

Delegated Report		Analysis sheet	Expiry Date:	22/07/2014
		N/A	Consultation Expiry Date:	26/06/2013
Officer			Application Number(s)	
Niall Sheehan			2014/3145/P & 2014/ 3338/L	
Application Address			Drawing Numbers	
The Rotunda 42-43 Gloucester Crescent London NW1 7DL			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of associated acoustic housing to facilitate the relocation of 10 no. existing air handling units.				
Recommendation(s):		Grant conditional planning permission and warning of Enforcement Action Grant Listed Building consent		
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	18	No. of responses	02	No. of objections	01
			No. electronic	00		
Summary of consultation responses:	<p>Max Fordham Architects, 1st, 2nd and 3rd floors of Rotunda Building, 42-43 Gloucester Crescent.</p> <p>We have been tenants of the building for 30 years and were part of the consortium of tenants who arranged to have the building listed in 1989. Currently we occupy the top three floors and it is our complaints to the planning enforcement team about the adverse noise and the detrimental visual impact of the various plant that has led to these applications.</p> <p>The current situation regarding the placement of the units is unacceptable The current situation regarding the noise levels emitted and experienced is unacceptable.</p> <p>Any structure needs to respect the listed building to which it attached. It should be made clear as part of the application as to whether a roof is proposed for this structure or not.</p>					
CAAC	<p>Primrose Hill</p> <ul style="list-style-type: none"> No objection in principle. It is noted that the adjoining building at No.41A Gloucester Crescent it also in officer use, and that, as such, there should be no issues over noise harming local residential amenity. Notwithstanding this it may be good practice to receive a report on the noise implications of the installation, including an assessment of the noise generated by the new plant, and, the degree of attenuation achieved by the propose enclosure. We would also expect to see details of the reduced energy consumption by the replacement plant to ensure that the development is sustainable. 					

Site Description

The application site is known as the Rotunda and is a grade II listed building. It was constructed as a piano factory in 1852. It is situated on the corner of Gloucester Crescent and Oval Road, is circular, and has four storeys and a basement. The building is simply detailed with regularly shaped arched windows, separated by brick pilasters running the full height of the building, each with a decorative stucco cornice on top. Overall, the effect is similar to a Victorian gasholder.

The site falls within the Primrose Hill Conservation Area, and within that is part of sub-area 4 which is focused on Gloucester Crescent. The sub-area is geographically isolated from the main body of the conservation area but is linked by a road bridge, as well as in terms of its historical development and architectural form.

The ground floor to which the air handling units serve benefits from a flexible office(B1a) and non-residential institution(D1) use, whilst the upperfloors serve as office.

Relevant History

August 2013. Planning permission granted for “Change of use from offices (Class B1a) to a flexible use of B1a and D1 (non-residential institution) at lower ground floor level (retrospective)”.

August 2013: Listed building consent (Ref: 2013/3445/L) submitted for “Internal alterations in association with the change of use from offices (Class B1a) to a flexible use of B1a and D1 (non-residential institution) at lower ground floor level”. Parallel application to the above

May 2012: Planning application (Ref: 2011/6226/P) and listed building consent (Ref: 2012/5606/L) for “Change of use from offices (Class B1) to training and education facilities (Class D1) at lower ground floor level (retrospective)” and “Internal alterations in connection with change of use from offices (Class B1) to training and education facilities (Class D1) at lower ground floor level (retrospective)” withdrawn.

August 2012: Planning permission (Ref: 2012/3333/P) and listed building consent (Ref: 2012/3402/L) granted for “Installation of ladder on side elevation of annexe at roof level, photovoltaic panels on roof of annexe and internal alterations including introduction of secondary glazing to Rotunda all in connection with existing offices (Class B1)”

October 2011: Listed building consent (Ref:2011/4373/L) and advertisement consent (ref: 2011/4372/A) granted for “retention of 1 x plaque and 1 x non-illuminated fascia sign to front elevation of existing office (Class B1a)”.

October 2010: Enforcement case (Ref: EN11/0971) opened relating to an unauthorised change of use.

February 2009: Enforcement case (Ref: EN09/0069) opened relating to internal works to sub-divide the ground floor into individual units, and an extraction unit being installed to the rear of the building.

April 2007: Planning permission (Ref: 2007/0691/P) and listed building consent (Ref: 2007/0694/L) granted for “Installation of a 500mm x 500mm metal ventilation louvre at lower ground floor level to front elevation of building (Use Class B1)”.

May 2006: Planning permission (Ref: 2006/0935/L) and listed building consent granted for “Internal and external refurbishment and repair works”

Relevant policies

NPPF2012

The London Plan 2011

LDF Core Strategy and Development Policies

CS1 (Distribution of growth)

CS4 (Areas of more limited change)

CS5 (Managing the impact of growth and development)
CS7 (Promoting Camden's centres and shops)
CS8 (Promoting a successful and inclusive Camden economy)
CS10 (Supporting community facilities and services)
CS14 (Promoting high quality places and conserving our heritage)

DP13 (Employment sites and premises)
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 Planning Guidance 2011

CPG1 – Design
CPG6 - Amenity

Assessment

1.0 Proposal and background:

1.1 The proposal is for the relocation of 10 x existing air handling units into an acoustic enclosure measuring 3.5m in length, 1.6m - 3m in width, and 3.65m in height at the joining with a marginal 0.02m slope to the eaves.

