

50 Red Lion Street



50 Red Lion Street- 2014/5759/P & 2014/5797/L

Photo 1- Front elevation 50 Red Lion Street



Photo 2- Side elevation- AC unit to be removed



Photo 3- AC unit to be lowered in height and AC unit on flat roof of outbuilding



Photo 4- Ac unit on flat roof of outbuilding



Delegated Report		Analysis sheet		Expiry Date:		23/09/2014	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		(1) 28/08/2014 (2) 28/08/2014	
Officer				Application Number(s)			
Angela Ryan				(1) 2013/5759/P (2) 2013/5797/L			
Application Address				Drawing Numbers			
50 Red Lion Street London WC1R 4PF				See decision notices			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
<p>(1) Installation of x 3 air conditioning condenser units at rear roof level and to side elevation in connection with existing restaurant use (Class A3) (retrospective).</p> <p>(2) Alterations involving the installation of x3 air conditioning condenser units at rear roof level and to side elevation in connection with existing restaurant use (retrospective).</p>							
Recommendation(s):		(1) Grant planning permission with warning of enforcement action (2) Grant Listed Building Consent with warning of enforcement action					
Application Type:		(1) Full Planning Permission (2) Listed Building Consent					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	13	No. of responses	0	No. of objections	0
			No. Electronic	0		
Summary of consultation responses:	A site notice was displayed on 06/08/2014, expiring on 27/08/2014, and a public notice published in the local press on 07/08/2014, expiring on 28/08/2014. No letters of objection/comments have been received to date					
CAAC/Local groups* comments: *Please Specify	Bloomsbury CAAC: were formally consulted and have objected on the grounds that the units would neither preserve the special interest of the building nor the character or appearance of the conservation area. See paragraph 2.1 of this report for the case officer's response.					

Site Description

The site comprises a mid 18C three-storey, plus attic storey red brick building, located on the west side of Red Lion Street. The site was formally a house, and is currently being used as a restaurant on the ground floor with residential units above. An alley runs alongside the building, accessing a yard and is surrounded by other properties. To the rear of the shop is a one-storey outbuilding with a pitched roof, of considerable age, all of which creates a small old-fashioned courtyard of some character.

The site is a grade II listed building and is also within the Bloomsbury Conservation Area.

Relevant History

Planning History:

1/12/1990- Permission **refused** for the change of use of ground floor from office/retail to restaurant and installation of a new shopfront. (Ref: 9000225). An appeal was received against refusal of permission. The appeal was allowed with specific conditions on 26/09/1991 (Ref: T/APP/X5210/A/91/185952/P8) The inspector was of the opinion that the use would not have any adverse impact on residential amenity by way of noise and fumes, light pollution and rights of way across the courtyard by virtue of the site's location in a business/residential setting.

24/07/1991- permission **refused** for The change of use from retail to non-residential club at basement level (Ref: 9100568)

12/02/1993- permission and listed building consent **granted** for works including the erection of an internal ventilation duct and alterations associated with conversion to restaurant (Ref: 9270165)

18/02/1993- permission **granted** the conversion of the basement, ground and rear ground and first floors into a restaurant (Ref: 9201112)

13/06/1996- Listed building consent **granted** for internal and external alterations in connection with the fitting out of the premises as a restaurant and staff accommodation (Ref: 9470111)

Enforcement History

There is a current enforcement case relating to the addition of 2 large air conditioning coolers to roof (Ref: EN12/0692). The conclusion of this case is dependent on the outcome of the current applications that is being put before Members.

Relevant policies

LDF Core Strategy and Development Policies 2010

Core strategy

- CS5 (Managing the impact of growth and development)
- CS7 (Promoting Camden's centres and shops)
- CS9 (Achieving a successful Central London)
- CS10 (Supporting community facilities)
- CS14 (Promoting high quality places and conserving our heritage)

Development Policies

- DP24 (Securing high quality design)
- DP25 (Conserving Camden's heritage)
- DP26 (Managing the impact of development on occupiers and neighbours)
- DP28 (Noise and vibration)

Camden's Planning Guidance 2013

CPG1-Design: Chapters 1, 2, 3, and 11

CPG 6-Amenity: Chapters 4, 6 & 7

London Plan 2011

National Planning Policy Framework 2012

Assessment

1.0 Proposal:

1.1 The applicant is seeking retrospective permission to retain 4x Mitsubishi air conditioning units that have been installed at the site. 2 x ac units are installed on the rear and side elevations of the building and 2 x ac units are fixed on the flat roof of the single storey outbuilding located to the rear of the site. The ac units were installed in order to facilitate the operational use of the existing restaurant located at ground floor level.

1.2 The single storey outbuilding to the rear of the site has at some point been linked to the main building by a flat roof lantern, where the extraction system is now located.

1.3 During the course of the application the scheme was revised to remove the ac unit that was suspended on the side elevation of the building and to lower the height of the ac unit located on the rear wall of the host building in order to make it less obtrusive and to reduce its visual impact.

1.4 The key considerations are:

- The Impact on the listed building and character and appearance of the conservation area; and
- The impact on amenity.

