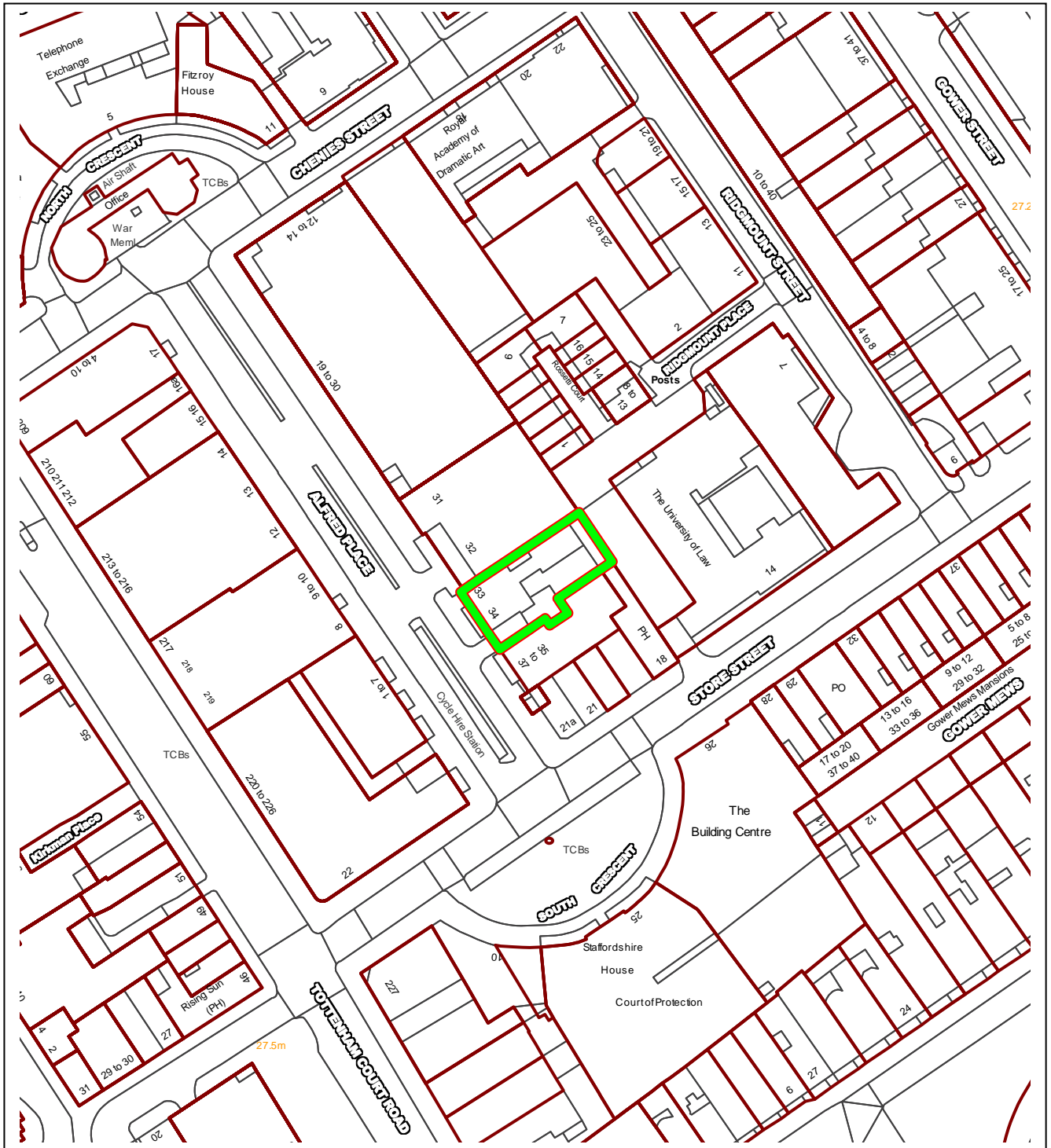


33-34 Alfred Place, ref: 2017/1689/P



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Photo 1 - Rear Elevation from Ridgmount Place



Photo 2 - Rear Elevation



Photo 3 - Roof Level



Photo 4 - Residential flats to the rear (Rossetti Court)



