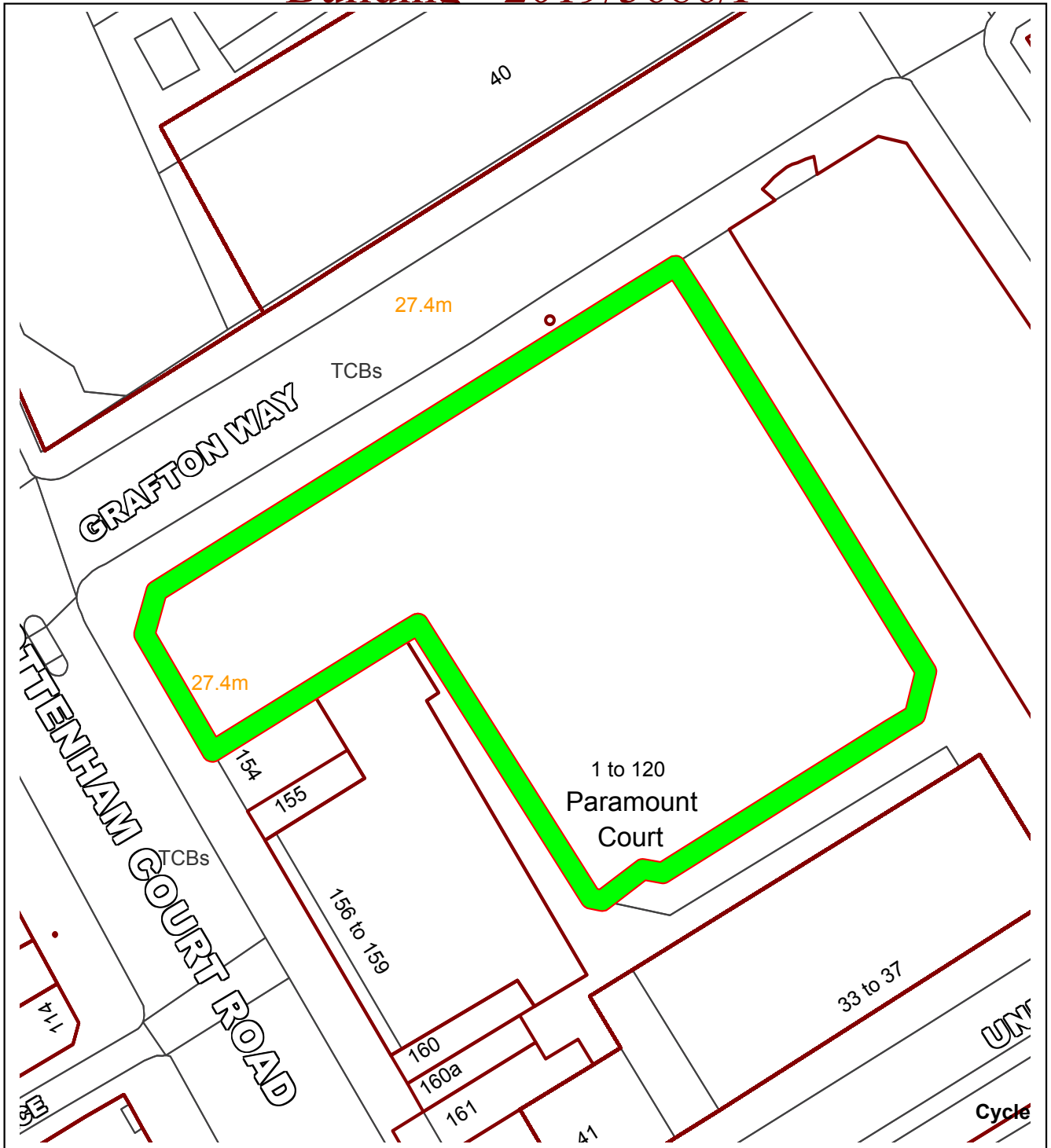
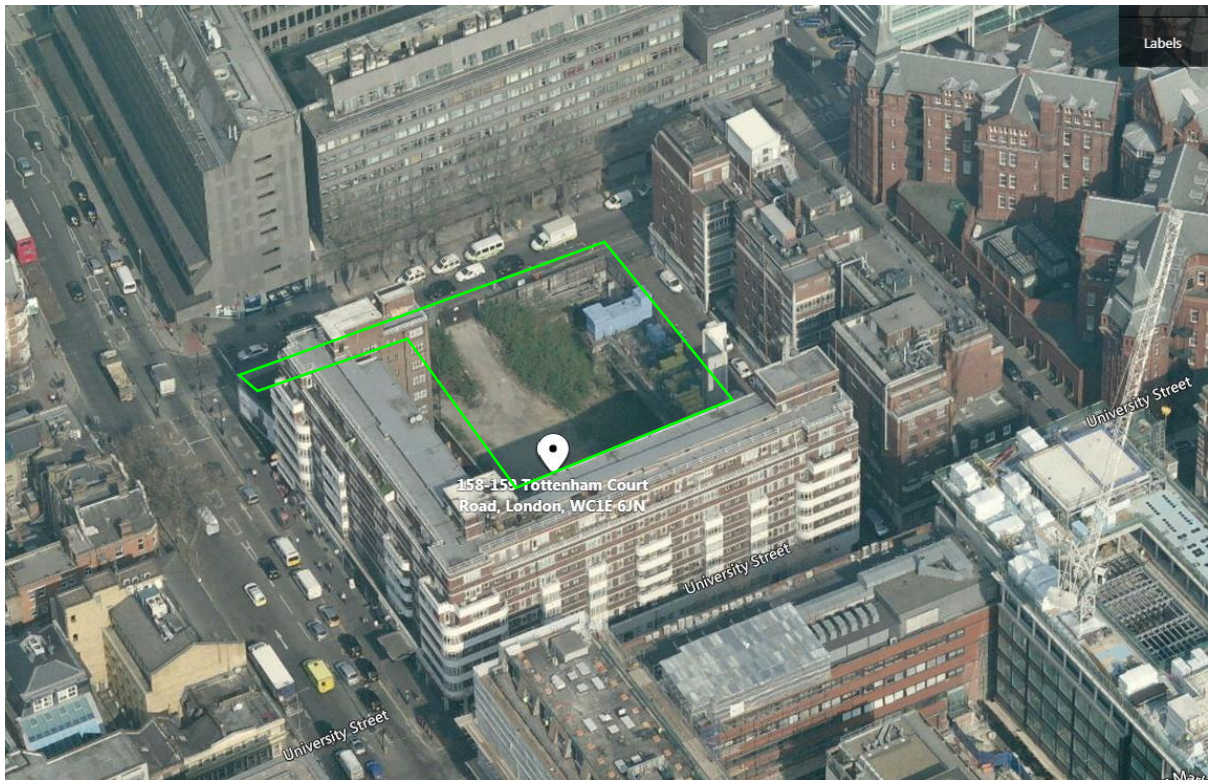


