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10 November 2017

Sofie Fieldsend
Planning – Development Control
London Borough of Camden
5 Pancras Square
London
N1C 4AG

PP Ref - 06529365

Dear Sir / Madam,

HERBAL HOUSE, 10 BACK HILL, LONDON, EC1R 5EN
APPLICATION TO DISCHARGE CONDITION 2(c) (ROOF LEVEL PV), CONDITION 7 (PHOTOVOLTAIC CELLS), CONDITION 14 (COMMERCIAL PLANT), CONDITION 17 (MECHANICAL VENTILATION) AND CONDITION 18 (CHP) OF PLANNING PERMISSION 2014/3683/P

We have been instructed by our client, Herbal House Investments Ltd, to seek approval for details reserved by Conditions 2(c), 7, 14, 17 and 18 of planning permission 2014/3683/P.

Planning permission 2014/3683/P related to the change of use of the former redundant education building to office and flexible office / retail use with a two storey roof level extension for residential.

Conditions to be Discharged

Condition 2 (c) (PV Details) requires that:

> *"Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:*
>
> *c) Details including sections of photovoltaic panels at roof level"*

Condition 7 (Photovoltaic Cells) largely duplicates this requirement and requests that:

> *"Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter."*

Condition 14 (Commercial Plant) requires that:

> *"Prior to first use of any of the commercial uses, hereby permitted, full details of a scheme for plant and equipment, including manufacturers specifications, noise levels and attenuation, shall be submitted to and approved by the Local Planning Authority in writing. The relevant uses shall not proceed other than in complete accordance with such scheme as has been approved. All such measures shall be retained and maintained in accordance with the manufacturers' recommendations."*

Condition 17 (Mechanical Ventilation) requires that:

> *"Before the development is first occupied, details of the location and specification of the mechanical ventilation intake shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and shall be implemented in accordance with the approved details and shall be permanently retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority."*

Condition 18 (CHP) requires that:

> *"Before the development is first occupied, details of the Combined Heat and Power engine shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that the development will comply with the Mayors 'Band B' NOx emissions standards. The development shall be implemented in accordance with the details approved and shall be permanently retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority."*

Planning permission 2014/3683/P was later varied by S.73 approval 2015/6052/P relating to lobby and window alterations. The effect of this later approval under S.73 'is the issue of a new planning permission, sitting alongside the original permission' (NPPG Ref 17a-016-20140306).

Notwithstanding this, the original planning permission remains intact alongside the amended S73 approval and it is in the interests of completeness that we are instructed to apply for the discharge of planning conditions 2(c), 7, 14, 17 and 18 of 2014/3683/P.

Updated and Additional Material

An application (ref. 2017/4940/P) to discharge the above conditions was submitted to LBC on 3 September 2017. The application was refused on 31 November 2017. The reasons given in the officer's report explain that certain information was considered to be missing from the submission or that further clarification was required to assist with the reading of plans and material.

The reasons for refusal and the comments raised in the officer's report are addressed in this submission as such:

<u>Condition 2(c) PV Panels</u>

- 863-PL-GS-BB (Rev 05) – Clarifies position of Section BB on the plan, annotates the plant screen shown on the section (not within the sun path of the PV panels, as clarified on the key plan and approved planning drawings);
- Additional drawing 863_SK_PL_001 has been prepared to show details of mounting frame, common to each bank of panels; and
- A roof level photograph of the panels is included to highlight installation system and the relationship with the building parapet.

<u>Condition 7</u>

- Solstice Drawing HERB3149.01.'Generation_Meter_Location' is provided to show the position of the generation meter within the Level 5 plant room;

- Solstice Drawing HERB3149.02.'As Built Layout' shows the position and specification of the inverter. The drawing confirms that the "Fronius inverter has 2 MPPT which in essence work like 2 different inverters for the 2 different orientation and to also mitigates shading". Solstice Energy have confirmed that this technology will counter different orientations in a single inverter;

- The enclosed ORSA Projects Letter dated 8th November 2017 and attached access plan explains how the roof is accessed and the 'mansafe' system operated;

- Drawing 863_SK_PL_001 shows the position and thickness of the mansafe rail in relation to the PV panels as installed. The rail itself has a 15mm diameter and is installed at a height of 225mm about roof level and 730mm from the nearest panel. Officers will note from this drawing and the enclosed photograph that the mansafe rail could have no possible shadowing effect;

