

Location Plan Ref 2016/2812/P



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Site of the swimming Pool



View from 1st floor



Site of the Plant equipment (right of picture)



View of Canopy above internal courtyard
(view westward)



View of Canopy above internal courtyard
(View eastward)



View across to Manley Street



Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	18/07/2016
		N/A /		Consultation Expiry Date:	01/08/2016
Officer			Application Number(s)		
James Clark			2016/2812/P		
Application Address			Drawing Numbers		
Fitzroy Yard Fitzroy Road London NW1 8TP			See Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of a glazed roof over the existing swimming pool, installation of associated plant equipment on 1st floor roof, and erection of a glazed roof over the entrance courtyard.					
Recommendation(s):		Grant Planning Permission			
Application Type:		Full Planning Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	47	No. of responses No. Electronic	3	No. of objections	3
Summary of consultation responses:	<p><u>The planning application received three objections from the following three addresses- 4A, AB and 4C Manley Street</u></p> <p>Summarised below</p> <ul style="list-style-type: none">- The property already has a partial glass roof covering contributing to the excessive noise which comes from this address when they hold parties for 200 people plus.- The property is not sound proofed and further glass roofing will only increase the noise. The property is only separated by an adjoining wall and sound carries massively.- Installation of plant equipment for the swimming pool also raises concern regarding noise. <p>Officer Comment:</p> <p><i>The roof structure of the dwelling is predominantly copper and it is not clear where the said partial glass roof is located. The noise caused from parties is not something that can be dealt with through planning legislation and would only represent a small period of time.</i></p> <p><i>The impact of plant equipment and installation in association with the swimming pool is covered under section 3.2 – 3.4 in the report.</i></p>					
Primrose Hill CAAC	<p>We object strongly to the location of the proposed plant at roof level very close to neighbours in Manley Street where the back yards are particularly vulnerable through resonant echoes, reinforcing noise pollution. It must be possible to find a better location in the centre of the Fitzroy Yard site which would have less impact on any of the neighbours whose dwellings surround this site and whose habitable rooms are vulnerable to significant harm and loss of amenity.</p> <p>Officer Comment:</p> <p><i>The impact of plant equipment and installation in association with the swimming pool is covered under section 3.2 – 3.4 in the report.</i></p>					

Site Description

The application site is a dwelling known as Fitzroy Yard located on land to the rear of properties facing onto Fitzroy Road, Chalcot Road and Manley Street. The site is accessed from Fitzroy Road via an access gate between Nos 29 and 31 Fitzroy Road, resulting in the dwelling house being completely hidden from highway views. The dwelling is two storeys in height with a basement and a swimming pool at ground floor level.

Relevant History

Fitzroy Yard (Application site)

2013/0794/P - Erection of gates at the entrance to Fitzroy Yard (Certificate of lawfulness proposed) - Refused 08/03/2013

2009/4393/P - Amendments including the retention of a basement level, reinstated trellis and external lighting to roof terrace, steel framed doors and windows and incorporation of part of the rear gardens of nos. 29 & 31, to planning permission reference 2005/0041/P granted on 20/05/2005. (for the alteration and extension, and change of use of former offices and studio flat into a single residential dwelling) and further amendments reference 2006/2146/P granted 24/07/2006. – Granted subject to a section 106 agreement 28/03/2011.

2006/2146/P - Amendments to planning permission granted on 20/05/2005 (ref: 2005/0041/P) for alterations and extensions, and change of use of former offices and studio flat into a single residential dwelling (Class C3) – Granted 24/07/2006

2005/0041/P - Alteration and extension, and change of use of former offices and studio flat into a single residential dwelling – Granted at DC Committee 20/05/2005.

2004/3169/P - The change of use from part offices and part residential to wholly residential to create a 6 bedroom dwelling house together with the partial demolition at roof level and reconstruction within the existing envelope incorporating a new courtyard garden area and 2 car parking spaces – Granted subject to a s106 agreement 14/09/2004.

Relevant policies

National Planning Policy Framework (2012)

The London Plan March 2016

LDF Core Strategy and Development Policies

CS1 Distribution of Growth

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

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

DP28 (Noise & Vibration)

Camden Planning Guidance

CPG1 Design (2015)

CPG6 Amenity (2011)

Primrose Hill Area Conservation Area Statement (adopted 2000)

Assessment

1. Proposal:

Erection of a glazed canopy roof over the existing swimming pool approximately 52.3sqm in area, installation of associated plant equipment on the first floor terrace area, and the construction of a glazed roof over the entrance courtyard approximately 36.2sqm in area.