Former Odeon Site and Rosenheim Building - 2019/3686/P



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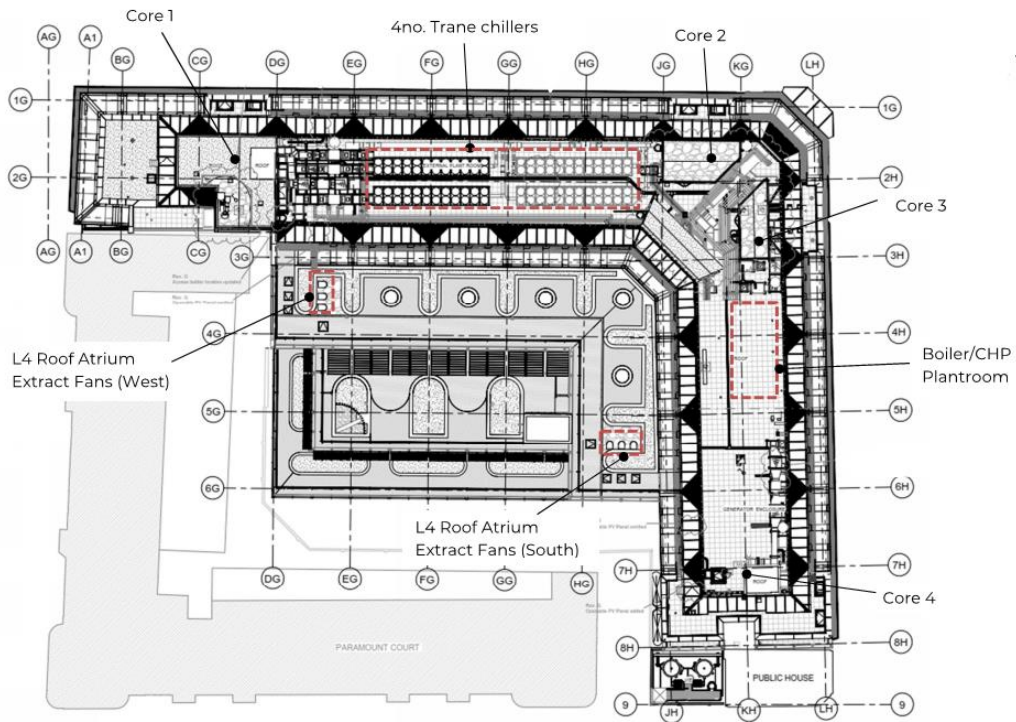
Site photos



