

Committee	PLANNING COMMITTEE (C)	
Report Title	Blackheath Hospital, Lee Terrace SE3	
Ward	Blackheath	
Contributors	Jan Mondrzejewski	
Class	PART 1	Date: 28 AUGUST 2013

Reg. Nos. DC/13/82661

Application dated 19.02.2013

Applicant Kendall Kingscott obo BMI Healthcare

Proposal The installation of an air handling unit and 2no. condensing units in an acoustic enclosure and 2no. air conditioner condensing units fixed to a wall on the roof of Blackheath Hospital, 40-42 Lee Terrace SE3.

Applicant's Plan Nos. 100081 P(0)101A, 102A, 103B, 104, 105D, 106A & 107, Design And Access Statement, Environmental Noise Survey Report.

Background Papers

- (1) Case File LE/405/40
- (2) Adopted Unitary Development Plan (July 2004)
- (3) Local Development Framework Documents
- (4) The London Plan

Designation Adopted UDP - Existing Use

Screening N/A

1.0 Property/Site Description

- 1.1 The property comprises 2, three storey plus basement villas of c1870. No 42 features a grey brick (now painted) façade with stucco dressings while No 40 has a wholly stuccoed finish with tower. Both properties are locally listed buildings and were originally detached. The buildings are now connected by a modern extension. No 40 also has a two storey modern side extension in period style with stuccoed finish to match the host property and a large rear extension in brown brick laid in stretcher bond. The latter conceals side views of all but the second floor of the original building.
- 1.2 Both No 40 and 42 Lee Terrace form part of the Blackheath Hospital complex. The forecourt of the hospital is characterised by parking with large areas of vegetation behind the existing boundary wall. There is a lightwell to the rear of the building and the flat roofed modern extensions support a number of air conditioning units and ventilation plant and equipment associated with the hospital use.

1.3 The hospital is bounded by residential development, with Hatcliffe Close adjoining the site to the east, Tristan Square to the west and Lock Chase to the south and is included within the Blackheath Conservation Area.. This application relates to the flat roof and side elevation of the modern extensions to the side and rear of No 40 Lee Terrace which are visible from the gardens and rear elevations of Nos. 5a to 10 Tristan Square. The Tristan Square properties comprise three storey, flat roofed, modern town houses. There are a number of silver birch trees on the hospital site to the rear of Nos 9 & 10 Tristan Square.

2.0 Planning History

2.1 Planning permission was granted in 1982 for the use of Nos 40 and 42 Lee Terrace as a 64 bed private hospital. This proposal featured the part demolition and rebuilding of No 40 Lee Terrace. Since implementation there have been a number of planning approvals for various alterations to the Hospital.

2.2 At the meeting of Planning Committee B on 15 September 2005, the Council resolved to grant planning permission subject to conditions, for various works at the hospital site connected with the installation of new medical equipment. This included the construction of a timber boarded enclosure to the flat roof at the side of the Hospital to house mechanical ventilation equipment associated with medical equipment.

2.3 One of the conditions imposed required further details of the expected noise levels from the plant within the enclosure to prevent the creation of noise nuisance by any equipment to be housed in the enclosure. This was at the request of the Environmental Health officer. A scheme for noise insulation was required to be submitted and approved in writing by the Council prior to the commencement of works.

2.4 Following planning approval, works commenced on site before a scheme for sound insulation was submitted to the Council. In particular, chiller units were installed on the flat roof to the side of the Hospital and were run on a 24 hour basis without any sound insulation. This resulted in a number of complaints to the Council's Environmental Health Service and on October 19 2005 a noise abatement order was served on the Hospital as the sound from the plant was deemed to cause a statutory nuisance.

2.5 After the serving of that Notice, the Hospital continued with work to the plant against the advice of planning officers, and installed a metal louvered enclosure around the chiller units to reduce noise levels. The installed enclosure was larger than shown in the approved scheme and was constructed from metal rather than timber as approved. A quench pipe was also installed which did not appear on the originally permitted plans.