Photo 5 - Rossetti Court

Delegated Report		Analysis sheet		Expiry Date:		25/05/2017	
(Members Briefing)		N/A		Consultation Expiry Date:		26/07/2017	
Officer				Application Number(s)			
Robert Lester				2017/1689/P			
Application Address				Drawing Numbers			
33-34 Alfred Place London WC1E 7DP				See Draft Decision Notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Installation of 6 x air conditioning units in the plant area on the 5th floor.							
Recommendation(s):		Grant conditional planning permission					
Application Type:		Full Planning Permission					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	0	No. of responses	10	No. of objections	10
Summary of consultation responses:	<p>Three site notices were erected (on Alfred Place, Store Street and Ridgmount Place) on the 20/04/2017 and a press notice was placed in a local newspaper on the 27/04/2017. A re-consultation was undertaken by erecting three site notices (on Alfred Place, Store Street and Ridgmount Street) following the submission of a noise survey on the 05/07/2017. The consultation period expired on the 26/07/2017.</p> <p>9 email/online objections were received together with 1 additional email objection signed by the residents of Rossetti Court (10 objections in total)</p> <p><i>First Consultation:</i></p> <ol style="list-style-type: none"> 1. The increased noise and disturbance would impact on the amenity of local residents within Rossetti Court to the rear (including children). The site is already located in a noisy area including existing plant at the application site and at the adjacent School of Law. Details of the proposed hours of operation, noise output and mitigation together with details of maintenance/servicing should be submitted. 2. Increased air pollution and heat from the proposed plant would impact on the amenity of local residents. <p><i>Re-Consultation:</i></p> <ol style="list-style-type: none"> 3. The comments made by residents in response to the first consultation have not been taken into account. 4. The site notice at the rear of the site closest to residents was placed in a different position in the re-consultation. It was placed on Ridgmount Street rather than Ridgmount Place, which is further away from Rossetti Court. As a result residents were not aware of the re-consultation. 5. The people who had commented on the original application were not directly contacted about the re-consultation. 6. The noise survey does not appear to give details of how the developer would mitigate the proposed plant noise in this location, which is already a very noisy environment that the local residents are suffering 24/7. 7. The residents would like to know who at the Council would be professionally reviewing and assessing the noise assessment/noise impact. 8. Were the daytime/nighttime background noise levels measured at Rossetti Court? 9. Why has the noise assessment assumed that the noise from existing larger mechanical plant in the vicinity may be tonal? 10. No details are included about installing a noise barrier/screening. 11. The noise report appears to conclude that the surrounding area is mainly commercial and it is quite noisy already so a few more air conditioning units will be ok and will not make any difference. 12. The residents cannot sleep with their windows open at night due to the existing noise. 13. How will the Council ensure that the plant units operate during office hours? 					

14. Has the noise consultant factored in the impact of wind direction on the noise impact?
15. There are also residential properties on Store Street to the south.

Case Officer's Responses.

1. *The submitted noise survey has demonstrated that the proposed plant units would comply with the Council's noise requirement to be 10dB below background noise levels. The development would therefore not affect the amenity of nearby residents. A planning condition would be applied requiring the development to meet the specified noise standard, therefore details of maintenance are not required.*
2. *The proposed plant units would be air conditioning units and would not increase air pollution or heat pollution.*
3. *The comments made by residents in response to the first consultation were taken into account and a noise impact assessment was subsequently requested from the developer.*
4. *The site notice to the rear of the site was placed in a different location on Ridgmount Street rather than Ridgmount Place on the re-consultation. However, it is not considered that this has prejudiced local residents. The Council exceeded the statutory requirements for consultation by erecting three site notices close to the site. 9 objections were received together with a petition signed by the residents of Rossetti Court which have raised concerns regarding the noise impact.*
5. *The people who had commented on the original application were not directly sent a formal re-consultation, as there is no statutory requirement for the Council to do this and it is not within its procedure. The Council re-consulted local residents following the submission of a noise survey by erecting three-site notices close to the site. However, the people who had commented on the original application were sent an informal email advising them that a noise survey had been submitted. This meant that the Council went above and beyond the statutory requirements.*
6. *The noise survey confirms that no additional mitigation is necessary. Taking into account the existing mitigating factors such as the location of the plant and the screening provided by the parapet, it calculates the worst case cumulative noise level with all units operating together as 24dB daytime and 22dB at night-time which is more than 10dB below background levels in compliance with the Council's requirements.*
7. *The submitted noise survey has been reviewed/assessed by the Council's Environmental Health Officer who is suitably qualified professional for the assessment of noise surveys.*
8. *The daytime/night-time noise levels were taken from a position at the rear of the site at second/third floor level facing Rossetti Court. This is considered to be a suitable location, considering the location of the nearest noise sensitive receptor at Rossetti Court.*
9. *The developer has applied the more stringent 10dB below background level requirement normally applied for tonal noise (as opposed to 5dB).*
10. *No noise barrier/screening is required, as the proposed plant would not impact on nearby residential properties (see point 6 above).*
11. *The noise survey demonstrates that the noise impact of the plant units operating together would comply with the Council's noise requirements of 10dB below existing background noise level. The noise from the proposed plant would be between 26dB (daytime) and*