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

General Arrangement Showing L4 and L6 Roof Plant

06 December 2019



 **clarke saunders**

Figure AS8175/SP28.2

2. Roof plan showing proposed plant

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	13/09/2019
		N/A	Consultation Expiry Date:	11/09/2019
Officer			Application Number(s)	
David Peres Da Costa			2019/3686/P	
Application Address			Drawing Numbers	
Former Odeon Site and Rosenheim Building 25 Grafton Way London WC1E 6DB			Refer to Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Details of acoustic report setting out pre-installation details of plant equipment, as required by part of 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.				
Recommendation(s):	Grant approval of details (in part)			
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	01	No. of objections	01
Summary of consultation responses:	<p>There is no consultation requirement for applications to discharge planning conditions. Nevertheless any comments received would be duly taken into account. One comment has been received from Flat 70, 30-40 Grafton Way.</p> <p>I can't see any reference to our building 30-40 Grafton Way in the Acoustic Report, this must be done before this condition can be discharged. No more noise should be directed at our flats. We already have ventilation noise coming from the Cruciform building which can make it hard to get to sleep. Having constant noise is irritating and causes stress for people. I have a baby and am worried about long term impacts on her.</p> <p><i>Officer's comment: The acoustic report has been amended so that it explicitly refers to 30-40 Grafton Way. The submitted report indicates the overall plant noise level from the plant areas would comply with the noise thresholds set out in condition 28 of planning permission 2013/8192/P (i.e. 5dB(A) below the existing background noise). The submitted details have been reviewed by Environmental Health and demonstrate that the amenities of the adjoining premises and the area generally would be safeguarded. See para 2.10-2.13 below.</i></p> <p>Councillor Harrison comments:</p> <p>Councillor Harrison requested to review the amended acoustic report prior to determination. Further information was sought as to the meaning of the colour coding in the noise report. The applicant's noise consultant confirmed that the colour-coding is a default setting of the software and has no particular relevance to the application site. Following clarification from the applicant's noise consultant Councillor Harrison had no further comments.</p>					
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>					

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.

Officer's comment: The acoustic report has been amended so that it explicitly refers to 30-40 Grafton Way. The submitted report indicates the overall plant noise level from the plant areas would comply with the noise thresholds set out in condition 28 of planning permission 2013/8192/P (i.e. 5dB(A) below the existing background noise). The submitted details have been reviewed by Environmental Health and demonstrate that the amenities of the adjoining premises and the area generally would be safeguarded. See para 2.10-2.13 below.

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 further noise survey to be submitted on commissioning the machinery and prior to the building being occupied. An informative would be included to remind the applicant of this requirement. See para 2.13 below.

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

Relevant policies

NPPF 2019

The London Plan March 2016, consolidated with alterations since 2011

Intend to Publish London Plan 2019

Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy A4 Noise and vibration

Policy D1 Design

Policy D2 Heritage

Camden Planning Guidance

CPG Amenity (March 2018)

Bloomsbury Conservation Area Statement (April 2011)

Assessment

1. Proposal

1.1. An acoustic report for proposed plant has been submitted to discharge Condition 28 of the parent application (ref: 2013/8192/P).

1.2. Condition 28 is set out below:

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.

1.3. Condition 24 required the following:

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).

1.4. Revision

1.5. Following concerns raised by objectors, the noise report was revised so that it explicitly referred to 30-40 Grafton Way.

2. Assessment

2.1. Noise and amenity

2.2. The following plant has been specified:

Basement level

2.3. The second basement level (B2) and its mezzanine (M2) would house the majority of the building's ventilation plant. Fresh air would be drawn into the plant via risers connecting to louvres at fourth floor level on the west and south sides of the Courtyard Building. Air would

be exhausted via raised louvres located at ground floor level with the drop-off bay on Grafton Way and louvres at high level in the ground floor façade on Huntley Street.

