

PLANNING AND DESIGN STATEMENT

In respect of

26-28 Ely Place, London, EC1N 6TD

On behalf of

CL Investments 2 Ltd

JCG25579
Planning Statement
Final
May 2022

REPORT

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Prepared by:

Prepared for:

RPS

CL Investments 2 Ltd

Karen Jones
Senior Director

20 Farringdon Street
London, EC4A 4AB

T +44 20 7832 0259
E k.jones@rpsgroup.com

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1 INTRODUCTION

1.1 This Planning Statement (the “Statement”) has been prepared on behalf of CL Investments 2 Ltd (the “Applicant”) in support of a planning application for Full Planning Permission and Listed Building Consent for the installation of new condenser and air handling units at ground floor and upper roof level at 26-28 Ely Place, London, EC1N 6TD.

1.2 Accordingly, the proposal is for:

“Installation of condenser units on the roof at ground floor level (x2) and upper roof (x9) and installation of 1 x replacement air handling unit on the upper roof”.

1.3 26-28 Ely Place is a Grade II Listed building together with the terrace numbering Nos. 30-34. The buildings are located in the Hatton Gardens Conservation Area in the London Borough of Camden and are in the setting of Afsil House (Grade-II) 7, 8 and 9 Ely Place (Grade-II), 13 and 14 Ely Place (Grade-II), 21 and 25 Ely Place (Grade-II) and the Church of St. Etheldreda (Grade I).

1.4 The proposals are minor in nature and seek to install two condenser units to the northern end of the flat roof of the lower ground floor extension, and nine condenser units and an air handling unit to the upper roof.

1.5 This statement describes the proposal and demonstrates how the proposal complies with key objectives of planning policy and guidance at national, regional, and local levels. The structure of this statement is as follows:

- Section 2 describes the site and surrounding context;
- Section 3 provides a summary of the relevant planning history associated with the site;
- Section 4 sets out the proposed development;
- Section 5 outlines the relevant planning policy framework against which the proposal should be considered;
- Section 6 provides an assessment of the main planning considerations; and
- Section 7 sets out the overall conclusions.

2 SITE DESCRIPTION

Site Description

- 2.1 26-28 Ely Place is a four storey plus basement building currently in office use which forms part of a terrace which is Grade II Listed and known as 'Numbers 26-34 and attached Railings, 26-34 Ely Place'. The site also falls within the Hatton Garden Conservation Area and within a designated viewing corridor (London Panoramas - View 4A.1 Primrose Hill summit to St. Pauls Cathedral and View 2A.1 Parliament Hill's summit to St. Pauls Cathedral).
- 2.2 A google aerial image of the site is provided at Figure 1 below.

