Delegated Report (Members' Briefing)	**Expiry Date:**	**29/01/2015**	**Officer:**	**David Peres Da Costa**
Application Address	**Application Number(s)**	**1st Signature**		**2nd Signature**
1-19 Torrington Place London WC1E 7HB	2014/7526/P			

Proposal(s)

Installation of plant, in association with ancillary data storage at sub-basement level, comprising enclosure for 6 chiller units, transformers, emergency generators (with brown roof), acoustic screening and cycle parking all in the rear yard, following demolition of existing plant enclosure and sub-basement wall.

Recommendation(s):	**Grant planning permission**
Application Type:	**Full planning permission**

Consultations	**Date advertised**	**21 days elapsed**		**Date posted**	**21 days elapsed**
Press notice	11/12/14	**1/1/15**	**Site notice**	12/12/14	**31/12/14**
	Date sent	**21 days elapsed**	**# Notified**	**# Responses**	**# Objections**
Adjoining Occupier letters	5/12/14	26/12/14	**51**	3	**2**

Consultation responses (including CAACs):

1 letter of objection was received by an occupier of Gordon Mansions

- Don't accept that data centre to whole of UCL is ancillary to the education and office use of these premises
- The basement data centre could have machinery and circuitry running 24/7 only a few metres from a resident's head
- The transformers will be close to Gordon Mansions and will run 24/7 will be noisy and without mitigation
- Noise to Gordon Mansions
- Noise at Gordon Mansions' windows is louder than it is in the yard
- Object to 40dB design level and the increase from the 2013 level
- Noise from the substation
- Noise from the double bike rack particularly early in the morning or late in the evening (condition controlling hours of use of yard should be considered)
- Electro-magnetic radiation 24/7 from vast electrical installation above and below ground close to dwellings
- Planting could help absorb the noise and pollution

Officer's comment: please refer to paragraph 2.2, 2.7-2.11, 2.19 and 2.5 of the assessment below.

Gordon Mansions Residents Association have objected

- Object to 40dB design level for the proposed mechanical plant. The 45dB background noise level has unaccountable increased from the background noise as measured in 2013 of 35dB and this lower benchmark should be used.
- Proposed very large Data Centre should be regarded as a change of use rather than ancillary to existing use. Existing dual use as either offices B1 or educational use D1

	is for a temporary period only whereas data centre appears to be a permanent use. Concerned that electrical activity from data centre could affect residents at sub-basement level. Concerned that data centre raises security issues. • Would like a construction management plan as a condition as works are extensive and likely to be very noisy. • Concerned that electrical transformers in the power centre have appropriate mitigation • Concerned that electromagnetic activity of the transformers could affect the health of residents • Condition requiring the testing and maintenance of the emergency generators should only occur 8-6pm Monday to Friday *Officer's comment: please refer to paragraph 2.2, 2.7-2.11, and 2.17 of the assessment below.* 1 letter of support written on behalf of University College London Hospital

Site Description

The application site is a part 2, part 6 and part 11 storey large block on the corner of Torrington Place and Tottenham Court Road in the Bloomsbury Conservation Area (at the edge of the UCL's main Bloomsbury campus). This application relates to the University College of London (UCL) occupied part of the building accessed from Torrington Place. At the rear of the building there is an open car park at semi-basement level accessed via ramped from Torrington Place.

There is a mix of land uses in the surrounding area, with university and hospital buildings to the north and east, commercial uses to the south and mix of retail and commercial uses along Tottenham Court Road. The nearest residential dwellings are located at Woburn Mansions and Gordon House Mansions located at the corner of Huntley Street and Torrington Place.

Relevant History

2013/6364/P: Installation of enclosed plant/equipment in rear basement car park (Class D1). Granted 24/12/2013

2013/2981/P: Installation of new air handling unit and ducting (following the removal of existing air handling equipment) and lighting equipment on first floor roof top of building (Class D1). Granted 24/07/2013

2012/4608/P: Change of use from offices (Class B1a) to dual use as offices (Class B1a) and educational use (Class D1) for a temporary period of 10 years (excluding retail and other commercial units on Tottenham Court Road frontage). Granted Subject to a Section 106 Legal Agreement 03/12/2012

2009/4718/P: Installation of a chiller unit and extension to an existing plant enclosure screen on the roof of the five storey building fronting Tottenham Court Road in mixed office (Class B1) and education (Class D1) use. Granted 24/12/2009

9500064: Alterations to ground floor front elevation including new fenestration entrance doors and ramp access. Granted 24/02/1995

9400749: Change of use for a limited period of part-basement, ground floor and second to fifth floors east wing from office use within Class B1 to educational use within Class D1. Granted 01/09/1994 Additional condition 1 to the decision notice limited the period of the approved use until 1st October 2013.

