

Committee:	Date:
Planning and Transportation	5 July 2016
Subject: Flat 6 Amen Lodge Warwick Lane London EC4M 7BY Installation of 1 No. new air conditioning unit at roof level.	Public
Ward: Farringdon Within	For Decision
Registered No: 16/00384/FULL	Registered on: 19 April 2016
Conservation Area: St Paul's Cathedral	Listed Building: No

Summary

Amen Lodge is a part two, part six storey building comprising 12 residential units.

Planning permission is sought for the installation of one air conditioning unit on the sixth floor flat roof associated with a flat at second floor level. The proposed unit would be located behind an existing brick upstand and would not be visible from street level.

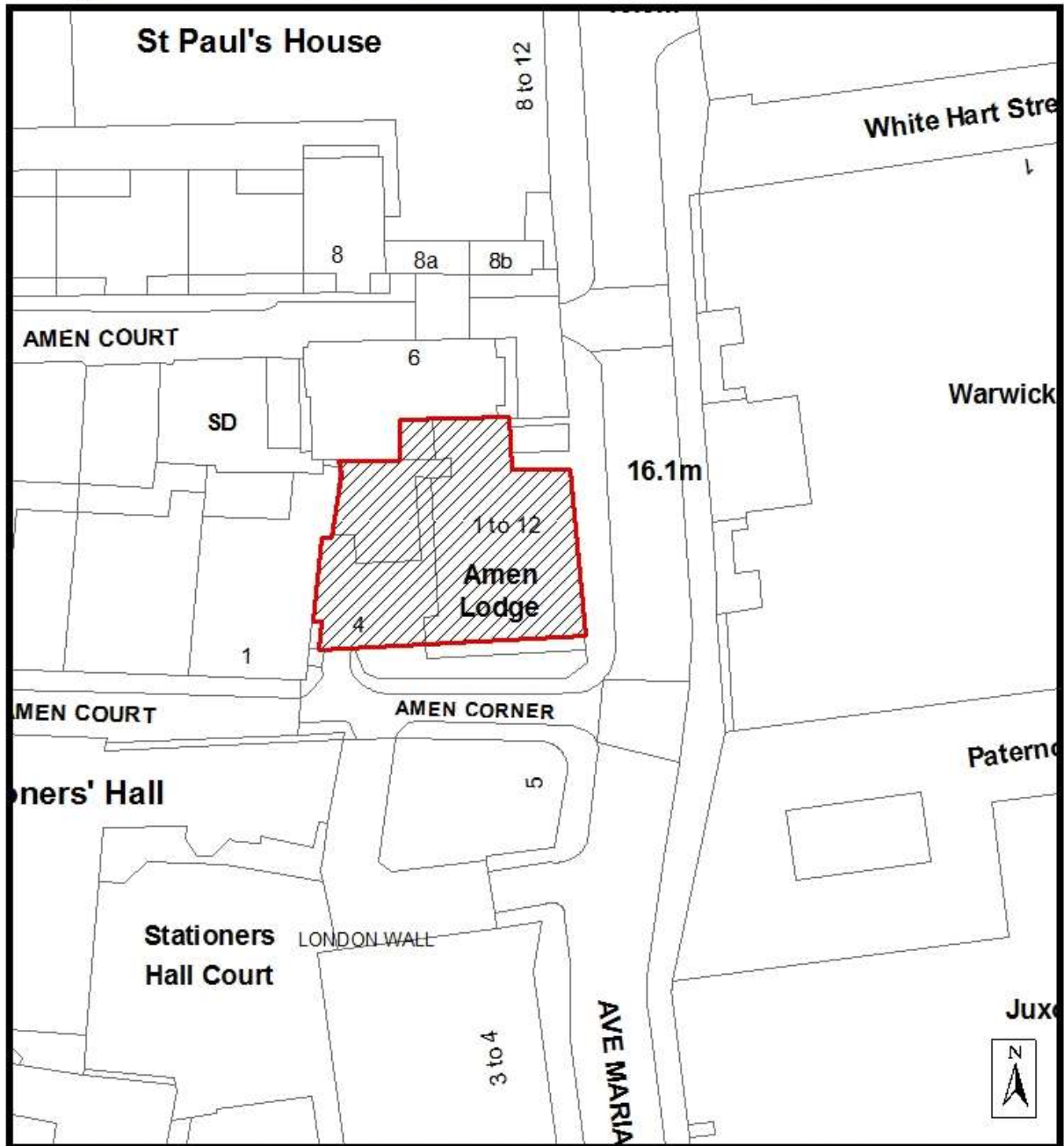
Acoustic information has been submitted to demonstrate that the proposal would not cause noise and disturbance; the visual impact would not significantly detract from the appearance of the building or from the character and appearance of the St Paul's Cathedral Conservation Area.