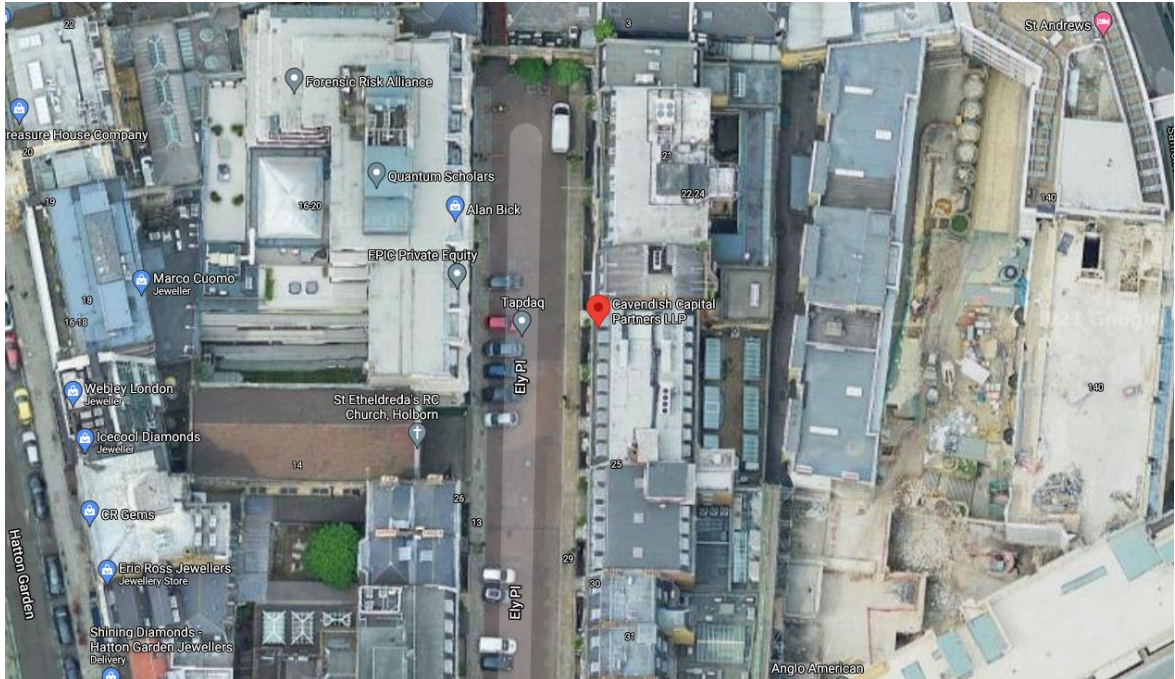


Figure 1: Site Location - Google Aerial Image

- 2.3 The surrounding context comprises a mix of uses, primarily commercial including office, retail, and entertainment uses (restaurant/café/hotels). There is a residential block known as 'Afsil House' which is a Grade II Listed Building directly to the east of the site.
- 2.4 There are a number of Listed Buildings surrounding the site including 'Numbers 21 and 25 and Attached Railings' which is Grade II Listed and the Grade II Listed Afsil House which is adjacent to the site. In addition, St Etheldreda's RC Church opposite the site is a Grade I Listed Building known as 'Roman Catholic Church of St Etheldreda and attached Walls and Piers'.

3 PLANNING HISTORY

- 3.1 This section sets out the relevant planning history records associated with the site and those within the surrounding area.

The Site

- 3.2 There have been a number of approved planning applications for full Planning Permission and Listed Building Consent for new/replacement plant equipment at the site which provides an indication that the proposals sought in this application should be considered acceptable in principle by LB of Camden.
- 3.3 The planning history relevant to the site is summarised in Table 1 below.

Table 1: Planning History 26-28 Ely Place

Application Reference	Proposal	Decision
2021/3171/INVALID	Installation of replacement air conditioning condenser units on the flat roof of ground floor rear extension (x 2) and on the mansard roof (x 4).	Withdrawn
PSX0205268	Retention of external plant to the rear of the building	Approved 18 June 2003
LSX0205269	Retention of external plant to the rear of the building and retention of internal alterations including the formation of opening in the structural slab at ground floor levels to form staircase.	Listed Building Consent Approved 18 June 2003
PSX0104746	Alterations including erection of plant at roof level in connection with existing use as offices, as shown on drawing numbers 275.EX.01 - 11 (inclusive) EXISTING; 275.GA.01, 02A, 03 - 06 (inclusive) 07A, 08A, 09A, 10, 11B, 275.DE.20A PROPOSED; Photographs (12 sheets) Acoustic report (Engineering Design Consultants).	Approved 24 October 2001
LSX0104847	Internal and external alterations including erection of plant at roof level in connection with existing use as offices, as shown on drawing numbers 275.EX.01 - 11 (inclusive) EXISTING; 275.GA.01, 02A, 03 - 06 (inclusive) 07A, 08A, 09A, 10, 11B, 275.DE.20A PROPOSED; Photographs (12 sheets); and Acoustic report (Engineering Design Consultants).	Listed Building Consent Approved 24 October 2001

- 3.4 A similar application (Ref. 2021/3171/INVALID) to the current proposal was submitted in June 2021. The application was subsequently withdrawn due changes to the proposed plant equipment. This application reflects the new scheme and new modern plant equipment that is sought.

The Surrounding Area

- 3.5 There have been a number of approved applications for planning permission and listed building consent for new/replacement plant equipment within close proximity to the site. The most recent applications are summarised below.

