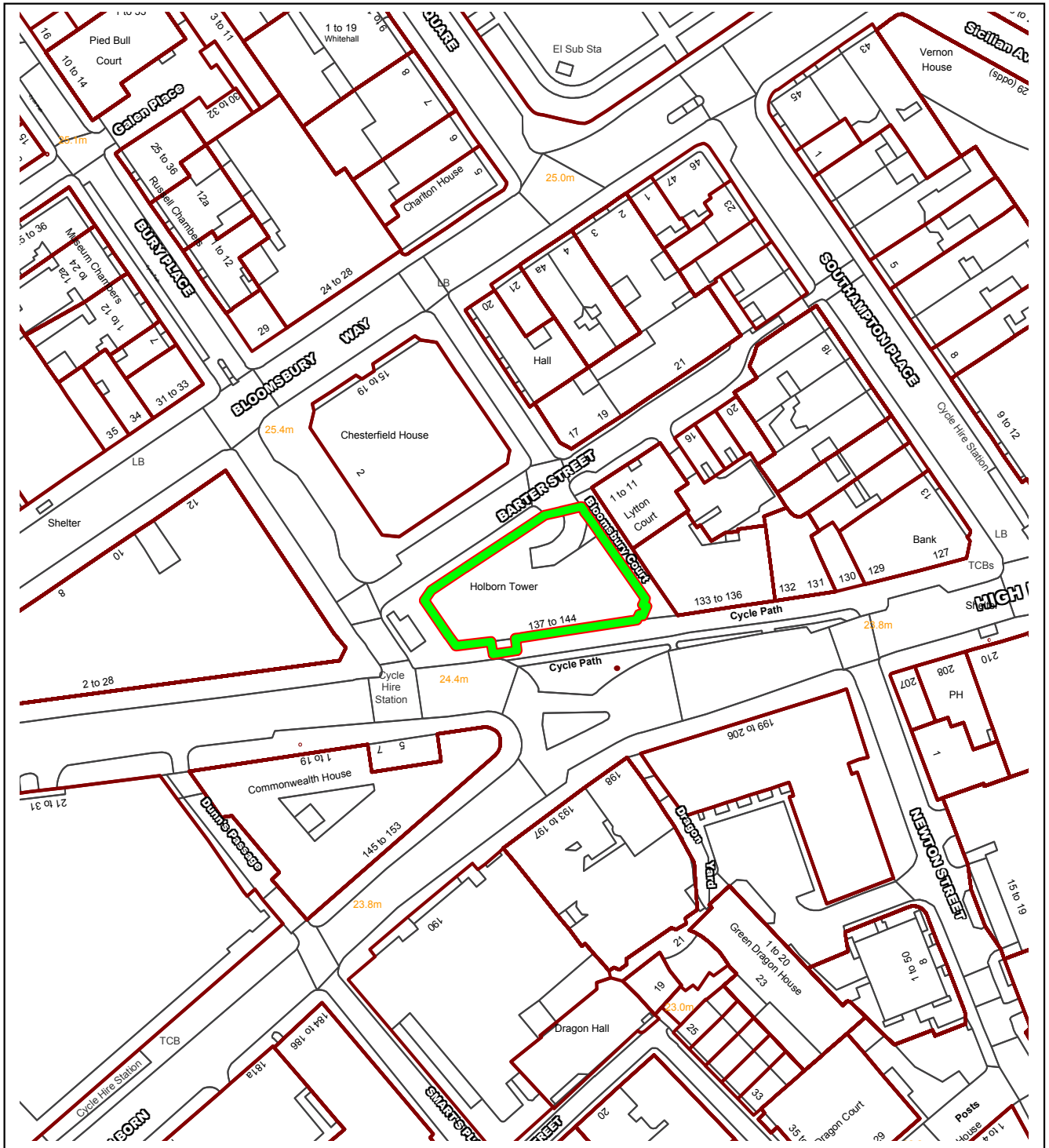


Holborn Tower, 137 High Holborn (2017/1815/P)



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Photo 1: Proposed location of AC enclosures (above the ground floor projection)



