

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 15 March 2016	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> West End	
<b>Subject of Report</b>	<b>32-33 Golden Square, London, W1F 9JW</b>		
<b>Proposal</b>	Erection of an open louvered plant room at roof level with associated plant within.		
<b>Agent</b>	Miss Jane Harrison		
<b>On behalf of</b>	Clear Channel		
<b>Registered Number</b>	15/11209/FULL	<b>Date amended/ completed</b>	2 December 2015
<b>Date Application Received</b>	2 December 2015		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Soho		

## 1. RECOMMENDATION

Grant conditional planning permission
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## 2. SUMMARY

The application site comprises a seven storey office building located on the corner of Upper John Street and Golden Square. The property is not listed but is located within the Soho Conservation Area. Permission is sought for the erection of plant at roof level to be located within an open louvered plant room.

The proposed plant enclosure is to be located adjacent to an existing slate clad lift motor room on the rear section of the roof. The enclosure would be 0.5m wider than the existing motor room but no higher than the existing structure. Within the new enclosure it is proposed to install two heat pumps, which will be fully enclosed by the louvered walls and would not be visible from any surrounding views.

Ten objections have been received from residents at 6 Upper John Street a residential building situated to the north of the application premises. The objections made on the following grounds;

new plant would add to heat and noise nuisance ;

the enclosure would result in a loss of daylight and sunlight ;

the consultation period for the application coincided with the Christmas period.

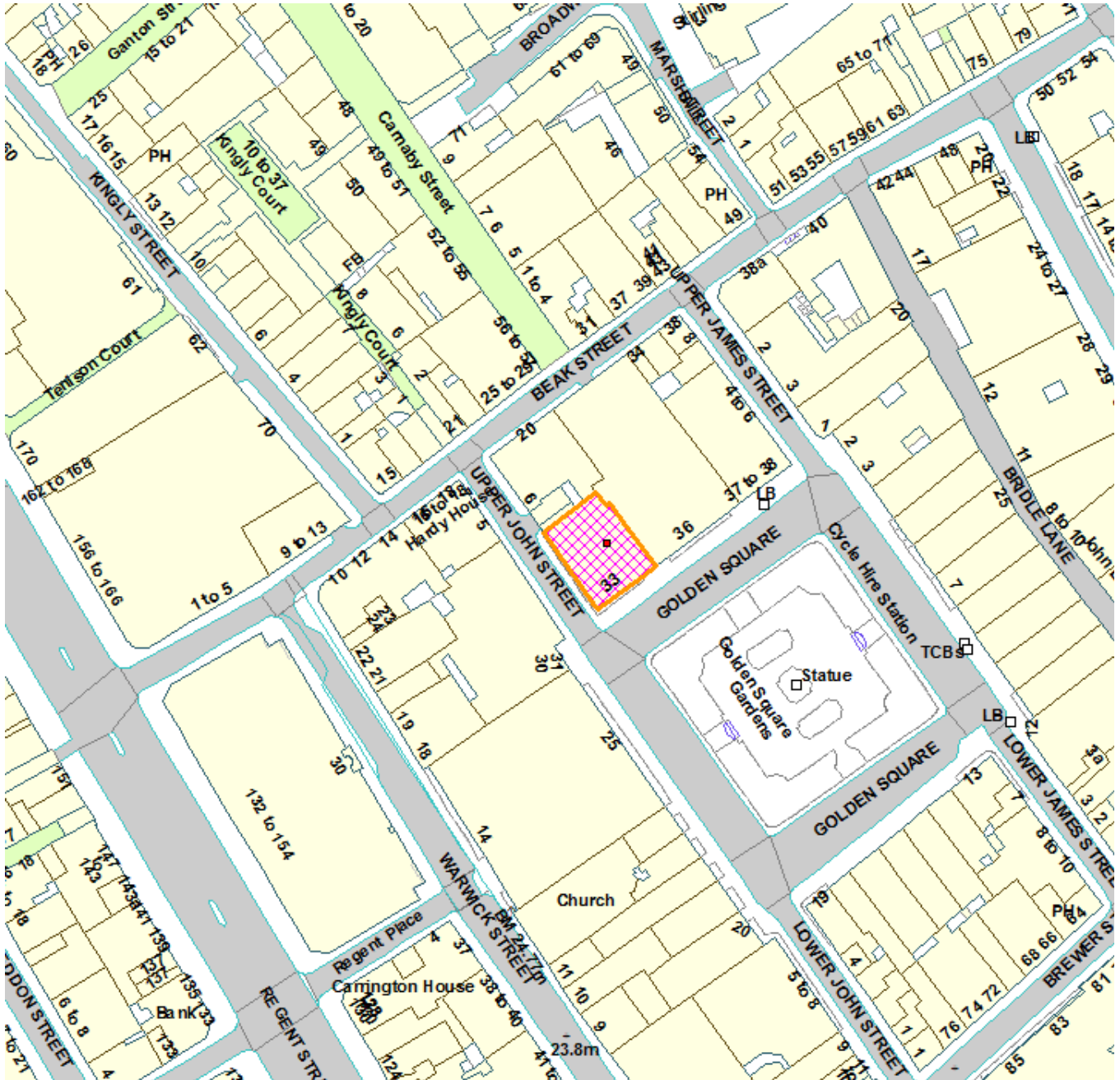
With regards to the operation of the plant an acoustic report was submitted with the application. Environmental Health advise given that the new plant will be over 10m from the nearest residential windows and will located within an enclosure it would comply with the normal noise criteria and neighbouring residents will not suffer from heat being dispersed from the new plant.

