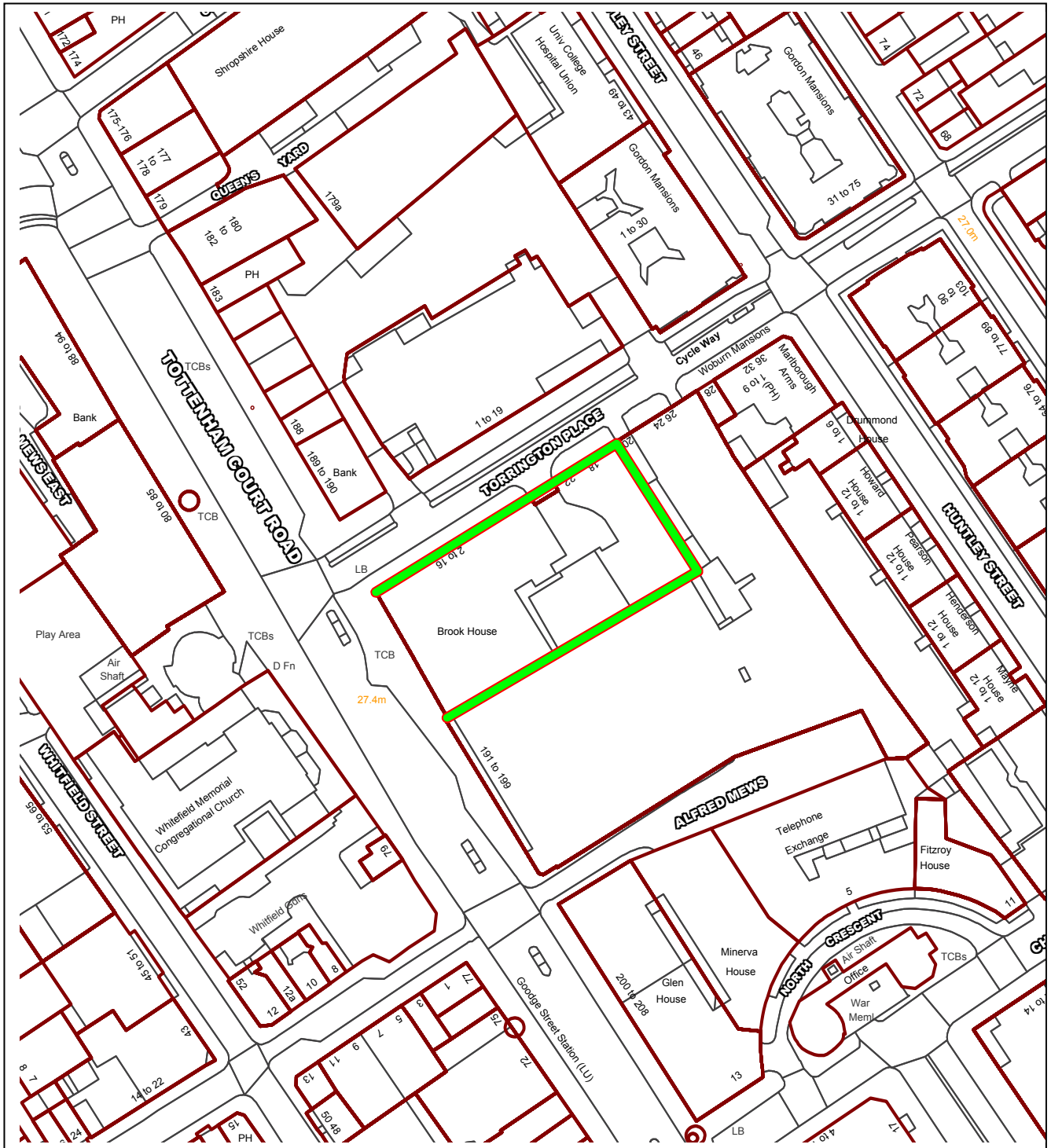


2-16 Torrington Place (2016/0339/P)



