

112 Great Russell Street, WC1B 3NQ 2019/1289/P



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Site photographs – 112 Great Russell Street. 2019/1289/P



1. Great Russell Street frontage. Note: AC units in position above YMCA signage, behind parapet wall. Other plant is visible at neighbouring parapets, not subject to this application.



2. View of A/C units in position above YMCA signage, behind parapet wall.



3. View of A/C units looking up towards YMCA Hostel room windows.



4. View of Bedford Avenue, St Giles Hotel frontage. Note: A/C units in position behind parapet wall.



5. View of A/C units looking up towards St. Giles Hotel room windows.

Delegated Report		Analysis sheet	Expiry Date:	30/12/2019
		N/A / attached	Consultation Expiry Date:	16/12/2019
Officer		Application Number(s)		
Matthew Dempsey		2019/1289/P		
Application Address		Drawing Numbers		
112 Great Russell Street London WC1B 3NQ		See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of 2 x condenser units on Great Russell Street and 1 x condenser unit on Bedford Avenue facades at second floor level (Retrospective) and installation of screening with zinc finish.				
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	00	No. of responses	01	No. of objections	01
Summary of consultation responses:	<p>A Site notice was displayed from 05/04/2019 which expired 29/04/2019.</p> <p>The owner/occupier of 118 Bedford Court Mansions, Bedford Avenue objected due to:</p> <ol style="list-style-type: none"> 1) the plant being relocated from the basement and the lack of disclosure of this matter at the time of determining 2015/3605/P allowed at appeal ref APP/X5210/W/16/3147078. <p><u>Officer response</u> <i>The application and subsequent appeal referred to here, although at a site within the same footprint, is not the same site address, the above being 112a Great Russell St, and the applicant/ business is a different operation.</i></p> <ol style="list-style-type: none"> 2) the work has already been carried out. 3) concerns over the management of A/C units at this building. 4) concerns about the acoustic survey. 5) concerns about existing A/C units operating at full capacity and the impact on residents and the environment. 6) the cumulative impact of noise. 7) they also support the Bloomsbury Association objection. <p><i>Officer response: Please see section 2 of report (Amenity) for full assessment of noise impacts. Please see also Officer response to Bloomsbury Association below.</i></p>					
CAAC/Local groups comments:	<p>The site is not within a conservation area, therefore there was no direct consultation with any CAAC.</p> <p>The Bloomsbury Association raised an objection on the grounds that;</p> <ol style="list-style-type: none"> 1. The application should be considered alongside the appeal decision ref: (2015/3605/P) APP/X5210/W/16/3147078, dated 04/11/2016. 2. The works have already been carried out during the application process. 3. They have queried the correct completion of the ownership certificate within the application. 4. They object to the sheer amount of plant on this building. 5. They question the reliability of the noise impact assessment submitted with the application. 6. They are concerned about the impact on residents using their balconies at Bedford court Mansions. 					

7. They have requested a consistent approach from the Council with regards to lowest background level.
8. They have queried whether the plant can operate and meet Camden's noise policy.

Officer response: Please see section 2 of report (Amenity) for full assessment of noise impacts.

1. *The application and subsequent appeal referred to here, although at a site within the same footprint, is not the same site address, the above being 112a Great Russell St, and the applicant/ business is a different operation.*
2. *Although works have been carried out without planning consent, the applicant has sought to regularise this by making the application for retrospective consent.*
3. *The applicant has signed Ownership certificate B and provided details as required.*
4. *The applicant is only responsible for the plant within the demise of their premises and is not accountable for areas outside of their control.*
5. *The noise impact assessment has been assessed as part of the application process to the satisfaction of the Council Environmental Health (Noise) Officer.*
6. *Following Officer advice, the introduction of the visual screening will improve their outlook by shielding both existing and proposed plant in place.*
7. *The Council has applied standard conditions to the decision notice to ensure a consistent approach, and;*
8. *Should there be any reason that the plant cannot operate and meet Council noise policy, the conditions added will protect residents through enforcement powers they convey.*

Following the revision to the scheme interested parties were notified and the Bloomsbury Association made further comments to uphold their objection whereby;

- 1) They raised the issue as described above in relation to ref: 2015/3605/P, APP/X5210/W/16/3147078.
- 2) They also raised a further issue with another appeal and enforcement case ref: APP/X5210/C/19/3223807 and EN18/1022-3223807.
- 3) They stated that the development would be unsafe.

