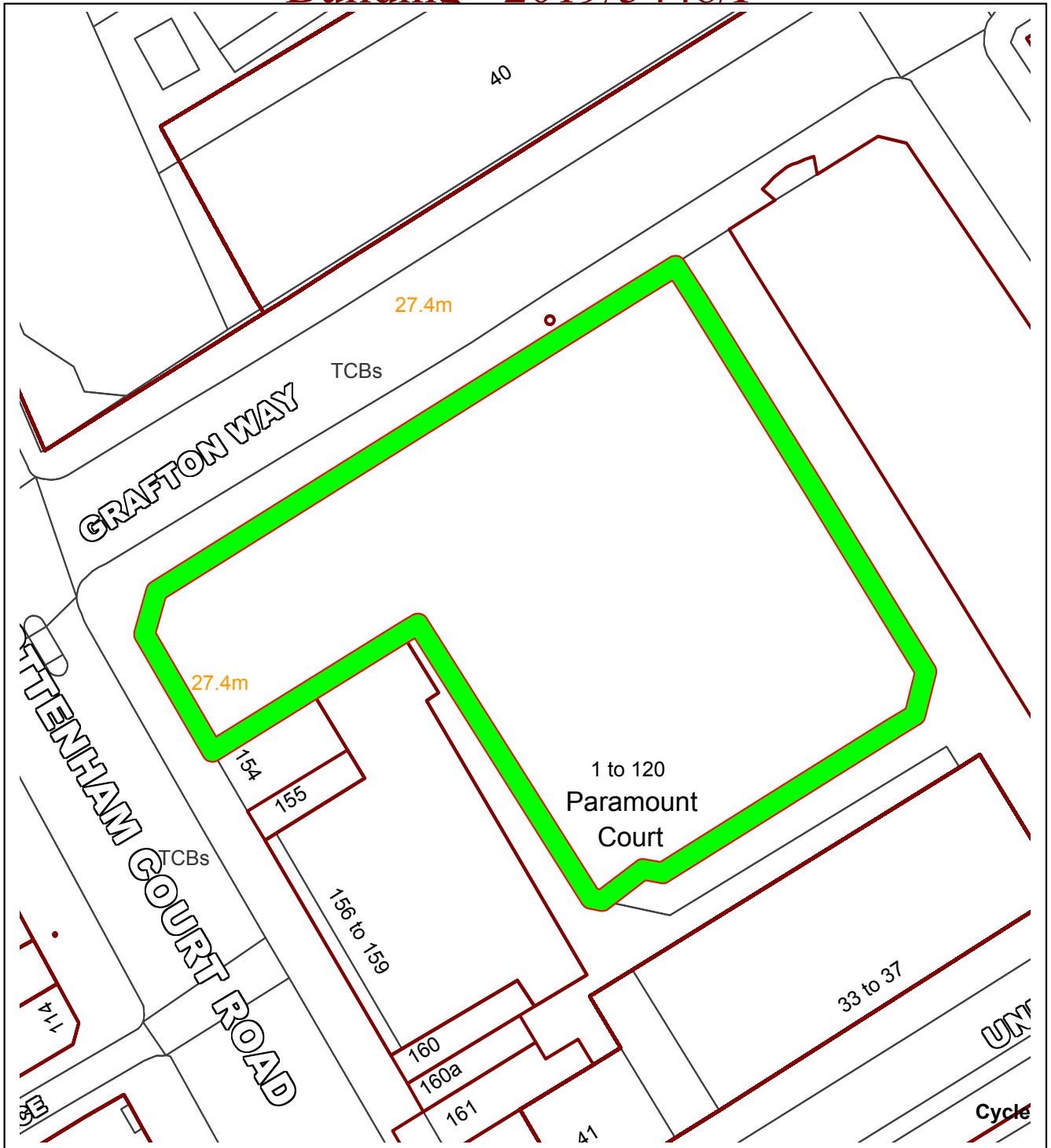