The proposal has attracted 5 objections from residents in nearby properties. These relate to increased noise and disturbance and to clutter on the roof.

Recommendation

Planning permission be granted for the proposal in accordance with conditions set out in the attached schedule.





City of London Site Location Plan



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ADDRESS:
6 Amen Lodge, Warwick Lane

CASE No.
16/00384/FULL

-  SITE LOCATION
-  LISTED BUILDINGS
-  CONSERVATION AREA BOUNDARY
-  CITY OF LONDON BOUNDARY



DEPARTMENT OF THE BUILT ENVIRONMENT



View from street level on Ave Maria Lane

Main Report

Site

1. The application site is located at the corner of Warwick Lane and Amen Corner, a 1960's building within the St Paul's Cathedral Conservation Area. To the north and west, the site is bounded by residential buildings. Warwick Lane to its east has mixed use commercial buildings.
2. Amen Lodge comprises a residential building with a six storey element with open terraces at fifth floor level and a two storey element on its western boundary.

Proposals

3. Planning permission is sought for the installation of one air conditioning unit, measuring 0.9m wide by 0.77m high and 0.35m deep, on the flat roof at sixth floor level.
4. The proposed unit would be located behind an existing brick upstand and would not be visible from street level.

Consultations

5. The application was advertised on site and in the press and letters were sent to nearby residential properties. Five objections have been received, objecting to the proposal on the grounds of increased noise and disturbance, the amount of unsightly clutter on the roof, questioning the need for air conditioning (letters attached).
6. The Department of Markets and Consumer Protection is satisfied the proposed air conditioning unit would meet the City's noise emission standards of 10dBA below background noise level at the nearest noise sensitive premises. Two conditions are recommended to ensure the air conditioning unit is mounted in a way which will minimise structure borne sound and that the new unit shall comply with the noise levels as in the submitted acoustics report.

Policy Context

7. The development plan consists of the London Plan and the City of London Local Plan. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix A to this report.
8. Government Guidance is contained in the National Planning Policy Framework (NPPF).

Considerations

9. The Corporation, in determining the planning application has the following main statutory duties to perform:-
to have regard to the provisions of the development plan, so far as material to the application and to any other material considerations.

(Section 70 Town & Country Planning Act 1990);

to determine the application in accordance with the development plan unless other material considerations indicate otherwise.

(Section 38(6) of the Planning and Compulsory Purchase Act 2004).

10. The principal issues in considering this application are:
- The extent to which the proposals comply with Government policy advice (NPPF);
 - The extent to which the proposals comply with the relevant policies of the Development Plan;
 - to consider whether there would be a loss of amenity through increased noise and disturbance and whether the visual impact of the proposed air conditioning unit is acceptable.

Design

11. The unit would be positioned towards the southern end of the roof behind a brick upstand that was possibly a former boiler vent. The upstand is visible from street level looking north from Ave Maria Lane and the air conditioning unit would be placed on the north side of this structure and would be screened by it so as not to be visible from ground level. The unit would be below the height of the upstand and would be partially obscured in views from adjacent buildings across the street in Warwick Lane by the presence of a similar brick upstand to the east. The proposed air conditioning unit would not be seen from any of the fifth floor terraces.
12. The visual impact of the proposal on Amen Lodge is considered to be minor. While the condenser unit would not be visible from the street, a number of television and satellite dish aerials have already been mounted on the two upstand structures and the presence of the condenser unit would add to the clutter on the roof, but only in higher level views from surrounding buildings. The proposed air conditioning unit would not detract from the character and appearance of the St Paul's Conservation Area or from views from the viewing gallery of St Paul's.

