses and garages of largely uniform appearance, and forms part of Hatton Garden Conservation Area. The building is not listed.

Relevant History

- 1996 Planning permission was granted for the installation of 2 air cooling condenser units on roof adjacent to existing lift motor room on flat roof (planning ref. PS9604265).
- 1991 Planning permission and listed building consent were granted on appeal to refurbish no. 77 Gray's Inn Road and for the demolition and redevelopment of 2-3 North Mews both to be used as B1 offices (references 9100842 & 9100841).

Relevant policies

LDF Core Strategy and Development Policies

CS1 Distribution of growth
CS3 Other highly accessible areas
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
DP32 Air quality and Camden's Clear Zone

Camden Planning Guidance, 2011

Hatton Garden Conservation Area Statement, 1999

Assessment

1. Overview

1.1 The current application follows a planning enforcement investigation (ref. EN07/0873) relating to an alleged unauthorised a/c unit that was installed on the flat roof above the ground floor office. The owner was advised to either submit a planning application to regularise the works or to remove the a/c unit and make good the area the unit occupies. The current application, the subject of this report, was submitted in July 2011 and made valid on the 29/11/2011.

1.2 Planning permission is now sought to retain the subject a/c unit, comprising a free standing unit, measuring 1.9m (h) x 890mm x 890mm. The unit is installed 800mm from the rear wall of 2-3 North Mews and 1.2 metres from the flank wall of number 77 Gray's Inn Road. It is also sited approx. 200mm from the parapet with no. 75 Gray's Inn Road.

2. Assessment

2.1 Amenity

2.1.1 An Acoustic report, prepared by Acoustic Plus dated September 2011 was submitted to the Council as part of the applicants' submission. From this report it was evident that the plant would produce a rating level over background of 29dB(A) which fails to satisfy the requirement of policy DP28. However, additional information has been provided to the Local Planning Authority involving the proposed installation of an acoustic enclosure to reduce the noise levels.

2.1.2 Although the proposed enclosure affords a -8d B (A) below the existing background which does not solely satisfy the Council's Local Development Framework DP28, the Council's Environmental Health Team suggests that a condition be attached to the permission requiring *'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).* On this basis the retention of the a/c unit would be acceptable.

2.1.3 Subject to compliance with the above condition, the a/c unit would not have such a material impact on the amenities enjoyed by the neighbouring properties, including the occupiers of 75 Gray's Inn Road, which would warrant refusal of permission on these grounds. The matters raised by the occupiers of number 75 Gray's Inn Road relating to visual amenity are duly noted. However, given the location of the a/c unit within a commercial setting with limited views thereof it would not cause material harm in terms of loss of outlook.

2.2 Design and appearance

2.2.1 The a/c unit is located at roof level in an area where plant and ducting is present and is not visible from the street, with consequent insignificant impact on the character and appearance of the host building and the wider area, in accordance with DP24 and Camden Planning Guidance 2006.

3. Conclusion

3.1 On balance, and with the appropriate condition attached to the permission it is considered that the subject a/c unit would not have such a material impact on the amenities enjoyed by the occupiers of the adjoining buildings in terms of noise and disturbance or loss of outlook that would warrant refusal of permission on these grounds. The proposal would moreover not adversely affect the character and appearance of the host building of the special character and appearance of Hatton Garden Conservation Area. It is accordingly considered that the proposal would be in general conformity with the relevant policies of the LDF.

4. Recommendation

4.1 Grant planning permission

DISCLAIMER

Decision route to be decided by nominated members on Monday 23rd January 2012.

For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>