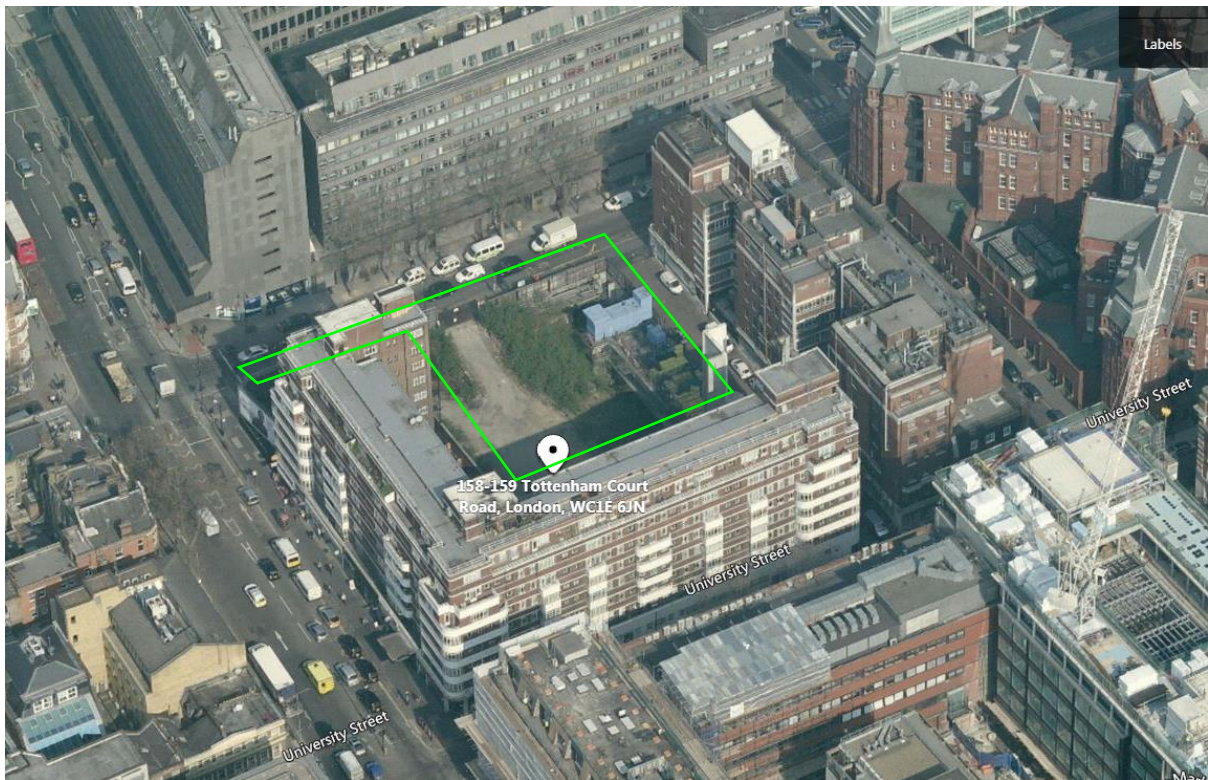


