

MR/P08155  
3<sup>rd</sup> June 2021

London Borough of Camden  
Planning Department  
Town Hall  
Judd Street  
London  
WC1H 9JE

Dear Sirs

**33 EARLHAM STREET AND 8 SHORTS GARDENS, LONDON, WC2H 9LS**

**APPLICATION FOR PLANNING AND LISTED BUILDING CONSENT FOR THE INSTALLATION OF NEW PLANT WITHIN EXISTING ROOF PLANT ROOM, A NEW ACOUSTIC LOUVRED PANEL WITH ASSOCIATED EXTERNAL DUCTING AND INTERNAL WORKS.**

**PLANNING PORTAL REF: PP-09911202**

We write on behalf of our client and the applicant, Shaftesbury Covent Garden Limited, to submit a full planning application and listed building consent for the installation of a new condenser unit and louvred panel at 33 Earlham Street and 8 Shorts Gardens, London, WC2H 9LS.

This application has been submitted online via the Planning Portal and is accompanied by the following supporting documents:

- Planning Application Forms, *prepared by Rolfe Judd Planning*
- Site Location Plan, *prepared by Fresson & Tee Architecture;*
- Existing and Proposed Drawings, *prepared by Fresson & Tee Architecture;*
- Environmental Noise Assessment, *prepared by Quinn Ross Consultants;*
- Cooling Hierarchy Cover Letter, *prepared by Quinn Ross Consultants;* and
- Photographic Schedule, *prepared by Rolfe Judd Planning.*

It is confirmed that the requisite planning application fee of £462.00 has been paid electronically online via the Planning Portal.

**Site Location and Surrounding Area**

This application relates to ground floor unit (Class E) at 33 Earlham Street and 8 Shorts Gardens, which forms part of the wider Thomas Neals Centre. The building has a mix of existing uses, with commercial uses (Class E) on the ground floor and a mix of office (Class E) and residential (Class C3) on the first, second and third floor levels. An existing, modern plant room is at roof level which conceals various items of plant to serve nearby units and commercial premises. Access can be gained from either 33 Earlham Street or 8 Shorts Gardens.

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The properties are Grade II Listed, forming part of the wider Thomas Neal's Centre (previously known as the Craft Centre) and are located within Seven Dials (Covent Garden) Conservation Area. Historic England describes the building as follows:

*"Includes: Nos.8-26 SHORT'S GARDENS. Warehouse, probably originally a brewery; now a crafts centre. Mid C19. Stock brick; roof not visible. 3 storeys. 19 bays to Earlham Street, No.43 with splayed corner and return to Neal Street. Shorts Gardens elevation of 2 storeys. Brick band above ground floor. Segmental headed windows and doorways, those to ground floor on Earlham Street elevation set in segmental headed reveals. INTERIOR: internal structure comprises brick barrel vaults supported by cast-iron columns. Nos 29-41 (odd) and Nos 8-26 (even) Shorts Gardens were listed on 10/03/88".*

The Seven Dials (Covent Garden) Conservation Area Statement adds that:

*"Short's Gardens has predominantly 19th century commercial buildings. The triangle bounded by Short's Gardens, Earlham Street and Neal Street was converted in 1992 to a shopping development known as Thomas Neal's. Entrances to the shops are mostly located internally to maintain the appearance of the original warehouse ground floor windows. The whole block is listed Grade II".*

Whilst the building is recognised as being listed and contributing to the wider setting and character of the conservation area, it has become apparent through current and past investigation works that much of the internal fabric (and indeed external on certain parts of the building) are non-original. Instead, much of the historic internal fabric has been removed and replaced with significant levels of engineering structure in the form of steels and concrete which related to the former 1980's redevelopment scheme. Furthermore, the roof of the building is not mentioned in the listing and it is clearly non-original in form, character and materials.

### **Planning History**

Having reviewed the Council's online planning database, a number of listed building works have been consented over the past 10-20 years, largely for the wholesale redevelopment of the existing building (Thomas Neal's Centre) and alterations to internal partition walls and associated minor external works.

- Planning permission was granted on 16<sup>th</sup> February 1989 for "the refurbishment alteration, extension, and change of use to provide a mixed development comprising theatre, residential, retail, restaurant and business uses". An associated listed building consent was also issued for works to the historic building (reference 8870111).
- Listed building consent was granted on 14<sup>th</sup> May 2001 for the "partial removal of internal walls between shop units 5, 7 and 8" (reference LSX0104042). This consent was partially implemented and the dividing wall between 33 Earlham Street and 8 Shorts Gardens was removed to provide its current layout / form.
- Permission was granted for comprehensive works to the Thomas Neal's Centre on 5<sup>th</sup> June 2010 (reference 2010/2716/P and 2010/2742/L) for "internal and external works in association with use of shopping mall including Class A1 shop units and former ancillary circulation space at basement and ground floor (including 80sq.m of additional floor

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space created by part infilling to atrium at ground floor) for Class A1 (retail) use, dual use of existing Class A3 kiosk for either Class A3 (café) use or Class A1 (retail) use, change of use of 18sq.m of Class A1 (retail) floor space to Class D1 (theatre use) and erection of solar panels to the inward facing roof slope adjacent to Shorts Gardens".