Photo 2: View from the junction with Barter Street



Photo 3: View from along Barter Street



Photo 4: existing AC units at this level



Photo 5: Proposed location of AC enclosures

Delegated Report		Analysis sheet		Expiry Date:	25/05/2017
(Members' Briefing)		N/A		Consultation Expiry Date:	01/06/2017
Officer			Application Number(s)		
Laura Hazelton			2017/1815/P		
Application Address			Drawing Numbers		
Holborn Tower 137, High Holborn London WC1V 6PL			Please refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Variation of condition 4 of planning permission approved on 16/02/2015 under ref: 2014/5890/P for the installation of 7 air conditioning units at roof level and 4 units at first floor level along with other associated alterations; namely, the increase in height of the chiller unit enclosures at 1st floor level by 550mm and their repositioning so that both enclosures are located at lower roof level.					
Recommendation(s):		Grant conditional planning permission			
Application Type:		Variation or Removal of Condition(s)			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
			No. Electronic	00		
Summary of consultation responses:	<p>The application was advertised in the local press on 11/05/2017 (expiring 01/06/2017) and a site notice was displayed between 10/05/2017 and 31/05/2017.</p> <p>No consultation responses were received from adjoining neighbours.</p>					
CAAC comments:	<p>The Bloomsbury CAAC submitted the following comments:</p> <p>BCAAC is in principle opposed to all proliferations of air conditioning equipment on grounds of energy conservation - its use should be cut back, not increased.</p> <p>In this particular case the re-siting of one unit is an improvement but any increase in size is unacceptable. Similarly we are opposed to any more units at roof level on what is already an extremely inappropriate and unsightly building.</p> <p><i>Officer Response</i></p> <p><i>Please refer to section 4 below. There are no proposed alterations to the plant previously approved at roof level. Likewise, the application is not seeking permission for an increase in the amount of plant, but for an increase in the size of 2 x acoustic enclosures only.</i></p>					

Site Description

The application site comprises a twelve storey office tower dating from the 1960s on the north side of High Holborn. The site is located approximately 200 metres west of Holborn underground station, and bounded by Barter Street to the north, the pedestrian walkway of Bloomsbury Court to the east, High Holborn and the junction with New Oxford Street to the south and Bury Place to the west. At basement floor level is a servicing yard/car parking, as accessed from Barter Street.

The application site is located within the Central London area, a designated Central London retail frontage, an archaeological priority area and the Covent Garden Neighbourhood Renewal Area. The building is not listed, but falls within Bloomsbury Conservation Area. The buildings opposite the application site on the south side of High Holborn are grade II listed, including the former Holborn Town Hall and library.

The surrounding area is characterised by mixed uses with nearby units including banks, cafes, restaurants and shops. There are also a small number of residential uses in the immediate vicinity, such as 1-11 Lytton Court to the east of the application site.

Relevant History

P9600018 - Change of use to restaurant (A3) use. Refused 29/03/1996. Reason for refusal: The proposed use would be likely to be detrimental to the amenity of nearby residential property by reason of fumes, noise and general disturbance. Appeal (T/APP/X5210/A/96/267360/P8) submitted and the application was subsequently allowed on appeal 07/11/1996. It is not clear whether this permission was ever implemented.

2010/4329/P - Change of use from office (Class B1) at part basement, part ground and part mezzanine floor level (in commercial units 2 and 3a) to flexible shop (Class A1), financial and professional services (Class A2), business (Class B1) and non-residential institution (Class D1) uses; Change of use from office (Class B1) at part ground and part mezzanine floor level (in commercial unit 3) to flexible shop (Class A1), financial and professional services (Class A2), restaurant and cafés (Class A3), business (Class B1) and non-residential institution (Class D1) uses and associated alterations; Change of use from office (Class B1) at second, third, fourth, fifth and sixth floors to flexible business (Class B1) and non-education institution (Class D1) uses. Refused 17/11/2010 in the absence of a Legal Agreement.

2014/5890/P - Installation of 7 AC units at roof level and 4 units at first floor level and addition of louvres to windows on rear elevation. Installation of new entrance on front elevation along with other associated alterations. Granted 16/02/2015.

-the current proposal seeks amendments to this permission.

2017/0805/P - Removal of 3 x antennas and installation of 9 x antennas, pole mounted on roof and 6 x RRUs affixed on free standing support frames and ancillary development thereto. Granted 10/04/2017.

Relevant policies

National Planning Policy Framework 2012

The London Plan March 2016

LDF Core Strategy

CS5 – (Managing the impact of growth and development)

CS14 – (Promoting high quality places and conserving heritage / conservation areas)

LDF Development Policies

DP24 – (Securing high quality design)

DP25 – (Conserving Camden's heritage / conservation areas)

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

DP28 – (Noise and vibration)

Camden Planning Guidance

Draft Camden Local Plan

The Inspector's report on the Local Plan was published on 15 May 2017 and concludes that the plan is 'sound' subject to modifications being made to the Plan. While the determination of planning applications should continue to be made in accordance with the existing development plan until formal adoption, substantial weight may now be attached to the relevant policies of the emerging plan as a material consideration following publication of the Inspector's report, subject to any relevant recommended modifications in the Inspector's report.

The following policies are considered to be relevant:

A1 Managing the impact of development
D1 Design
D2 Heritage

Assessment

1.0 Background

1.1 Planning permission was previously granted on 16/02/2015 (ref: 2014/5890/P) for the following works:

- Installation of 7 x AC units at roof level.
- Installation of 4 x units at first floor level (within 2 x attenuation enclosures).
- The addition of louvres to windows on rear elevation.
- The installation of new entrance on front elevation along with other associated alterations.

2.0 Proposal

2.1 The current application seeks to amend the previously approved planning permission with the following revisions:

- Changes to the position of the 4 x units at first floor level. 2 x units were previously proposed within an acoustic enclosure on the higher roof section and 2 x units were proposed within an acoustic enclosure on the lower roof section. The current application seeks to re-position the enclosure on the higher roof section so that it sits side by side with the unit at the lower level. There are no changes proposed to the AC units themselves and the attenuated sound output would remain the same as previously consented.
- Increase in height of the previously approved acoustic enclosures from 2700mm to 3250mm.