Former Odeon Site and Rosenheim Building - 2019/3448/P

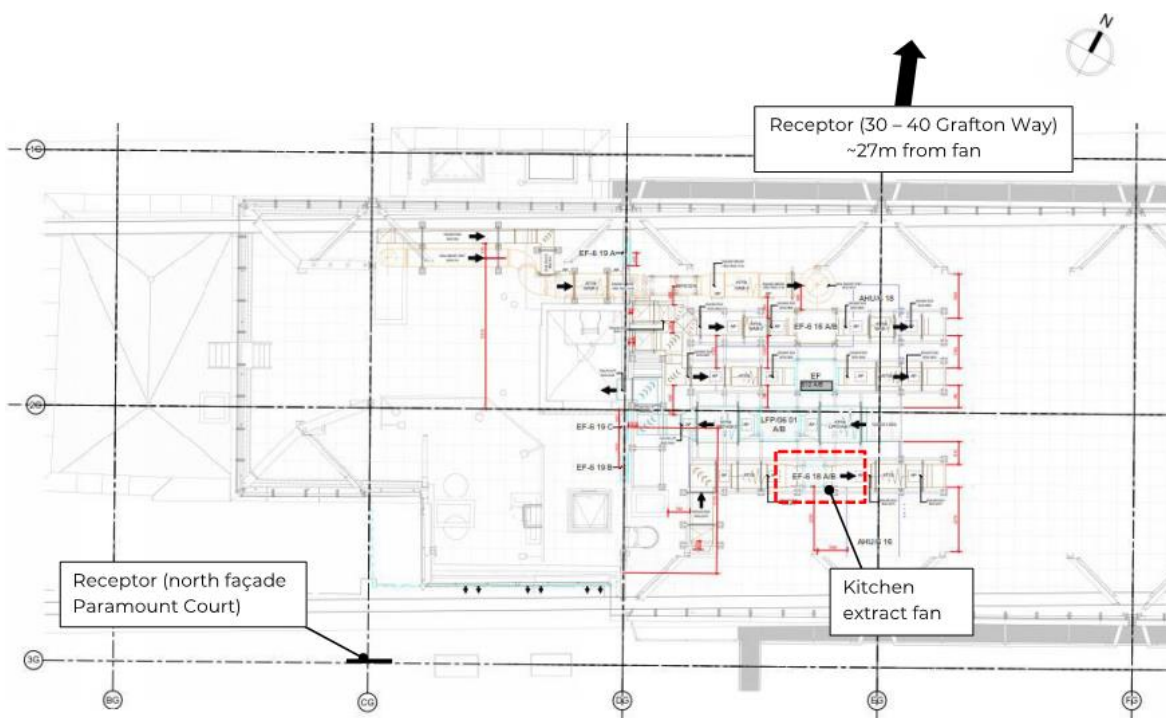


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Site photos



1. Aerial view of site (site outlined in green)



2. Site plan showing kitchen extract fan location in relation to nearest sensitive receptors

Delegated Report (Members Briefing)		Analysis sheet N/A	Expiry Date: Consultation Expiry Date:	11/10/2019 06/09/2019
Officer David Peres Da Costa		Application Number(s) 2019/3448/P		
Application Address Former Odeon Site and Rosenheim Building 25 Grafton Way London WC1E 6DB		Drawing Numbers Refer to Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Details pursuant to Condition 21 (kitchen extract system attenuation) of planning permission 2013/8192/P, dated 22/09/2014, for the redevelopment of the former Odeon site and demolition of the Rosenheim Building to provide a Proton Beam Therapy (PBT) cancer treatment facility and day surgery facilities.				
Recommendation(s):	Grant Approval of Details			
Application Type:	Approval of Details			

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
Summary of consultation responses:	There is no consultation requirement for applications to discharge planning conditions. Nevertheless any comments received would be duly taken into account. No comments have been received from interested parties.					
CAAC/Local groups* comments: *Please Specify	<p>Grafton Way Tenants and Residents Association - object</p> <p>The 30-40 Grafton Way Tenants and Residents Association asks that Condition 28 not be discharged. In the acoustic report we do not see reference to our building which runs directly opposite the Proton site, for most of its length. The report speaks only of flats at the top of the neighbouring building, Maple House. 30-40 Grafton Way has 134 flats, with less than half that number being directly opposite the UCH development. Our flats are located from 1st to 8th floors.</p> <p>Low-level constant noise is not acceptable. Although the acoustic report states high levels of background noise this is not continuous, we treasure the moments of silence, of course we had many more of these before the preparatory work for the UCLH development commenced.</p> <p>It is unclear to me if by requesting discharge of this condition that UCLH are trying to get away with the requirement to do noise checks after installation and before handover to show compliance with the standards in the report? If so what measures will they have to apply to attenuate the noise and how are they proposing to control it? If it is found our residents have an increase in noise this must be mitigated immediately, BEFORE the hospital becomes operational.</p> <p><i>Officer's comment:</i></p> <p><i>The submitted acoustic report has been amended so that it explicitly refers to 30-40 Grafton Way. The submitted report indicates the cumulative plant noise level from the kitchen extraction system would comply with the noise thresholds set out in condition 24 of planning permission 2013/8192/P (i.e. 5dB(A) below the existing background noise). The submitted details have been reviewed by the Council's Environmental Health Officer and demonstrates that the amenities of the adjoining premises and the area generally would be appropriately safeguarded.</i></p> <p><i>In relation to the concern that noise checks before handover are being avoided, condition 28 of the parent permission 2013/8192/P includes a requirement for a noise survey to be carried out to confirm the noise from the machinery meets the noise criteria set out in condition 24. The noise survey is required to be submitted on commissioning the machinery and prior to the building being occupied. The applicant had been reminded of the</i></p>					