1 Ely Place

- 3.6 Planning permission was granted on 10 February 2022 for “*the erection of a full height glazing extension on fourth floor, alteration to the ridge to align with parapet, extension of lift overrun enclosure, removal of redundant roof top plant, corrugated metal cladding and brick parapet, replacement of plant and installation of metal balustrade*” (Reference: 2020/5491/P).
- 3.7 Planning permission was granted on 23 June 2020 for “*Replacement of plant equipment and erection of plant enclosure on the rear elevation and external alterations on eastern elevation comprising three extract louvres*” (Reference: 2019/6046/P).
- 3.8 Planning permission was granted on 30 July 2012 for the “*Installation of 2x condenser units located at main roof level*” (reference: 2012/2747/P).
- 3.9 Planning permission was granted on 20 May 2010 for “*additions and alterations including changes to an existing rear elevation window at the first floor level, replacement of an existing door and window with new rear window opening at the mezzanine level and the installation of two air condenser units on rear lightwell roof to an existing commercial building (former B1(a), now Use Class E)*”. (Reference: 2010/1112/P).
- 3.10 Listed Building Consent was granted on 20 March 2009 for “*alterations including replacement of existing steel stair/ladder to front lightwell; tanking of coal vaults, installation of new door to vault, relocation of the existing air conditioning unit, and rendering of lightwell wall and ceiling*” (reference: 2009/0383/L).

Audrey House, 16-20 Ely Place

- 3.11 Planning permission was approved on 18 February 2003 for “*Installation of external plant equipment with new enclosure and balustrade to the rear at second floor level, as shown on drawing numbers*” (Reference: PSX0205329).

21 Ely Place

- 3.12 Planning permission was approved on 10 December 2002 for “*Installation of air conditioning plant on roof and removal of existing condensers at roof level, as shown on drawing numbers*” (Reference: PSX0205208).
- 3.13 *Listed Building Consent was granted on 10 December 2002 for “Installation of air conditioning plant on roof and removal of existing condensers at roof level, as shown on drawing numbers”* (Reference: LSX0205209).

4 DEVELOPMENT PROPOSALS

4.1 CL Investments 2 Ltd is seeking full planning permission and listed building consent for:

“Installation of condenser units on the roof at ground floor level (x2) and upper roof (x9) and installation of 1 x replacement air handling unit on the upper roof”.

4.1 The proposals are minor in nature and seek to install two condenser units to the northern end of the flat roof of the lower ground floor extension, and nine condenser units and an air handling unit to the upper roof.

4.2 The photograph provided at Figure 2 below shows the existing plant equipment on the flat roof at ground floor level and on the upper roof. The proposal seeks to remove the existing condenser unit on the flat roof at ground floor level and the two air handling units and chiller on the upper roof, and replace these units as necessary. The replacement plant equipment will be located as per the existing.



Figure 2: Aerial Photograph of the site

4.3 The installation of the two new condenser units on the roof at ground floor level will serve the basement floor. The units will be shielded by an acoustic enclosure that will be fabricated from pre-galvanised steel sheet.

4.4 The nine condenser units installed at the upper roof level will serve the first, second, third and fourth floors of the building. A new air handling unit on the upper roof will also be installed. An acoustic enclosure is to be erected around the proposed condenser units and will comprise steel acoustic panels on three elevations and an aluminium louvre on the fourth elevation.

4.5 In order to control plant noise emissions, the proposed condenser installations will include noise mitigation measures as per the recommendations set out within the Hann Tucker Environmental Noise Survey and Plant Noise Assessment Report dated April 2022.

4.6 The specification of the proposed plant equipment is provided within the supporting documents titled 'Equipment Schedule'. The new plant equipment will replace the existing plant and provide modern, more efficient equipment that is necessary for the continued operation of the office building.

5 PLANNING POLICY CONTEXT

- 5.1 The following section provides a brief overview of the planning policy framework and guidance which is of relevance to the proposed development. The statement demonstrates how the development complies with key objectives of planning policy and guidance at a national, regional, and local level.
- 5.2 The planning policy framework is provided by the following documents:
- National Planning Policy Framework (NPPF) 2021;
 - The London Plan 2021
 - Camden Local Plan (2017)
 - Policies Map (2017)
- 5.3 The following Camden Planning Guidance documents are considered to be of relevance in terms of this application.
- Amenity (January 2021)
 - Design (January 2021)
- 5.4 Camden Council are in the process of reviewing the Camden Sites Allocations Plan (2013). Consultation on the draft Site Allocations Local Plan (February 2020) took place in February/March 2020 and further consultation was undertaken in December 2021 and January 2022. Once adopted it will be used alongside other policies in Camden's Development Plan to assess development proposals on key sites and areas.