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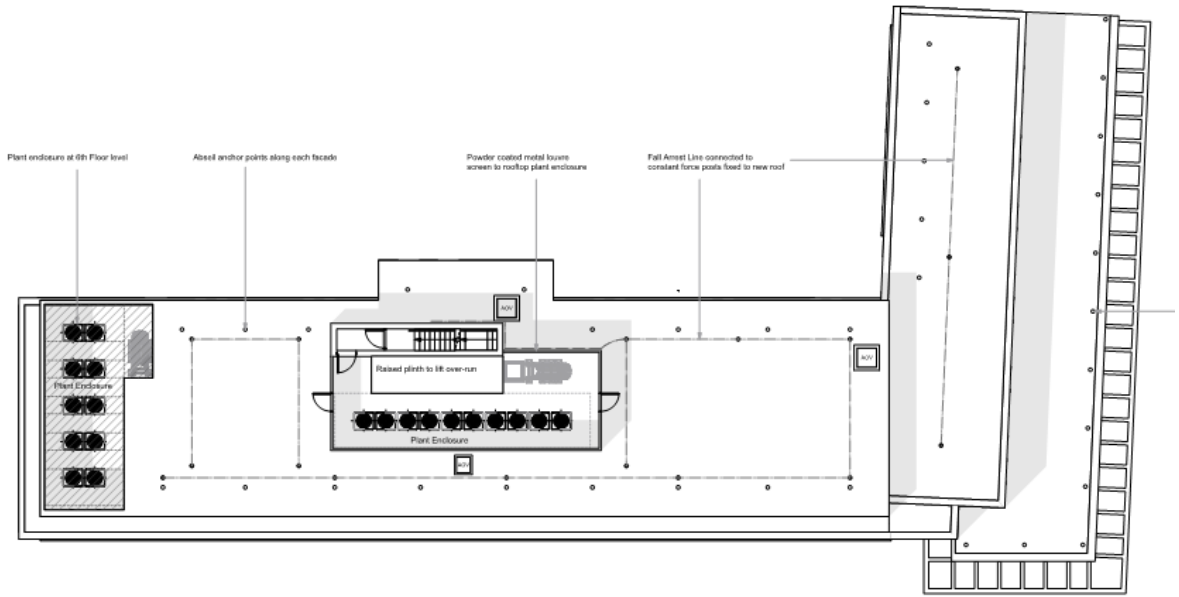


