

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 21 February 2023	<b>Classification</b> For General Release	
<b>Report of</b> Director of Town Planning & Building Control		<b>Ward(s) involved</b> Marylebone	
<b>Subject of Report</b>	<b>4 Queen Anne Street, London, W1G 9LQ</b>		
<b>Proposal</b>	Installation of replacement air conditioning unit within acoustic enclosure and replacement of window panels.		
<b>Agent</b>	Firstplan Ltd		
<b>On behalf of</b>	Bass Orthodontics Limited		
<b>Registered Number</b>	20/05462/FULL and 20/05463/LBC	<b>Date amended/ completed</b>	28 August 2020
<b>Date Application Received</b>	28 August 2020		
<b>Historic Building Grade</b>	II		
<b>Conservation Area</b>	Harley Street		
<b>Neighbourhood Plan</b>	<b>Not applicable</b>		

## 1. RECOMMENDATION

1. Grant conditional permission.
2. Grant conditional listed building consent.
3. Agree the reasons for granting conditional listed building consent as set out in Informative 1 on the draft decision letter.

## 2. SUMMARY & KEY CONSIDERATIONS

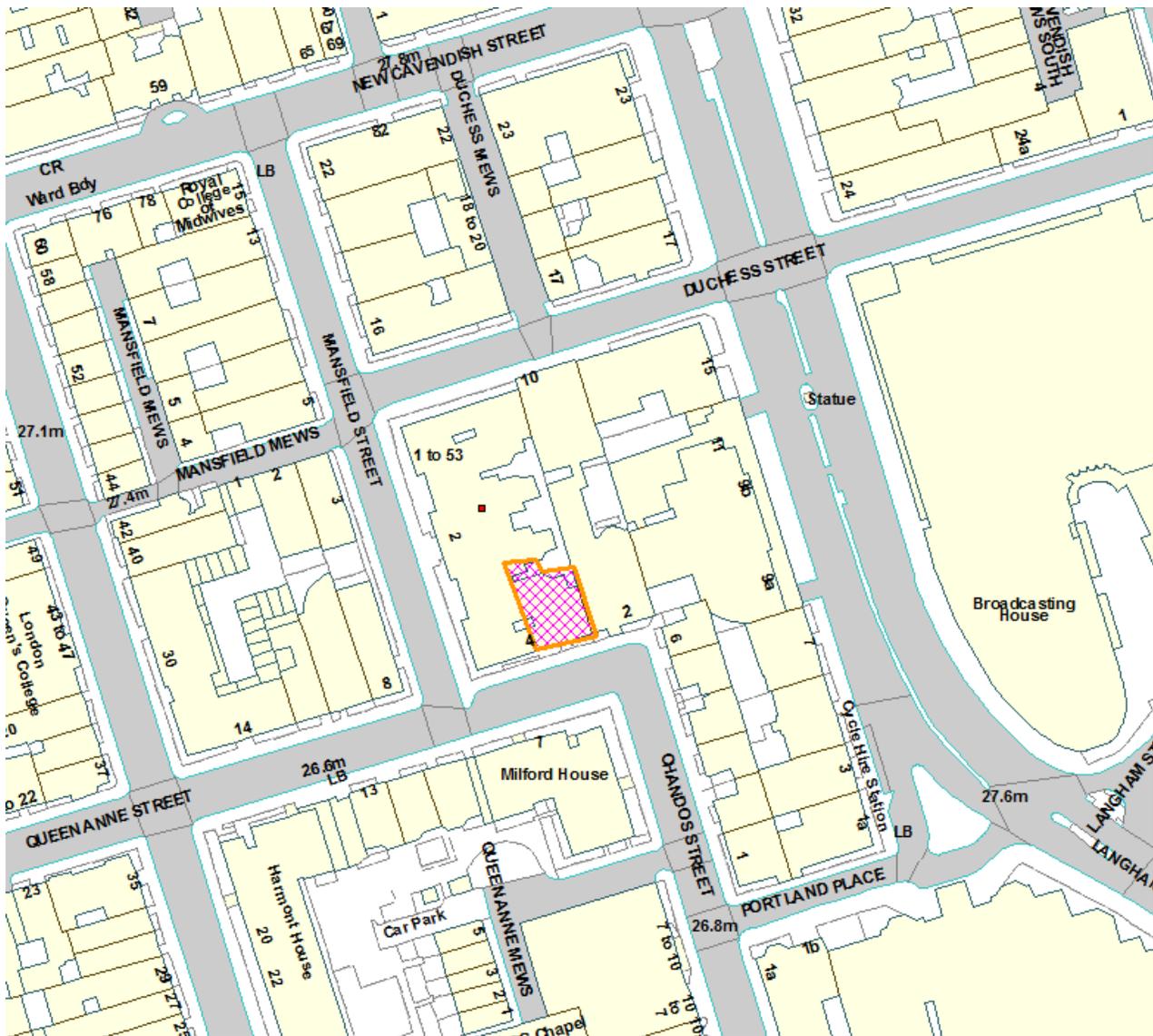
The application relates to the lower and upper ground floors of 4 Queen Anne Street, a grade II listed building, which is currently in use as dental surgeries, and shares a rear area with residential apartments in the upper storeys of 4 Queen Anne Street and at 2 Mansfield Street. Planning permission is now sought for the removal of existing air conditioning units, installation of replacement air conditioning unit within acoustic enclosure and replacement of window panels. There have been objections to the proposal, primarily on design/heritage and amenity grounds.

