



**CENTRAL YMCA, 112 GREAT RUSSELL STREET
LONDON WC1B 3NQ**

Proposal: REPLACEMENT OF 4 EXISTING HEAT PUMPS WITH 2 CONDENSER UNITS
Application for planning permission: 2017/0487/P

28 February 2017

The Bloomsbury Association objects to this application and wishes to make the following comments.

1. Certificate A, Section 25 of the application form, may be incorrect. The applicant is not the sole 'owner'. We understand from other applications that we have been involved in at this address that there are several other owners with substantial leasehold interests including, amongst others, the St Giles Hotel. Notice of the application does not appear to have been served by the applicant on all those parties with an interest in the land to which the application relates and, if determined on this basis, the decision will be unsound.

2. There has been much additional external air-conditioning equipment added in an ad hoc manner at second floor level around this building over the years. At the time, much of it was outside of planning control. It is all quite prominent and unsightly and has a damaging aural and visual impact on the adjoining Bloomsbury Conservation Area. The application site is particularly prominent when viewed along Morwell Street from Bury Street and is located off-centre to the main entrance to the St Giles Hotel, directly beneath. The applicant uses Keith Horn Architects' elevation to draw a comparison between the height of existing and proposed units when their damaging visual impact needs to be considered in a wider context. We would look for improvement and an aspiration to design quality that meets LDF Policy DP24.

Consideration also needs to be given to whether this is indeed an application for equipment replacement or a retrospective application.

3. The Association notes that the noise survey undertaken by Holtz Acoustics was carried out a considerable time ago, in November 2016. We consider it unreliable, as the local noise climate has changed substantially since then. It was measured at a time when major construction work was being undertaken to redevelop 251-258 Tottenham Court Road and 1 Bedford Avenue, immediately opposite the survey location. The construction work was carried out Monday to Saturday, was continuously noisy and could have given potentially misleading survey results. This work was completed in February 2017. The survey should be redone to better characterise the current noise environment.

The survey was also measured at second floor level, immediately outside the existing plant room of the St Giles Hotel, which is not adequately representative of ambient noise levels.

4. Existing air-handling plant operates at its limits and has caused problems for local residents. There is a long history of noise nuisance associated with the external air-conditioning equipment, dating back to 1997. Noise emissions from this equipment have been regularly monitored by the Council's Environmental Health Team and have been found to be at a level that constitutes a statutory nuisance. The Council served a Noise Abatement Notice in December 2000 under the Environmental Protection Act 1990 / Noise and Statutory Nuisance Act 1993 in order to protect the amenity of residents of Bedford Court Mansions, opposite. We therefore feel that the survey should be undertaken with this plant turned off rather than it being considered a suitable background level for setting environmental noise limits.

We suggest that the survey should be repeated from the nearest sensitive receptor, in accordance with LDF Policy DP28. This might be an adjacent hotel bedroom window or,

preferably, a location 1m external to the residential building opposite. The length of survey should also be extended to capture a weekend night or particularly the Sunday night to Monday morning period where background noise levels are typically at their lowest. Otherwise we will remain sceptical about any conclusions reached by the applicant's consultants on the noise impact of proposals that are based on unreliable survey results.

5. It is not unusual for installed equipment to differ from that described in a planning application. The noise assessment will need to be redone when the design of the mechanical services systems are finalised and plant installed. The Association is concerned that although approval for this could be required by condition, as should eventual in-situ testing of noise emissions from the installation on completion, there is no certainty that this equipment can achieve the necessary sound attenuation levels. To allow development with this degree of uncertainty is unsafe.
6. The Association is also concerned that enforcement is indeterminate, particularly with the cumulative effects of noise associated with deliveries and refuse collection/compaction. Local residents should not have to be burdened with policing consultants' assessments and manufacturer's optimistic estimates. Essentially, noise control needs to be a legal obligation.
7. Of great concern is that it appears from measurements on this and other recent applications that emissions from existing air-conditioning and ventilation plant on this building result in existing noise levels on balconies at Bedford Court Mansions being from 4 to 13 dB higher (night to day, respectively) than what is currently recommended as an upper guideline level for outdoor amenity space.

Mindful of the history of noise emissions from existing plant, existing surveyed noise levels may not necessarily be an appropriate base line from which to work. The time will come either through replacement, refurbishment or enforcement action when there will be lower noise levels. This suggests that, irrespective of the outcome of the noise impact assessment, a reasonable future background noise level to be anticipated should be much lower than that surveyed. For this reason, on another recent proposal for this building (A2015/3605/P), the Council accepted a recommendation that the lowest LA90 background level be used (instead of the statistical low put forward in the assessment) and subtracting 15 dB from it, and this was agreed by the Planning Inspector. We would expect the Council to be consistent in their approach to other proposals for the same building.

8. Most concerning is that the exact number of condenser units varies between documents; therefore it is not possible to conduct a detailed assessment of noise emissions. Some documents say two units and others one. This is fundamental because the type of air handling equipment likely to be used is relatively large and very noisy, which is why they are normally installed on the roofs of high buildings, and not at low level.

The plant impact assessment acknowledges only one, not four existing units and has been based on one new Daikin condenser unit whereas the application proposes two. Again, we remain sceptical about any conclusions reached by the applicant's consultants based on an unsound assessment. If two units are allowed for in Table 2, Summary of Plant Noise Calculation, theoretical noise emissions appear to be right on the borderline of what is permissible in DP28.

9. Policy DP28 of the Council's LDF confirms that the Council will not grant planning permission for development likely to generate noise pollution or development sensitive to noise in locations where there is already noise pollution, unless appropriate attenuation is provided. The planning application does not show that the proposal can be comfortably delivered in compliance with Camden's noise policy.
10. For the reasons outlined above, we consider the Noise Impact Assessment submitted with the planning application to be potentially misleading in terms of outlining the existing noise conditions experienced by local residents. The noise survey on which it is based is fundamentally flawed and, as such, we do not consider that the Assessment adequately addresses the requirements of paragraph 123 of the NPPF or Policy DP28 of the Council's LDF. We conclude that the Noise Impact Assessment is not sufficiently robust to demonstrate that the proposal is achievable without unmanageable, harmful environmental impact.

The grant of planning permission on this basis would be unsafe and inconsistent with the Council's and national planning policies. We therefore urge the Council to refuse the application.

The Association supports good quality design that will enhance Bloomsbury's streetscape, which this does not. With such a demonstrable breach of the Council's planning policy and of its supplementary planning guidance, we look to the Council to refuse this application.

We would be grateful if you would let us know of any further modification to the application; the decision, if it is to be decided under delegated powers, or the meeting date if it is to be decided by Committee.

Stephen Heath
On behalf of the Bloomsbury Association

Copies to:
Councillor Adam Harrison, London Borough of Camden
Tessa Craig, London Borough of Camden
Chairman, Bedford Court Mansions Ltd
Steward, Bedford Estates
Local residents
Chair, Bloomsbury Association