2.6 It also became apparent that work was taking place on site outside the hours permitted by a condition imposed on the approved application.

2.7 Because of the continuation of works on site, Planning Committee B on 27 October 2005 resolved to authorise the Head of Law to take all necessary action, including the serving of a stop notice, to ensure compliance with the relevant conditions attached to the original approval.

- 2.8 In 2006 an application for the retention of a plant enclosure to the side of the hospital, together with alterations to it, was approved. The enclosure was necessary to lower noise levels from the unit. The plant enclosure was originally part of the application approved in 2005.
- 2.9 Following the various approvals it became apparent that the noise levels emanating from the plant within the enclosure were causing disturbance to neighbouring residential properties despite the enclosure. On investigation it was found that the background noise level originally measured as part of the 2005 application at the site boundary was not representative of the noise levels within the adjoining residential gardens and the background noise levels were actually lower.
- 2.10 Also in 2006, an application for the installation of an extract air handling unit to the rear of the Hospital in an existing lightwell, clad in timber, was approved.
- 2.11 Since 2006 there continued to be complaints about noise from the plant... In order to try to resolve the issues and improve the sound attenuation, a near identical application was submitted in 2008 for the re-siting of the existing CT Scanner condensing unit, together with the formation of a box enclosure to the MRI chiller unit. The scheme was withdrawn following a local meeting, so that other options could be explored and further information and revised details submitted.
- 2.12 In July 2009, planning permission was granted for the re-siting of the existing CT Scanner condensing unit, together with the formation of a box enclosure to the MRI chiller unit. These works involved the entire removal of the previous plant enclosure and its rebuilding with a roof in order to reduce noise emanating from the unit. During this exercise the CT scanner condensing unit which was previously housed within the enclosure, was relocated to within an existing lightwell to the rear of the Hospital. The MRI chiller unit would run on a 24hr basis and the condenser unit would run during normal working hours.
- 2.13 In November 2012 an application for planning permission was submitted for the installation of an air handling unit and two air conditioning condensing units to the side of Blackheath Hospital, in connection with a new intensive treatment unit. The proposed air handling unit replaced a staff smoking shelter on the west elevation of the building close to the rear garden fences of Nos 8 and 9 Tristan Close. The proposed air handling unit would also have resulted in the loss of a silver birch tree, one of the largest of a cluster of silver birches which adjoin the basement lightwell. The proposed equipment would have been approximately 2 metres away from the boundary fences of Nos 8 and 9 Tristan Square and would have been 2.5 metres in height, with a duct rising to approximately 4.5 metres at the rear of the hospital building.
- 2.14 The chiller units would be placed within existing structures in the adjoining rear lightwell of the hospital.

- 2.15 The application was submitted with an acoustic report which wrongly identified the position of the equipment as being located on the roof of the hospital. The sound level meter which determined background noise levels was also located on the 3rd floor roof facing the residential buildings to the west of the site (i.e. Tristan Square) and was not representative of the noise levels within the adjoining residential gardens where the background noise levels would be expected to be lower. This was confirmed in an acoustic report commissioned by the Tristan Square residents and accepted by the applicant's agent. This application was withdrawn in January 2013.

3.0 Current Planning Application

- 3.1 The current application is a revised scheme following the withdrawal of the November 2012 application and is for the installation of an air handling unit, 2no. condensing units in acoustic enclosures and 2no. direct expansion (DX) air conditioner condensing units. The proposed air handling unit is now proposed to be located on the roof of the extension on the west side of No 40 Lee Terrace. The unit is 'L' shaped (approximately 5m x 5m and would be 3m high above the roof level (supported on a raised platform), the top of which is level with the parapet of the building. The unit itself would be 2.35m high. The platform includes a rectangular area on the inside of the 'L' with a guard rail for access and maintenance. The air handling unit is connected to the intensive care unit of the hospital via ducts located on the side elevation of the back addition located to the rear of 8 Tristan Close. The applicant states that the ducts and equipment will have a white finish to match the locally listed building at No 40 Lee Terrace.
- 3.2 In addition to the air handling unit, new heat pump condensing units are proposed in an acoustic enclosure on a flat roof area below that of the proposed air handling unit and located further away from the boundary with residential properties in Tristan Square.
- 3.3 Two new DX units are also proposed in an enclosed space at the rear of the hospital which is not visible from outside the site.
- 3.4 The application is submitted with a noise report by acoustic consultants Hann Tucker Associates and a Design, Access and Heritage Statement prepared by the applicant's agents.