Level 4 Roof

- 2.4. Dual function ventilation/smoke extract fans would be located at the western and southern ends of the Level 4 atrium roof. Fans would be arranged in two arrays of three fans.

Level 6 Roof

- 2.5. Additional ventilation plant, chillers, boilers and medical gas plant would be located at Level 6 roof on the buildings fronting Grafton Way and Huntley Street. Ventilation fans would be arranged around risers located in Cores 1, 2 (Grafton Way west and east, respectively) and Cores 3 and 4 (Huntley Street north and south, respectively). Four chillers would be positioned on the Grafton Way building roof between Cores 1 and 2. A CHP/boiler plant room would be located to the south of Core 3.
- 2.6. The L6 roof would be fitted with visual screens approximately 3m high. These will be formed of areas of photovoltaic cells interspersed with architectural louvres. Cross-flow of air will not generally be required, such that louvres can be covered at the rear, creating an acoustic barrier at the roof edge on all sides.
- 2.7. The following noise sensitive receptors have been identified.
- Apartments in the Paramount Court building which borders the site to the west and south. The upper floor of this building is around one storey below the L6 roof, such that apartment windows will benefit from noise reduction from the roof screens.
 - The building at 30 - 40 Grafton Way opposite the site has apartments on its upper levels. Again, these receptors are expected to benefit from acoustic screening of roof plant; the lower levels will, however, have a clear view of the Grafton Way B2 plantroom exhaust louvres.
 - Windows at the upper levels of the Jeremy Bentham public house on the corner of Huntley Street and University Street have also been assumed to represent sensitive receptors for the purpose of this assessment.
- 2.8. Environmental noise monitoring has been undertaken prior to the demolition phase. The key findings of background noise level, LA90,T, during daytime and night-time periods are summarised below.

RECEPTOR (MONITOR LOCATION)	PARAMOUNT COURT REAR (SOUTHERN BOUNDARY OF VACANT SITE)	30 – 40 GRAFTON WAY (NORTHERN SITE BOUNDARY)	JEREMY BENTHAM PUBLIC HOUSE (ALLEY BETWEEN PUBLIC HOUSE AND PARAMOUNT COURT)
Minimum LA90,I Daytime 07:00h – 23:00h	50dB*	54dB*	53dB ⁻
Minimum LA90,T Night-time 07:00h – 23:00h	48dB*	52dB*	52dB ^I

* T = 15min

^I T = 5min

- 2.9. Overall noise emissions from various plant areas at each receptor have been modelled. The figures show that the noise emissions criteria set by Condition 24 are expected to be achieved at all receptors for the daytime and night-time periods (i.e. 5dB below the background noise levels).
- 2.10. The noise report has been reviewed by the Council's Environmental Health Officer. The report demonstrates that the submission addresses the pre-installation requirements of Condition 28 and demonstrates how the plant equipment would meet the requirements of condition 24. The remainder of condition 28 requires a noise survey to be undertaken once the plant has been commissioned. In order for condition 28 to be fully discharged a further acoustic report, demonstrating how the noise conditions have been met by the as-installed plant equipment, would be required to be submitted and approved by the local planning authority. Therefore Condition 28 has been partially met and further work is required to discharge Condition 28 in its entirety. An informative will be included on the decision notice to remind the applicant of this requirement.
- 2.11. **Conclusion**
- 2.12. Part discharge condition 28

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 3rd February 2020, 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: 2019/3686/P
Contact: David Peres Da Costa
Tel: 020 7974 5262
Date: 29 January 2020

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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 of acoustic report setting out pre-installation details of plant equipment, as required by part of 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.

Drawing Nos: Condition 28 Acoustic Report prepared by Clarke Saunders dated 6 December 2019

The Council has considered your application and decided to grant permission.

Informative(s):

- 1 You are reminded that conditions 23 (Odour abatement measures), 28 (Acoustic report - commissioning of plant), 30 (Acoustic report - commissioning of generator) 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.

You are advised that the details submitted for conditions 15 (Accessible features and facilities), 18 (Green roof) and 32 (lighting) are currently being assessed.

- 2 In order to fully discharge condition 28 a further acoustic report, demonstrating how the noise criteria in condition 24 have been met by the commissioned plant equipment, would be required to be submitted and approved by the local planning authority prior to occupation.

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>

DRAFT

Yours faithfully

Director of Regeneration and Planning

DECISION