	<p><i>requirement to discharge the noise survey part of condition 28. Please refer to 'planning history' section of the report below.</i></p>
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Site Description

The application site comprises the 7-storey Rosenheim building and the former Odeon Cinema site. The site has a total area of 0.38 hectares (0.9 acres) and is bound by Grafton Way, Huntley Street, University Street and Tottenham Court Road as well as the intervening buildings, Paramount Court and the Jeremy Bentham public house.

The site is within the Bloomsbury Conservation Area. The Rosenheim is not statutorily listed however, it contributes to the setting of the grade II listed Cruciform Building, and its positive architectural features are acknowledged.

Planning permission was granted 22/9/14 for the redevelopment of the site to provide a Proton Beam Therapy (PBT) cancer treatment facility and day surgery facilities in a 7 storey development plus basement. This permission is being implemented and the development is under construction.

Relevant History

2013/8192/P: Redevelopment of the former Odeon site and demolition of the Rosenheim Building to provide a Proton Beam Therapy (PBT) cancer treatment facility and day surgery facilities in 4 levels of basement; inpatient medical facilities and a ground floor retail unit (175 sq m approximate GIA) in a 7 storey development above ground (34,596.5 sq m GIA in total) including roof plant, a new pedestrian entrance on corner of Grafton Way and Huntley Street, a new service entrance on Huntley Street, a ground floor drop-off area off Grafton Way, and three roof gardens; and the relocation of the oxygen tanks to University Street frontage inside a new enclosure. Granted Subject to a Section 106 Legal Agreement 22/09/2014

2015/2771/P: Variation of conditions 5, 8, 12, 15, 22, 25, 26, 33 and 34 of planning permission (2013/8192/P) dated 17/12/2013 for redevelopment to provide a Proton Beam Therapy (PBT) cancer treatment facility, day surgery, inpatient medical facilities and retail unit. Granted Subject to a Section 106 Legal Agreement 18/09/2015

2019/0464/P: Variation of conditions 2 (approved plans) and 8 (waste storage) of planning permission (2013/8192/P) dated 17/12/2013 (for redevelopment to provide a Proton Beam Therapy (PBT) cancer treatment facility, day surgery, inpatient medical facilities and retail unit), namely to allow an increase both in height and the size of roof of the bin store; and to alter condition 8 to a compliance condition. Granted Subject to a Section 106 Legal Agreement 08/08/2019

2019/3686/P: Details of acoustic report required by condition 28 of planning permission 2013/8192/P, dated 22/09/2014 (as amended by 2015/2771/P dated 18/09/2015), for the redevelopment of the former Odeon site and demolition of the Rosenheim Building to provide a Proton Beam Therapy (PBT) cancer treatment facility and day surgery facilities.

The above application (2019/3686/P) is currently being assessed and the applicant has been advised the first part of Condition 28 has been met. However, the 2nd paragraph requires a noise survey to be undertaken once the plant has been commissioned to demonstrate compliance. Therefore Condition 28 has been partially met and further work is required to discharge Condition 28 in its entirety. Details of the wording of Condition 28 is provided below.

Condition 28

Prior to the installation of any plant (except for the vacuum insulated evaporator and the stand by generator) an acoustic report shall be submitted to and approved by the Local Planning Authority detailing how the required noise criteria as outlined within condition 24 will be met for each item of plant installed. Any attenuation measures detailed within the acoustic report

approved by the Local Planning Authority shall be installed prior to occupation and remain in place for the lifetime of the development.

On commissioning the machinery and prior to the building being occupied a noise survey shall be carried out to ascertain the above noise criteria from the machinery are being met. An acoustic report shall be submitted for the approval of the Local Planning Authority. The Acoustic Report shall clearly contain map/plan showing all measurements locations, tabulated and graphically raw data, calculations /façade corrections /assumptions made, time date, etc.

(ii) All plant and machinery, and ventilation ducting shall be installed so as to prevent the transmission of noise and vibration within or at the boundary of any noise sensitive premises either attached to or in the vicinity of the premises to which this application refers.