Impact on Residential Amenity

13. Five objections have been received from residents of Amen Lodge and Amen Court. Concerns have been expressed that the proposed air conditioning unit would cause increased noise and disturbance, regarding the visual impact of the proposed air conditioning unit on the roof and querying the need for air conditioning.
14. The acoustic report submitted with the application confirms the noise survey was conducted for a 24 hour period covering both daytime and night time scenarios. The acoustic report demonstrates the proposed air conditioning unit would operate at levels 10 dBA below background noise levels at all times.

15. The Department of Markets and Consumer Protection has reviewed the acoustic report and is satisfied that the proposal would not cause noise and disturbance to nearby occupiers.
16. The Department of Markets and Consumer Protection has recommended two conditions to ensure the air conditioning unit is mounted in a way which will minimise structure borne sound, that the height of the proposed unit shall remain below the brick upstand and that the new unit shall comply with the noise levels in the submitted acoustics report.
17. The acoustic information and the siting of the proposed air conditioning unit means that no demonstrable harm would be caused to residential amenity.

Conclusions

18. The proposed air conditioning unit would not result in a material loss of amenity to nearby residential occupiers and would not harm the character and appearance of this part of the St Paul's Cathedral Conservation Area.

Background Papers

Internal

Memorandum Department of Markets and Consumer Protection dated 24 May 2016

External

Report	Technical Data Air Conditioning Systems prepared by Daikin
Report	6 Amen Lodge Acoustic Planning Report prepared by WSP, April 2016
Objection	Mr Juan Jose Galiano Lorenzo, Amen Lodge
Objection	Ms Helen O'Sullivan, Amen Court
Objection	Ms Caroline Williams, Amen Court
Objection	Mr Jonathan Herapath, Amen Court
Objection	Mr Simon Johnson, Amen Court

Appendix A

London Plan Policies

The London Plan policies which are most relevant to this application are set out below:

Policy 3.14 Support the maintenance and enhancement of the condition and quality of London's existing homes. Loss of housing, including affordable housing, should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floorspace.

Policy 7.15 Minimise existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals and separate new noise sensitive development from major noise sources.

Relevant Local Plan Policies

CS10 Promote high quality environment

To promote a high standard and sustainable design of buildings, streets and spaces, having regard to their surroundings and the character of the City and creating an inclusive and attractive environment.

DM15.7 Noise and light pollution

1. Developers will be required to consider the impact of their developments on the noise environment and where appropriate provide a noise assessment. The layout, orientation, design and use of buildings should ensure that operational noise does not adversely affect neighbours, particularly noise-sensitive land uses such as housing, hospitals, schools and quiet open spaces.
2. Any potential noise conflict between existing activities and new development should be minimised. Where the avoidance of noise conflicts is impractical, mitigation measures such as noise attenuation and restrictions on operating hours will be implemented through appropriate planning conditions.
3. Noise and vibration from deconstruction and construction activities must be minimised and mitigation measures put in place to limit noise disturbance in the vicinity of the development.
4. Developers will be required to demonstrate that there will be no increase in background noise levels associated with new plant and equipment.
5. Internal and external lighting should be designed to reduce energy consumption, avoid spillage of light beyond where it is needed and protect the amenity of light-sensitive uses such as housing, hospitals and areas of importance for nature conservation.

SCHEDULE

APPLICATION: **16/00384/FULL**

Flat 6 Amen Lodge Warwick Lane

Installation of 1 No. new air conditioning unit at roof level.

CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To ensure compliance with the terms of Section 91 of the Town and Country Planning Act 1990.
- 2 Before any mechanical plant is used on the premises it shall be mounted in a way which will minimise transmission of structure borne sound or vibration to any other part of the building and the plant equipment shall remain below the height of the brick upstand in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.
REASON: In order to protect the amenities of commercial occupiers in the building in accordance following policy of the Local Plan: DM15.7.
- 3 (a) The level of noise emitted from any new plant shall be lower than the existing background level by at least 10 dBA. Noise levels shall be determined at one metre from the window of the nearest noise sensitive premises. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which plant is or may be in operation.
(b) Following installation but before the new plant comes into operation measurements of noise from the new plant must be taken and a report demonstrating that the plant as installed meets the design requirements shall be submitted to and approved in writing by the Local Planning Authority.
(c) All constituent parts of the new plant shall be maintained and replaced in whole or in part as often is required to ensure compliance with the noise levels approved by the Local Planning Authority.
REASON: To protect the amenities of neighbouring residential/commercial occupiers in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 4 The development shall not be carried out other than in accordance with the following approved drawings and particulars or as approved under conditions of this planning permission: Site Location Plan - 376.PL.000 Rev A, Roof Plan as Proposed - 376.PL.052 Rev A, South Elevation as Proposed - 376.PL.053

REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.

