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London Borough of Camden
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Dear Sirs

**BASEMENT AND GROUND FLOOR UNIT 8, 125 HIGH HOLBORN
APPLICATION FOR REMOVAL OF CONDITION FROM PERMISSION REF. 2009/1057/P
SEPARATE BUT LINKED APPLICATION FOR PLANT AT SAME ADDRESS**

We write on behalf of the applicant, Grandsoft Limited, to submit two applications relating to the previous approval for the use of the basement and ground floor of Unit 8 at 125 High Holborn for Class A3 use. The first application is for the approval of plant details relating to the proposed occupation of Unit 8 by a Class A3 operator. Linked to this is an application made under Section 73 of The Town and Country Planning Act 1990 (as amended) for the removal of Condition 5 from the permission ref. 2009/1057/P to allow for primary cooking to take place.

Background

On 4 June 2009, the London Borough of Camden (LB Camden) approved an application for the use of Unit 8 at 125 High Holborn for Class A3 purposes. A condition (Condition 5) was attached to the permission preventing primary cooking taking place from the unit. Informative 3 to this permission advised that a further application for planning permission would be required for the installation of plant / equipment including ductwork to facilitate primary cooking.

We have now drawn up the plant works in order to allow for primary cooking from the unit. In order to meet the requirements of Informative 3 and Condition 5 of the original permission, we submit two applications – the first a conventional planning application for the proposed plant and the second a Section 73 application to remove Condition 5 to the original permission to allow for primary cooking to take place.

Also of direct relevance to these applications is the previously approved application for a plant area to the roof of 125 High Holborn (ref. 2006/4252/P). This was approved on 1 May 2009 and allowed for a substantial plant area to the roof of the building. The plant proposed with this submission falls entirely within the wider plant area for the whole building, as detailed on the submitted plans. Its impact would therefore be either non-existent (it would not be visible unless viewed from above) or negligible on the surrounding area, as confirmed in the supporting Acoustic Study and plans.

Planning History

The two key applications referred to above are detailed below:

2009/1057/P – "Change of use from shop (Class A1) to restaurant and café (Class A3) of unit 8 at basement and ground floor level at Southampton Place frontage". Approved 4 June 2009

2006/4167/P – "Amendments to retail (Class A1) and office (Class B1) floorspace creating an increase in floorspace including alterations as a variation to planning permission granted subject to a section 106 legal agreement dated 5th August 2005 (ref. 2005/1082/P) (for the demolition and redevelopment of the site to provide new office and retail accommodation together with associated plant, servicing and parking)." Approved 1 May 2009

Application for Plant

Description of Development

The description of development is:

"Provision of plant and associated equipment for the use of Unit 8 at basement and ground floor level on Southampton Place frontage for primary cooking within Class A3"

In more detail, it is proposed to provide a single RHF kitchen extract fan, three condenser units, an acoustic enclosure specific to the proposed plant and a silencer unit.

Submission Package

Together with this cover letter, we provide the following documents:

- Application form;
- Certificate A and Agricultural Holdings Certificate;
- Site Location Plan @ 1:1250 (ref. 2047-00-105 rev A);
- HVAC Layout – Basement Plan @ 1:50 (ref. 132-02 rev B);
- HVAC Layout – Ground Floor @ 1:50 (ref. 132-01 rev F);
- HVAC Layout – Roof @ 1:50 (ref. 132-03 rev C);
- Equipment Schedule (ref. 132-04);
- Technical information:
 - Chapman Ventilation information;
 - RHF Fans Ltd quotation;
 - Purified Air Ltd plan;
 - Toshiba RAV Ducted Digital Inverter (DI) information;
 - Systemair K 250L Circular duct fan information;
 - Thermoscreens T Range Recessed information;
 - RHF Fan Acoustic Housing information.
- A cheque in the sum of £335 in regard of the application fee;
- Design and Access Statement (within this cover letter);
- Noise Assessment by KC Environmental Ltd.

The supporting package has been checked against Camden's validation requirements for applications of this type.

Analysis

The proposed plant is to be located in the areas identified for plant provision in the approved plans which accompanied the original change of use application (ref. 2009/1057/P).

Condition 4 of the original permission (ref. 2009/1057/P) states:

"Noise levels at a point 1 metre external to sensitive facades shall be at least 5 dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment are 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 facade shall be at least 10 dB(A) below the LA90, expressed in dB(A)."