4.0 Consultation

- 4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.2 Site notices were displayed and letters were sent to the Blackheath Society, residents and business in the surrounding area and the relevant ward Councillors.

Written Responses received from Local Residents and Organisations

- 4.3 Five objections have been received from the occupiers of Nos 6, 8, 9, 10 & 14 Tristan Square, objecting to the application on the following grounds:-

- 1) The proposed air handling unit and ducting would be visually obtrusive and with the existing equipment will create an industrial outlook in a residential Conservation area.
- 2) The unit will give rise to noise nuisance.
- 3) The proposed plant should be clad in a material to match the building.
- 4) If the application is to be approved it should be on the basis of conditions requiring details of cladding to be agreed and that if predicted noise levels prove inaccurate, the Council will investigate and take measures to ensure compliance.
- 5) The hospital's existing air handling unit already causes noise nuisance, particularly during hot weather.
- 6) The proposed unit will be visible to the public from Tristan Square.
- 7) As the hospital is a private one, the public will derive little benefit from the proposed works.
- 8) The acoustic report includes no proposals for monitoring noise post installation.

Letters available to Members

Amenities Society Panel

- 4.4 A front elevation is needed to show the impact of the proposed plant on views from Lee Terrace. More information on materials and finishes for the plant and ducting is also required to ensure that the visual impact of the equipment is minimised.

Environmental Health

- 4.5 This is a very sensitive area from the perspective of noise and impacts in the past on residents. A calculation spreadsheet from the acoustic consultant to support their findings is therefore required. Although their approach and the resultant levels appear to be acceptable and meet our requirements, validation can only be carried out after reviewing the calculation spreadsheet.
- 4.6 Following the submission of the required information in April 2013, the Environmental Health Officer confirmed that the information was sufficient to secure compliance with Council requirements.

5.0 Policy Context

Introduction

- 5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-
- (a) the provisions of the development plan, so far as material to the application,

- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

A local finance consideration means—

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).

5.2 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise. The development plan for Lewisham comprises the Core Strategy, Development Plan Document (DPD) (adopted in June 2011), those saved policies in the adopted Lewisham UDP (July 2004) that have not been replaced by the Core Strategy and policies in the London Plan (July 2011). The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

5.3 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14 a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary this states that (paragraph 211), policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)' .

5.4 Officers have reviewed the Core Strategy and saved UDP policies for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

Ministerial Statement: Planning for Growth (23 March 2011)

5.5 The Statement sets out that the planning system has a key role to play in rebuilding Britain's economy by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible. The Government's expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy.

5.6 The statement further sets out that local authorities should reconsider at developers request, existing Section 106 agreements that currently render schemes unviable, and where possible modify those obligations to allow development to proceed, provided this continues to ensure that the development remains acceptable in planning terms. [Delete if not relevant]

Other National Guidance

5.7 The other relevant national guidance is:

By Design: Urban Design in the Planning System - Towards Better Practice (CABE/DETR 2000)

London Plan (July 2011)

5.8 The London Plan policies relevant to this application are:

Policy 3.2 Improving health and addressing health inequalities
Policy 3.16 Protection and enhancement of social infrastructure
Policy 3.17 Health and social care facilities
Policy 4.12 Improving opportunities for all
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 7.1 Building London's neighbourhoods and communities
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.8 Heritage assets and archaeology
Policy 7.15 Reducing noise and enhancing soundscapes