Officer Response to further comment:

- 1) *The initial officer response remains.*
- 2) *Ref: 2015/3605/P, APP/X5210/W/16/3147078 does not relate to the applicant or the application under consideration. These references relate to another hotel within the footprint of the building, namely; St Giles Hotel.*
- 3) *The development would be required to adhere to planning, building control, environmental, health and safety, and; any other relevant legislation to ensure safety.*

Site Description

The application site is large brutalist style block of varying heights up to 14 storeys plus basement levels, facing Great Russell Street, Tottenham Court Road, Bedford Avenue and Adeline Place. There are a mixture of commercial uses at ground floor. The building houses both a YMCA Hostel, fronting Great Russell Street, and; St Giles Hotel, fronting Bedford Avenue.

The building is not listed, nor is it located within a conservation area, although it is in close proximity to the Bloomsbury Conservation Area and also sits within the boundary of the Fitzrovia Area Action Plan.

Relevant History

111/112 Great Russell Street) **2008/1328/P** - Installation of two air conditioning units on the first floor balcony facing Great Russell Street. **Granted 02/05/2008.**

- *These A/C units were installed in a similar but more prominent position on the corner of the building, and at a floor lower and than those proposed in the application under consideration.*

(112A Great Russell Street) **2015/3605/P** - Change of use of part ground floor and basement levels -4 and -5 from Car Park (sui generis) to 166 bedroom hotel (Class C1), including alterations to openings, walls and fascia on ground floor elevations on Great Russell Street and Adeline Place. **Refused 04/02/2016. Allowed at Appeal APP/X5210/W/16/3147078, 04/11/2016.**

2017/0487/P - Replacement of 4 heat pumps with 2 condenser units on the external balcony facing Bedford Court Mansions. **Granted 19/04/2017.**

- *These consented condensers are in place adjacent to the re-positioned A/C units under consideration in this application for retrospective consent under consideration.*

Relevant policies

National Planning Policy Framework (2019)

The London Plan (2016) and Intend to Publish London Plan (2019).

Camden Local Plan (2017)

A1 Managing the impact of development

A4 Noise and Vibration

D1 Design

D2 Heritage

CC1 Climate change mitigation

Camden Planning Guidance

CPG1 Design (March 2019)

CPG6 Amenity (March 2018)

Fitzrovia Area Action Plan (March 2014)

Policy F1 (Planning decisions in Fitzrovia)

Principle 9 (Residential Amenity)

Principle 10 (Sustainability and local energy networks)

Assessment

1.0 Proposal:

- 1.1 Planning permission is sought for retrospective consent for the relocation of 3 x air conditioning units from basement level, which have been positioned behind the parapet wall at second floor level. Two of the air conditioning units have been placed on the Great Russell Street elevation. One air conditioning unit has been placed on the Bedford Avenue elevation at second floor level. The units serve the YMCA building.
- 1.2 All units would operate between 0530 hrs and 2300 hrs only.
- 1.3 Following Officer advice, the proposals have been revised to include visual screening to reduce the visibility of the units from both Great Russell Street and Bedford Avenue. The proposed screening shall have a zinc finish to complement the existing materials in this location. The screening would be 1metre high above the existing parapet.

2.0 Assessment:

- 2.1 The main planning considerations in the determination of this application are:
 - i) The impact on the amenity of neighbouring residential occupiers, and;
 - ii) The design impact of the proposals on the host building and surrounding areas.