- Solstice Drawing HERB3149.01.'As Built Layout' has been updated to more accurately show the arrangement of the banks of panels which are installed using the mounting system shown in detail Solstice Drawing HERB3149.01 'As Built Elevation';

- Performance calculations are provided by Solstice Energy to demonstrate that the panels will generate an estimates annual yield of 11,379 Kwh;

Condition 14

- The submission includes full details relating to the specification for commercial AHU units (as previously provided) and domestic MVHR units;

Condition 17

- Details are submitted of the residential MVHR specification showing intake and extract positions. Locations of MVHR air intake are detailed in drawing ref. 860-PL-GE-01. Details of the CHP flue is shown on drawing ref. MV-051. Details of the interaction between the air intakes and CHP flue is shown on the enclosed diagram which highlights the minimum 15m separation;

Condition 18

- Details of proposed Helec EM16NG unit performance evidence provided (ref. KWE_EN_sb-efficiency_20161112) confirming Band B is achieved. The CHP manufacturer has confirmed that the date provided shows the efficiencies and also the emissions @5% and also @0% and states that "*The NOx 0% is shown in kWh, which are always slightly higher than m3. All conform with EU set standards as shown on data sheet. This shows that the EM16NG unit is well below the maximum accepted by the Mayors band B criteria.*"

Summary of Material Provided

This application is for full discharge of conditions 7, 14, 17 and 18, and part discharge of condition 2(c), according to the above details as highlighted on the following plans and drawings:

Condition 2(c)

- 863-PL-GS-BB (Rev 05) – Section BB Proposed
- 863_SK_PL_001 – Back Hill Roof Section
- HERB3149.01.As_Built_Elevation (Rev 01) – As Built Elevation
- PTS-SL-01-TS34 – Technical Submission Solar PV
- Photo HH PV Panels – Photo showing PVs 'as built'

Condition 7

As above and in addition:

- HERB3149.01.Generation_Meter_Location (Rev 01) – Generation Meter Location
- 007_let-MC – Orsa letter explaining access strategy to Mansafe Unirail system
- HERB3149.02.As_Built_Layout – As Built Layout
- HERB3149.06_Generation_Calcs – Generation Calculations

Condition 14

- MV-051 (Rev AB1) – Fifth Floor Ventilation Services
- MV-061 (Rev AB1) – Sixth Floor Ventilation Services
- Vent Axia - Lo-Carbon Sentinel Kinetic data sheet
- WBS-50-05-M250_C01 (1) and (2)
- WBS-50-05-M251_C01
- WBS-50-05-M252_C01
- WBS-50-06-M260_C01
- WBS-50-06-M261_C01
- WBS-50-06-M262_C01

Condition 17

- SK-002 (Rev C) – Riser Co-ordination Sketch UG Floor
- SCH-2013 (Rev E) – Toilet Ventilation Schematic
- SCH-2016 (Rev A) – Boiler Room and CHP Supply Ventilation Schematic
- PTS-SL-01-TS77 – Attenuator Specification Document
- MV-051 – 5th Floor Ventilation Services
- Waterman Drawing Herbal House Flue & MVHR Termination - Roof Sketch

Condition 18

- PTS-SL-01-TS02 – Technical Submission CHP Unit
- KWE_EN_sb-efficiency_20161112 – Detailed performance evidence of Halec EM16NG unit

Assessment & Conclusion

The enclosed details show the proposed location and specification of the photovoltaic cells, commercial plant, mechanical ventilation and CHP.

The details of Solar PV demonstrate that the panels will be recessed from the upper parapet and that the angle of installation will ensure that they are not prominent in views from surrounding properties or public spaces.

The enclosed plant details demonstrate that the amenities of local residents will be preserved and that the proposal will not result in an unacceptable impact in terms of air quality.

We therefore request that the submitted details be approved without delay.

A cheque for £97 made payable to the London Borough of Camden, being the relevant application fee, has been posted under separate cover.

We trust the above is sufficient for you to validate the application but if you do have any queries or require any further information please contact Patrick Reedman ([redacted] of this office.

Yours sincerely

MONTAGU EVANS LLP

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