	<p>28 dB (nighttime) lower than the existing background noise level.</p> <p>12. The residents can report any existing noise issues in the area to Environmental Health for investigation. However, the proposed development has been assessed as having an acceptable noise impact.</p> <p>13. The Council would apply a planning condition to ensure that the daytime plant units (2 of the 6 units proposed) would operate during the daytime only.</p> <p>14. The noise survey considered the weather conditions on the day of the noise survey and stated that the conditions were acceptable for the noise survey. The Environmental Health department do not consider that wind would have a significant impact on noise in this location due to the enclosed location of the site.</p> <p>15. The residential properties to the south on Store Street do not have direct line of sight and are screened by the adjacent building at 35-37 Alfred Place.</p>
<p>CAAC/Local groups* comments:</p>	<p><u>Bloomsbury CAAC</u></p> <p>No response</p>

Site Description

The application site is located at 33-34 Alfred Place, which is a 7 storey office building located to the east of Tottenham Court Road within the Bloomsbury Conservation Area. The site does not contain any listed buildings. The application relates to the roof of the 5-storey rear wing, which faces towards Ridgmount Place at the rear.

There is a residential block of flats called Rossetti Court to the rear of the site on Ridgmount Place. There are also residential properties to the south of the site on Store Street.

Relevant History

9200480 - Continued use for purposes within Class B1 (business use) of the Town and Country Planning (Use Classes) Order 1987 as shown on photo and site plan - Granted - 02/07/1992.

PSX0204231 - Installation of two wall mounted air-conditioning condensers within rear internal lightwell at first floor level. - Granted - 16/04/2002.

2015/4464/P - Alterations to existing building, including new shopfronts, roof terraces at 5th and 7th floor levels, ground floor cycle store, creation of lightwell, and rooftop plant, enclosures and ductwork – Granted subject to s.106 - 08/01/2016.

2016/0883/P - Alterations to the approved external works, namely new free-standing railings to the rear at first and second floor level; alterations to access ramp at ground floor level; new outward opening door on Alfred Place Frontage; and omission of light well and railings to the Alfred Place frontage as amendment to planning permission reference 2015/4464/P dated 08/01/16 (for alterations to existing building, including new shopfronts, roof terraces at 5th and 7th floor levels, ground floor cycle store, creation of lightwell, and rooftop plant, enclosures and ductwork) – Granted - 08/03/2016.

2016/1231/P - Details of Environmental Noise Survey and Plant Noise Assessment in relation to condition 4 of planning permission 2015/4464/P dated 08/01/2016, for; alterations and refurbishment of existing building – Granted - 04/11/2016.

Relevant policies

National Planning Framework (2012)

The London Plan (2016)

Camden Local Plan (2017)

A1 Managing the impact of development

A4 Noise and Vibration

D1 Design

D2 Heritage

Camden Planning Guidance

CPG1 Design (2015)

CPG6 Amenity (2011)

Bloomsbury Conservation Area Appraisal and Management Strategy (2011)

Assessment

1. Proposal

1.1 The proposed development is for the installation of 6 x air conditioning units. The proposed units would each measure 1.1 m length, 3.7 m width and 0.7 m height. They would be sited on the roof of the 5-storey rear wing of the building, which faces onto Ridgmount Place. The units would be sited in a row 3 m from the north-flank elevation of the rear wing and 0.5 m from the east-rear elevation of the rear wing.

2. Design

2.1. Local Plan Policies D1 and D2 require development to respect local context and character and preserve or enhance the character of the conservation area.

2.2 The proposed plant units would be sited on the roof of the 5-storey rear wing and would be set below the roof parapet, which is 1 m high. The units would therefore not be visible from street level on Ridgmount Place to the rear and would have no visual impact on the character or appearance of the building or conservation area from public views. This part of the roof would be visible from the upper floor levels of surrounding high buildings, however, the proposed plant would have a functional appearance, there are existing plant and machinery units on this roof and they are also a common feature at roof level in the wider area.

2.3 Overall, the proposed plant and machinery would have not unacceptably harm the character and appearance of the building and would preserve the character of the conservation area in accordance with policies D1 and D2.

3. Amenity

3.1 Local Plan Policy A1 and Camden CPG6 (Amenity) seek to ensure that the amenity of neighbours is protected. Local Plan Policy A4 states that the Council will only grant permission for noise generating development, including any plant and machinery, if it can be operated without causing harm to amenity.

3.2 The proposed 6 x air conditioning units would be located on the roof of the 5-storey rear wing of the building, which faces towards Ridgmount Place at the rear. There is a residential block of flats called Rossetti Court to the rear of the site on Ridgmount Place, which is the closest residential building to the site. There are also residential properties at 18-19 Store Street to the south of the site.

3.3 The application has been submitted with a noise survey (undertaken by a qualified acoustic engineer), which considers the impact of the development on the nearest noise sensitive dwellings at Rossetti Court. The survey identifies that the nearest dwelling balcony/window in Rossetti Court is approximately 27 m from the proposed plant at a lower elevation. The 5th floor roof of the rear wing of the building has a 1 m high parapet, which would provide some acoustic screening for the proposed plant.