The key considerations in this case are:

- The impact on the amenity of neighbouring residential properties.
- The impact of the proposed plant on the special interest of the building and the character and appearance of the Harley Street Conservation Area.

For the reasons set out in the main report, it is considered that the proposal, with conditions, is acceptable in land use, design and amenity a terms and neighbouring residential occupiers would not be unduly harmed. As such, the applications are recommended for approval.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS



4 Queen Anne Street – front elevation



4 Queen Anne Street (rear) existing plant location



**4 Queen Anne Street – proposed plant location**

## **5. CONSULTATIONS**

### **5.1 Application Consultations**

AMENITY SOCIETY (Marylebone Association)

Any response to be reported verbally

ENVIRONMENTAL SCIENCES

No objection in principle, subject to conditions. Refers to queries raised by one of the objectors about aspects of the applicant's acoustic report, but is satisfied with the information that has been submitted.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 91

Total No. of replies: 5

No. of objections: 5

No. in support: 0

Five objections have been received from three objectors, one on design grounds and the remainder on amenity grounds.

The design objections relate to the accuracy of the applicants design access and heritage statement, the detail of the drawing of the acoustic enclosure and the impact of the works on the special interest of the listed building.

The amenity objections relate to the methodology of the acoustic report, access to a gully, the impact of noise on residential occupiers, and whether there are preferable locations for the plant.

PRESS NOTICE/ SITE NOTICE:

Yes

## **6. WESTMINSTER'S DEVELOPMENT PLAN**

### **6.1 City Plan 2019-2040 & London Plan**

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

## 6.2 Neighbourhood Planning

The application site is not located within an area covered by a Neighbourhood Plan.

## 6.3 National Policy & Guidance

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (July 2021) unless stated otherwise.

## 7. BACKGROUND INFORMATION

### 7.1 The Application Site

The application site is a grade II listed building of 1927 and is located within the Harley Street Conservation Area. It is immediately adjacent to the grade I listed Chandos House. It is outside the Central Activities Zone.

The site was built as a block of mansion flats, with the main entrance at 2 Mansfield Street. The entrance on Queen Anne Street serves the medical uses at ground and lower ground floor.

The two street elevations have different architectural treatments, but share a common rear area.

### 7.2 Recent Relevant History

4 Queen Anne Street (with 2 Mansfield Street) was listed at grade II in 2002. At this time there was a single piece of plant on the rear elevation. Since this time the previously existing condenser unit has been replaced, and two further units added adjacent to the original. There are two further items of plant located at ground level which do not form part of the current application and are being dealt with separately.

The units have all been the subject of ongoing enforcement investigations.

## 8. THE PROPOSAL

Permission is sought for the installation of one air conditioning unit within an acoustic enclosure in the shared rear area of 4 Queen Anne Street and 2 Mansfield Street.

At the time of listing (March 2002) there was a single condenser unit on the rear elevation at upper ground floor level. Since this time there have been a further two units added to the rear elevation – these do not have the benefit of listed building consent.

The current proposal seeks to remove all of the plant, both lawful and more recent, from the rear elevation (at upper ground floor level) into a new acoustic enclosure at lower ground floor level.

The acoustic enclosure is to be located within a recess in the rear of 4 Queen Anne

Street, in front of a sash window serving one of the dentist units.

The proposed plant enclosure is to be constructed in timber and clad in lead.

The proposal also seeks to change an existing, improvised ventilation insert in an upper ground floor sash window for a metal version, and to rationalise the existing runs of pipework on the rear of the building.

## **9. DETAILED CONSIDERATIONS**

### **9.1 Land Use**

The proposal does not give rise to any land use issues. It relates to existing an existing dental practice that appears to be long-standing.