3.0 Assessment

3.1 The main planning considerations in the assessment of this application are:

- Design (the impact of the proposal on the character and appearance of the host building and the wider Bloomsbury Conservation Area); and
- Amenity (the impact of the proposal on the amenity of the adjoining occupiers).

4.0 Design

4.1 The proposal is considered to comply with Camden Local Development Framework Core Strategy policy CS14 'Promoting high quality places and conserving our heritage'.

4.2 The relevant Development Plan policies are DP24 'Securing high quality design' and DP25 'Conserving Camden's heritage' which provides more detailed guidance on the Council's approach to protecting and enriching the range of features that make up our built heritage. It states that the Council will not permit development which harms the setting of listed buildings or harms the character and appearance of Conservation Areas. CS14 and DP24 seek to ensure all development is of the highest quality and design and exhibits consideration of the character, setting, context and form of neighbouring buildings. Policy DP25 seeks to preserve and enhance the character and appearance of Conservation Areas.

4.3 The proposed changes to the positioning of the acoustic enclosures is considered to be an improvement. They would be positioned side by side at a slightly lower level which would reduce the prominence of them when viewed from Barter Street.

4.4 The increase in height is also considered acceptable. The previously approved acoustic enclosures were already fairly large at 2.7m high, however the increase in 550mm is not considered to cause any further harm to the character and appearance of the host building as they will both be located at the lower level now. The units would be visible from the surrounding area, but the increase in height is not considered to significantly alter the visual appearance of the units previously approved. The applicant has stated that the acoustic enclosures come in one size only, and it is therefore not possible to use a smaller enclosure that would provide the necessary sound attenuation to meet Camden's noise standards. Similarly, they have explored other locations for the plant, but this is the only possible location, and the least obtrusive position to provide services to the lower floors.

4.5 Overall, the proposed alterations are not considered to cause harm to the character and appearance of the host building or wider Bloomsbury Conservation Area.

5.0 Amenity

5.1 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Policy DP26 supports this, by seeking to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, impact on daylight and sunlight and noise disturbance.

5.2 The proposed alterations do not include changes to the 4 x AC units previously approved, or the attenuated sound output. There would therefore be no impact on neighbouring amenity in terms of noise disturbance.

5.3 Although the increase in height of the enclosures would mean they were slightly more visible from surrounding properties, this is not considered to cause such harm to neighbouring outlook as to warrant refusal of the application. Furthermore, the closest neighbouring building, Chesterfield House to the north of the site, is not in use for residential purposes. Therefore, any impact to the outlook from these windows is considered less significant than if it were a residential building.

5.4 The acoustic enclosures would sit in front of existing first floor windows to the north elevation of the application building. Although views out of these windows would be obscured, they serve an internal lift lobby and stairwell rather than office floor space, and therefore the impact to the outlook from the host building is considered acceptable.

6.0 Recommendation

6.1 Grant conditional planning permission.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 12 June 2017, 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 Jamie Gilpin
TTSP
Swedbank House
42 New Broad Street
London
EC2M 1JD

Application Ref: **2017/1815/P**
Please ask for: **Laura Hazelton**
Telephone: 020 7974 **1017**

8 June 2017

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:
Holborn Tower
137
High Holborn
London
WC1V 6PL

DECISION

Proposal:

Variation of condition 4 of planning permission approved on 16/02/2015 under ref: 2014/5890/P for the installation of 7 air conditioning units at roof level and 4 units at first floor level along with other associated alterations; namely, the increase in height of the chiller unit enclosures at 1st floor level by 550mm and their repositioning so that both enclosures are located at lower roof level.

Drawing Nos:

Superseded drawings: A05704 rev A, A05705 rev A,
Amended drawings: 0319-M-10102-OPTION 2.

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

Condition(s) and Reason(s):

Executive Director Supporting Communities



- 1 The development hereby permitted must be begun not later than the end of three years from the date of the original permission approved on 16 February 2015 under reference 2014/5890/P.

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 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 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.

- 4 For the purposes of this decision, condition no.4 of planning permission 2014/5890/P shall be replaced with the following condition:

REPLACEMENT CONDITION 4

The development hereby permitted shall be carried out in accordance with the following approved plans: 0319-M-10102-OPTION 2, A05702 Rev.B, A05701, A05708, A05707, Design and Access Statement, A05703, Plant Noise Impact Assessment Technical Report: R5275-1 Rev 1, A05700, Technical Memorandum, A05706.

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

Informative(s):

- 1 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).
- 2 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 Noise and Licensing Enforcement Team, 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).
- 3 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).
- 4 The Inspector's report on the Local Plan was published on 15 May 2017 and concludes that the plan is 'sound' subject to modifications being made to the Plan. While the determination of planning applications should continue to be made in accordance with the existing development plan until formal adoption, substantial weight may now be attached to the relevant policies of the emerging plan as a material consideration following publication of the Inspector's report, subject to any relevant recommended modifications in the Inspector's report.

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

Director of Regeneration and Planning