We have commissioned KC Environmental Limited (KCEL) to undertake a noise assessment of the proposed plant, in light of this condition. The Noise Assessment is submitted to support this application and it concludes that:

"Based on the plan showing the location of the proposed plant, the associated screening, the plant specification and the proposed attenuation measures, it has been calculated that the noise level from the proposed plant would be 23 dB(A) at the façade of the top floor of 8 Southampton Place. This is significantly more than 10 dB below the lowest measured L_{A90} background noise level of 48 dB(A) during the period that the plant would be operating, and would thus easily meet the requirement specified in Condition 4 of the Planning Permission."

The proposed plant would therefore meet the requirements set out in Condition 4 of the original permission.

The application ref. 2006/4167/P with regard to the wider 125 High Holborn development, approves a substantial plant enclosure to the roof of 125 High Holborn. The proposed plant is comfortably within the plant enclosure to the roof, within the 4 metre high acoustic screen. It would form a relatively minor element of the extensive plant to the roof of the building. The cumulative impact of the proposed plant is therefore minimal, as detailed in the submitted plans and Acoustic Assessment.

Design and Access Statement

Amount

The amount of plant proposed is appropriate to that required for restaurant use of the Class A3 unit

Layout

The proposed plant is located adjacent to the extensive plant serving the rest of the building, within the plant enclosure on the roof.

Scale

The proposed plant would lie within the extensive plant enclosure to the roof of the 125 High Holborn development, within the 4 metre high acoustic screen, and is therefore subservient in scale in relation to this wider plant provision.

Landscaping

Not applicable.

Appearance

The plant is located within a 4 meter high acoustic screen adjacent to extensive further plant provision for the rest of the 125 High Holborn development. It will therefore not be visible from street level and, in any case, would form a minor element of a much larger area of plant.

Section 73 Application

Description of Development

The description of development of the original permission is:

"Change of use from shop (Class A1) to restaurant and café (Class A3) of Unit 8 at basement and ground floor level on Southampton Place frontage"

The reference number is 2009/1057/P. The application was approved on 4 June 2009. This Section 73 application is for the removal of Condition 5 of the permission, which reads:

"No primary cooking shall take place within the A3 (Café/Restaurant) hereby approved"

Submission Package

Together with this cover letter, we provide the following documents:

- Application form;
- Certificate A and Agricultural Holdings Certificate;
- A cheque in the sum of £170 in regard of the application fee;
- Design and Access Statement (within this cover letter).

The supporting package has been checked against Camden's validation requirements for applications of this type.

Analysis

We apply for the removal of Condition 5 to allow for primary cooking to take place within Unit 8 at 125 High Holborn. As stated in Informative 3 to the permission, this condition was imposed pending a further application for plant to facilitate primary cooking. We simultaneously submit an application for the plant, as described in this cover letter.

Design and Access Statement

Amount

Not applicable.

Layout

No change to that approved.

Scale

Will allow for primary cooking within the unit, which is 345 sq m (GIA), and is therefore of an appropriate scale for the proposals.

Landscaping

Not applicable.

Appearance

No change. Please see simultaneous application for plant for details of the proposals to allow for primary cooking of the unit.

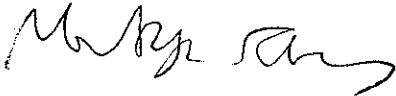
Summary

The two applications we hereby submit are to obtain consent to use Unit 8 at 125 High Holborn for primary cooking purposes within Class A3. Both applications are required in order to satisfy both Informative 3 of the original permission (ref. 2009/1057/P) and to remove Condition 5 from the original permission, which prohibits primary cooking.

The proposed plant would lie within the extensive plant associated with the wider redevelopment of 125 High Holborn, within a rooftop enclosure, shrouded by a 4 metre high acoustic screen. The Acoustic Assessment has found that the noise produced by the plant will fall comfortably within the limits imposed by Condition 4 of the original permission.

Both application submission packages have been checked against LB Camden's validation requirements and we look forward to confirmation of their registration. If you require any further information please do not hesitate to contact Owen Woodward of this office on 020 7312 7437.

Yours faithfully



MONTAGU EVANS LLP

Cc: Martin Wright – Grandsoft Limited
David Williamson – Hanover Cube