One objection has been received related to land use, stating that the applicant's design and access and heritage statements are flawed, in that (amongst other things addressed in the design section below) that the statement overstates the importance of medical uses to the character and appearance of the conservation area. Medical uses are considered to be a community use, which are generally protected by Council policy (Policy 17 of the City Plan). The site is also very close to the Harley Street Special Policy Area, world renowned for its medical uses, which forms a significant part of the Harley Street Conservation Area. Whether the importance of the existing dental practices has been over-stated is debatable but it is clearly a use protected by Council policy that is considered to contribute to the character and function of the Conservation Area.

### **9.2 Townscape, Design & Heritage Impact**

#### **Legislative & Policy Context**

The key legislative requirements in respect to designated heritage assets are as follows:

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the LBCA Act') requires that *"In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Section 66 of the LBCA Act requires that *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Section 72 of the LBCA Act requires that *"In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."*

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design quality and the preservation of designated heritage assets including their setting.

Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

### **Detailed Design and Impact on Heritage Assets**

The relevant City Plan policies in terms of the detailed design and impact on heritage assets are policy 38 (Design principles) and policy 39 (Westminster's heritage).

4 Queen Anne Street is a part of a larger block of mansion flats built in 1927 for the Howard Walden estate. It is grade II listed. The architects were HW Wills and W Kaula. The front elevations are in a classical style, faced with Portland stone at ground floor and in red brick to the upper floors of Queen Anne Street.

To the rear the building is painted brick at lower ground floor level and glazed brick above. Windows are timber sash. The rear area has a utilitarian, though neat, appearance which is typical of a building of this age and type.

The existing plant on the rear elevation of the building is located in a relatively prominent position (though within the context of a utilitarian rear lightwell which is little overlooked). There was an item plant in this location at the time of listing in 2002, although the units have been changed since this time. Two of the units do not appear to benefit from listed building consent.

The proposed new location for the plant is within a setback of 4 Queen Anne Street. As a position for plant, it is considered to be an improvement on the existing. The existing service run enters 4 Queen Anne Street through one pane of an upper ground floor sash window. The current proposal returns this pane to clear glazing and the service route would instead pass through the wall at lower ground floor level. This arrangement is more satisfactory in terms of visual clutter on the rear elevation.

The plant enclosure itself, at 1.8m tall, is higher than the cill of the adjacent window. Ideally, the enclosure would be below cill level but given that the window in question serves the dentist's surgery, as the unit is tucked out of sight and as, overall, it represents an improvement on the visually intrusive units in their current position, the height and location of the unit is considered to be acceptable in design terms.

The acoustic enclosure is proposed in timber and lead, which will also represent an improvement on the unscreened existing plant.

Also shown on the proposed plans are changes to existing vents in another ground floor window. Two panes in this window have been replaced by timber panels containing vents. The proposed works change these panels to painted aluminium panels.

One objection has been received on design and heritage grounds. The objection states that the applicant's design and access and heritage statements are flawed, in that they downplay the architectural or historic significance of the rear elevation of the building, that they fail to assess the impact of the proposal on the grade I listed Chandos House

(adjacent) and that the statement overstated the importance of medical uses to the character and appearance of the conservation area (addressed in the Land Use section above). The objection further states that the drawing of the acoustic enclosure lacks sufficient detail, that there are insufficient photos of the rear of the building in the application pack, that the proposals have a harmful impact on character of lightwell, that they are harmful to appearance of the listed building.

The emphasis in the applicants' design and access and heritage statements on the front elevation of the building is reasonable. However it is certainly the case that the rear and service elevations of listed buildings do have significance, albeit often lesser than the principal elevations, and in decision making the local authority should seek to protect that significance.

Chandos House is a grade I listed building immediately adjacent to the application site. It is separated from lightwell of 4 Queen Anne Street by a tall party wall. It is not considered that there will be an impact on the setting or fabric of that listed building.

As set out above, the proposed acoustic enclosure is to be installed in a recessed area, minimising its effect on the character and appearance of this part of the conservation area, and on the special interest of the listed building. The proposal results in less visually obtrusive equipment because, though the enclosure is bulkier, it will also be enclosed, and in a more discreet location.

The level of detail shown in the drawings is considered to be adequate, and the performance of the equipment and enclosure will be ensured by condition.

The proposals are therefore considered to comply with relevant City Plan design policies.

### **9.3 Residential Amenity**

#### **Noise & Vibration**

In relation to noise from the proposed plant the application has been considered in the context of policies 7 and 33 of the City Plan. These policies seek to protect nearby occupiers of noise sensitive properties and the area generally from excessive noise and disturbance, including that resulting from plant.

Some of the existing units at the rear of the property, associated with the applicant's business, would be removed and replaced with a single larger unit within an acoustic enclosure. There are an additional two units in the rear courtyard area associated with a neighbouring business.