2. Design & Impact on the Conservation area:

2.1 The glazed roof above the swimming pool would be a mono pitch design approximately 2.6m at its lowest height rising up to 2.9m in height fixed to the existing building structure and set below the eaves of the existing building. The roof would be bounded by copper cladding (as existing on the building) adjacent the rear boundaries of Manley Street. The roof canopy is considered to be well integrated and would not be prominent in local views or overwhelm the existing building. It would be totally enclosed by the surrounding host building and well set below its overall height.

2.2 The glazed canopy above the internal courtyard would be approximately 2.8m in height, 2.6m below the eaves of the second storey of the host property. The canopy would be made up of four planes of glass with a drain channel running north to south. The proposed roof would comply with guidance in CPG1 and is considered acceptable.

2.3 The proposed roof canopies are considered to preserve and enhance the conservation area in accordance with policy DP25 of the LDF. The impact upon the setting of the listed buildings of Primrose Hill studios located adjacent to the site would be negligible and not considered to be harmful. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

2.4 The proposed plant equipment in association with the swimming pool would be positioned on the first floor terrace covering approximately 14.8sqm in area. The site of the plant equipment is screened from neighbouring properties by mature vegetation and in addition will be screened by a new timber enclosure; although the plant equipment in itself is not an attractive structure, it is not in a sensitive location in regards to the host property or the Primrose Hill conservation area.

3. Neighbouring Amenity:

3.1 The proposed roofs on both the entrance courtyard and the swimming pool would not result in any additional overlooking or overshadowing and would be largely hidden from views looking down from the top floors of surrounding properties.

3.2 The applicant has submitted a plant noise impact assessment for the proposed M&E equipment for the pool. Camden's Environmental Health Noise officer has assessed the submitted report calculations which show compliance with the Council's noise criteria with associated noise mitigation. The noise pollution to neighbouring occupiers is therefore considered to be within acceptable standards.

3.3 Further consultation with the noise officer, it was not considered necessary to condition the type of insulation material surrounding the plant equipment on the first floor terrace. The external noise level calculations submitted in the noise impact assessment have already been made with the insulation material in mind and thus taken into account.

3.4 The existing amenity conditions to neighbouring properties are not considered to be detrimentally affected as a result of the two proposed roof canopies and the associated plant equipment in accordance with policies DP26 and DP28 of the LDF.

4. Summary:

The proposed roof canopies and the installation of the plant equipment are considered to respect the character of the host property, conservation area and the setting of the adjacent listed buildings in accordance with policies DP24 and DP25. Following the submission of a satisfactory noise impact assessment, the location of the plant equipment on the first floor roof terrace is considered to be acceptable in amenity terms in accordance with policies DP26 and DP28.

Recommendation: Grant Conditional Planning Permission

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 25th July 2016, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Mr J Jarman
Oakview House
Station Road
Hook Hampshire
RG27 9TP

Application Ref: **2016/2812/P**
Please ask for: **James Clark**
Telephone: 020 7974 **2050**

20 July 2016

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
**Fitzroy Yard
Fitzroy Road
London
NW1 8TP**

DECISION

Proposal:

Erection of a glazed roof over the existing swimming pool, installation of associated plant equipment on 1st floor roof, and erection of a glazed roof over the entrance courtyard.

Drawing Nos: Planning Statement, Plant Noise Impact Assessment by EEC dated 24.2.16, WBS.FY.AHU001 (Pool ventilation), 242.100 Rev P1 (Location Plan), 242.101 Rev P1, 242.102 Rev P1, 242.110 Rev P1, 242.200 Rev P1, 242.201 Rev P1, 242.310 Rev P1

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).

Executive Director Supporting Communities



- 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 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans Planning Statement, Plant Noise Impact Assessment, WBS.FY.AHU001 (Pool ventilation, Plant Noise Impact Assessment, 242.100 Rev P1 (Location Plan), 242.101 Rev P1, 242.102 Rev P1, 242.110 Rev P1), 242.200 Rev P1, 242.201 Rev P1 & 242.310 Rev P1.

Reason:

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

- 4 Noise levels at a point 1 metre 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 façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Before the use commences, the extract system and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 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.

- 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).

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

Executive Director Supporting Communities