London Plan Supplementary Planning Guidance (SPG)

The London Plan SPG's relevant to this application are:

London Plan Best Practice Guidance

5.9 The London Plan Best Practice Guidance's relevant to this application are:

Control of dust and emissions from construction and demolition (2006)

Health Issues in Planning (2007)

Core Strategy

5.10 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the London Plan and the saved policies of the Unitary Development Plan, is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Spatial Policy 5 Areas of Stability and Managed Change
Core Strategy Policy 7 Climate change and adapting to the effects
Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 9 Improving local air quality
Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 16 Conservation areas, heritage assets and the historic environment
Core Strategy Policy 20 Delivering educational achievements, healthcare provision and promoting healthy lifestyles

Unitary Development Plan (2004)

5.11 The saved policies of the UDP relevant to this application are:

URB 3 Urban Design
URB 6 Alterations and Extensions
URB 16 New Development, Changes of Use and Alterations to Buildings in Conservation Areas
URB 20 Locally Listed Buildings
ENV.PRO 11 Noise Generating Development
HSG 4 Residential Amenity
LCE 2 Existing Leisure and Community Facilities

Supplementary Planning Document

5.12 Blackheath Character Appraisal and Supplementary Planning Guidance

Emerging Plans

5.13 According to paragraph 216 of the NPPF decision makers can also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

5.14 The following emerging plans are relevant to this application.

Development Management Plan

5.15 The Development Management Local Plan – Proposed Submission Version, is a material planning consideration and is growing in weight. Public consultation on the Proposed Submission Version begun on 16 August 2013 and runs for eight weeks ending on Friday 4 October. Therefore, in accordance with the NPPF, the weight decision makers should accord the Proposed Submission Version should reflect the advice in the NPPF paragraph 216.

5.16 The following policies are considered to be relevant to this application:

DM Policy 1 Presumption in favour of sustainable development
DM Policy 22 Sustainable design and construction
DM Policy 23 Air quality
DM Policy 26 Noise and vibration
DM Policy 30 Urban design and local character

- *General principles*
- *Detailed design issues*

- DM Policy 31 Alterations and extensions to existing buildings including residential extension
- DM Policy 35 Public realm
- DM Policy 36 New development, changes of use and alterations affecting designated heritage assets and their setting: conservation areas, listed buildings, schedule of ancient monuments and registered parks and gardens
- *A. General principles*
 - *B. Conservation areas*
- DM Policy 37 Non designated heritage assets including locally listed buildings, areas of special local character and areas of archaeological interest
- *General principles*
 - *Locally listed buildings*
 - *Areas of special character*
 - *Non designated heritage assets of archaeological interest*
- DM Policy 41 Innovative community facility provision

6.0 Planning Considerations

- 6.1 A modern hospital use will clearly have a need to have ventilation plant and equipment renewed and altered in line with changing requirements and technologies. However, this has to be carried out in such a way as to minimise any detrimental impact on the character and appearance of the heritage assets comprising locally listed buildings located within the Blackheath Conservation Area, the risk of noise nuisance to adjoining residential properties and any loss of outlook to adjoining residential occupiers.

Impact on the character and appearance of the Conservation Area

- 6.2 Unlike the previous proposal, the current location of the proposed plant will not affect the group of silver birch trees at the rear of Tristan Square. The location of the new air handling equipment is now proposed on the roof of the hospital building rather than at ground level. This also results in the equipment being sited slightly further away from the nearest residential properties in Tristan Square. The hospital building in question is a modern flat roofed extension to No 40 Lee Terrace and in itself is of no particular architectural or historic merit. The 'L' shaped air handling unit is also set back approximately 9 -13 metres from the front elevation of the building. In addition to this setback, the proposed equipment is further concealed from public view from Lee Terrace by a section of false mansard roof at the corner of the building. Officers therefore consider that although the presence of the equipment may be visible from the other side of the Lee Terrace at some distance from the site, the overall visual impact of the plant will be minimal. Although the ASP have asked for a front elevation to be provided this would not give a realistic representation of the impact of the proposed air handling equipment on the appearance of the building, as it would not take account of the fact that the equipment is sited in a deeply recessed location. The proposed air handling unit includes the provision of external ducting on the rear elevation of the building, which is again not visible from Lee Terrace.