1.2 Amendments: Increase in height of enclosure by 0.3m with the placement of a slatted roof with air gaps on top, change in fenestration and materials of structure to introduce a vertical emphasis with air gaps. The air gaps to the vertical facades and the slatted roof are designed to allow the air handling units to breathe and operate efficiently.

1.3 The situation is such at present that the units are scattered across a section of the rear façade inside the lift shaft and although not generally visible from the public realm look incongruous and incompatible both in their own respect and in the context of this elevation of the listed building. Furthermore it is understood that surrounding occupants have experienced noise and disturbance issues as a result of their presence. As these units were installed without the benefit of prior consent, the council's Enforcement Team conducted an investigation and liaised with the applicants to achieve the submission of this current application. Should a planning application have come forward for the air handling units without any enclosure mitigating their impacts, any such application is likely to be refused with the potential of enforcement action, all of which could be appealed, hence the more positive approach taken to find a mutually workable solution.

2.0 History:

2.1 The air condensing units have been installed retrospectively. It is noteworthy from the history as listed above, the host building to the ground floor has been recently converted (Approved August 2013) to a mix of training and commercial uses.

3.0 Listed building, design and conservation:

3.1 The relevant policies relating to design and appearance are CS14, DP24 and DP25. As above the situation is such that the air-conditioning units are currently located to the rear of the building (away from the public realm), however have been installed in somewhat of a haphazard manner detrimental to the external appearance of the building. The application proposes to enclose all A/C units in one single storey housing unit tucked in beside and wrapping around the existing lift shaft. The external fenestration of the building is laid out in a co-ordinated manner with a vertical emphasis in an attempt to ensure alignment with the lift shaft and the main rear façade of the building. Although the structure is a little higher than previously proposed, the placement of a roof on the structure helps to regularise its appearance and ensure it is keeping with the character and appearance of the remainder of the rear façade. Furthermore the presence of a roof assists the noise mitigation of the air handling units as further detailed below. The nearest occupier is located almost directly above in the upper floors of the Rotunda building hence, the presence of a roof helps to improve what they seek from windows and also mitigates

against both actual noise and disturbance again as further detailed below. The works would create a tidier appearance and one which respected the host property. Overall in design terms the orderly enclosure of a scattered array of air handling equipment is welcomed. The structure would reasonably accord with this section of the listed building and in no way adversely harm its setting, or the character or appearance of the Primrose Hill conservation area.

3.2 Following consultation with the council's Conservation and Design Officer, the proposed scheme now reflects the discussions held on site and in principal in listed building terms and C & D are now happy with the proposal. The following conditions are recommended to be attached to ensure the optimum finish and general tidiness for the enclosure:

(1) The proposed enclosure for the air handling units to be powder coated to match the existing metal cladding of the lift shaft, (2) All redundant cables and service runs are to be removed and the historic brickwork repaired to exactly match the adjacent historic brickwork, (3) Details of all new cable and service runs to the air handling units are provided.

4.0 Neighbouring Amenity:

4.1 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. Further to this Policy DP28, seeks to ensure noise and vibration is controlled and managed, planning permission will not be granted where development is likely to generate noise pollution. Table E in Policy DP28 outlines the noise levels from plant and machinery at which planning permission will not be granted.

4.2 On assessment of the noise impacts of the proposal, the key factors in the consideration of compliance are the compilation of the revised report and relevant surveys conducted according with industry best practice (British Standard 41/42), Policy DP28, CPG6. Distances from the A/C units to the nearest commercial and residential units have been noted in the report. The acoustic assessment report details noise omitted to be 5db and 10db below background noise and hence compliant with Policy DP28. This is regarded as an acceptable solution.

4.3 In addition to the above, the report fully details how all the necessary tests and site specific surveys have been performed and how they accord with best practice including British Standards 41/42, Policies DP 26 & 28 and CPG 6. Notwithstanding the above in the interests of controlling noise to sensitive facades outside business hours a condition will be placed on the decision to restrict the operation of the A/C units outwit the hours of operation of the host unit. Furthermore conditions have been attached requesting details of, and the installation of time clocks to control the air conditioning in line with the operating hours of the host unit, and also stipulating the maximum noise levels to be generated by the unit below the background noise levels (as above 5db and 10db below background noise levels for commercial and residential use).

5.0 Highways and Transportation:

5.1 Although the construction of the enclosure would narrow the gap between No.41 Gloucester Avenue and the Rotunda Building, sufficient space would still remain for the movement of cycles between the secure cycle storage at the front of the building and the courtyard to the building group (containing industrial and leisure buildings accesses from Jamestown Road). Transportation have assessed the application and are satisfied with the arrangements proposed.

6.0 Conclusion:

6.1 Although the structure is of a significant height, the massing of the enclosure is in accordance with the proportions, fenestration and finish of the listed building and overall it represents a major improvement on what currently exists. Furthermore amenity impacts to adjoining and nearby occupiers both commercial and residential have been shown to be negligible, hence is considered to be a positive outcome on the whole. The applicants have been provided with 12 months to construct the enclosure

and move the units by way of condition. The council's enforcement team will monitor the application of this condition.

Recommendation: Grant conditional planning permission and listed building consent.