- Planning permission was granted on 6<sup>th</sup> September 2016 for the "installation of one air-conditioning unit on the atrium roof" of the adjacent 35 Earham Street (reference 2016/3153/P) An associated listed building consent was also issued (reference 2016/3471/P).
- Planning and listed building consent was granted on 17<sup>th</sup> December 2019 for "the installation of replacement roof plant louvres together with installation of new louvres" at 16-20 Short Gardens (part of Thomas Neals). (ref. 2019/4999/L)

### **Proposal**

The applicant seeks full planning permission and listed building consent for the installation of additional plant within the existing plant room at roof level. The new condensing unit (1x Daikin RXYSCQ5-TV1 – an air source heat pump) will facilitate active cooling to meet peak summer conditions within the ground floor unit at 33 Earham Street and 8 Shorts Gardens (Class E). The unit will also be used for heating.

The air conditioning unit will be located within the existing roof plant enclosure alongside existing plant. The plant has been specified to meet the load required and is the most space efficient available. A new acoustic louvred ventilation panel will be installed to the side of the existing roof enclosure to provide additional air inlet so that the plant room does not overheat and performance remains at optimal levels, with the minimum transmission loss.

The proposal also seeks consent for both soffit and wall mounted fan coil units within the ground floor unit to distribute cooled air and associated ducting and pipework. All works will be carried out sensitively in the context of the listed building. The external pipes and ducting will be located in an enclosed lightwell next to existing external pipe work. All ducting will not be visible from the surrounding street.

Please refer to the submitted drawings from Fresson & Tee Architecture for further details.

### **Planning Considerations**

The proposal is considered to be compliant with and supportive of those relevant planning policies contained within the Council's adopted Local Plan.

### **Heritage**

The new condensing unit will be located within the roof level plant enclosure and will therefore not be visible from the Seven Dials Conservation Area. The new acoustic louvred ventilation panel will be visually similar to those that already exist on the roof enclosure and will be coloured to match. As per the previous planning history (notable ref. 2019/4999/L dated 2019), the Council has previously been accepting of the requirement for louvres to be installed in the area where they are sympathetic to existing materials and to the character of the area, notwithstanding that the roof enclosure is a

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modern structure and is not visible from street level.

A number of examples are outlined below where the Council has granted permission for the installation of louvres at the Thomas Neal Centre – noting that these are both at ground floor level in ostensibly more visually apparent locations. It is considered the roof level louvres to the side of the existing enclosure will not have an impact on the heritage interest of the listed building.

An application was granted by the Council on the 2<sup>nd</sup> June 2017 (reference 2017/1369/P) which included the installation of a louvred substation entrance door and louvred panelling above the entrance double doors to the shop unit fronting Shorts Gardens. The decision notice provides a summary of the officer's reasons for granting permission, stating that:

*"The proposed changes to the external façade would not alter the character of appearance of this part of the historic building and would not have a harmful impact on the character or appearance of the conservation area."*

Further to this, permission was granted on the 9<sup>th</sup> October 2017 (reference 2017/4683/P) for an application at the Thomas Neal Centre which included the installation of a louvred door and air-brick fronting Shorts Gardens. The proposal included the replacement of existing glazed timber doors with black painted metal louvres. The decision notice that provides the officer's reasons for granting permission states that:

*"Overall, it is considered that the proposed changes to the external facade would not harmfully alter the character or appearance of this part of the historic building nor the character or appearance of the wider conservation area."*

As part of the wider proposals, at ground floor level, soffit and wall mounted fan coils will be installed to distribute cool air. These will be painted black prior to their installation to conceal them against the existing paintwork and will be installed sensitively so as not to damage any remaining historic fabric within the building. The wall mountings will be carefully affixed to the wall using screws and bracket plates.

Local Plan Policy D2 (Heritage) states the Council will preserve and, where appropriate, enhance designated heritage assets and their settings, including conservation areas and listed buildings. Policy will seek to preserve or enhance the borough's listed buildings and resist proposals for alterations which would cause harm to the special architectural and historic interest of the building. The condenser unit and acoustic louvres would not be visible from street level and whilst the building is listed, the roof enclosure itself does not represent a part of the original fabric of the building or present any special architectural merit. The small fan coil units within the ground floor will be painted to obscure them against the existing walls and are of such a scale that when installed sensitively will not cause any harm to the listed building. As such, it is not considered the proposals would harmfully alter the appearance of the building or the character of the wider conservation area.