- 6.3 In addition to the air handling unit, new heat pump condensing units are proposed within an acoustic enclosure on a flat roof area below that of the proposed air handling unit. This will be much further away the Tristan Square houses and close to a group of three existing condensing units. These will not be visible from Lee Terrace. Although both the air handling unit and the housing for the new heat pump condensing units will be visible from the hammer head cul-de-sac in Tristan Square. In this location the proposed equipment will form a relatively small element in what is a view of the rear of a hospital building, where some structures and equipment of this nature will generally be expected.
- 6.4 Two new DX units are also proposed in an enclosed space at the rear of the hospital which is not visible from outside the site.
- 6.5 Given the above factors, officers do not consider that the proposed equipment will have any adverse affect on the character and appearance of the Blackheath Conservation Area.

Noise Impact

- 6.6 The noise report by Hann Tucker Associates measured background noise levels at the site over a 4 day period at a position selected in order to assess the lowest noise levels at the site for subsequent use in setting plant noise emission criteria. The lowest daytime background noise level was measured at 46dBA with the night time figure being 43dBA. The Acoustics Plus survey carried out for the Tristan Square residents over a 24 hour period in December 2012 and measured from the rear of 8 Tristan Square, established lower readings (43dBA and 41 dBA respectively). Council policy requires the design and installation of new items of fixed plant to be such that when operating, the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive properties, to be a rating level of 5dB(A) below the background noise level LAF90 Tbg. The Hann Tucker report therefore uses the lower Acoustics Plus readings to establish a proposed cumulative plant noise rating limit at 1m from the nearest noise sensitive premises as 38dBA daytime and 36dBA night time.
- 6.7 As the noise rating of the items of plant and the distance from the nearest residential windows are known, the noise impact of the proposed plant can be assessed. In the case of the air handling unit, this is predicted at 31dBA at 1m from the nearest noise sensitive window. The air inlet/discharge openings are located at the far end of the unit (facing away from residential properties) and will incorporate sound attenuators so that they are at least 20dBA below the casing breakout noise level at the nearest residential window. Figures for the two large condenser units are 18dBA at 1 metre from the nearest noise sensitive window and for the two small condenser units the corresponding figure is 16dBA. With all plant running simultaneously at full duty, the noise level at 1m from the nearest noise sensitive window is estimated to be 31 dBA. In order to calculate the plant 'rating' noise as described in BS4142, a 5dBA correction must be applied if the plant emits a noise containing distinguishable, discrete, continuous note (whine, hiss, screech, hum, etc) or distinct impulses (bangs, clicks, clatters or thumps). If this is done here, a calculated total noise level of 36dBA is obtained which meets the previously assessed plant noise emission criteria.

- 6.8 It will be seen that the Environmental Health Officer's decision to raise no objection to this proposal was based on an examination of the acoustic consultant's calculation spreadsheet. It will also be noted that the Council has in the past served a noise abatement notice on the hospital in order to secure the cessation of nuisance to nearby residential occupiers. However, this is very much a last resort and it is not anticipated that such action would be necessary if the recommendations set out in the Hann Tucker report are followed.
- 6.9 In the event that Members are minded to grant permission, conditions are proposed which (a) require the recommendations set out in the Hann Tucker report to be followed, (b) provide for monitoring within one month of completion and (c) require within three months of completion a schedule of regular maintenance and checks to the air handling unit and associated equipment to be submitted to and approved by the Council.