National Planning Policy Framework

- 5.5 The National Planning Policy Framework (NPPF) (2021) sets out the overarching planning policies relating to the delivery of development through the planning system and seeks a presumption in favour of sustainable development.
- 5.6 Paragraph 185 of the NPPF states that:
- “Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:*
- *mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.*
- 5.7 Paragraph 185 references the Noise Policy Statement for England and sets out three aims:
- *“Avoid significant adverse impacts on health and quality of life from environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development.*
 - *Mitigate and minimise adverse impacts on health and quality of life from environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development.*

- *Where possible, contribute to the improvement of health and quality of life through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development.”*

5.8 With regard to heritage assets, Paragraph 199 states:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”.

5.9 The relevant London Plan and Camden Local Plan policies which are applicable to the proposals are set out below.

The London Plan 2021

- Policy D13: Agent of Change
- Policy D14: Noise
- Policy HC1: Heritage Conservation and Growth
- Policy HC3: Strategic and Local Views
- Policy HC4: London View Management Framework

Camden Local Plan 2017

- Policy A1: Managing the Impact of Development
- Policy A4: Noise and Vibration
- Policy D1: Design
- Policy D2: Heritage

Site Designations

5.10 An extract of Camden’s adopted policies map is provided at Figure 3 below which shows that the site falls within the following designations

- Hatton Gardens Conservation Area;
- Hatton Garden Area; and
- Designated Viewing Corridor (London Panoramas - View 4A.1 Primrose Hill summit to St. Pauls Cathedral and View 2A.1 Parliament Hill’s summit to St. Pauls Cathedral).

5.11 In addition to the above, the building is Grade II Listed which forms part of listed terrace and is known as ‘Numbers 26-34 And Attached Railings, 26-34, Ely Place’

5.12 A map of Camden’s Statutory Listed Buildings and Locally Listed Buildings is provided below at Figure 4 which shows there are a number of Statutory Grade II Listed Buildings within proximity to the site.

