

Delegated Report		Analysis sheet		Expiry Date:		08/07/2010	
		N/A / attached		Consultation Expiry Date:		N/A	
Officer				Application Number			
Aysegul Olcar-Chamberlin				2010/1917/P			
Application Address				Drawing Numbers			
All Souls Church 152 Loudoun Road London, NW8 0DH				See decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Submission of information re acoustic insulation pursuant to condition 9 of planning permission dated 14/02/2006 (ref no. PWX0202923) for (change of use of part of church building to 8 residential units plus the retention of part of the nave and apse for continued use for social and community purposes (Class D1), and associated works of conversion and elevational alterations, and the redevelopment of the church hall site for a new 4 storey building comprising 8 residential units with 2 courtyards and 2 roof terraces).							
Recommendation:		Discharge Condition 9					
Application Type:		Approval of Details					
Conditions:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	00	No. of responses No. electronic	00 00	No. of objections	00	
Summary of consultation responses:	N/A						
Local groups comments:	N/A						
Site Description							
<p>The application is a Grade II listed church hall constructed in 1864-65 to the designs of Wadmore and Baker, on the corner of Alexandra Road and Loudoun Road. The building has a fairly small amount of open space around it and is enclosed by a dwarf brick wall.</p> <p>The construction work for residential units and refurbishment of Class D1 space has started. The separation wall between the residential part and Class D1 (community use) part has already been built. The applicant intends to use Class D1 space as a children's nursery.</p>							
Relevant History							
Planning Permission ref: PWX0202923 – for the change of use of part of church building to 8 residential units plus the retention of part of the nave and apse for continued use for social and community purposes (Class D1), and associated works of conversion and elevational alterations, and the redevelopment of the church hall site for a new 4 storey building comprising 8 residential units with 2 courtyards and 2 roof terraces was granted on 14/02/2006 subject to the following condition which this application seeks to discharge.							

Condition 9 states:

“Before the Class D1 use commences, sound insulation shall be provided between the D1 unit and the adjoining residential units within the church building in accordance with a scheme to be first approved by the Council. The use shall thereafter not be carried out other than in complete compliance with the approved scheme.

Reason: To safeguard the amenities of the adjoining premises in accordance with the requirements of policy RE2, EN1 and HG9 of the London Borough of Camden Unitary Development Plan 2000.”

This permission expires on 14/02/2011.

Other relevant conditions of the original planning permission:

Condition 12 states *“No sound emanating from the Class D1 use shall be audible within any adjoining residential units between 2300 hrs and 0800 hrs to safeguard the amenities of the adjoining premises in accordance with the requirements of policies RE2, EN1 and HG9 of the London Borough of Camden Unitary Development Plan 2000.”*

Following conditions of the original permission have been discharged:

Condition 6 (details of privacy screens and access staircases to roof terraces) - on 17/10/2006

Condition 7 (details of hard and soft landscaping) - on 02/11/2006

Condition 10 (details of cycle parking) – on 16/10/2006

Other relevant planning application:

2006/4679/P – Planning permission was granted on 04/07/2007 for some alterations to height and layout of the new 4 storey block of flats (including an increase in height by 0.425m at front and 1.8m at rear), alterations to roof terraces and fenestration, and revised cycle and refuse storage as a revision to planning permission (ref: PWX0202923R2) dated 14/02/06. Condition 5 (details of the location, design and method of waste storage and removal) of this planning permission was discharged on 17/12/2008 (ref: 2008/5245/P).

Relevant policies

Replacement Unitary Development Plan 2006

SD1 - Quality of life

SD6 - Amenity for occupiers and neighbours

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.

The following policies in the draft LDF Core Strategy and Development Policies documents have been taken into consideration

CS1 – Distribution of growth

CS5 – Managing the impact of growth and development

DP26 – Managing the impact of development on occupiers and neighbours

Assessment

The applicant has submitted the following information to discharge condition 9 of planning permission dated 14/02/2006 (ref no. PWX0202923):

- A letter from MLM Building Control Consultants and Corporate Approved Inspectors dated 23rd March 2010 confirming that the wall construction separating the new residential dwellings from the church hall (Class D1) met the acoustic requirements of Approved Document E of Schedule 1 of the Building Regulations 2000; and
- Drawing, 700 rev C showing the layout of the intended community use on the Class D1 part of the former church hall and a section of the party separation wall between the residential units church hall (Class D1).

Paragraph 1.41 of policy SD6 states development should give consideration to the protection of the occupiers and neighbours from the noise and vibration pollution. This is the purpose of the condition that the applicants are seeking to discharge. Compliance with the acoustic requirement of Approved Document E (which requires airborne sound insulation in the separating walls of at least 43 Db and separating floors of 45 Db) is considered to be an acceptable standard to ensure that there is no unacceptable transmission of noise between the commercial unit and the adjacent residential units.

The Council's Building Control Service has confirmed that compliance with the technical requirements of Approved Document E is all that is legally required under the current Building Regulations. Furthermore the Council's Environmental Health Officer was satisfied with the information submitted with this application and raised no concerns.

Therefore, it is recommended that condition 9 should be discharged.

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