Image 1: Approved roof plan showing proposed plant

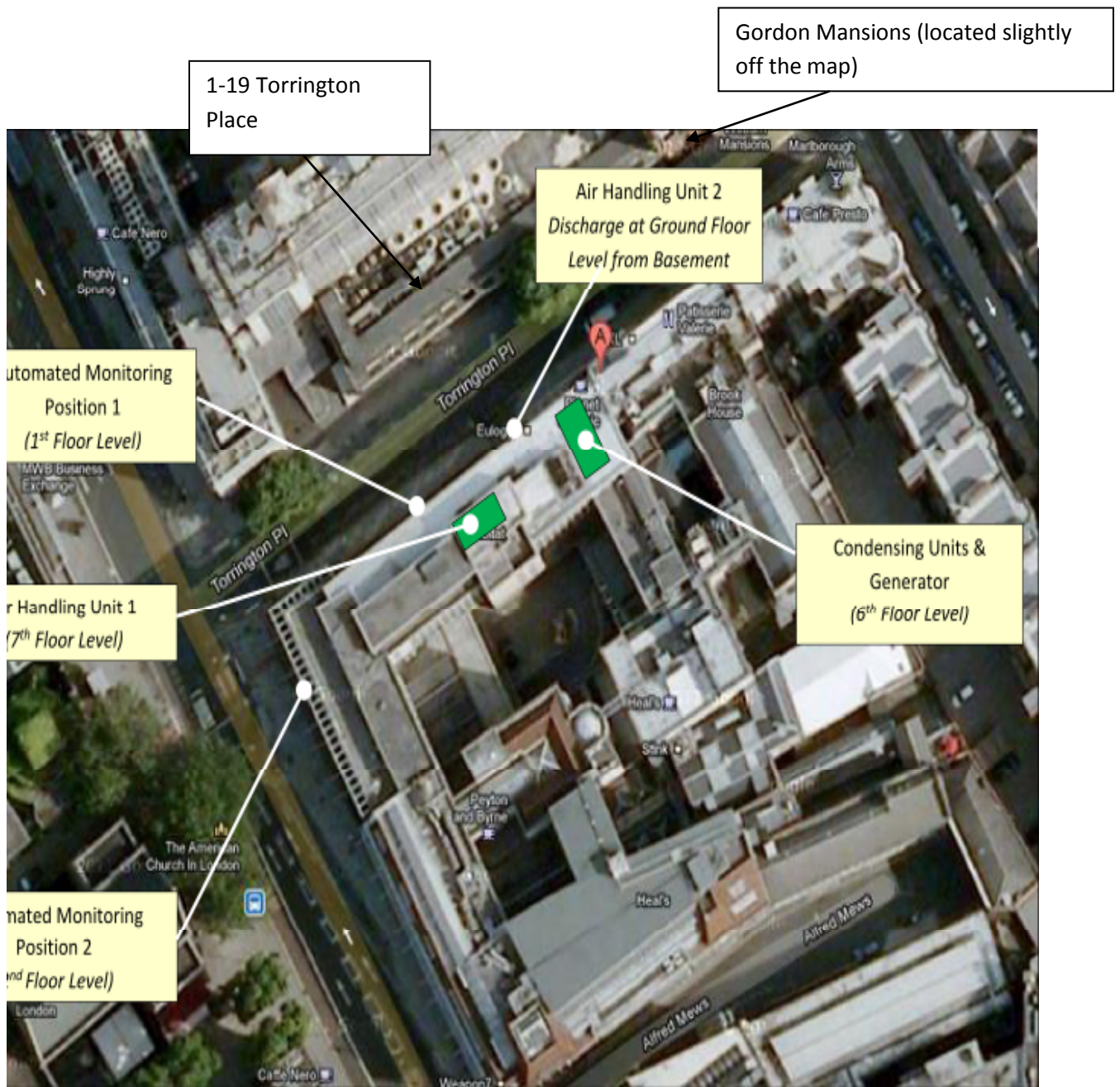


Image 2 Aerial map

Delegated Report (Members Briefing)		Analysis sheet N/A / attached		Expiry Date: 17/02/2016		
				Consultation Expiry Date: 04/02/2016		
Officer			Application Number(s)			
Obote Hope			2016/0399/P			
Application Address			Drawing Numbers			
Brook House, 2-16 Torrington Place London, WC1E 7HN			Refer to Draft Decision Notices			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature			
Proposal(s)						
Details of the acoustic report associated with the external cooling plant in relation to condition 5 of planning permission 2013/2934/P, granted on appeal on 8th August 2014 for: Change of use from offices (use class B1) to hotel (use class C1); internal alterations to facilitate hotel use; replacement of existing roof top plant room with new sixth floor and new roof top plant enclosure; installation of platform lift and new entrance doors to Torrington Place; and other minor associated internal and external works.						
Recommendation(s):		Grant approval of details				
Application Type:		Approval of Details				
Conditions or Reasons for Refusal:		Refer to Draft Decision Notices				
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	01	No. of objections	01
			No. Electronic	01		
Summary of consultation responses:		N/A				
Gordon Mansion Resident Association		<p>An objection was received in response to acoustic report, as follows:</p> <ul style="list-style-type: none"> Disadvantaged as do not have access to an acoustic consultant. Our concern is that the situation in respect of noise is at a minimum not made worse by the plant. The proposal fails to protect the residential amenity of Gordon 				

