

Delegated Report		Expiry Date:	28/04/2015	Officer:	Obote Hope
Members Briefing					
Application Address	Application Number(s)	1st Signature		2nd Signature	
New London Theatre 166 Drury Lane London WC2B 5PF	2015/1274/P				
Proposal(s)					
Installation of 3 x air conditioning units set within acoustic enclosure at seventh floor level.					
Recommendation(s):	Grant planning permission				
Application Type:	Full planning permission				
Consultations	Date advertised	21 days elapsed		Date posted	21 days elapsed
Press notice	26/03/2015	16/04/2015	Site notice	20/03/2015	10/04/2015
	Date sent	21 days elapsed	# Notified	# Responses	# Objections
Adjoining Occupier letters	18/03/2015	08/04/2015	93	6	6
Consultation responses (including CAACs):	<p>10 Macklin Road, Flat 2 objections are as follows:</p> <ul style="list-style-type: none"> - Description of the proposed acoustic enclosure - the report and other associated document refers to the air conditioning units; Please refer to section 1.0 - Concern that the acoustic report and screening would be installed above the existing balcony; Please refer to section 3.0 - How long would it take for the proposed building works to be completed; <p>Officers comment</p> <ul style="list-style-type: none"> - The applicant/agent are not required to submit a schedule of works as part of this planning application <p>Winter Garden House, Flat 51 objections are as follows:</p> <ul style="list-style-type: none"> - Currently experiencing noise disturbance from the existing 11 units, particularly in the summer when the windows are opened; Please refer to section 3.0 - Current lease arrangement; 				

Officer comment;

- The length of the existing lease would not be a material consideration when coming to a decision on the proposed 3 x air condenser units.

2 Macklin Street, 37 Winter Garden House:

- The proposed units would be located immediately below the 8th floor flat; Please refer to section 4.0 -4.2.
- The chillers and plant have not been well maintained in the past;
- The new unit would add an extra 3 metres of Steel frame, chiller unit and cladding to the height of the plant room roof; **Please refer to section 3.0**
- The plans do not show noise abatement measures; **Please refer to section 4.0**
- No statement to say why the units would be needed; **Please refer to section 1.0**
- The de-commissioning of some of the existing unit should form part of the approval;

Officers comments

- A statement as to the intended purpose is not a mandatory requirement as part of this application.
- The application is based on the 3 additional units and has been assessed by an Environmental Health officer.

2 Macklin Street, 36 Winter Garden House

- The current air condenser units are very noisy and the new units would contribute to the existing noise; please refer to the amenity section and design sections below.
- If permission is granted then the existing units should be decommissioned;

Officer comment;

- Permission is sought for 3 x air condenser units;
- The existing units if they are contributing to unacceptable level of noise nuisance should be reported to and investigated by the Environmental Health Officer.

2 Macklin Street, 61 Winter Garden House

- There have been persistent noise problems in the past from the existing units;
- Should be granted consent for the new units if the noise levels are reduced:

Officer comments;

- Permission is sought for 3 x air condenser units, the existing units if they are contributing to unacceptable level of noise nuisance should be reported to and investigated by the Environmental Health Officer.
- The application submitted only assesses the proposed units.

Covent Garden Amenity Group

Objections are as follows;

- The management and maintenance are unsympathetic; The supporting unit does not mention if the new would replace the existing;
- Annual maintenance should be performed on all equipment
- The permission should be conditioned to be used in normal business/office hours

Officers Comments

- The proposed air condenser units and its enclosure were assessed by an officer in the pollution team who felt the scheme proposed would be acceptable subject to conditions.
- A condition would be attached in regards to the maintenance of the proposed units.
- The proposed scheme relates to the air condenser units and its enclosure, the Environmental Health Officer felt that the proposed unit would meet Planning Policy and Environmental Health Legislations and due to the potential impact is satisfied that a condition to restrict the use of the units within business/office hours are not required in this instance.

Site Description

The purpose built theatre is located in the Covent Garden Area bounded by Drury Lane to the southwest, Parker Street to the south-east, Parker Mews to the northeast and Macklin Street to the northwest. The building is between four and seven storeys and is a modern construction with a near completely glazed wall facing Parker Street.