The Environmental Services Officer (ESO) considers that the background noise level used in the acoustic report are inflated by the operation of plant in the vicinity as the noise level increases at 08:00 daily. The proposal has therefore been assessed on the basis of the noise levels at 07:45 to calculate the lowest background noise level in the vicinity.

In addition to the original acoustic report provided in support of the application, a

technical addendum has also been provided and an acoustic report supplied on behalf of an objector on the upper floors of the building. There is disagreement between the applicants' and objector's acoustic consultants as to the application of an additional 5 dB penalty for the potential tonality or intermittency exhibited by the proposed mechanical plant. To ensure a robust worst-case scenario the ESO has also confirmed the requirement for a further 5dB noise reduction. This would mean that the design level for the proposed mechanical plant is set at 33 dB LPA. The design criteria has therefore been calculated as 33dB (being 5dB below background noise level with a further 5dB for tonality) with potential hours of operation of the plant between 08:00 and 19:30 daily being required.

The nearest sensitive properties are identified as being a residential flat two storeys above and 5 metres from the proposed plant location. In addition, there are also flats approximately 8 metres away at 2 Mansfield Street. Windows to these flats are further away from the proposed plant and are also screened by the building fabric.

A technical specification for the proposed acoustic enclosure has been provided. This specification includes details of the insertion loss provided by the enclosure. The enclosure is to go in a reverberant lightwell area. It is predicted that, with attenuation from distance and from the enclosure, that the proposed mechanical plant is likely to produce a maximum sound pressure level of 27 dB LPA at the Mansfield Street receptors. These calculations have been verified by the ESO and are considered accurate.

Standard conditions are included in relation to hours of operation (08:00 till 19:30), acceptable levels of noise and vibration from the plant operation as well as a requirement for the installation of the acoustic enclosure prior to the operation of the plant. With these conditions in place it is considered that the proposal will safeguard the amenity of neighbouring occupiers.

It is noted that the existing plant is the subject of a complaint to the Council's Noise Team. Officers have visited the site and conclude that the operation of the existing plant does not result in a statutory nuisance.

An objection has been received on the ground that the plant installation will result in a loss of light. Although the enclosure projects slightly above the cill of the adjacent window to the dental surgery, it is not considered that the proposals would affect the level of light received to the extent that the operation of the dental surgery would be affected. Consequently, it is not considered that this objection could be supported and the proposals complies with policy 7.

Two objections mention that the proposed acoustic enclosure would cover a small drain or gully cover. The applicant will need to make necessary arrangements to ensure that access to this gully, and that the installation does not impede necessary maintenance.

An objection to the scheme notes that there are at present five separate pieces of plant equipment in the rear area, and that the current application seeks only to address three of these. The objector feels that all items of plant should be addressed as a single operation. While it would be desirable to deal with all the plant in a single application, the City Council can only address what is before it in an application. There is no scope

to insist that further works are brought within an application. The remaining two units do form the subject of a separate application.

The objector further states that the operation of the two pieces of plant not covered by this application have distorted the results of the acoustic survey. This objection is addressed in the EHOs comments.

The objection goes on to state that the acoustic properties of the enclosure are unverified, and proposes that the units be sited on the roof. A condition requiring a supplementary acoustic report will ensure that the enclosure functions as it is intended to. A rooftop location for the plant does not form part of this application, and again, the City Council can only consider the acceptability of what is before it.

#### **9.4 Other Considerations**

None.

#### **9.5 Environmental Impact Assessment**

The proposed development is not of sufficient scale or impact to require an Environmental Impact Assessment.

#### **9.6 Planning Obligations & Pre-Commencement Conditions**

Planning obligations are not relevant in the determination of this application.

#### **10. Conclusion**

Subject to appropriate conditions the proposal accords with development plan policies, specifically Policies 7, 33, 38, 39 and 40 of Westminster's City Plan.

