

PROJECT NOTE

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This note is prepared in response to the recently amended proposed basement works and associated construction at 11 Rossllyn Hill following the decision by the owners to reduce the extent of the basement within the original scheme. The media basement has now been excluded from the proposals. The swimming pool and plant basements remain.

This note should be read in conjunction with Vanguardia's original report (Ref:VC 101936 RP JETG 0002 dated 3rd June 2015) and our subsequent project note (Ref:VC 101936 Air Studios Rebuttal of CJ letter Project Note 121015).

This note also relies on the information available on the London Borough of Camden website http://camdocs.camden.gov.uk/webdrawer/webdrawer.dll/webdrawer/search/rec&sm_ncontents=2015/2089/P&template=reclistplanning&rows=1000 on 30th June 2016.

It should be noted here that the original Construction Management Plan (Paul Mew Associates – March 2015) is shown as superseded. This has been replaced by a document displayed on the Camden Planning Portal as a 'Revised Construction Management Plan' uploaded in September 2015. Examination of this document reveals that it is in fact another document produced by Paul Mew Associates – August 2015. Paul Mew Associates are Traffic Consultants and this document is actually entitled 'Outline Construction Logistics Plan' (CLP) and deals primarily with the movement of goods and materials. It refers to the TfL Construction Logistics Plan Guidance document which gives guidance on reducing the negative transport effects of construction work on the environment. Para 2.4 of this CLP acknowledges Camden Policy DP26 relating to the management of the impact of development on occupiers and neighbours but offers no advice or guidance on this topic.

Whilst it may be possible to overcome any noise impact from the proposed development after completion (e.g. from plant rooms etc.) the question that has so far been unanswered is how the proposals seek to address the significant noise impact that will arise during the Construction phase of the proposed development. It is understood that the construction phase which includes piling, excavation and major earthworks is likely to last for more than a year.

The Vanguardia report issued on 3rd June highlighted the very sensitive nature of the business at Air Studios and explained in detail why any contaminating noise/vibration within the building at any time of the day or night would affect the operation of the studios. The studios operate on a 24/7 basis with bookings sometimes at very short notice which means that it would be virtually impossible to programme 'noisy' work outside of the studios operating hours. Whilst the revised proposal does move the excavation and piling activities slightly further away from the studios it is not far enough for the proposed construction works to avoid harm to Air Studios

The Vanguardia project note issued on 12th October 2015 raised a number of issues associated with the Cole Jarman (CJ) Acoustic reports. Para 2.21 of that note comments on the assertion by CJ that the construction activities that may take place more than 10m from the studios would have no impact upon the recordings made in the studio. To our knowledge no evidence has been supplied to support this assertion and if this were to be the case we wonder why any restriction on noisy work has been proposed at all.

As an example of national guidance on the calculation of noise – the Calculation of Railway noise it is stated that an assessment distance of 300m is consistent with the range of validity of the calculation of railway noise methodology. In addition, Noise Insulation (Railway) Regulations do not apply to buildings which are more than 300 metres from the nearest point of the nearest running rail. Whilst this construction work is not railway related there is a clear indication that it is only when a source of noise in excess of 300m from a noise sensitive receiver that it might be completely discounted.

Cole Jarman have issued a response dated March 2016. This response deals with two issues namely the Potential Effect of the TV room on the recording at the studio and the Potential Effect of Underground Train Noise at the Studio.

We have noted the comments made by CJ on the potential effect of the TV room and the potential effect of the underground train noise is effectively dealt with by CED. Our opinion that a limit of 25dB(A) within the recording studios should be imposed on noise from any construction works remains unchanged.

We understand that the London Borough of Camden are required to assess the suitability of any proposed scheme in accordance with their published Development Control Policies which set out detailed planning criteria used to determine applications, in addition to any relevant national policies and standards. In our report dated 3rd June we provided an outline of the relevant national policies and standards relating to noise and vibration that are applicable to this development. Our recommendations in that report remain.

The LBC Development Control Policies are generally framed around the need to protect residents (this includes commerce) from harm associated with finished developments. Consideration is given to the construction phase of developments but this is not the primary objective as most construction phases are temporary and can be properly managed to minimise the impact on nearby noise sensitive premises. This is not the case with Air Studios. There are however two important paragraphs in the LBC Development Control Policy which are relevant and reproduced below:

12.6 The Council will not grant planning permission for development that it considers would cause harm to the character, amenity, function, vitality and viability of a centre or local area. We consider that harm is caused when an impact is at an unacceptable level, in terms of trade/turnover; vitality and viability; the character, quality and attractiveness of a centre; levels of vacancy; crime and antisocial behaviour, the range of services provided; and a centre's character and role in the social and economic life of the local community.

27.2 Although basement developments can help to make efficient use of the borough's limited land it is important that this is done in a way that does not cause harm to the amenity of neighbours, affect the stability of buildings, cause drainage or flooding problems, or damage the character of areas or the natural environment.

Whilst some of the recording studios have a special construction (a room within a room design) to avoid airborne sound, they are not specifically built to reduce structure-borne noise from vibration impacts caused by construction. Furthermore the main hall does not have the benefit of a special construction and therefore has an even greater risk of both airborne and structure-borne noise. There is a high risk that prolonged construction works in the close vicinity of an internationally renowned studio will without doubt have a serious impact on the function and viability of the business so in compliance with the Council's own development policy, LBC should not grant permission for this development. The redevelopment works at 11 Rosslyn Hill will cause harm to the amenity of their neighbours (Air Studios) so permission should be refused.

The impact so described would be that no recording artist would be able to accept the contamination of the noise levels within the studios whilst any noisy construction work was going on. This is particularly true when taking account of the very sensitive nature of the activity especially when considering the effect on the highly sensitive recording microphones. Even temporary interference is likely to cause irreparable harm to the core business of Air Studios throughout the construction period as any effect on a recording session would result in clients cancelling their sessions with no guarantee they would return. This would significantly affect the international reputation of the studios.

LBC DP26 requires the submission of a construction management plan which identifies the potential impacts of the construction phase of the development and states how any potential negative impacts will be mitigated. This would be required before any planning permission is granted. As previously explained the submitted 'Construction Management Plan' does not address these matters. There is no evidence of any suitable plan on the planning portal which addresses noise and vibration from the construction.

LBC DP 27 requires the applicant to demonstrate by providing evidence that any basement development does not harm local amenity before any permission is granted. We have not seen this evidence.

In conclusion:-

- 1) Construction noise and vibration from this proposed development will cause harm to Air Studios as it is not fully isolated against structure borne noise and vibration.

- 2) There is no evidence of a suitable construction management plan being submitted with the planning application which identifies the impacts and full mitigation steps in line with LBC DP26.
- 3) The international reputation of Air Studios could be seriously damaged by the construction of this proposed development which would clearly be contrary to Council policy which requires that basement developments do not cause harm to the amenity of neighbours.



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