

Miss Laura Morris
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Application Ref: **2017/1723/P**
Please ask for: **Laura Hazelton**
Telephone: 020 7974 **1017**

20 June 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

Seven Dials Warehouse
42 Earlham Street
London
WC2H 9LA

Proposal:

Variation of condition 3 (approved plans) of planning permission granted on 21/12/2016 (ref:2016/5939/P) for the creation of terrace at roof level, alterations to ground floor façade and fenestration, and replacement of rooftop plant; namely 10 x condensers at roof level.

Drawing Nos: Superseded Drawings: 527-EX.09, 527-EX.10, 527-AS.01, 527-AS.02, 527-AS.03, 527-AS.04, 527-AS.05, 527-AS.08, 527AS.11, 527-AS.14, 527-AS.16, 527-AS.20, 527-AS.22, 527AS.25, 527-AS.31, 527-AS.32, 527AS.33, 527-GA.03, 527-GA.04, 527GA.05, 527-GA.06, 527-GA.07, 527-GA.10, 527-GA.11, Design & Access Statement (GPad) - October 2016, Noise Impact Assessment (Clarke Saunders)(14 October 2016).

Amended Drawings: 527-EX.09 REV A, 527-EX.10 Rev A, 527-EX.21, 527-AS.01 Rev A, 527-AS.02 Rev A, 527-AS.03 Rev A, 527-AS.04 Rev A, 527-AS.05 Rev A, 527-AS.08 Rev A, 527-AS.11 Rev A, 527-AS.14 Rev A, 527-AS.16 Rev A, 527-AS.20 Rev A, 527-AS.22 Rev A, 527-AS.25 Rev A, 527-AS.31 Rev A, 527-AS.32 Rev A, 527-AS.33 Rev A, 527-GA.03 Rev A, 527-GA.04 Rev A, 527-GA.05 Rev A, 527-GA.06 Rev A, 527-GA.07 Rev A, 527-GA.10 Rev A, 527-GA.11 Rev A, Design & Access Statement (GPad) - March 2017, Noise Impact Assessment (Clarke Saunders)(14 March 2017).



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 the original permission granted on 21/12/2016 under reference 2016/5939/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 For the purposes of this decision, condition no.3 of planning permission 2016/5939/P shall be replaced with the following condition:

REPLACEMENT CONDITION 3

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

527-EX.01, 527-EX.02, 527-EX.03, 527-EX.04, 527-EX.05, 527-EX.06, 527-EX.07, 527-EX.08, 527-EX.09 REV A, 527-EX.10 Rev A, 527-EX.11, 527-EX.13, 527EX.14, 527-EX.15, 527-EX.16, 527-EX.17, 527-EX.18, 527-EX.19, 527-EX.20, 527-EX.21 527-AS.01 Rev A, 527-AS.02 Rev A, 527-AS.03 Rev A, 527-AS.04 Rev A, 527-AS.05 Rev A, 527-AS.06, 527-AS.07, 527-AS.08 Rev A, 527-AS.09, 527-AS.10, 527-AS.11 Rev A, 527-AS.12, 527-AS.13, 527-AS.14 Rev A, 527-AS.15, 527-AS.16 Rev A, 527-AS.17, 527AS.18, 527-AS.19, 527-AS.20 Rev A, 527-AS.21, 527-AS.22 Rev A, 527-AS.23, 527AS.24, 527-AS.25 Rev A, 527-AS.27, 527-AS.28, 527-AS.29, 527-AS.31 Rev A, 527-AS.32 Rev A, 527-AS.33 Rev A, 527-AS.34, 527-AS.35, 527-GA.01, 527-GA.02, 527-GA.03 Rev A, 527-GA.04 Rev A, 527-GA.05 Rev A, 527-GA.06 Rev A, 527-GA.07 Rev A, 527-GA.08, 527-GA.09, 527-GA.10 Rev A, 527-GA.11 Rev A, 527A - GA.12, 527A - GA.13, 527A - GA.14, Design & Access Statement (GPad) - March 2017, Planning Statement (CBRE) (28th October 2016), Historic Building Report (Donald Insall Associates) (October 2016), Noise Impact Assessment (Clarke Saunders)(14 March 2017).

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

- 4 The roof terrace hereby approved shall not be used between 1900 hours and 0800 hours.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26, DP28 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 5 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.

- 6 Prior to use, new plant or equipment and any associated 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 Reasons for granting permission.

This application seeks permission for revisions to the previously approved proposal following further detailed design and technical work necessitating alterations to the replacement plant at roof level.

A revised noise impact assessment has been submitted in support of the application which identified The London Film School as the nearest noise-sensitive location, situated on the opposite site of Shelton Street approximately 17m away from the AC units. The proposal includes the installation of 10 x air conditioning units within the existing rooftop plant enclosure. The noise assessment concluded that the proposed plant would be at least 5dba below existing background levels,

and would comply with Camden's noise standards for 24 hour use. The Council's Environmental Health Officer has assessed the proposals and confirms that compliance can be met with no additional mitigation. It is therefore recommended that permission is granted subject to the condition that the external noise level emitted from the plant remains lower than the lowest existing background noise level by at least 5dBA, or by 10dBA where the source is tonal. Due to the location and nature of the proposals, they are not considered to impact neighbouring amenity in terms of outlook, privacy or daylight/sunlight.

No other external alterations are proposed as part of this application and no changes are proposed to the existing plant enclosure. The development is therefore considered to preserve the special character and appearance of the host building and the wider conservation area.

No objections have been received prior to making this decision. One comment has been received from the Covent Garden Community Association, re-iterating their comments on the previously approved scheme.

The planning history of the site and surrounding area were 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, D1, and D2 of the Camden Local Plan Submission Draft 2016. The proposed development also accords with The London Plan March 2016, and the National Planning Policy Framework 2012.

- 2 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).
- 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 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-](http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en)

[contacts/environment/contact-the-environmental-health-team.en](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.

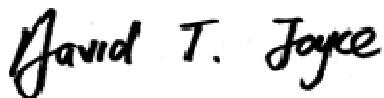
- 4 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 5 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



David Joyce
Director of Regeneration and Planning