INFORMATIVES

- 1 In dealing with this application the City has implemented the requirements of the National Planning Policy Framework to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in dealing with planning applications in the following ways:

detailed advice in the form of statutory policies in the Local Plan, Supplementary Planning documents, and other written guidance has been made available;

a full pre application advice service has been offered;

where appropriate the City has been available to provide guidance on how outstanding planning concerns may be addressed.

Adjei, William

From: Chaplain <chaplain@stpaulscathedral.org.uk>
Sent: 13 May 2016 15:14
To: PLN - Comments
Subject: Planning Application: 16/00384/FULL (Case Officer: Bhakti Depala)

Dear Sir/Madam,

I write in to add weight to my husbands submission (copied below) and to register my own personal objection to the installation of the air conditioning unit at flat 6 Amen Lodge. I already struggle to sleep with the noise of existing air conditioning units on Warwick Lane which are further from us than this one would be.

This unit would significantly add to the noise pollution.

Yours sincerely
Helen O'Sullivan
8b Amen Court

Dear Sir/Madam

I am writing to lodge a protest to Planning Application 16/00384/FULL in relation to the Installation of 1 No. new air conditioning unit at roof level at Flat 6 Amen Lodge, Warwick Lane, London EC4M 7BY.

I live in Amen Court and Amen Lodge is a matter of meters from my residence and the other residences in the court. The court is already blighted by the almost continuous hum of another air conditioning unit in the close vicinity. I certainly don't want that noise increased by the installation of any further air conditioning units within hearing of my residence. I work from home as a writer/academic and the noise is most disturbing to thought and concentration, not too mention the peace of the court. Living in central London obviously means that one does not live in silence, but planes overhead and the sirens of emergency vehicles are transitory and not continuous; the noise from the existing air conditioning unit is almost unabated.

Yours faithfully,

Jonathan Herapath

(8b Amen Court, EC4M 7BU)

Helen O'Sullivan

Chaplain

ACKNOWLEDGED

ST PAUL'S
CATHEDRAL

The Chapter House
St Paul's Churchyard
London
EC4M 8AD



Hassall, Pam

To: Hassall, Pam
Subject: FW: Planning Application: 16/00384/FULL (Case Officer: Bhakti Depala)

-----Original Message-----

From: Jonathan Herapath Sent: 09 May 2016 11:16
To: PLN - Comments
Subject: Planning Application: 16/00384/FULL (Case Officer: Bhakti Depala)

Dear Sir/Madam

I am writing to lodge a protest to Planning Application 16/00384/FULL in relation to the Installation of 1 No. new air conditioning unit at roof level at Flat 6 Amen Lodge, Warwick Lane, London EC4M 7BY.

I live in Amen Court and Amen Lodge is a matter of meters from my residence and the other residences in the court. The court is already blighted by the almost continuous hum of another air conditioning unit in the close vicinity. I certainly don't want that noise increased by the installation of any further air conditioning units within hearing of my residence. I work from home as a writer/academic and the noise is most disturbing to thought and concentration, not too mention the peace of the court. Living in central London obviously means that one does not live in silence, but planes overhead and the sirens of emergency vehicles are transitory and not continuous; the noise from the existing air conditioning unit is almost unabated.

Yours faithfully,

Jonathan Herapath

(8b Amen Court, EC4M 7BU)



ACKNOWLEDGED

Wells, Janet (Built Environment)

From: PLN - Comments
Subject: FW: Comments for Planning Application 16/00384/FULL

From: PLN - Comments
Sent: 19 May 2016 12:54
To: PLN - Comments
Subject: Comments for Planning Application 16/00384/FULL

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 12:53 PM on 19 May 2016 from Mr Juan Jose Galiano Lorenzo.