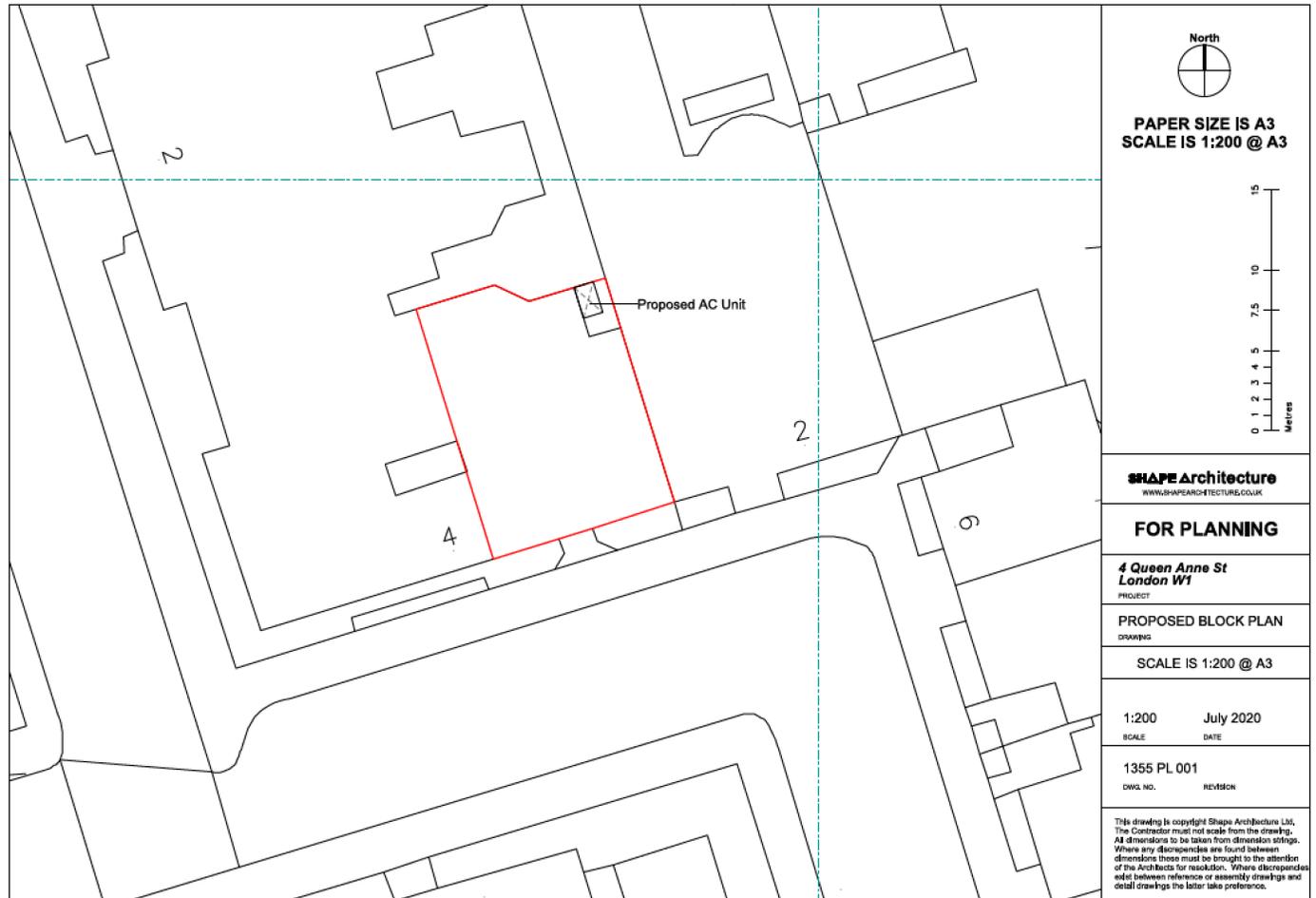
In terms of heritage impact, the proposal is considered acceptable, mindful of policies 38, 39 and 40 of the City Plan 2019-2040 and therefore, a recommendation to grant conditional permission would be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990. The application is therefore recommended for conditional approval.

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: PAUL QUAYLE BY EMAIL AT [pquayle@westminster.gov.uk](mailto:pquayle@westminster.gov.uk).

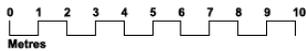
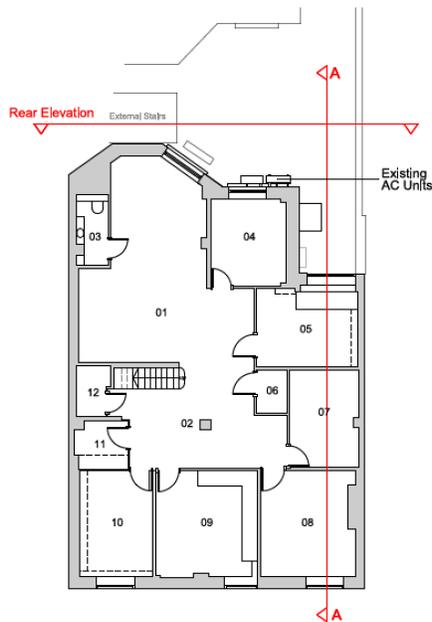
## 11. KEY DRAWINGS