The new plant enclosure would result in a very modest increase in bulk which would not have a material impact on the daylight/sunlight to neighbouring properties.

Whilst the consultation period did coincide with Christmas, neighbouring residents have been given until early March to comment on the proposals. It is not considered that any third parties opportunity to comment on the application has been compromised.

The proposed plant and enclosure is considered acceptable in design and amenity terms in accordance with adopted Unitary Development Plan and City Plan Policies.

### 3.LOCATION PLAN



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3 PHOTOGRAPHS



#### 4 CONSULTATIONS

##### SOHO SOCIETY:

No objection, but request extended period for neighbours' representations to be submitted.

##### ENVIRONMENTAL HEALTH:

No objection subject to imposition of relevant conditions.

##### ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No consulted: 24

Total No of replies 10

10 Objections on some or all of the following grounds:

##### Amenity

Existing plant already results in heat discharge, additional plant will result in a loss of amenity to residents from the heat and noise

Loss of daylight and sunlight

##### Other Issues

The consultation period for the application coincided with the Christmas period

Site/Press Notice: YES

#### 5 BACKGROUND PAPERS

1. Application form
2. Responses from Soho Society, dated 4 January 2016 and 6 January 2016
3. Response from Environmental Health, dated 22 December 2015
4. Letter from occupier of Flat 5, 6 Upper John Street, dated 6 January 2016
5. Letter from occupier of 6 Upper John Street, London, dated 5 January 2016
6. Letter from occupier of Flat 2, 6 Upper John Street, dated 5 January 2016
7. Letter from occupier of Flat 14, 6, Upper John Street, dated 5 January 2016
8. Letter from occupier of Flat 4, 6 Upper John Street, dated 5 January 2016
9. Letter from occupier of Principia Estate and Assset Management, The Studio, dated 6 January 2016
10. Letter from occupier of Flat 9,6 upper john street, London, dated 6 January 2016
11. Letter from occupier of Penthouse Flat, 6 Upper John Street, dated 5 January 2016
12. Letter from occupier of Flat 2, 6 Upper John Street, dated 6 January 2016
13. Letter from occupier of Flat 12, 6 Upper John Street, London, dated 6 January 2016
14. Letter from occupier of Flat 2, 6 Upper John Street, dated 6 January 2016
15. Letter from Cushman Wakefield on behalf of the applicant dated 22 January 2016

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT BILLY PATTISON ON 020 7641 3267 OR BY EMAIL AT [bpattison@westminster.gov.uk](mailto:bpattison@westminster.gov.uk)

Item No.
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<b>7</b>
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**DRAFT DECISION LETTER**

**Address:** 32-33 Golden Square, London, W1F 9JW,

**Proposal:** Erection of an open louvered plant room, and the installation of associated plant within the enclosure at roof level

**Reference:** 15/11209/FULL

**Plan Nos:** 15103 GA (10) 07 003/P1; 15103 GA (10) 07 004/P1; Planning Compliance Report AS8560.151112.PCR1.1 and site location plan

**Case Officer:** Billy Pattison

**Direct Tel. No.** 020 7641 3267

**Recommended Condition(s) and Reason(s):**

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

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

- 2 You must carry out any building work which can be heard at the boundary of the site only: , ,  
\* between 08.00 and 18.00 Monday to Friday; , \* between 08.00 and 13.00 on  
Saturday; and, \* not at all on Sundays, bank holidays and public holidays. , , Noisy work  
must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the



plant operating at its maximum., , (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., , (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:; (a) A schedule of all plant and equipment that formed part of this application; (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment; (c) Manufacturer specifications of sound emissions in octave or third octave detail; (d) The location of most affected noise sensitive receptor location and the most affected window of it; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (g) The lowest existing L A90, 15 mins measurement recorded under (f) above; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition; (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 4 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 5 You must paint the plant screening to match the slate at roof level and then keep it that colour.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Soho Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.