3.4 The survey states that 2 of the proposed plant units would operate between 8am -6pm to serve the offices at the site. These units would operate with a noise output level of between 44-46dB. The 4 other proposed plant units would serve data storage facilities at the site and would operate 24 hours a day. These 4 units would operate at a reduced load with a noise output level of 44dB.

3.5 The noise survey took background noise measurements from a position at the rear of the site at second/third floor level facing Rossetti Court. The background noise level was mainly influenced by existing plant noise emissions and occasional noise from nearby traffic and resulted in a noise level of between 50dB – 51dB.

3.6 The Council's standard for new plant and machinery is that development should not worsen the existing situation. New plant equipment needs to be lower than the existing background noise level by at least 5dB (by 10 dB when the noise is tonal), as assessed according to British Standard 4142, at the nearest and or most affected noise sensitive premises with all machinery operating together at

maximum capacity. The noise survey applied the more stringent criteria of 10dB below background noise level.

3.7 The noise survey states that the general cumulative noise output level for all of the proposed plant units operating together would be 40dB. However, it also considers the location of the proposed plant units, the distance between the proposed plant and the nearest noise sensitive balcony windows, plant directivity characteristics, geometrical spreading and the acoustic screening effects due to the rooftop parapet. Taking into account these mitigating factors, the noise survey calculates the worst-case cumulative noise level with all units operating together as 24dB daytime and 22dB at nighttime.

3.8 The noise survey therefore demonstrates that the noise impact of all 6 proposed plant units operating together would comply with the Council's noise requirements of 10dB below existing background noise level (which is 50 dB as stated in paragraph 3.5). The noise from the proposed plant would be between 26dB (daytime) and 28 dB (nighttime) lower than the existing background noise level.

3.9 The noise survey has assessed the impact on the nearest noise sensitive properties with a direct line of site of the application site, which is Rossetti Court to the rear. The residential properties to the south on Store Street do not have direct line of sight and are largely screened by the adjacent building at 35-37 Alfred Place.

3.10 The noise survey has been reviewed by the Council's Environmental Health officer who has no objections to the development.

3.11 Planning conditions would be added restricting two of the units to daytime hours only as specified in the submitted noise survey and requiring post installation testing of the plant to demonstrate that it complies with the projected noise levels.

3.12 The proposed air conditioning units would not materially affect localised air pollution and any heat generated would not impact on residents considering the distance to the nearest flats.

4. Conclusion

4.1 Overall, the proposed plant and machinery would have no impact on the character and appearance of the building would preserve the character of the conservation area and would not affect the amenity of nearby residents, all in accordance with policies A1, A4, D1 and D2.

5. Recommendation

5.1 It is recommended that planning permission be granted with conditions.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 7th August 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'.

Ms Fernandes
1 Lindsey Street
London
EC1A 9HP

Application Ref: **2017/1689/P**
Please ask for: **Robert Lester**
Telephone: 020 7974 **2188**

1 August 2017

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
33-34 Alfred Place
London
WC1E 7DP

DECISION

Proposal: Installation of 6 x air conditioning units in the plant area on the 5th floor

Drawing Nos: PL(03)001 00, PL(03)005 00, PL(03)015 00, PL(03)015 01, Design & Access Statement 24th March 2017 Rev 00, Environmental Noise Assessment EPL/7667/ENA/01 June 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 this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

Executive Director Supporting Communities



- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: PL(03)001 00, PL(03)005 00, PL(03)015 00, PL(03)015 01, Design & Access Statement 24th March 2017 Rev 00, Environmental Noise Assessment EPL/7667/ENA/01 June 2017.

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

- 3 Prior to use, plant equipment and 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 ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1, and A4 of the London Borough of Camden Local Plan 2017.

- 4 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(A) below the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises are not adversely affected by noise from plant/mechanical installations in accordance with the requirements of policies A1, and A4 of the London Borough of Camden Local Plan 2017

- 5 Automatic time clocks shall be fitted to the proposed 2 x comfort cooling condenser units (Mitsubishi PUHZ-ZRP35VKA) hereby approved, prior to the commencement of the use, to ensure that this plant/equipment only operates between the hours of 07:30 - 19:00 Mondays to Fridays. The timer equipment shall thereafter be permanently retained and maintained in accordance with the manufacturer's recommendations.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises are not adversely affected by noise from plant/mechanical installations in accordance with the requirements of policies A1, and A4 of the London Borough of Camden Local Plan 2017.

- 6 The roof plant and equipment hereby approved shall be removed from the building as soon as reasonably practicable when it is no longer required.

Reason: In order to minimize the impact on the appearance of the building and local environment in accordance with the requirements of policies A1, D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (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, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.

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

DECISION