

Application ref: 2020/0580/P
Contact: Tony Young
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Date: 13 May 2020

Development Management
Regeneration and Planning
London Borough of Camden
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Judd Street
London
WC1H 9JE

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Derwent London
25 Savile Row
London
W1S 2ER

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**90 Tottenham Court Road
London
W1T 4TJ**

Proposal:

Installation of 2 air-sourced heat pumps and associated pipework to roof area, including repositioning of existing 2 condensor units and installation of steel plant deck, access walkways, handrails, external lighting and fire alarms.

Drawing Nos: (5326/00/-)001, 107, 200, 201, 202; (5326/01/-)107, 200, 201, 202; (2863-)01 rev T1, 01-1 rev T2; M-RF-001 rev T01; Environmental Noise Survey and Plant Noise Assessment Report from Derwent Valley Central Ltd. (ref. 27350/PNA1-Rev2) dated 05/02/2020; Planning Statement from Derwent Valley Central Ltd. received 06/02/2020; Plant Equipment Cover Letter from Norman Disney & Young (ref. G-004 1.0) dated 11/03/2020; Heat Pump Specification document from RHOSS Spa dated 28/11/2019.

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).

- 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 D1 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: (5326/00/-)001, 107, 200, 201, 202; (5326/01/-)107, 200, 201, 202; (2863-)01 rev T1, 01-1 rev T2; M-RF-001 rev T01; Environmental Noise Survey and Plant Noise Assessment Report from Derwent Valley Central Ltd. (ref. 27350/PNA1-Rev2) dated 05/02/2020; Planning Statement from Derwent Valley Central Ltd. received 06/02/2020; Plant Equipment Cover Letter from Norman Disney & Young (ref. G-004 1.0) dated 11/03/2020; Heat Pump Specification document from RHOSS Spa dated 28/11/2019.

Reason:

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

- 4 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(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 15dB(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 policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 Prior to first use, all approved machinery, plant or equipment shall be provided with acoustic isolation, sound attenuation and anti-vibration measures as necessary, and in accordance with the scheme hereby approved, and thereafter shall be permanently retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting planning permission:

The host building is situated on the corner of Tottenham Court Road and

Howland Street with a retail unit at ground floor and 5 floors in office use above. The immediate surrounding area is characterised by commercial buildings of similar height.

The 2 air-sourced heat-pumps (measuring approximately 4.35m wide x 1.35m deep x 2.45m high) and associated pipework proposed as part of the provision of new building services would be located at roof level towards the north-west part of the building on Howland Street. The works also involve the repositioning of 2 condensor units, and installation of a steel plant deck, access walkways, handrails, external lighting and fire alarms. The roof already houses various other commercial plant and telecommunications equipment.

While the uppermost part of the heat-pumps would rise above the existing roof parapet by approximately 2.3m, the proposed rooftop location away from the more prominent elevation on Tottenham Court Road and the set-back position away from the roof edge (by approximately 2.2m), would ensure that the units would not be widely visible from within the public realm. This is particularly the case given the building's 6-storey height and only narrow, restricted views from within both Tottenham Court Road and Howland Street, as well as, the presence of mature trees which provide additional seasonal screening. It is noted that various existing telecommunications equipment and plant room enclosures are significantly more prominent on this rooftop by virtue of their height and location than that proposed.

The application is accompanied by a Environmental Noise Survey and Plant Noise Assessment Report from Derwent Valley Central Ltd. (ref. 27350/PNA1 Rev2) dated 05/02/2020. The nearest noise sensitive receptors to the proposed plant are identified as rear windows to the south-east of the plant location approximately 16m away. Given existing background noise levels, the report suggests that it should be possible to achieve the required levels in compliance with Camden's noise standards and such that local amenity is preserved. The Council's Environmental Health Team have reviewed the information and raise no objection to the development proposals. As a safeguarding measure, any approval would include a number of conditions to ensure that these noise standards are met and so that the amenities of the surrounding premises and the area generally is safeguarded.

As such, the proposal would not have any discernible impact upon the character and appearance of the building nor on the wider Fitzrovia East Neighbourhood Area, and there would not be any adverse impact on the amenity of any nearby residential occupiers in terms of increased noise levels. Overall, therefore, the proposal is considered to be acceptable.

The site's planning and appeals history has been taken into account when coming to this decision. No objections have been received following statutory consultation.

As such, the proposed development is in general accordance with policies A1, A4, D1 and CC1 of the Camden Local Plan 2017, the Fitzrovia Area Action Plan (Part 3: Visions and Objectives) 2014, the London Plan 2016, and the National Planning Policy Framework 2019.

- 2 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).
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444).

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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



Daniel Pope
Chief Planning Officer