Relevant policies

NPPF 2019

Local Development Framework Core Strategy 2010

CS5 Managing the impact of growth and development

CS7 Promoting Camden's centres and shops

Local Development Framework Development Policies 2010

DP26 Managing the impact of development on occupiers and neighbours

Assessment

1. Proposal

- 1.1. Details of the kitchen extract system attenuation to discharge Condition 21 have been submitted.
- 1.2. The wording of condition 21 is set out below:
- 1.3. *Prior to the installation of any kitchen extract system, details of how the system will be sound attenuated and isolated from the structure shall be submitted to and approved by the Council such that the use can be carried out without detriment to the amenity of adjoining or surrounding premises and in accordance with the noise criteria outlined in condition number 24. Prior to occupation, the approved measures shall be installed and remain in place for the lifetime of the development.*

2. Assessment

- 2.1. Noise and amenity
- 2.2. The fan would be mounted on steel spring anti-vibration isolators to prevent the transfer of structure borne noise to patient bedrooms below.
- 2.3. The fan would be located on the Level 6 roof, close to Core 1 at the western end of the Grafton Way building. Duct-mounted attenuators would be provided on the fan intake and discharge sides.
- 2.4. The roof around Core 1 plant would be fitted with acoustic louvres which, in conjunction with rooftop plantroom structures, would form an open-top enclosure around the plant. The nearest sensitive facade has been identified at the top floor apartment at the northern end of Paramount Court. This window is approximately one storey below the Level 6 roof. Windows of apartments at the upper storey of 30–40 Grafton Way would be further from the fan, but at a similar level.
- 2.5. Background noise levels surveyed on the Grafton Way boundary of the development site did not fall below 52dB LA90, 15min in any surveyed 24-hour period. It is expected that, with its view of Tottenham Court Road, background noise levels at the Paramount Court receptor window were no lower than the measured levels.
- 2.6. In order for the cumulative noise level from all plant affecting the ambient noise at the receptors not to exceed the conditioned 47dB LAeq (5dB below the background noise levels), an individual noise emission limit of 27dB LAeq has been adopted for fan design purposes.
- 2.7. Fan noise levels have been calculated at the windows of the nearest affected receptors. These show that kitchen extract noise is not expected to exceed 27dB LAeq at the upper floors of Paramount Court or 26dB LAeq at 30 – 40 Grafton Way. Furthermore, the properties along Grafton Way would be located approximately 27m from the extract fan which would further mitigate any noise impact.
- 2.8. The submitted report indicates the cumulative plant noise level from the kitchen extraction system would comply with the noise thresholds set out in condition 24 of planning permission 2013/8192/P. The submitted details have been reviewed by the Council's Environmental Health team and demonstrate that the amenities of the adjoining premises and the area generally would be safeguarded.

2.9. Conclusion

2.10. Grant approval of details

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 28th October 2019, 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'.

Application ref: 2019/3448/P
Contact: David Peres Da Costa
Tel: 020 7974 5262
Date: 23 October 2019

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JLL
30 Warwick Street
London
W1B 5NH

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Approval of Details Granted

Address:

Former Odeon Site and Rosenheim Building
25 Grafton Way
London
WC1E 6DB

DECISION

Proposal:

Details pursuant to Condition 21 (kitchen extract system attenuation) of planning permission 2013/8192/P, dated 22/09/2014, for the redevelopment of the former Odeon site and demolition of the Rosenheim Building to provide a Proton Beam Therapy (PBT) cancer treatment facility and day surgery facilities.

Drawing Nos: Kitchen Extract Fan Sound Attenuation prepared by Clarke Saunders Associates dated 07 October 2019

Informative(s):

- 1 You are reminded that conditions 18 (Green roof), 23 (Odour abatement measures), 30 (Acoustic report - commissioning of generator), 32 (lighting) and 37 (Piling) of planning permission 2013/8192/P dated 22/09/2014 (as amended by 2015/2771/P dated 18/09/2015) are outstanding and require details to be submitted and approved.
- 2 You are advised that the details submitted for conditions 15 (Accessible features and facilities) and 28 (Acoustic report - plant) are currently being assessed.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

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

DRAFT

DECISION