Application Summary

Address: Flat 6 Amen Lodge Warwick Lane London EC4M 7BY
Proposal: Installation of 1 No. new air conditioning unit at roof level.

Case Officer: Bhakti Depala

[Click for further information](#)

Customer Details

Name: Mr Juan Jose Galiano Lorenzo
Email: [REDACTED]
Address: Flat 4 Amen Lodge Warwick Lane London

Comments Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Reasons for comment: - Noise
- Residential Amenity

Comments: Dear Sir/Madam I would like to object to this proposal. I own Flat 4 at Amen Lodge and I am concerned about the amount of unsightly clutter that is already installed at roof level at Amen Lodge. The unsightly roof top can be seen from both ends of Warwick Lane and is cluttered with 8 parabolic antennas, 4 or 5 analogue antennas (in working order or not, I don't know) plus disused machinery laying down on the roof top making the whole area look like a rubbish dump (which is probably not appreciated by the neighbouring office blocks) and more appropriate of a council block of flats where PVC double glazing windows and parabolic antennas flourish like mushrooms on its fabric. Also, they're planning on using a duct built for the exhaust of the boiler room fumes coming out from ground level all the way to the roof. It is unsafe to run electrical cables through that duct. Flat 6 already benefits from 3 existing air conditioning units in there own flat and therefore, there is no need to create

another space for an extra air conditioning unit in what is not there property. I understand they are trying to get rid of the old three ones, but that should leave ample space in the flat to accommodate the new one. If it is as quiet as they say it is, then I don't see why they feel the need to place it outside their property so it can disturb everyone else in the area either by the continuous humming noise or by adding an extra piece of junk at roof level. Amen Lodge has been deteriorating in the past few years and I am surprised that the council hasn't sent them a notice so they can clean up the roof and place all the parabolic antennas behind screens. All the neighbouring offices and residential properties at Amen Court have clean roof lines. Why does Amen Lodge have to look like a rubbish dump and council block of flats? I sincerely hope that you can see our problem and that permission to install another piece of machinery at roof level is denied. Thanks. Kind regards.

Hassall, Pam

From: PLN - Comments
To: Hassall, Pam
Subject: FW: Ref 16/00384/FULL Installation of 1 No. new air conditioning unit at roof level

From: Simon Johnson [REDACTED]
Sent: 09 May 2016 12:59
To: PLN - Comments
Subject: Ref 16/00384/FULL Installation of 1 No. new air conditioning unit at roof level

Dear Bhakti Depala,

I write to you regarding the planning application for the installation of an air conditioning unit on the roof of Flat 6 Amen Lodge (Ref as above). I wish to object to this proposal because my family (including two small children) are resident at 4A Amen Court and will be disturbed by the continuous hum of an air conditioning unit on a nearby building. I also object on environmental grounds: it is not necessary.

Thank you for your consideration.

Yours sincerely,

Simon Johnson
4A Amen Court
London
EC4M 7BU

Simon Johnson

Organist / Asst Director of Music



The Chapter House
St Paul's Churchyard
London
EC4M 8AD



ACKNOWLEDGED

Web. www.stpauls.co.uk

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Please consider the environment before printing this email.

Hassall, Pam

To: Hassall, Pam
Subject: FW: 16/00384

-----Original Message-----

From: Caroline Williams [REDACTED]
Sent: 11 May 2016 07:41
To: PLN - Comments
Subject: 16/00384

16/00384/full installation of new air conditioning unit at roof level: Flat 6 Amen Lodge, EC4M 7BY

I live in Amen Court and Amen Lodge is maybe only 10 metres from my home. As it is we live with a constant humming noise from another air conditioning unit which disturbs my sleep both day and night. (I am a shift worker)

The transient noise of planes and sirens is different to the incessant and irritating constant noise of the hum of air conditioning.

The thoughts of increasing the hum with another air conditioning unit which grates like a dripping tap worries me.

I hope you will take my concerns into consideration when making a decision regarding air conditioning in what is a residential property in England!

Thank you in anticipation

Caroline Williams
4B Amen Court, EC4M 7BU

Sent from my iPhone



ACKNOWLEDGED