9300837: Extension of temporary D1 Education use of West wing facing Tottenham Court Road for a further period until 1st December 2013. Granted 04/11/1993

9200983: Change of use of second to fifth floors inclusive of west wing facing Tottenham Court Road from Class B1 office use to Class D1 educational use. Granted 12/11/1992
Additional condition 1 limited period of the proposed education use until 1st October 2003.

Relevant policies

NPPF 2012
London Plan 2011

LDF Core Strategy and Development Policies
CS1 (Distribution of Growth)
CS5 (Managing the Impact of Growth and Development)
CS11 (Promoting sustainable and efficient travel)
CS13 (Tackling Climate Change Through Promoting Higher Environmental Standards)
CS14 (Promoting High Quality Places and Conserving Our Heritage)
CS15 (Protecting and improving our parks and open spaces & encouraging biodiversity)
CS16 (Improving Camden's health and well-being)
DP17 (Walking, cycling and public transport)
DP19 (Managing the impact of parking)
DP20 (Movement of goods and materials)
DP22 (Promoting sustainable design and construction)
DP23 (Water)
DP24 (Securing High Quality Design)
DP25 **(**Conserving Camden's heritage)
DP26 (Managing the Impact of Development on Occupiers and Neighbours)
DP28 (Noise and vibration)
DP32 (Air quality and Camden's Clear Zone)

Camden Planning Guidance 2011/2013
Bloomsbury Conservation Area Statement

Assessment

1. Proposal:

1.1. Permission is sought for 6 chiller units, transformers (sub-station) and 2 emergency generators in connection with new data storage required at sub-basement level. The 6 chiller units would replace two chiller units located within the rear basement yard. The two emergency generators and sub-station would be housed within a separate 'power centre' to the side of the chillers, within the rear yard. The power centre would measure 11.2m in length by 11.3m wide and would be 11m in height. The chiller enclosure would measure 36.5m in length and would taper with its widest point measuring approximately 10m and the narrowest point measuring approx. 8m. The height of the chiller enclosure would be 4.7m from ground level.

2. Assessment:

2.1. Land use

2.2. The building is currently occupied by UCL and planning permission was previously granted 03/12/2012 for a dual use as offices (Class B1a) and educational use (Class D1) for a temporary period of 10 years. The data storage use was previously housed elsewhere within the UCL campus but has to be relocated. The data storage is entirely required for supporting the existing UCL campus and the use is considered ancillary to the permitted use (B1 and D1). Objectors have raised concerns that the data storage is not ancillary to the existing use of the building. Whether the conversion of the sub-basement from a car park to data storage is a material change of use is a question of fact and degree. The data storage use would not, of itself, have any impact on the character of the site or neighbouring amenity as compared to the existing ancillary basement car park use. The proposed data storage is not considered to be a change of use and consequently planning permission is not required for this element of the proposal.

2.3. Design

2.4. Alternate locations for the chillers have been considered, however the rooftop of the building was rejected due to insufficient space and increased visibility. The proposal at basement level involves the removal of the existing chiller compound, which would be re-provided in the proposed chiller enclosure.

2.5. The roof of the emergency generator building will include a "brown" sedum roof to provide some biodiversity in the area and to enhance the visual outlook for the properties overlooking the yard. Details of the brown roof would be secured by condition to ensure appropriate planting and substrate. The materials of the 'power centre' (zinc coloured standing seam roof and rainscreen cladding) and chiller enclosure are considered acceptable. It is accepted that the size and height of the power centre are the minimum necessary while still providing the required level of noise attenuation.

2.6. The chiller enclosure and 'power centre' would be most visible from above. The yard is overlooked by some commercial properties on Tottenham Court Road. No residential windows directly overlook the site but a small number of properties in Gordon Mansions face onto a lightwell and so partially overlook the yard. The existing outlook onto the basement yard is of a service yard, car parking and the existing plant enclosure. As the proposed new plant enclosure is larger than existing, it will take up more of the yard and there will be less car parking visible. The general outlook will remain similar in terms of the type of uses and

buildings. Given this context, the size and height of the power centre and chiller enclosure would not detract from the existing appearance of the service yard. The rear basement yard has limited visibility from Torrington Place and so the proposal would preserve the character and appearance of the conservation area.

2.7. Amenity

2.8. The proposal includes the installation of 6 chiller units, transformers (sub-station) and 2 emergency generators. The applicant has submitted an acoustic assessment. The closest identified residential property is located at Gordon Mansions, Torrington Place. The nearest potential noise sensitive window overlooks the courtyard approximately 35m from the site of the proposed plant. The acoustic assessment includes extensive assessment of the existing background noise levels. Two unattended 24-hours noise surveys (weekday) and one attended noise survey (over a weeknight) have been carried out. Consideration has also been given to noise measurements taken in 2013 that were submitted as part of a previously approved planning application for the same site. The lowest background noise level for the 2013 survey was significantly lower than the current surveys. The increase in background noise levels is likely to be due to the operation of neighbouring plant on adjoining sites. To provide a representative background noise level, an average level of 45 dB LA90 5mins has been calculated taking into consideration the unattended and attended surveys as well as the 2013 survey. The issue of the increase in background noise levels will be referred to enforcement for further investigation.

