

Delegated Report		Analysis sheet		Expiry Date:		30/09/2010	
		N/A / attached		Consultation Expiry Date:		10/09/2010	
Officer				Application Number(s)			
Elizabeth Beaumont				2010/3847/P			
Application Address				Drawing Numbers			
118 - 120 Charing Cross Road, London, WC2H 0JR				Please refer to decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Installation of 8 condensing units at third floor roof level and 7 condensing units at fourth floor roof level to existing building following the removal of existing units.							
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	35	No. of responses No. electronic	01 00	No. of objections	01
Summary of consultation responses:		Flitcroft House – 114-116 Charing Cross Road – objects for the following reasons; <ul style="list-style-type: none"> The noise caused by these works since our sales room is exactly at the adjacent level where the works are taking place. We have already had disruption from the Cross Rail Project and the redevelopment of the lower part of our own building. Our source of income is through telephone marketing and any further building disruption will impact on our revenue if our sales team have too much background noise. If the proposals could take place on the weekends and after 5.30pm in the evenings it would not be an issue. <u>Officer's comments</u> – An informative would be attached to any decision notice relating to Environmental Health restrictions on the hours of construction and noise levels. It is considered unlikely that the proposed installation of new condenser units would result in substantial disturbance to neighbouring businesses					
CAAC comments:		Denmark Street CAAC – no comments received					
Site Description							
The application site comprises two buildings located on the eastern side of Charing Cross Road. Nos. 122-124 is a four storey red brick building which has elevations which front both Denmark Street and Charing Cross Road. No. 118-120 is a six storey office block with a retail frontage at ground floor level. The building is not listed but is located within the Denmark Street Conservation Area.							

Relevant History

07/12/1999 – **p.p. granted (PS9904841)** for the installation of six condenser units on the flat roof one floor below the roof level of the south west corner of the Building D, to serve the third floor of Building D; b) The installation of seven condenser units on the south side of the roof of Building D adjacent to the sloping roof.

19/06/2001 – **p.p. refused (PSX0104288)** for the installation of six antennae and one equipment cabin on the roof. [Allowed on appeal]

31/08/2006 – **p.p. granted (2006/2620/P)** for the Installation of 1no 300 mm transmissions dish and associated cabling at roof level.

24/06/2010 – **p.p. refused (2010/1894/P)** for the Installation of 9 condensing units at third floor roof level and 7 condensing units at fourth floor roof level to existing building. Reason for refusal - In the absence of information to demonstrate that the proposed condenser units will comply with the Council's noise standards of 10dBA below background noise levels as measured 1m from the nearest noise sensitive facade, it is considered that the equipment would be likely to cause a noise nuisance to adjoining occupiers to the detriment of their amenities, contrary to policies SD6 (amenity for occupiers and neighbours), SD7B (noise/vibration pollution), SD8 (disturbance from plant and machinery) and Appendix 1 (noise and vibration thresholds) of the London Borough of Camden Replacement Unitary Development Plan 2006.

29/06/2010 – **p.p. granted (2010/2256/P)** for the replacement of 6 existing radio antennas with 6 new antennas and the installation of 1 x equipment cabinet within an existing cabin at roof level.

Relevant policies

Replacement Unitary Development Plan 2006

SD6 (Amenity for occupiers and neighbours)

SD7B (Noise/vibration pollution)

SD8 (Disturbance)

B1 (General design principles)

B3 (Alterations and extensions)

B7 (Conservation Areas)

Appendix 1 – Noise and vibration thresholds

Camden Planning Guidance

Denmark Street Conservation Area Statement

LDF Core Strategy and Development Policies

The Inspector's Report into the Camden Local Development Framework Core Strategy and Development Policies Development Plan documents ("DPD"s) was published on 13th September and found the policies in the DPDs to be sound. This means "considerable weight" can now be given to these LDF policies even though at this stage they have yet to be formally adopted by the Council. Where there is a conflict between UDP policies and these LDF policies the Planning Inspectorate would consider it reasonable to follow the latter. However prior to formal adoption UDP policies should still be taken into account as the Council's adopted Development Plan.

LDF Core Strategy

CS1 (Distribution of growth)

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

Development Policies Development Plan

DP24 (Securing high quality design)

DP26 (Managing the impact of development on occupiers and neighbours)

DP28 (Noise and vibration)

Assessment

Proposal - Permission is sought for the following;

- Installation of 8 condenser units on the 3rd floor rear roof of 122-124 Charing Cross Road;
- Installation of 7 condenser units on the 4th floor on the roof of no. 118-120 Charing Cross Road to serve the retail unit and associated offices.
- The proposed units would all replace existing air handling plant at the same locations.

Planning permission (2010/1894/P) was refused in June 2010 for the same scheme that is now being proposed. Permission was refused as insufficient detail was provided as part of the application in order to assess the impact of the plant on the amenity of neighbouring occupiers. The current application has been submitted with additional information to address the previous reason for refusal to demonstrate the proposed condenser units would comply with the Council's noise criterion.

Design - The proposed development with regards to the scale, bulk and proposed location of the condenser units remains the same as the refused application (2010/2256/P). It is not considered that any new design issues are raised with this proposal. The proposal is considered acceptable in terms of the scale, bulk and position of the new units. It is considered the units would be sensitively sited on the roof and would not harm the character and appearance of the host building or the wider conservation area.

Amenity – The current application has been submitted with an additional assessment of the proposed plant. The proposed plant will operate during the daytime period only (notionally 08.00-18.00). The nearest residential windows are located 20m from the third floor plant and 22m from the 4th floor plant. The orientation of the façade and the plant will provide at least 7dB noise attenuation. The Report concludes that the new units with acoustic screening of the plant from other plant and partial screening from building structures would meet Camden's Noise Criterion.

Recommendation – Grant planning permission

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