2.0 The Impact on the listed building and character and appearance of the conservation area:

2.1 The ac units that are currently visible from ground floor level are considered to be of a modest size in comparison to their relationship to the host building. However, the ac unit that was suspended on the side elevation of the building is now proposed to be removed. The ac unit located at rear first floor level is proposed to be relocated in order to reduce its visual impact on the listed building, and the surrounding area. The relocation of the unit would also serve to tidy-up the rear elevation, where the units were previously arranged in a haphazard manner being positioned at different heights across the roof. Although the units may be viewed from the windows of some of the surrounding properties, they are now not readily visible from street level or from the wider public realm. As the units are required for the viability and operational use of the existing restaurant, there is to be a reduction in the number of ac units at the site, and another will be relocated to a more appropriate location, and the fact that the works are reversible it is considered that on balance the proposal does not cause undue harm to the historic fabric of the listed building or the character and appearance of the Bloomsbury Conservation Area.

3.0 Amenity:

3.1 No objections have been received in respect of noise nuisance associated with the plant. An acoustic report was submitted in support of the application demonstrating that the units would operate at between 17 & 17dBa lower than the lowest background noise which exceeds the Council's noise standards as set as set out in table E of policy DP28. The policy requires the units to operate at 10dBA below the lowest background noise. An appropriate condition will be attached to the decision notice to ensure that neighbouring properties are protected from noise nuisance. As such it is considered that existing residential amenity would not be significantly affected.

4.0 Enforcement:

The applicant and agent have been notified that they have 2 months from the date of this decision to implement and complete this permission. Failure to do so will trigger enforcement action to remove the existing extraction equipment currently on site. An informative has been attached to the decision notice accordingly.

Recommendation:

- (1) **Grant planning Permission with warning of enforcement action**
- (2) **Grant listed building consent with warning of enforcement action**

DISCLAIMER: Decision route to be decided by nominated members on 17th November 2014. For further information please go to www.camden.gov.uk and search for 'members briefing'

Ref. MM13/09/134
Man & Man Planning Consultancy
Unit 20
Angerstein Business Park
Horn Lane
London
SE10 0RT

Application Ref: **2013/5759/P**
Please ask for: **Angela Ryan**
Telephone: 020 7974 **3236**

DRAFT

11 November 2014

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted and Warning of Enforcement Action

Address:
50 Red Lion Street
London
WC1R 4PF

DECISION

Proposal:

Installation of x 3 air conditioning condenser units at rear roof level and to side elevation in connection with existing restaurant use (Class A3) (retrospective).

Drawing Nos: Site location plan; MM08-PP-01/EX/AC; MM08-PP-01B/AC; Planning/Heritage Statement by Man & Man Consultancy; Acoustic report by Noico Limited dated 25th May 2014 (Ref: 330931/1); Cover letter by Man and Man Planning Consultancy dated 5th September 2013 (Ref: MM13/09/134); Covering letter by Man and Man Planning Consultancy dated 11th July 2014 (MM13/09/134)

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and



Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

- 3 Noise levels at a point 1 metre external to sensitive façades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is 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 façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:- Site location plan; MM08-PP-01/EX/AC; MM08-PP-01B/AC; Planning/Heritage Statement by Man & Man Consultancy; Acoustic report by Noico Limited dated 25th May 2014 (Ref: 330931/1); Cover letter by Man and Man Planning Consultancy dated 5th September 2013 (Ref: MM13/09/134); Covering letter by Man and Man Planning Consultancy dated 11th July 2014 (MM13/09/134)

Reason: For the avoidance of doubt and in the interest of proper planning.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).

2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

3 ENFORCEMENT ACTION TO BE TAKEN

The Director of Culture and Environment will instruct the Director of Law and Environment to issue an Enforcement Notice alleging a breach of planning control in relation to the existing unauthorised ac units should the ac unit on the side elevation not be removed and the ac unit on the rear elevation not be relocated within 2 months of the date of this planning permission being granted.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Culture & Environment

Man & Man Planning Consultancy
Unit 20
Angerstein Business Park
Horn Lane
London
SE10 0RT

Application Ref: **2013/5797/L**
Please ask for: **Angela Ryan**
Telephone: 020 7974 **3236**

11 November 2014

DRAFT

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent Granted and Warning of Enforcement Action

Address:
50 Red Lion Street
London
WC1R 4PF

DECISION

Proposal:

Alterations involving the installation of 3 x air conditioning condenser units at rear roof level and to side elevation in connection with existing restaurant use (retrospective).

Drawing Nos: Site location plan; MM08-PP-01/EX/AC; MM08-PP-01B/AC; Planning/Heritage Statement by Man & Man Consultancy; Cover letter by Man and Man Planning Consultancy dated 5th September 2013 (Ref: MM13/09/134); Covering letter by Man and Man Planning Consultancy dated 11th July 2014 (MM13/09/134)

The Council has considered your application and decided to grant subject to the following condition(s):

Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.



- 2 The works hereby approved are only those specifically indicated on the drawings referred to above.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

1

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Culture & Environment

DECISION