The site is located in the Seven Dials (Covent Garden) conservation area and is noted as making a positive contribution to the character and appearance of the conservation area. The site is not listed

Relevant History

None

Relevant policies**NPPF 2012****London Plan 2015****LDF Core Strategy**

CS1 (Distribution of Growth)

CS5 (Managing the Impact of Growth and Development)

CS14 (Promoting High Quality Places and Conserving Our Heritage)

Development Policies

DP24 (Securing High Quality Design)

DP26 (Managing the Impact of Development on Occupiers and Neighbours)

DP25 (Conserving Camden's heritage)

DP28 (Noise and vibration)

Camden Planning Guidance 2013

CPG 1 (Design)

CPG 6 (Amenity)

Assessment

1.0 Proposal:

- It is proposed to install 3 x air-conditioning units in an acoustic louvered enclosure on a section of the roof, the enclosure would be additional to the existing plant enclosure at roof level (which is on the existing high level flat roof) located to the north-east of the site, set back from Parker Street and within Parker Mews.
- The acoustic enclosure would measure 8m (w) x 8m (l) x 2m (h) and replaces the existing plant enclosure flat roofed area at present.

2.0 Assessment:

2.1 The main planning considerations which would be material in the determination of the planning application would be:

- Principle of the proposal and design (the impact of the proposal on the character and appearance of the host building and the Seven Dials conservation area)
- Noise impact and amenity (the impact of the proposal on the amenity of neighbouring occupiers)

3.0 The principle of the proposal and design:

3.1 The proposed plant units is for additional plant enclosure which would be located at roof level, set away from the main road of Parker Street. In terms of viewpoints, the plant and associated enclosure would be the subject of both public and private long views, albeit oblique, given the height of the building and the surrounding parapet wall.

3.2 The proposed condenser units would be set within a powder coated metal acoustic louvered enclosure. Although this would differ from the brick clad structure below, the materials proposed serve a ventilating purpose which brick slips could not otherwise provide. In addition, its pitched form, sloped away from the parapet minimises its apparent nature and contrast appropriately.

3.3 In consideration of DP24 and DP26, there is a general presumption that external alterations such as plant units can be unsightly by virtue of their exposed location or prominent position. In this instance however, by virtue of its location at roof level, position and form angled away from the parapet edge, the proposed plant would be incorporated in a sympathetic and relatively discreet manner which would preserve the character and appearance of the contemporary building and the wider conservation area.

4.0 Amenity:

4.1 The applicant has submitted an acoustic report and background noise survey which includes calculations of predicted noise levels to support compliance with the Council's standards.

4.2 The nearest noise sensitive windows are to the northeast elevation of the theatre, namely 'Winter Garden House', a tower block accessed to the rear via Macklin Street and the 'Aldwych Building', located on the east elevation of the theatre within Parker Mews.

4.3 The noise assessment undertaken recorded the noise levels taken from the 6th floor of the Macklin Street building known as "Winter Gardens House" and the 5th floor of the Parker Mews building, known as the 'Aldwych Building' between the hours of 23:00 - 07:00. "

4.4 The noise survey also included the noise levels in regards to the flats on Macklin Street located to the east of the flat roof area, the balcony/terrace garden area to the rear of those flats and the flats on Parker Street.

4.5 The calculations show that the predicted noise levels will be:

- Macklin Street flats windows facing tower block (Rec. 2): 35 dBA
- Macklin Street flats: Balcony / terrace garden to east of plant room (Rec.3): 36 dBA
- Parker Street: 26 dBA

4.6 The Council's Environmental Health officer (in association with the pollution team) have assessed the submitted acoustic report, and are satisfied the Council's required standards are capable of being met, subject to the recommended condition regulating noise and vibration levels, in addition to the retention and construction of the enclosure. As such no adverse amenity impacts are envisaged beyond the existing arrangement.

5.0 Recommendation: Grant planning permission with conditions

DISCLAIMER

Decision route to be decided by nominated members on Tuesday 26th May 2015. For further information please click [here](#)