

Mrs Dena Read
Checkland Kindleysides
Charnwood Edge
Cossington
Leicestershire
LE74UZ

Application Ref: **2016/2471/P**
Please ask for: **Tony Young**
Telephone: 020 7974 **2687**

22 June 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
31 Neal Street
London
WC2H 9PR

Proposal:

Replacement of 2 existing air conditioning condenser units with 2 new air conditioning condenser units housed within acoustic enclosures fixed above ground floor level to rear wall of inner atrium in connection with existing retail use.

Drawing Nos: Site location plan; A10-01, A10-02, X01 rev A; Environmental noise survey from KP Acoustics dated 14/04/2016 (ref. 14144.PCR.01); Acoustic enclosure details from Environ (parts 1 & 2); Heritage statement (received 11/05/2016).

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and



Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies 2010.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan; A10-01, A10-02, X01 rev A; Environmental noise survey from KP Acoustics dated 14/04/2016 (ref. 14144.PCR.01); Acoustic enclosure details from Environ (parts 1 & 2); Heritage statement (received 11/05/2016).

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 4 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 10dBA as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy 2010 and policies DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies 2010.

- 5 The use of the air conditioning units hereby permitted shall not be carried out outside the following times: 10:00 to 20:00 Monday to Saturday; and 12:00 to 18:00 Sunday and Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy 2010 and policies DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies 2010.

- 6 Prior to the first use of the air conditioning units hereby approved, noise mitigation screening must be installed in accordance with recommendations set out in the Environmental noise survey from KP Acoustics dated 14/04/2016 (ref. 14144.PCR.01) and maintained so as to achieve Camden's noise standards.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by vibration in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy 2010 and policies DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies 2010.

Informative(s):

- 1 Reasons for granting permission:

The principal considerations material to the determination of this application is (1) the impact of the proposal on the grade II listed buildings, its features of special architectural or historic interest, and the character and appearance of the wider streetscape and Seven Dials (Covent Garden) conservation area; and (2) to any possible adverse impact on the amenity of occupiers of the development site/ surrounding premises.

The proposals seek to replace 2 existing air conditioning condenser units fixed above ground floor level to a rear wall within an inner atrium at the rear of the property with 2 new air conditioning condenser units housed within acoustic enclosures in connection with the existing retail use.

Given the location of the 2 new units low down within a fully enclosed inner atrium at the rear of the building, obscured entirely from any wider views, and replacing 2 existing units in a similar position, the proposed position is considered to be the most sensitive location from a visibility perspective. Though the existence of similar equipment is not justification for the proposal in its own right, it is considered that the position of the units and the associated acoustic enclosures here would preserve the special architectural and historic interest of the listed building and would not harm the character and appearance of the Seven Dials (Covent Garden) conservation area, and as such, the proposals are in accordance with Council policies and guidelines, and are acceptable.

The application is accompanied by an environmental noise survey (ref. 14144.PCR.01) which demonstrates that the proposal would comply with Camden's noise standards following the installation of noise attenuation screening as proposed. As a safeguarding measure, any approval would include a condition to ensure that these noise standards are met. Furthermore, permission would be granted subject to the conditions that the units would only be used during the normal daytime operating hours of the retail unit and that the acoustic screening would be installed prior to the operation of the units and maintained as specified in the acoustic report so as to safeguard the amenities of the adjoining premises and the area generally.

The site's planning and appeal history has been taken into account when coming to this decision. No objections have been received following statutory consultation. One comment has been received and duly taken into account prior to making this decision.

Special regard has been attached to the desirability of preserving the listed building and its features of special architectural or historic interest, and also of preserving or enhancing the character or appearance of the conservation area, under s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposed development is in general accordance with policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy 2010; and policies DP24 (Securing high quality design), DP25 (Conserving Camden's heritage), DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies 2010, policy 7.4, 7.6 and 7.8 of the London Plan March 2016 and paragraphs 14, 17, 56 -67, 126 -141 of the National Planning Policy Framework 2012.

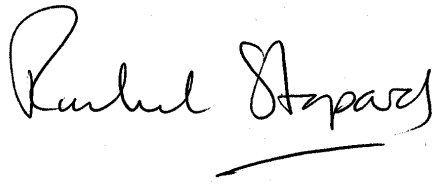
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

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

A handwritten signature in black ink that reads "Rachel Stopard". The signature is written in a cursive style with a horizontal line underneath the name.

Rachel Stopard
Executive Director Supporting Communities