2.9. In order to meet Camden's noise thresholds (5dB below background noise levels), the noise report indicates mitigation in the form of an acoustic enclosure for the chiller units is required. The acoustic enclosure should provide 16dB attenuation reduction. The noise report also indicates that one of the transformers (3150kVa) should not exceed a maximum power level of 75dB(A) and the other (2500kVA) should not exceed 74dB(A). A condition would be included to ensure that mitigation is provided in accordance with the acoustic report. If the plant is noisier than anticipated, the Council has enforcement powers to ensure the Council's noise thresholds are not breached.

2.10. The proposed 11m high 'power centre' would be in close proximity to the commercial building to the rear. Many windows in this building are currently blocked up and are used by a gym and for commercial uses. Therefore there would be no significant amenity impact on this building.

2.11. The transformers would be located approximately 13m from Gordon Mansions. Transformers are an essential part of urban infrastructure and it is not uncommon for sub-stations to be located near to residential properties. In this case, the transformers are not considered to pose a health risk to the occupiers of the Gordon Mansions. Design noise limits have been set for the transformers in order to meet the Camden's noise criteria. As the equipment will be housed in effectively a brick building, this will provide a good level of noise attenuation. The building will however have louvres and acoustic louvres will be selected (where required) in order to comply with design noise limits set.

2.12. Emergency Generators

2.13. The generators have not been included in the noise assessment as they are for emergency use only. Including both generators running at 100% as well as the other plant would see a predicted level 57 dB LAeq at the nearest residential receptor. Although this level is above Camden's noise thresholds, it is noted that the operation of the generators will be limited. They will only be operational in the following circumstances:

- 2hrs/ month for testing
- 8 hrs/year for maintenance
- In the event of a power outage

The emergency generators will be running for such a limited time that nuisance is unlikely. Nevertheless an additional condition would be included to restrict the times of the testing and maintenance of the emergency generators so that this only occurs between 8am and 6pm Mondays to Fridays and not on Saturdays, Sundays and Public holidays.

2.14. Transport

2.15. The site currently has 64 off street car parking spaces, 40 car parking spaces within the sub-basement with 24 provided at basement level within the rear yard. The proposed plan includes the removal of all of the parking spaces at sub-basement level and 6 spaces to be provided within the rear yard (at basement level). Of the six remaining spaces, 5 spaces are to be used by the UCL's fleet (associated with transporting post and supplies) with 1 space assigned as a disabled space. This is in accordance with Camden's parking standard for people with disabilities of 1 space per 20,000sqm or part thereof.

2.16. The reduction in the number of parking spaces is therefore 58 fewer than existing. The applicant has advised that up until recently there were a maximum of 22 staff only car parking spaces available, with only 12 allocated. The remaining spaces were either leased spaces associated with Brook House as part of their 99 year lease or bookable by security for visitors or used by estates management/maintenance, with 7 reserved for contractors who are allocated with permits for the day. All of the existing permit holder spaces have been relocated to UCL's site at 132 Hampstead Road where there are 66 off-street car parking spaces located within the basements of the properties. In light of the proposed arrangements detailed by the applicant, there is not anticipated to be any adverse impact on on-street parking conditions, and the loss of parking spaces is generally welcomed in line with policy DP19.

2.17. Given the access arrangements of the site and the level of works proposed (to provide the chiller enclosure and 'power centre'), the proposal is unlikely to represent a detrimental impact on the highway network during its construction period. A construction management plan is therefore not required in this instance. In addition UCL have confirmed that they have set up a liaison with the Gordon House residents so that specific concerns can be raised through a single point of contact.

2.18. Cycle parking

2.19. To facilitate the plant enclosure a number of cycle parking spaces will be relocated. The site as a whole currently has 72 cycle parking spaces; 20 spaces are located within the sub-basement with 52 provided in the rear yard at basement level. The 20 spaces located within the sub-basement would be removed and relocated with the existing cycle parking at basement level: adjacent to the entrance ramp and to the west of the basement parking area. The existing Sheffield stands, (located adjacent to the entrance ramp) would be replaced with Josta single and two-tier cycle parking. The current provision of 52 will be increased to 60 with an additional 30 spaces located west of the basement parking area. This equates to an overall increase of 18 cycle parking spaces over the existing situation. The additional 8 cycle spaces close to Gordon Mansions would not harm the amenity of occupiers of this property in terms of additional noise. The number of cycle spaces exceeds the Council's cycle parking requirement of 1 space per 250m² however the layout of the cycle parking does not comply with CPG 7.

Details of cycle parking will therefore be secured by condition to ensure that the requirements of CPG7 are met.

3. **Recommendation**: Grant planning permission