Mansions;

- The proposal would be made worse by the new roof top plant for the new hotel; **For officer's comment please refer to paragraph 1.5 below;**
- Camden has recently introduced a traffic scheme in Torrington Place, whereby no traffic from east of Gower Street can enter our part of Torrington Place, there is now very traffic in the daytime. In the evenings it was always relatively quiet but now is even quieter due to the West End Project. **For officer's comment please refer to paragraph 1.6 below;**
- Design Criteria table shows 45dB (daytime and evening) and 44dB (night time) which is especially high; **For officer's comment please refer to paragraph 1.7 below;**
- The nearest noise sensitive area should be taken from first block of Gordon Mansion due to the reconfiguration of 22-24 Torrington Place; **For officer's comment please refer to paragraph 1.8 below**
- The noise report does not address the current change in circumstance since the noise reading in 2013 due to the new traffic system; **For officer's comment please refer to paragraph 1.6 below;**

Officer comment

- It's acknowledged that the acoustic data are conducted by a specialist Engineer likewise the submitted acoustic data are assessed by a specialist Environmental Health Officer, the details submitted would need to be in accordance with National and Local planning policy in order to safeguard the interest of the neighbouring amenities as stipulated by the condition 5 which was fully assessed below;
- The application was granted on appeal and the inspector raised no objections to the siting of the plant enclosure or the relationships of the cooling plants to the residential flats, this application is to ensure that the noise levels would be compliant to the levels stipulated by the planning condition 5. However, some of the points raised within the objection are addressed below;
- The predicted plant noise data analysis suggest the noise emission from the nearest window would be less than the 42dB that was taken from the nearest residential receiver at 22-24 Torrington Place and 44dB over 24 hour design criterion. Gordon Mansions is further away than this property and therefore the noise emission would be less;
- The details have been assessed and a current noise data measurement was undertaken in light of the objection received, the results show L_{a90} this is the equivalent to 50dB; the previous background noise levels were 50dB and 52dB at night and the data taken from the Torrington Place façade shows an increase of 3dB in

the day and 3dB at night shows an increase in the noise generated. However, this is not as a result of the proposed plant enclosure or air condenser units, this is as a result of the traffic on Tottenham Court Road;

- The acoustic details to be approved would be in accordance with FAAP which makes reference to the DP 28 and CPG 6, the acoustic report suggest the noise levels generated would be in compliance with planning policy and guidance. As such, would be acceptable to the FAAP guidelines;
- The noise data was taken from the nearest noise sensitive façade at the time of the report, the change of the nearest noise sensitive façade data suggest the harm in the sound levels emitted from the air condenser unit and plant enclosure would be less than detrimental due to the distance of Gordon Mansions from the host building as this element remains the same. The levels would be less than 42dB from the nearest residential receiver.
- An environmental noise time history was undertaken by the agent in-light of the objections received between 18th – 21st of March 2016. The details were reviewed by the Council's Environmental Health team who raised no objection. The data suggest that the noise levels would be below the recommended levels of LA 90 as stipulated in condition 5.

Site Description

The site is on Torrington Place near to the junction with Tottenham Court Road and is currently in office use. It is a grade II* listed building and forms part of the similarly listed collection of buildings at 191-199 Tottenham Court Road, which include Heal's and Habitat. The Tottenham Court Road frontage dates from the early twentieth century, but the Torrington Place building is more recent and was constructed in the 1960s.

The site is a Grade II* listed building and located within the Bloomsbury Conservation Area and forms part of the Fitzrovia Area Action Plan

Relevant History

March 2004: Planning permission (**Ref: 2004/5466/P**) and listed building consent (**Ref: 2004/5469/L**) granted for "Installation of a disabled platform lift to front entrance involving alterations to entrance and steps" at Brook House, Torrington Place.)