Proposed plan showing location of new unit relative to existing buildings



### Existing lower ground floor plan

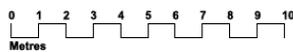
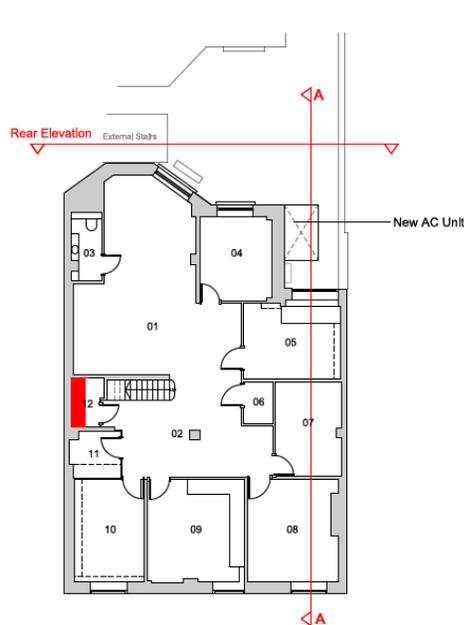
- Key
- 01 Waiting Room
  - 02 Hall
  - 03 W/C
  - 04 Surgery 1
  - 05 Surgery 2
  - 06 Storage
  - 07 Laboratory
  - 08 Dentist Room
  - 09 Surgery 3
  - 10 Doctor's Office
  - 11 Storage
  - 12 Compressor Room



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		FOR PLANNING	Existing Lower Ground Floor
		1354 SU03	DWG. NO.      REVISION      CHECKED

### Proposed lower ground floor plan

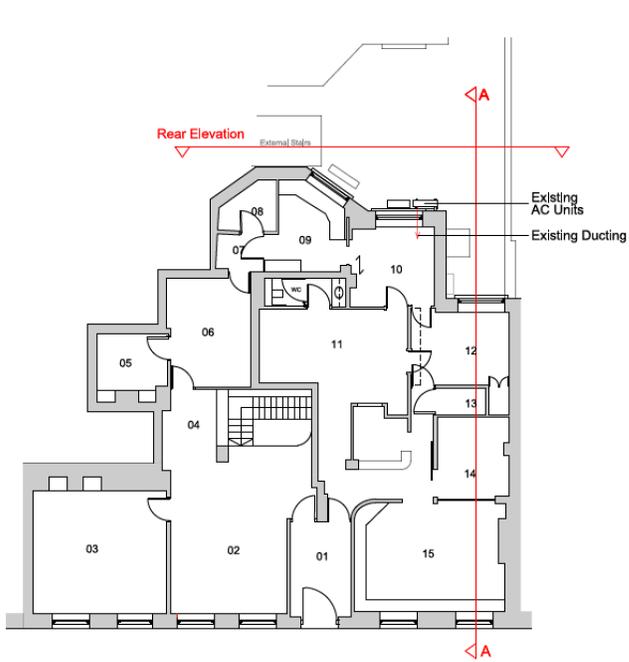
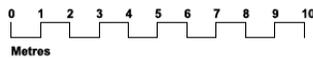
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		FOR PLANNING	Proposed Lower Ground Floor
		1354 PL02	DWG. NO.      REVISION      CHECKED

### Existing ground floor plan

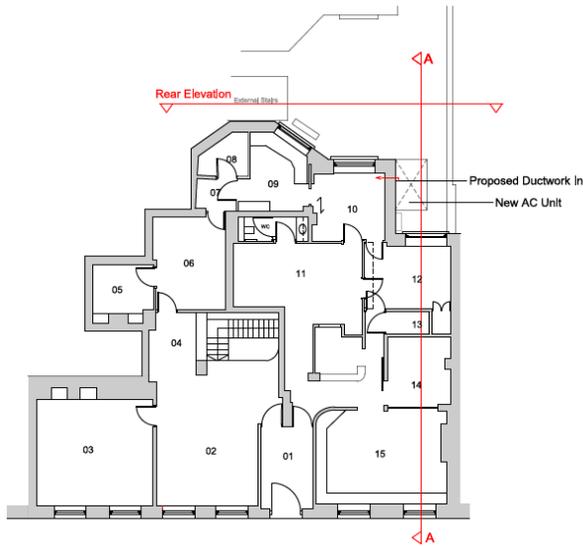
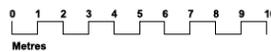
- Key
- 01 Lobby
  - 02 Hall
  - 03 Office
  - 04 Lobby
  - 05 Kitchen
  - 06 Staff Room
  - 07 Store
  - 08 WC
  - 09 X-Ray Room
  - 10 X-Ray Room
  - 11 Waiting Room
  - 12 Office
  - 13 Store
  - 14 Surgery
  - 15 Surgery



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		<p><b>FOR PLANNING</b></p>	<p>Existing Ground Floor DRAWING</p>	<p>1354 SU04 DWG. NO. REVISION CHECKED</p>