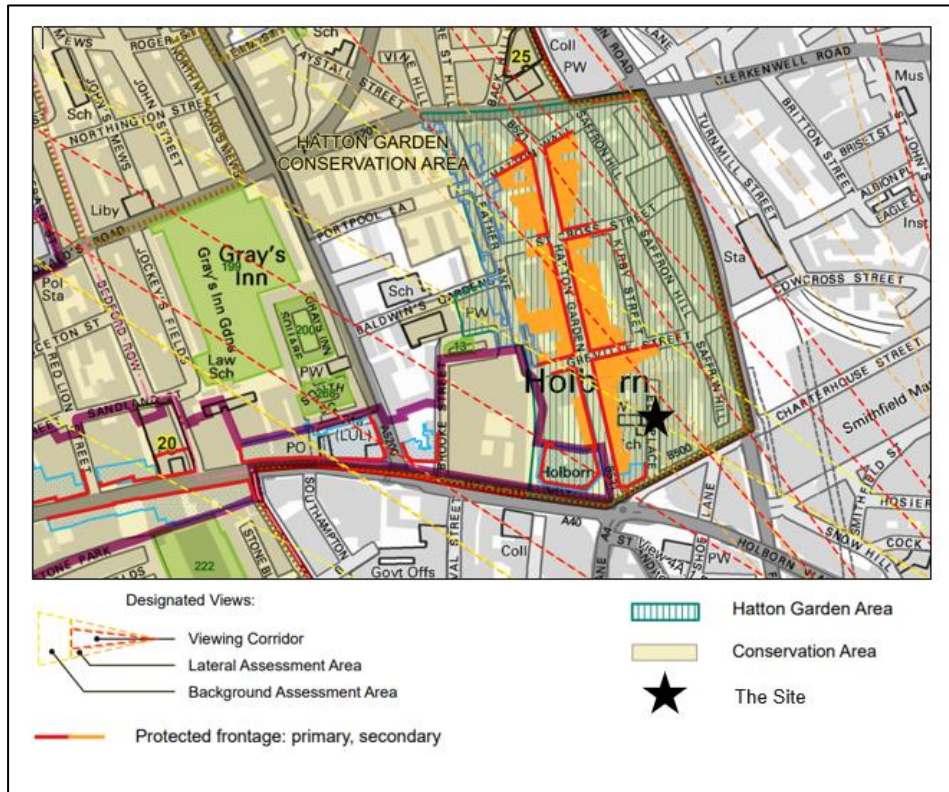


Figure 3: Extract of Camden's Policy Map

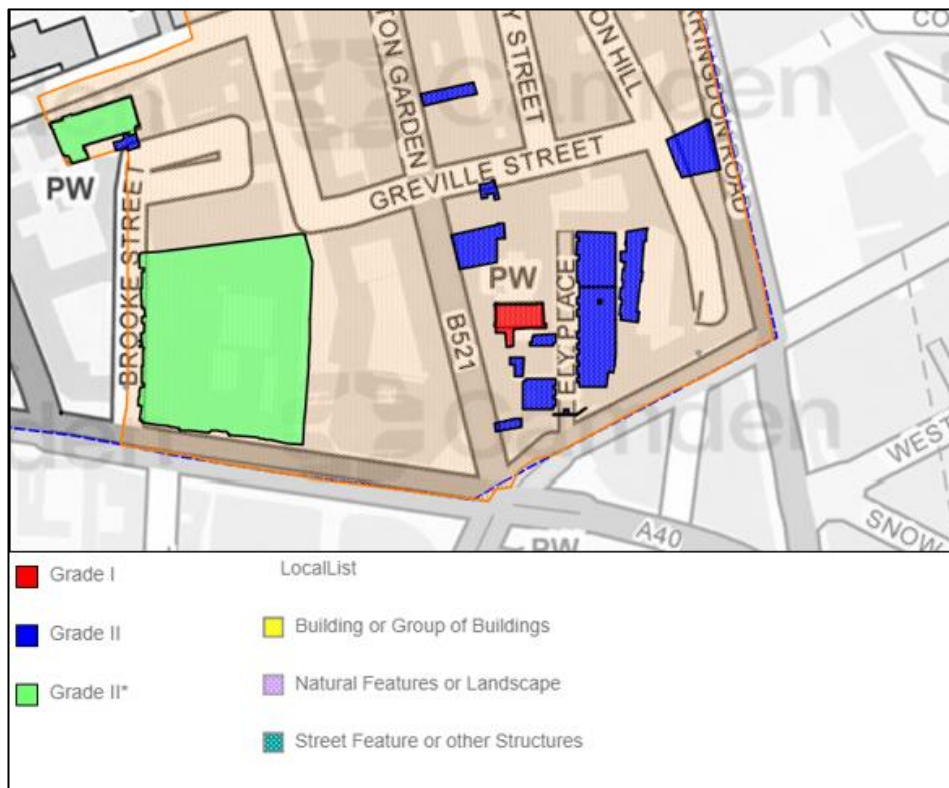


Figure 4: Statutory and Locally Listed Buildings

6 PLANNING APPRAISAL

6.1 The proposal is for the “*Installation of condenser units on the roof at ground floor level (x 2) and on the upper roof (x 9) and installation of 1 x replacement air handling unit on the upper roof*”.

6.2 This section considers the proposal against the adopted planning policy context.

Principle of Development

6.3 The current plant on site is dated and requires updating to support the continued functioning of the office building. The proposed plant is modern, more efficient and is an improvement on the existing plant. The Council have also previously granted Planning Permission and Listed Building Consent for similar proposals at the site and nearby. As such, the principle of the proposed installation should be considered acceptable by the Council.

Design and Heritage Conservation

6.4 London Plan Policy HC1 expects development proposals affecting heritage assets, and their settings, to conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

6.5 London Plan Policy HC3 identifies Strategic Views and specifies that within designated views, the Mayor will identify landmarks that make aesthetic, historic, or cultural contribution to the view and which assist the viewer’s understanding of the view.