3.0 Amenity:

- 3.1 The Applicant has submitted a Noise Survey and Plant Impact Assessment by Holtz Acoustics. The report identifies the proposed specification of the units and the nearest noise sensitive windows on both Great Russell Street and Bedford Avenue to account for the location of both installations to the host building. On the Great Russell street side, the nearest noise sensitive window is approximately 15m away from the proposed A/C units. On the Bedford Avenue side, it is approximately 18.6m away.
- 3.2 Concerns have been raised by the Bloomsbury Association and a neighbouring resident about the potential noise from the air conditioning units in operation. 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 cause harmful noise disturbance to nearby residents. Additionally the units are mounted with anti-vibration isolators, and the hours of operation limited to 0530 hours to 2300 hours to reduce the chance of unacceptable noise transfer to nearby residents.
- 3.3 The Noise Survey and Plant Impact Assessment has been reviewed by the Council's Environmental Health officer who has no objections to the development, however they have requested conditions should be added to any approval and these have been added to the decision notice.
- 3.4 As a result, the units are considered to be in compliance with policies A1 and A4 of the Camden Local Plan 2017.

4.0 Design:

- 4.1 The proposed units are located at the 2nd floor of the building, set behind the parapet walls which blocks some views of the installation. Following Officer advice, revisions to the scheme have been received with screening to be installed to further shield both proposed locations and the other existing apparatus in place. Following this installation, the units would be less noticeable from street level. It is welcomed that existing apparatus shall also be shielded by the introduction of the screening. The screening material will be finished in a

zinc appearance which is considered to closely match the existing material in these locations and should integrate well with the host property.

4.2 The revision to the scheme to include screening is welcomed as this should reduce the visual impact of the proposed units.

4.3 Overall, it is considered that the proposed air conditioning units in their position behind the parapets at 2nd floor level with the addition of proposed screening would not harm the character and appearance of the host building and would preserve the character of the nearby conservation area in accordance with policies D1 and D2 of the Local Plan.

4.4 A condition would be attached to require the screening to be installed within 6 months from the date of permission and permanently retained. The timescale has been informed by current extenuating circumstances (COVID-19 pandemic) which means that work cannot be carried out in a shorter period.

4.5 There is no objection to the proposal in design terms. As such, the proposals are considered to be in accordance with policy D1 of the Local Plan.

5.0 Conclusion:

5.1 It should be noted that the applicant has carried out part of the development during the decision making process. They alerted the case officer that this had occurred who subsequently informed the applicant that any unconsented development would be carried out at their own risk, and potentially they may be asked to remove it should consent not be granted.

5.2 Following discussions with the case officer and in light of the objection from the Bloomsbury Association, the applicant have amended their proposal to include the specification of the screening as described above and shown on the proposed plans.

5.3 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 22nd June 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: 2019/1289/P
Contact: Matthew Dempsey
Tel: 020 7974 3862
Date: 18 June 2020

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

Tuckers Consultancy
Suite 9.03, 1 Exchange Tower
Harbour Exchange Square
London
E14 9GE

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

YMCA
112 Great Russell Street
London
WC1B 3NQ

DECISION

Proposal:

Installation of 2 x condenser units on Great Russell Street and 1 x condenser unit on Bedford Avenue facades at second floor level (Retrospective) and installation of screening with zinc finish.

Drawing Nos: Site Location Plan, YMCA-001, YMCA-002, YMCA-003, YMCA-004, Background Noise Survey and Plant Impact Assessment 04/11/2019, Design and Access statement 04/11/2019.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 Within six months of the date of this decision, the proposed screening shall be installed and permanently retained thereafter.

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.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans Site Location Plan, YMCA-001, YMCA-002, YMCA-003, YMCA-004, Background Noise Survey and Plant Impact Assessment 04/11/2019, Design and Access statement 04/11/2019.

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

- 3 Machinery, plant or equipment and 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 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.

- 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 nearby premises and the area generally in accordance with the requirements of policies G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 5 All new external work shall be carried out in materials that resemble, as closely as possible, in colour to 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.

Informative(s):

- 1 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.

- 2 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.

- 3 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).

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

DECISION