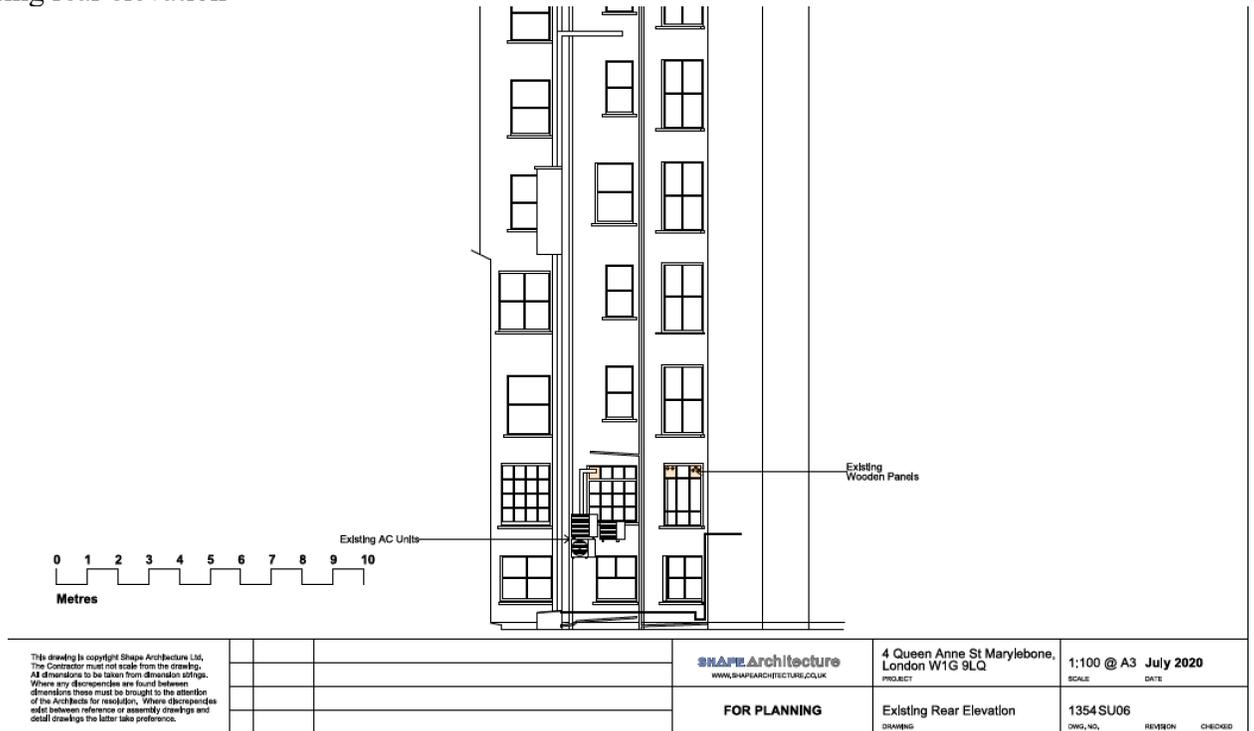
### Proposed ground floor plan

- Key
- 01 Lobby
  - 02 Hall
  - 03 Office
  - 04 Lobby
  - 05 Kitchen
  - 06 Staff Room
  - 07 Store
  - 08 WC
  - 09 X-Ray Room
  - 10 X-Ray Room
  - 11 Waiting Room
  - 12 Office
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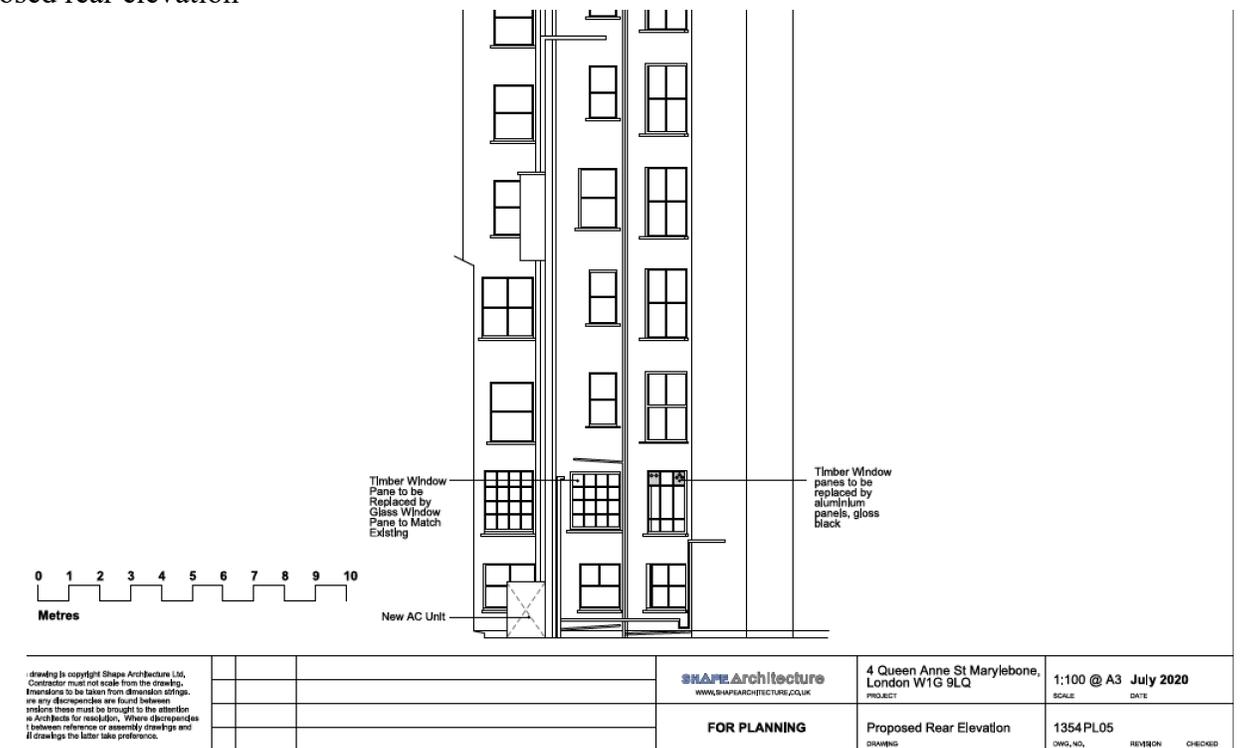


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		<p><b>FOR PLANNING</b></p>	<p>Proposed Ground Floor DRAWING</p>	<p>1354 PL03 DWG. NO. REVISION CHECKED</p>

Existing rear elevation



Proposed rear elevation



**DRAFT DECISION LETTER - PLANNING**

**Address:** 4 Queen Anne Street, London, W1G 9LQ

**Proposal:** Removal of existing air conditioning units, installation of replacement air conditioning unit within acoustic enclosure and replacement of window panels.

**Reference:** 20/05462/FULL

**Plan Nos:** Documents: Acoustic Report (EEC/EC17255-6) and the Technical Addendum (EC17255-7), Drawings: PL006; 1354PL02; 1354PL03; 1354PL04; 1354PL05

**Case Officer:** Toby Cuthbertson **Direct Tel. No.** 020 7641  
07866039110

**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 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
  - o between 08.00 and 18.00 Monday to Friday;
  - o between 08.00 and 13.00 on Saturday; and
  - o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and ,
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 3 You must remove all redundant plant, fixtures, fittings and cabling before the units hereby approved can be installed.

**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 Harley Street Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 4 (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 5 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 in writing 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 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 in writing 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 written 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 LA90 (15 minutes) 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. (C46BC)

**Reason:**

As set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the

intrusiveness of tonal and impulsive sounds, and 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. (R46BC)

- 5 The plant/machinery hereby permitted shall not be operated except between 08:00 hours and 19:30 hours daily. (C46CA)

Reason:

To safeguard the amenity of occupiers of noise sensitive receptors and the area generally by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest thereby preventing noise and vibration nuisance as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) the Environmental Supplementary Planning Document (February 2022). (R46CC)

- 6 You must install the acoustic enclosure around the plant unit at the same time as the plant is installed and to the specification detailed in the Acoustic Report (EEC/EC17255-6) and the Technical Addendum (EC17255-7). It must thereafter be maintained in this form for as long as the plant remains in place.

Reason:

As set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R46BC)

- 7 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 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R48AB)

- 8 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

**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 Harley Street Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 9 You must not operate the plant/ machinery that we have allowed (other than to carry out the survey required by this condition) until you have carried out and sent us a post-commissioning noise survey and we have approved the details of the survey in writing. The post-commissioning noise survey must demonstrate that the plant/ machinery complies with the noise criteria set out in conditions 4 and 7 of this permission.

**Reason:**

As set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. (R51BC)

**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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), 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.
- 2 Conditions 4 and 5 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)

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.



Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

**Informative(s):**

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT -  
In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework, the London Plan (March 2021), the City Plan (April 2021), as well as relevant supplementary planning guidance, representations received and all other material considerations., , The City Council has had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and has decided that the proposed works would not harm this special architectural or historic interest; or where any harm has been identified it has been considered acceptable in accordance with the NPPF., , In reaching this decision the following were of particular relevance:, Policies 38, 39 and 40 of the City Plan 2019 - 2040 adopted in April 2021 and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

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