#### Amenity

Local Plan Policy A1 (Managing the Impact of Development) states the Council will seek to protect the quality of life of occupiers and neighbours. The Council will seek to ensure the amenity of communities, occupiers and neighbours is protected from (inter alia) noise and vibration levels.

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Local Plan Policy A4 (Noise and Vibration) of Camden's Local Plan (2017) notes that the Council will seek to ensure that noise and vibration is controlled and managed. Permission will not be granted for proposals that will generate unacceptable levels of noise and vibration.

An Environmental Noise Assessment has been undertaken by Quin Ross Consultants. The report concludes that as the proposed plant is installed within a roof top plant room, subject to the suggested acoustic louvres the plant can achieve 2 dB-A below the maximum permissible rating.

It is considered therefore the proposed louvres and plant are in accordance with Local Plan Policy A1 and A4. Please see the submitted report from Quin Ross for the complete specification of the proposed louvres and plant.

#### Climate Change

The proposed unit being installed (1 no. Daikin RXYSCQ5TV1) is recognised as an Air Source Heat Pump (ASHP) which is regarded as a sustainable and renewable energy source.

Policy CC1 (Climate change mitigation) states the Council will require all developments to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards. Supporting text 6.99 states that air conditioning will only be permitted where it is demonstrated there is a clear need for it after other measures have been considered.

Additionally, Policy CC2 only permits the installation of new units if it has been demonstrated that there is a clear need for it after all the preferred methods have been incorporated in line with the cooling hierarchy. Having regards to Policy CC2, it is noted that

- "Minimise internal heat generation through energy efficient design";

The building is currently being refurbished as part of a new tenant fit-out at ground floor level. All works will be undertaken to the highest standards and 'best practice' procedures to ensure the highest environmental and energy efficient rating (and improvement upon the existing fabric / energy consumption where possible).

- "Reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls";

The building is a listed building and located within a conservation area. Therefore, limited opportunity exists for new external alterations to the fabric of the building (such as external insulation or new windows). The new plant (ASHP) will provide future tenants with both cooling and heating (eg. requiring no need for central heating which would require gas).

- "Manage the heat within the building through exposed internal thermal mass and high ceilings";

The building is existing and therefore does not allow alterations to ceiling voids or heights.

- "Passive ventilation";

The proposed ground floor accommodation will be afforded natural ventilation in the opening and



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closing of doors. However, as noted by the supporting statement natural ventilation will not be sufficient to cool the unit given the heat / humidity within Central London during the summer months.

- “Mechanical ventilation”;

As noted by the supporting statement, mechanical ventilation would not provide prospective tenants with the required cooling or heating.

- “Active cooling”

Active cooling (and heating) has been considered using a single ASHP unit to the roof-top of the building. The proposed AC units would represent the smallest, most efficient unit for the space – this has been detailed by consultants Quinn Ross.

This application is accompanied by a Cooling Hierarchy Cover Letter which has been produced by Quinn Ross Consultants, which explains that due to the limited floor to ceiling heights and the ground floor uses heat gains are high and therefore a clear requirement for active cooling exists to meet peak summer conditions.

It is considered therefore the proposals are necessary and fully in accordance with Policy CC1 and CC2.

### **Summary**

This application seeks full planning permission with listed building consent for the installation additional plant within the existing plant room at roof level, in addition to the installation of acoustic louvred ventilation panels, internal fan coil units and associated duct work and piping.

The proposed works are in association with the upgrading of the internal ground floor unit with comfort cooling. The acoustic rated louvred panels have been designed to be consummate with the existing roof enclosure louvres whilst meeting the plants operational needs and prevent the existing plant room from overheating.

The proposals will not be publicly viewable and therefore will not have a detrimental impact on the existing character of the conservation area or architectural interest of the listed building.

An Environmental Noise Assessment prepared by Quinn Ross demonstrates that subject to the proposed mitigation measures, the proposed louvres and plant can achieve acceptable environmental noise criteria with consideration to the Council's requirements and therefore present no amenity impacts on nearby properties.

We trust that the application along with the submitted information is sufficient for the Council to validate the application and we look forward to a swift and positive outcome. Should you require any further information or would like to arrange a site visit, please do not hesitate to contact the undersigned.

Yours faithfully

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*Mark Rattue*

For and on behalf of  
Rolfe Judd Planning Limited