December 2011: Planning permission (**Ref: 2011/4914/P**) granted subject to a section 106 legal agreement for "Change of use from existing office (Class B1) to a hotel (Class C1); erection of fourth floor extension along Newton Street frontage in place of existing roof top plant enclosure along with provision of refuse store, car parking and cycle parking" at 199 - 206 High Holborn series of applications have been approved covering the full range of pre-commencement and pre-relevant works conditions. Work has advanced significantly onsite and the blocks are currently being clad.

January 2012: Planning permission (**Ref: 2012/0059/P**) and listed building consent (Ref: 2012/0066/L) granted for "Erection of infill extension within internal courtyard to accommodate lift shaft and bridge links, erection of glass enclosure over internal lightwell, alterations to entrance off Torrington Place including installation of canopy, erection of new plant enclosures at roof level, installation of green roofs and other sustainability measures and internal alterations" at The Heals Building, 191-199 Tottenham Court Road & 22-24 Torrington Place.

September 2012: Planning permission (**Ref: 2012/1302/P**) refused for "Change of use of existing office building (Class B1) to 150 bedroom hotel (Class C1) with ancillary bar and restaurant facilities, including demolition of existing rear extension, external alterations, and infilling of undercroft" at 29 - 37 Red Lion Street.

September 2013: Planning Permission (**REF: 2013/2934/P**) **Refused at DCC on 5th September 2013 for:** Change of use from offices (Class B1) to hotel use (Class C1) with extension at roof level, including replacement of existing roof top plant room with new sixth floor and new roof top plant enclosure, and installation of platform lift and new entrance doors to Torrington Place, and other minor external alterations. The application was refused due to the loss of employment floorspace and due to the impact on neighbouring residents amenity due to the impact of vehicles and pedestrians arriving and departing the site in proximity to existing residential uses.

The application was allowed via a hearing on the 8th September 2014 the inspector made the following conclusions:

"The appeal scheme would not materially undermine the Council's supply of employment floor space. There would be no material harm to the living conditions of nearby residents, or the character and appearance of the Conservation Area, and the special interest of the listed building would be preserved. Moreover, I have found that the contributions and other arrangements secured by the planning obligation are justified by the development proposed, with reference to the Council's guidance and policies. On balance therefore, for the reasons set out above, I conclude on balance that the appeals should succeed"

“Even under ‘localism’, the views of local residents, very important though they are, must be weighed in the balance with other considerations. The starting point in this case, is the development plan. In coming to my conclusions on the issues that have been raised, I have taken full and careful account of all the representations that have been made, which I have evaluated against the provisions of the development plan, the National Planning Policy Framework and other guidance. For the reasons set out above, I find no conflict with the relevant policies and guidance, nor any other material harm. On careful balance, therefore, the evidence in this case leads me to conclude that the appeals should be allowed”.

Relevant policies

National Planning Policy Framework (2012)

The London Plan (2011)

LDF Core Strategy and Development Policies(2010)

CS5 (Managing the impact of growth and development)

DP26 (Managing the impact of development on occupiers and neighbours)

DP28 (Noise and vibration)

Fitzrovia Action Plan (FAAP) 2014

Camden Planning Guidance (CPG) 2011

CPG6 Amenity

Assessment

1.1 Condition 5 states;

1.2 “Prior to the first operation of any of the external cooling plant shown on plan No’s 3114/P/106C and 3114/P/107B, a detailed Acoustic Report, prepared by a suitably qualified acoustic engineer, demonstrating how that plant/machinery complies with the following, shall be submitted to and approved in writing by the Local Planning Authority. Noise levels associated with the external cooling plant shall, at a point 1 metre external to noise sensitive facades, be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all that plant/equipment (or any part of it) is in operation, unless the plant/equipment hereby permitted will have a noise that is 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 noise sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).”

