

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:		31/08/2007	
		N/A / attached		Consultation Expiry Date:		14/08/2007	
Officer				Application Number(s)			
Joe Purcell				2006/3430/P			
Application Address				Drawing Numbers			
Tudor House 35 Gresse Street London W1T 1QY				Drawing No. 931/01; 02; 03; 04; 05; 06; 07; 08; 09; 10; 11; 12; 13; 14; 15; 16; 17; 18; Acoustic Report; Rear Elevation; Plan; Photographs of External Location of Units; Covering Letter			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Retention of 2 no. wall mounted air conditioning units at first floor level and 2 no. free standing air conditioning units in basement light well associated with the office accommodation (Class B1).							
Recommendation(s):		Approve Planning Permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	19	No. of responses	01	No. of objections	01
				No. Electronic	00		
Summary of consultation responses:		A site notice was displayed on the 24/07/2007 expiring 14/08/2007, 1 objection was received, the main objections include: <ul style="list-style-type: none"> • Ruins the views and aspect of Percy Mews • Noise created from the air conditioning units would affect surrounding residents amenity. 					
CAAC/Local groups* comments: <small>*Please Specify</small>		<u>Charlotte Street CAAC: Object</u> There is no objection with regard from a visual point of view but they would cause a nuisance in terms of noise. <i>This issue will be discussed within the assessment section of the report</i>					

Site Description

The application site is a five storey building sandwiched between Gresse Street and Percy Mews, the building consists of retail (A1) in the basement and ground floor, offices (B1) on the first, second and third floors and a self contained flat (C3) on the fourth floor. The site is located within Charlotte Street Conservation Area.

Relevant History

PS9705052R1 Installation of 5 air conditioning condensers (air cooled) to be mounted to a wall situated on roof.
Granted 19/12/1997

Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

Replacement Unitary Development plan Adopted June 2006

S1 –S3 'Strategic policies'
SD6 'Amenity for occupiers and neighbours'
SD7 'light noise and vibration pollution'
SD8 'Disturbance from plant and machinery'
B1 'General design principles'
B3 'Alterations and extensions'
B7 'Conservation areas'
Appendix 1 'Noise and vibration thresholds' (Table E)

Assessment

Planning permission is sought for the retention of two condenser units to be attached to the rear elevation at first floor level in the rear light well and the retention of two free standing condenser units on the floor of the light well opposite the basement. The principle issues to consider regarding this application include:

- The impact the condenser and conditioning units would have on the special interest, character and appearance of the Conservation Area
- The impact the condenser units in terms of noise/disturbance have on the residential amenities of neighbouring occupiers.

The impact the condenser and conditioning units would have on the special interest, character and appearance of the Conservation Area

The two air condenser units that are already in position on the rear elevation at first floor level measure H:0.6m and W:0.85m, the two free standing air conditioning units on the floor of the light well measure H:1.2m and W:0.9m. Due to the air condenser units low positioning within the rear light well, with the two attached to the wall at first floor level still 6.9m below the top of the light well, they cannot be seen from the street and have no detrimental impact on the Conservation Area.

The impact the two condenser units in terms of noise/disturbance would have on the residential amenities of neighbouring occupiers

The nearest residential dwelling from the four air condenser units is the self contained flat situated on the fourth storey of the building, the window of the flat is situated 15.5m from the nearest air condenser unit. The Council's Environmental Health officer has considered the submitted acoustic report and has no objections to the installation of the condenser units in the basement light well. The submitted acoustic report demonstrates theoretically that the Council's noise criteria will be met but as a precautionary measure planning noise conditions should be attached if planning permission for the retention of the air conditioning units is granted.

Conclusion

Given all of the aforementioned, it is considered that the retention of the four air conditioning units would not result in material harm to the character and appearance of the conservation area. The noise produced from the four condenser units is within the Council's noise criteria and Environmental Health believe the condenser units do not infringe on the residential amenities of neighbouring amenity. The grant of planning permission is accordingly recommended subject to conditions.

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