

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>30/08/2010</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		04/08/2010	
<b>Officer</b>				<b>Application Number(s)</b>			
Carlos Martin				2010/2567/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
39/41 Farringdon Road London EC1M 3JB				Refer to draft 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 two air condensing units at first floor roof level at rear and removal of existing extract ducts in connection with retail use (Class A1).							
<b>Recommendation(s):</b>		<b>Grant</b>					
<b>Application Type:</b>		<b>Full Planning Permission</b>					
<b>Conditions or Reasons for Refusal:</b>		<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>18</b>	No. of responses	<b>02</b>	No. of objections	<b>01</b>
				No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>		<p>A site notice was displayed between 14 July and 4 August and the following comments were received:</p> <p>1 support</p> <ul style="list-style-type: none"> <li>On condition that the redundant units are removed from the rear windows of no. 39 and</li> <li>New units are not located close to bedroom windows and cause a noise nuisance</li> <li><b>Officers response:</b> The proposal involves the removal of all the redundant units, whether located near no. 39 or no. 41. The new units are proposed at number 41 and not number 29.</li> </ul> <p>1 objection</p> <ul style="list-style-type: none"> <li>on the grounds of potential noise disturbance to bedrooms in the upper floors of no. 39.</li> <li><b>Officers response:</b> The submitted noise report accompanying the application demonstrates theoretically that Camden's planning noise conditions would be met with mitigating measures on one of the units. A condition will ensure that the mitigating measures are in place prior to and during the operation of the units.</li> </ul>					

**CAAC/Local groups\*****comments:**

\*Please Specify

No CAAC for Hatton Garden CA.

**Site Description**

The application site relates to a basement and ground floor restaurant and food retail unit situated on the west side of Farringdon Road, close to the junction with Greville Street. Saffron Hill runs parallel with Farringdon Road to the west. The 5 floors above are in residential use.

The site is located within the Hatton Garden Conservation Area. The boundary between the L.B. of Camden and Islington runs along the centre of Farringdon Road.

**Relevant History**

The site has a long history of noise nuisance emanating from the operation of plant /machinery associated with the previous A3 use of the premises. The previous occupier, "Flaneur", was convicted in October 2004 for failure to comply with the noise abatement nuisance.

The site is currently vacant and should be shortly occupied by the Post Office, according to the recently approved applications for alterations to shopfront (2010/2518/P) and display of advertisement (2010/2529/A).

**Relevant policies****Replacement Unitary Development Plan 2006**

SD6 Amenity for occupiers and neighbours

SD7 Light, noise and vibration pollution

SD8 Disturbance

B1 General design principles

B3 Alterations and extensions

B7 Conservation areas

**Camden Planning Guidance (2006)**

28 Noise and vibration

**Hatton Garden Conservation Area Statement****LDF Core Strategy and Development Policies**

*As the draft LDF Core Strategy and Development Policies documents have now been published, they are material planning considerations. However, as a matter of law, limited weight should be attached to them at this stage.*

CS5 Managing the impact of growth and development

DP26 Managing the impact of development on occupiers and neighbours

DP28 Noise and vibration

CS14 Promoting high quality places and conserving our heritage

DP24 Securing high quality design

DP25 Conserving Camden's Heritage

**Assessment**

Planning permission is sought for the installation of two air condensing units at first floor roof level at rear and removal of existing extract ducts in connection with retail use (Class A1).

The proposed new units would consist on two wall mounted condensers supported by brackets and would be located at the rear of no. 41, on the internal side of the boundary wall. The larger unit would be enclosed by an acoustic enclosure.

**Planning considerations:**

- (i) impact of the proposal on the character and appearance of the conservation area;
- (ii) impact of the proposal on the amenity of neighbours.

**Design and conservation**

The proposed new units would replace a set of considerably larger units and, given that they would be located at the back, away from public views, it is not considered that the proposal would unduly impact the character and appearance of the Hatton Garden Conservation Area.

**Amenity**

Concerns have been raised by neighbours with regards to potential noise nuisance and loss of light as a result of the existing units, given the close proximity of the units and some rear windows of residential units above the premises. The new units are considerably smaller than the existing ones and, given that they would be located sufficiently away from residential windows, they would not result in loss of light to neighbours.

The submitted acoustic report demonstrates that the new units would comply with the Council's noise conditions, providing that the larger unit is enclosed with a noise mitigating enclosure. Therefore, no significant impact on the amenity of neighbouring residential flats is expected from the proposal. This can be reinforced by attaching the Council's standard noise conditions to the permission along with one specific condition to ensure that the noise mitigating enclosure, in compliance with the specification provided, is in place prior to and during the operation of the unit.

**Recommendation:** Grant.

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