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Application Ref: **2017/0952/P**
Please ask for: **Laura Hazelton**
Telephone: 020 7974 **1017**

14 June 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**35 Great James Street
London
WC1N 3HB**

Proposal: Replacement of rear ground floor rooflight; removal of 8 x AC units and installation of 2 x replacement AC units with associated acoustic enclosures.

Drawing Nos: 1532-F0-001 rev.P1, 1532-F0-201 rev.P1, 1532-D1-201 rev.P2, 1532-F0-103 rev.P1, 1532-D1-104 rev.P2, Heritage Statement dated April 2017, Design and Access Statement dated April 2017, Environlite acoustic enclosure manufacturer's details dated 23 June 2016 and Environmental Noise Assessment ref: 3912_ENA_1 dated 29/03/2017.

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 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 of the London Borough of Camden Local Development Framework Core Strategy, policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies and policies D1 and D2 of the Camden Local Plan Submission Draft 2016.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

1532-F0-001 rev.P1, 1532-F0-201 rev.P1, 1532-D1-201 rev.P2, 1532-F0-103 rev.P1, 1532-D1-104 rev.P2, Heritage Statement dated April 2017, Design and Access Statement dated April 2017, Environlite acoustic enclosure manufacturer's details dated 23 June 2016 and Environmental Noise Assessment ref: 3912_ENA_1 dated 29/03/2017.

Reason:

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

- 4 Prior to use of the installation, noise mitigation measures shall be installed in accordance with the recommendations made in the Environmental Noise Assessment ref: 3912_ENA_1 (dated 29/03/2017). The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 5dBA, by 10dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

These measures shall be implemented prior to use of the installation and thereafter be permanently retained.

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, policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies, and policies A1 and A4 of the Camden Local Plan Submission Draft 2016.

- 5 Prior to first use, the plant equipment and associated ducting hereby approved shall be fitted with anti-vibration measures in accordance with the recommendations of Environmental Noise Assessment ref: 3912_ENA_1 (dated 29/03/2017). All such measures shall be thereafter retained and maintained in accordance with the manufacturers' recommendations.

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, policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies, and policies A1 and A4 of the Camden Local Plan Submission Draft 2016.

- 6 Automatic time clocks shall be fitted to the equipment/machinery hereby approved, prior to commencement of the use of the units, to ensure that the plant/equipment does not operate between 19:00hrs and 07:00hrs. The timer equipment shall thereafter be permanently retained and maintained in accordance with the manufacturer's recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 of the London Borough of Camden Local Development Framework Core Strategy, policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies and policies A1 and A4 of the Camden Local Plan Submission Draft 2016.

Informative(s):

- 1 Reasons for granting permission.

The proposals would result in a reduction in the number of condenser units on the rear ground floor roof from 8 to 2 units which would be within new acoustic enclosures. The works are considered to improve the appearance of the grade II* listed office building and would not result in a loss of historic fabric or significance. There are no public views of the plant and only limited private views from the rear windows of neighbouring buildings. The works are not considered to cause harm to the character and appearance of the wider Bloomsbury Conservation Area.

The existing third floor rooflight is in a poor state of repair and would be replaced with a new Velux conservation rooflight. This would not result in a loss of historic fabric or harm the historic significance of the building, and is considered an improvement in design terms.

A noise impact assessment has been submitted with the application which identified the nearest neighbouring windows as one small window to the rear of 10-12 Emerald Street (which is not a residential property) and the adjoining neighbours 36 and 34 Great James Street. No.36 is the nearest residential property and its rear windows have been identified as the nearest noise sensitive receptor.

The report measured lowest background noise levels over a 24 hour period and found lowest levels of 48db during the daytime and evening and 47db during the night time. The report concluded that acoustic mitigation measures would be required for the plant to comply with Camden's noise standards (noise levels must be 5db below the lowest background noise levels). The Council's Environmental Health officer has assessed the proposals and does not object to the development subject to the installation of acoustic mitigation and anti-vibration measures as recommended in the noise report.

Due to the location and nature of the proposals, they are not considered to cause harm to neighbouring amenity in terms of outlook, privacy or daylight.

No objections were received prior to the determination of this application.

The planning history of the site has been taken into account when coming to this decision. Special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013. 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 (ERR) 2013.

As such, the proposed development is in general accordance with policies CS5, and CS14 of the London Borough of Camden Local Development Framework Core Strategy, policies DP24, DP25, DP26, and DP28 of the London Borough of Camden Local Development Framework Development Policies and policies A1, A4, and D1 of the Camden Local Plan Submission Draft 2016. The proposed development also accords with the London Plan 2016 and 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.

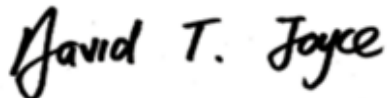
- 4 The Inspector's report on the Local Plan was published on 15 May 2017 and concludes that the plan is 'sound' subject to modifications being made to the Plan. While the determination of planning applications should continue to be made in accordance with the existing development plan until formal adoption, 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

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce
Director of Regeneration and Planning