

Our Ref: 16047/SH/JC
Your Ref: PP-05115708
Email: sharper@firstplan.co.uk
Date: 17 May 2016

Mr Charles Rose
Planning Department
London Borough of Camden
Town Hall
5 Pancras Square
N1C 4AG

Dear Mr Rose

**DISCHARGE OF CONDITION 10 OF APPEAL REFERENCE: APP/X5210/A/2193888
74 CHARLOTTE STREET, LONDON, W1T 4QH**

We have been instructed by our client, WSH Restaurants Ltd, to submit the enclosed discharge of condition application in respect of condition 10 of appeal reference APP/X5210/A/2193888 in relation to the above address. The application is required to agree details with regard to the installation of the necessary plant to operate the ground floor and basement permitted restaurant unit.

The following documents are enclosed in support of this application:

- Completed Application Forms and Certificates;
- Site Location and Block Plan (Drawing Ref: 1536(PL)01);
- Existing roof plan, side and rear elevation (Drawing Ref: 1536(PL)10);
- Proposed roof plan, side and rear elevation (Drawing Ref: 1536(PL)11);
- Proposed technical drawing and equipment schedule (Drawing Ref: 3291_M_SK_01/P05);
- Mechanical Plant Brochures; and
- External Plant Assessment prepared by Lee Cunningham Partnership Ltd (dated: 28/04/2016).

The requisite planning fee of £97 has been paid via planning portal. A background to the application site in addition to an assessment of the proposals has been set out below.

Site Description

The application premises is located at no. 74 Charlotte Street in the south west part of the London Borough of Camden and is located within the Charlotte Street Conservation Area. It is a short distance from Tottenham Court Road and Goodge Street underground stations to the south east and the BT Tower on Maple Street. The area is predominantly commercial in character, particularly at ground floor level, and retail and restaurant uses are dominant. There is also a good mix of office and residential accommodation.

The site itself, currently under construction, is located towards on the eastern side of Charlotte Street, between Chitty Street and Tottenham Street. The application site fronts directly onto Charlotte Street and extends through to Charlotte Mews to the rear. The premises adjoins no. 74a to the north (also known as Ariel House), a modern building which is in use as offices, and no. 72 to the south, which is a grade II listed 18th Century property and is similarly in use as offices.

Condition 10 states:

“Prior to the commencement of the relevant part of the development, details of any plant equipment and extract ventilation system shall be submitted to and approved in writing by the Local Planning Authority. Such details to include an acoustic report which shall demonstrate how the acoustic and vibration impact of the equipment would meet the relevant standards (condition 9) and identifying any acoustic isolation and sound attenuation which is required in order to achieve this standard. Furthermore it shall include details of all odour control and filtration mechanisms to be used. The acoustic isolation and odour control shall thereafter be maintained in effective order in accordance with the manufacturers' specifications.”

Also of relevance to this application is condition 9 which refers to noise criteria and states:

“Noise levels at a point 1m external to sensitive facades 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 facade shall be at least 10dB(A) below the LA90, expressed in dB(A).”

Charlotte Street Conservation Area

The site itself is not listed, but is situated within the designated heritage asset of the Charlotte Street Conservation Area, for which the premises along with numerous others within the vicinity is designated a 'positive contributor'. The site additionally adjoins no. 72 Charlotte Street to the South, which is Grade II listed.

In reference to plant, paragraph 12.3 notes that inappropriately prominent roof level plant, including external ducts, air handling equipment, rooftop plant and individual a/c units are an example of alterations that can have a detrimental impact on the character of the area. The appraisal does, however, recognise the need for plant and servicing.

Application Proposals

In line with the approved restaurant use at ground and basement floors it is proposed to install mechanical extract and ventilation plant as required to allow our client to operate from the site. This application provides details in respect of the restaurant element of the scheme only whereby details have already been submitted and approved in respect of the residential element of the scheme under planning application ref: 2015/4413/P.

It is now critical within the development program to ensure that the installation of the proposed plant is acceptable. It was always envisaged that there would be two plant areas, thus the assessment of this application should focus specifically on the nature and performance of the plant. Indeed, only this is the requirement of the condition. The appearance, bulk and design of the plant is not mentioned.