1.3. The applicant has provided a noise report which concludes that calculations have been undertaken based upon the source information detailed and taking into account:

- Distance attenuation
- Screening effects
- Facade reflection effects.

1.4 Brook House is located approximately 16m from the nearest noise sensitive façade of No 1-19 Torrington Place on the opposite side of the road. The predictive noise levels according to the survey would achieve L_{Aeq} 42db. Noise levels would not be any greater than the noise level obtained in 2013 (2013/2934/P).

1.5 To the west of No.1-19 Torrington Place is Gordon Mansions some 26m from the closest point of Brook House. The noise data was not originally taken from Gordon Mansion as they were not the

nearest noise sensitive facades. No. 22 - 24 Torrington place predictive noise levels would be L_{Aeq} 44dB at its closest point and located approximately 15m from the 6th floor plant area. As approved the development proposed:

- 15 x Mitsubishi condensing units contained within a plant enclosure on the 6th floor;
- 2 x EDPAC air handling units located at basement and 7th floor plant enclosure and 1 x Wilson plant enclosure generator;

1.6 Given the age of the previous data (2013), comparable surveys were undertaken from Brook House Mansions in 2016. The updated data taken from Brook House shows comparable noise measurements between the previous and current noise survey based on the background noise levels, namely from Tottenham Court Road. The statistical data shows the overall noise level would not be increased due to the proposed plants and cooling units. The forecasted noise levels would be below 50dB and 49dB for daytime and at nights respectively. The report is relative consistent with the previous survey, which shows an increased in the background noise from Tottenham Court Road due to the new traffic arrangement scheme.

1.7 The data was assessed by the Council's Environmental Health Team who requested further information given the original submission included data from 2013. In light of this the applicant undertook further readings from Brook House between 18th March - 21st March 2016, starting at midday and throughout the night to demonstrate that the noise associated with the air condenser units and plant enclosure units would be acceptable. As such, the Environmental health officer raises no objection to the approval of the condition, an overall comparison is provided below:

- The LA90 did not drop below 50dB.
- Previously the minimum background noise levels were LA90 50dB and LA90 49dB for daytime and night-time respectively.
- This dataset showed the minimum background noise levels were LA90 53dB and LA90 52dB for daytime and night-time respectively.
- Given that the background noise climate is dominated by road traffic on Tottenham Court Road, it would follow that on the evidence of this comparison the data collected during the planning survey is sufficiently representative for the assessment of external plant noise emissions

Recommendations: Grant Approval of Details

DISCLAIMER

Decision route to be decided by nominated members on *Monday 18th April 2016*. For further information please go to www.camden.gov.uk and search for 'members briefing'.

Mr Nick Jenkins
Smith Jenkins Ltd
30A High Street
Milton Keynes
Buckinghamshire
MK11 1AF

Application Ref: **2016/0399/P**
Please ask for: **Obote Hope**
Telephone: 020 7974 **2555**

13 April 2016

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Approval of Details Granted

Address:

**Brook House
2-16 Torrington Place
London
WC1E 7HN**

DECISION

Proposal:

Details of the acoustic report associated with the external cooling plant in relation to condition 5 of planning permission 2013/2934/P, granted on appeal on 8th August 2014 for: Change of use from offices (use class B1) to hotel (use class C1); internal alterations to facilitate hotel use; replacement of existing roof top plant room with new sixth floor and new roof top plant enclosure; installation of platform lift and new entrance doors to Torrington Place; and other minor associated internal and external works.

Drawing Nos: Noise and Vibration Impact Assessment dated May 2013 by Alan Saunders Associates, Letter from Clark Saunders dated 20th January 2016 and the Environmental Noise Time History from Clarke and Saunders Dated March 2016.

Director of Culture & Environment



Informative(s):

- 1 You are advised that all conditions relating to planning permission consent allowed on appeal on 8/08/2014 reference number 2013/2934/P which need details to be submitted, have been approved.

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

DRAFT

DECISION