6.6 London Plan Policy HC4 states that development in the foreground, middle ground and background of a designated view should not be intrusive, unsightly, or prominent to the detriment of the view. Development proposals in designated views are required to comply with the following:

- London Panoramas should be managed so that development fits within the prevailing pattern of buildings and spaces and should not detract from the panorama as a whole.

6.7 Camden Local Plan Policy D1 sets out that the Council will seek to secure high-quality design in development and will require that development:

- Respects local context and character;
- Preserves and enhances the historic environment and heritage assets;
- Is sustainable in design;
- Comprises details and materials that are of a high-quality and complement the local character;
- Preserves strategic and local views; and
- Carefully integrates building services equipment.

6.8 The supporting policy text (paragraph 7.26 – 7.31) notes that a number of London’s most famous and valued views originate in, or extend into, Camden. These are:

- views of St Paul’s Cathedral from Kenwood, Parliament Hill and Primrose Hill;
- views of the Palace of Westminster from Primrose and Parliament Hills; and

- background views of St Paul's from Greenwich and Blackheath.

- 6.9 The Council will protect these views in accordance with London-wide policy and will resist proposals that would harm them. The Council will also consider the impact of a scheme, in terms of the townscape, landscape and skyline, on the whole extent of a view ('panorama'), not just the area in the view corridor.
- 6.10 Developments should not detract from the panorama as a whole and should fit in with the prevailing pattern of buildings and spaces. The Council will seek to ensure that development is compatible with such views in terms of setting, scale and massing and will resist proposals that we consider would cause harm to them.
- 6.11 Camden Local Plan Policy D2 specifies that the Council will not permit the loss of or substantial harm to a designated heritage asset including conservation areas and Listed Buildings.
- 6.12 In order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas.
- 6.13 The Council will require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area.
- 6.14 To preserve or enhance the borough's listed buildings, the Council will resist proposals for alterations and extensions to a listed building where this would cause harm to the special architectural and historic interest of the building.

Design and Heritage – Assessment

- 6.15 The proposals are minor in nature and are considered to have no impact upon the significance of the listed building or the character and appearance of the Hatton Gardens Conservation Area.
- 6.16 The existing roofscape of the lower ground floor rear extension is an area of no significance, and already incorporates two rows of rooflights and various pieces of plant equipment. The proposed condenser units would therefore be located in a discreet and appropriate location. With regards to the upper roof, the proposed condenser and air handling units are to be located in similar positioning to existing plant and will not be visible from street level.
- 6.17 The site falls within designated viewing corridors from Primrose Hill and Parliament Hill to St. Pauls Cathedral. The proposed works are minor in nature and will be of a high quality and durable material. The proposed plant equipment will not detract from the protected panoramas and will preserve strategic views in line with regional and local policy.
- 6.18 The accompanying Historic Building Report, prepared by Donald Insall Associates confirms that the sole significance of the host Listed Building (Nos. 26, 27 and 28 Ely Place) lies in the street-facing elevations and the rear elevation is of no significance, having been reconstructed in 1964 to a mundane design. The rear elevation is also concealed behind Afsil House (Grade-II) and in any side views by the buildings on Charterhouse House Street and Bleeding Heart Yard. Due to the limited visibility and unremarkable architecture of the rear, it makes no contribution to the setting of Afsil House or the character or appearance of the conservation area.
- 6.19 It is therefore considered that the proposals would not cause any harm to the significance of 26, 27 and 28 Ely Place and would sustain the significance of the listed building in accordance with paragraph 199 of the National Planning Policy Framework. Moreover, it is considered that the

proposed works would preserve the special architectural and historic of the listed building and conservation area as well as strategic views.