The equipment proposed is set out below:

- a) Higher Roof
 - One dining room condenser and two kitchen condensers. Plant dimensions 1800mm height x 2000m width x 4800mm length.
 - 1800mm tall louvered acoustic enclosure (2000mm width x 4800mm length)

b) Lower Roof

- Kitchen extract system incorporating particulate filters, odour filters (carbon and ESP – see schedule on submitted drawings), extract fan, attenuators and discharge point. Plant dimensions: 2700mm height x 7550mm length x 3740mm width.
- 3200mm tall louvered acoustic screen x 8100mm length
- 3200mm tall louvered acoustic screen x 3900mm length

The proposed plant set out above, which is designed and informed by E+M Tecnica, is the minimum required to meet the operational demands of our client and additionally ensure compliance with Environmental Health and Defra guidelines, particularly in terms of odour control. The scale and quantum of the equipment is such due to the second floor level discharge point, and the requirement, therefore, for extensive odour and particulate management systems.

The submitted scheme is therefore essential to the operation of the restaurant.

Pre-Application Advice

Pre application advice was sought from the Council (reference: 2016/1275/PRE) and a meeting took place on site with Heritage and Conservation Officer Charles Rose. In Mr Rose's summary of the proposals received via email on 6th April 2016 the following comment was made in reference to plant.

“You are advised to position the plant within the approved plant zone where possible. Any required additional space should be limited within the immediate zone. The height of the plant should also be limited as far as possible and the plant screen should be designed to be part of the overall architectural envelope of the development to reduce its visual impact and obtrusiveness.

Any additional plant on the main roof should be as low as possible and located in the centre of the roof to reduce its visual impact.

The final details will be agreed as part of the discharge of condition.”

The comments illustrate plant is acceptable in both the proposed locations, at second floor levels and on the main roof. As expected, the main points refer to design and visual impact of the equipment. In this regard, every effort has been made to include all plant within the designated plant zones. It was also confirmed that the proposed plant details can be fully assessed through a discharge of condition application.

Application Assessment

In terms of design, the plant has been concentrated into the smallest possible package to avoid any unnecessary visual impact and to not appear incongruous whilst maintaining the required standards for noise attenuation and odour control. The proposed plant has been contained where possible within the designated plant zones, and by splitting the plant between the two roofs, the impact on any one area has also been significantly reduced. Where the plant does extend beyond the approved plant zone it is only within the immediately surrounding zone, as requested through the pre-application advice.

In addition, where the resultant plant would be visible to neighbouring occupiers (predominantly Charlotte Mews to the rear) the plant will be screened from view via painted, louvered acoustic screens, which will complement the design of the wider building. This also offers an improvement when compared to the brown, timber louvres envisaged at application stage.

Regarding acoustics, Lee Cunningham Partnership Ltd have been commissioned to carry out an assessment of the impact of the proposed plant upon background noise levels, and to the nearest noise sensitive

receptors. The results of the assessment are enclosed in the report dated 28.04.2016. The report concludes that the design criteria (Representative LA90, 15 mins – 10 dB) as set out within condition 9 of appeal reference: APP/X5210/A/2193888 can be met. Notably this partially achieved by the surrounding plant enclosure as shown on the drawings. The development is therefore considered to be acceptable on acoustic grounds and will not harm the amenity of neighbouring occupiers.

Conclusion

This discharge of condition application is required to agree details regarding the installation of plant at no. 74 Charlotte Street following appeal decision APP/X5210/A/2193888. This application relates solely to the restaurant use at basement and ground floor levels of the premises.

The proposed plant is the minimum required for operation of the restaurant whilst meeting the required technical standards and will be largely situated within the designated plant zones at second floor and fourth floor roof level. In terms of amenity impact, additional acoustic screening has been provided in an appropriate material and design to ensure the plant remains hidden. Odour will be effectively managed through a series of extensive mitigation and control measures. The enclosed noise report also demonstrates that the proposed plant is acceptable in acoustic terms.

We therefore trust that the enclosed information is sufficient to enable officers to register the application and we look forward to hearing confirmation of this. Should you require any further information in the meantime please do not hesitate to get in contact.

Yours sincerely,



SAM HARPER
Director

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