Other Impacts on adjoining residential occupiers

- 6.10 In terms of impact on the outlook of adjoining residential occupiers, the current scheme has the advantage over its predecessor of not being sited so close to the rear garden fences of the Tristan Close houses and would not result in the loss of any existing trees on the hospital site. However, the air handling unit on the roof of the building and the ducting will be visible from the rear windows and gardens of the adjoining residential properties. The ducting will be coloured white to match the rendered rear elevation of the frontage building. Although an objector has expressed the view that the ducting should be colour finished to match the brown/red brickwork to which the ducting is attached, this would probably not be the best choice of colour for the air handling unit which is located on the roof of the building and would stand out against the white stuccoed finish of the second floor of No 40 Lee Terrace. However, the use of a different colour for part of the ducting could be considered and it is suggested that if the Committee is minded to approve the proposal, the exact choice of colour should be dealt with by means of a condition.
- 6.11 The existing view of the rear of the hospital buildings contrasts greatly with the imposing elevations to Lee Terrace. Here the architecture becomes more utilitarian with plant and equipment sited on flat roofs or fixed to external walls. Officers do not consider that the additional plant and equipment proposed as part of this application would have so detrimental an impact on outlook for Tristan Square residents as to warrant refusal of the application.

9.0 Conclusion

- 9.0 The application has been considered in the light of policies set out in the development plan and other material considerations. While these place a value on protecting and improving community assets, which includes hospitals (irrespective of whether they are private or NHS), this is subject to compliance with those policies which protect Heritage assets as well as the amenities of adjoining occupiers.

- 9.1 On balance, Officers consider that the scheme represents a satisfactory solution to satisfying the functional requirements of the hospital in a way which ensures that harm to the character and appearance of the Conservation Area is minimised and that noise from the proposed equipment is kept to acceptable levels. The application is therefore considered acceptable.

RECOMMENDATION

GRANT PERMISSION subject to the following conditions:-

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

100081 P(0)101A, 102A, 103B, 104, 105D, 106A & 107, Design And Access Statment, Environmental Noise Survey Report.

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

3. (a) The works hereby approved shall be undertaken in full compliance with the Hann Tucker Environmental Noise Survey Report 18519/ENS1a dated 12.02.2013. The rating level of the noise emitted from the proposed air handling unit and associated equipment hereby approved shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:1997.
- (b) Within 1 month following completion of the works, noise measurements shall be carried out, external to the neighbouring residential premises, the number and location of which shall be agreed with the Environmental Protection Group prior to measurement and the measurement data shall be submitted to and approved in writing by the local planning authority. Thereafter the scheme shall be maintained in perpetuity.
- (c) A schedule of regular maintenance and checks to the air handling unit and associated equipment hereby approved shall be submitted to and approved in writing by the local planning authority within 3 months following the completion of the works and shall be carried out in full accordance with the approved details.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with Saved Policies ENV.PRO 9 Potentially Polluting Uses, ENV.PRO 11 Noise Generating Development and HSG 4 Residential Amenity in the Unitary Development Plan (July 2004).

4. The proposed air handling unit and associated ducting shall be implemented in a colour scheme which has been previously agreed in writing by the Council and which shall be maintained in perpetuity thereafter unless the Council agrees in writing to any variation.

Reason: To ensure that the local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Saved Policy URB 3 Urban Design in the Unitary Development Plan (July 2004).

5. The air handling unit and associated plant shall be removed from the building when no longer required and the external appearance of the building shall be reinstated to its original condition unless the Council agrees in writing to any variation.

Reason: To ensure that the local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Saved Policy URB 3 Urban Design in the Unitary Development Plan (July 2004).

Informatives

- A. **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Councils website. On this particular application, positive and proactive discussions took place with the applicant prior to the application being submitted through feed back on a previously submitted application which was subsequently withdrawn. As the proposal was in accordance with these discussions and was in accordance with the Development Plan, contact prior to determination was limited to a request for the acoustic consultants calculation spreadsheet and discussions on the colour of the air handling unit and its associated ducting.
- B. You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.