Amenity (Noise)

- 6.20 London Plan Policy D13 specifies that new noise generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses. Proposals should manage noise by:
- Ensuring good design mitigates and minimises potential nuisances;
 - Explore mitigation measures early in the design stage, with necessary and appropriate provisions; and
 - Separate new noise generating development from noise-sensitive uses through distance, screening, insulation, and other acoustic design measures.
- 6.21 London Plan Policy D14 requires proposals to reduce, manage and mitigate noise to improve health and quality of life by:
- avoiding significant adverse noise impacts on health and quality of life; and
 - mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses.
- 6.22 Camden Local Plan Policy A1 seeks to protect the quality of life of occupiers and neighbours and will grant planning permission unless this causes unacceptable harm to amenity. The Council will seek to ensure that the amenity of communities, occupiers and neighbours is protected by considering the noise and vibration levels of new proposals.
- 6.23 Camden Local Plan Policy A4 requires all development proposals to have regard to Camden's Noise and Vibration Thresholds. Planning permission will not be granted for proposals that are likely to generate unacceptable noise and vibration impacts. Planning permission will only be granted for noise generating development, including any plant and machinery, if it can be operated without causing harm to amenity.
- 6.24 The supporting policy text (paragraph 6.91) notes that noise generating uses and fixed machinery will likely have a greater impact on amenity when the background noise level is lower or in areas where noise sensitive uses such as residential developments co-exist with other uses. The Council will take into consideration the general character of the noise and where appropriate, the cumulative impacts of noise from one or more noise sources and will assess whether tighter noise restrictions, secured by planning condition, should be imposed.

Amenity (Noise) – Assessment

- 6.25 An Environmental Noise Survey and Plant Noise Assessment Report, prepared by Hann Tucker Associates is submitted in support of this application.
- 6.26 A detailed daytime and night-time fully automated environmental noise survey of the site has been undertaken to establish the currently prevailing noise climate and propose suitable plant noise emission criteria, based on the results of the survey and the requirements of the Local Authority.

6.27 An assessment has been carried out to determine the plant noise emissions at the nearest noise sensitive window and compare proposed items of plant to this criterion. The nearest noise sensitive residential windows are to the rear of the site approximately 6m from the proposed ground floor units and approximately 19m away from the proposed roof units.

6.28 On the basis of Camden’s criteria for atmospheric noise emissions from building service plant and the results from the environmental noise survey, it is proposed that the below plant noise emissions can be achieved at 1 metre from the nearest noise sensitive neighbouring window:

Proposed Plant Noise Limit LAeq dBA at Nearest Noise Sensitive Façade	
<i>Daytime</i> <i>(07:00 – 23:00 hours)</i>	<i>Night-time</i> <i>(23:00 – 7:00 hours)</i>
32 dBA	31 dBA

6.29 The above criteria can be achieved with all of the proposed plant operating simultaneously.

6.30 In order to control plant noise emissions in line with the criteria, the following mitigation measures are proposed:

- Enclose the ground floor plant in an acoustic enclosure capable of providing no less than 25dBA reduction
- The new Air Handling Unit will be installed in the same position as the existing Unit outside the enclosure to the east on the upper roof
- Install an acoustic screen around the roof plant
- Acoustic screening shall extend continuously around all sides of the plant area and from the roof up to a minimum height of 500 mm above the highest part of the plant

6.31 In summary, the proposed replacement plant equipment, in conjunction with the proposed attenuation, should be capable of achieving the proposed environmental noise criteria at the nearest noise sensitive residential window.

6.32 Full details of the proposed plant equipment specification, the noise assessment methodology and results are provided within the submitted report.

7 CONCLUSION

7.1 This Planning Statement (the “Statement”) has been prepared on behalf of CL Investments 2 Ltd (the “Applicant”) in support of a planning application for Full Planning Permission and Listed Building Consent for:

“Installation of condenser units on the roof at ground floor level (x 2) and on the upper roof (x 9) and installation of 1 x replacement air handling unit on the upper roof”.

7.2 The proposals are minor in nature and are required in association with the office use of the premises.

7.3 In accordance with the National Planning Policy Framework, the proposals would not cause any harm to the significance of the Grade II host Listed Building and would preserve the special architectural and historic of both the listed building and conservation area.

7.4 In terms of amenity, the proposed replacement plant equipment, in conjunction with the proposed attenuation will comply with the London Borough of Camden’s noise criteria at the nearest noise sensitive residential window.

7.5 The proposal is considered to be in line with the provisions of the development plan for London Borough of Camden, the London Plan and the NPPF, and as such is considered acceptable in planning terms. We would therefore respectfully request that this application for Planning Permission and Listed Building Consent is approved.