

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved St James's	
Subject of Report	29 Great Peter Street, London, SW1P 3LW		
Proposal	Installation of emergency smoke extract duct and emergency generator exhaust flue with attenuator within external sunken lightwell; and installation of two external airbricks at plinth level to Great Peter Street and associated works (part retrospective).		
Agent	Gerald Eve		
On behalf of	Sapphire Alpha Ltd		
Registered Number	22/01194/FULL	Date amended/ completed	16 May 2022
Date Application Received	16 May 2022		
Historic Building Grade	Unlisted		
Conservation Area	Smith Square		
Neighbourhood Plan	Not applicable		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY & KEY CONSIDERATIONS

The application was presented to the Planning Applications Sub-Committee on 24 January 2023 where members resolved to defer the application, for the applicant to provide further information on the frequency of use of the emergency generator exhaust flue following a neighbouring residents comments that it regularly operates during power trips.

The exhaust flue serves the emergency generator which is required in the event of an emergency to operate the life safety system power supply for the building, such as a fire or loss of power. In addition it is operated for maintenance testing, for 15 minutes twice a year. However, the

neighbouring resident states that the generator has come into use when there are short power cut/voltage dips which occurred approximately 10 times within a 6 month period in 2022, and that when in use it releases noxious and harmful fumes that linger beyond the 15 minutes that the generator has been in use.

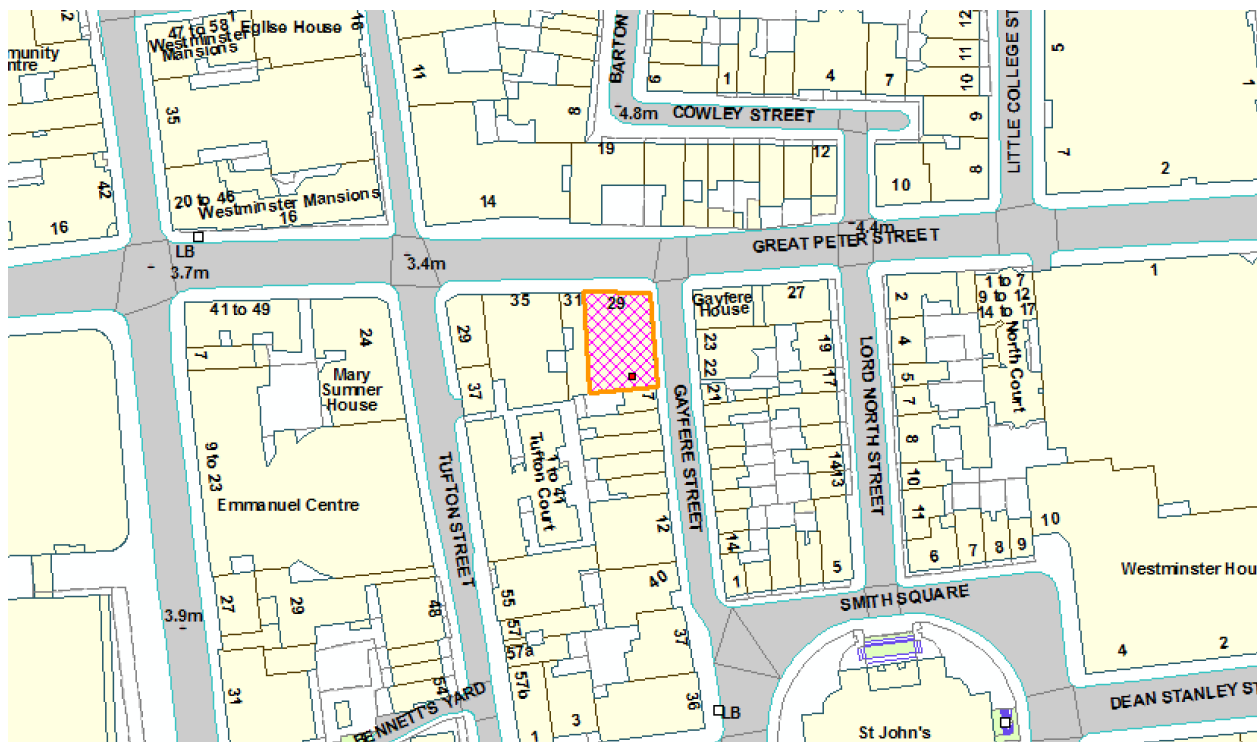
Following the committee the applicant has spoken to the neighbour and has carried out a series of investigations into the use of the generator. A report has been submitted of their findings and how it will be managed going forward.

The applicant has confirmed that the generator has come into operation 22 times since its installation in 2019, which includes the installation and commissioning phases, and during neighbourhood consultations. Recently, the generator has been triggered on a number of occasions due to how it has been set up and responded to power/voltage dips.

In order to overcome this issue, the applicant is proposing to reprogram the generator so that it is less sensitive to short term power dips – by increasing the voltage threshold at which it will come into operation. They are also proposing to increase the time delay of when the generator would operate in the event of a power dip/outage (to provide power within 15 seconds, the maximum allowed under BS9999). This will reduce the instances when it would come into operation due to power dips or momentary power outages. It is the applicant's intention to keep a log book of all instances that the generator is used. They have also reaffirmed their commitment to change the fuel source of the emergency generator from red diesel to hydrotreated vegetable oil, which will reduce the emissions. It is recommended that these measures are secured by condition.

Environmental Health raise no objection to the proposal on noise or air quality grounds. The application is therefore recommended for approval subject to the conditions set out in the draft decision notice and is reported back to you for determination.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

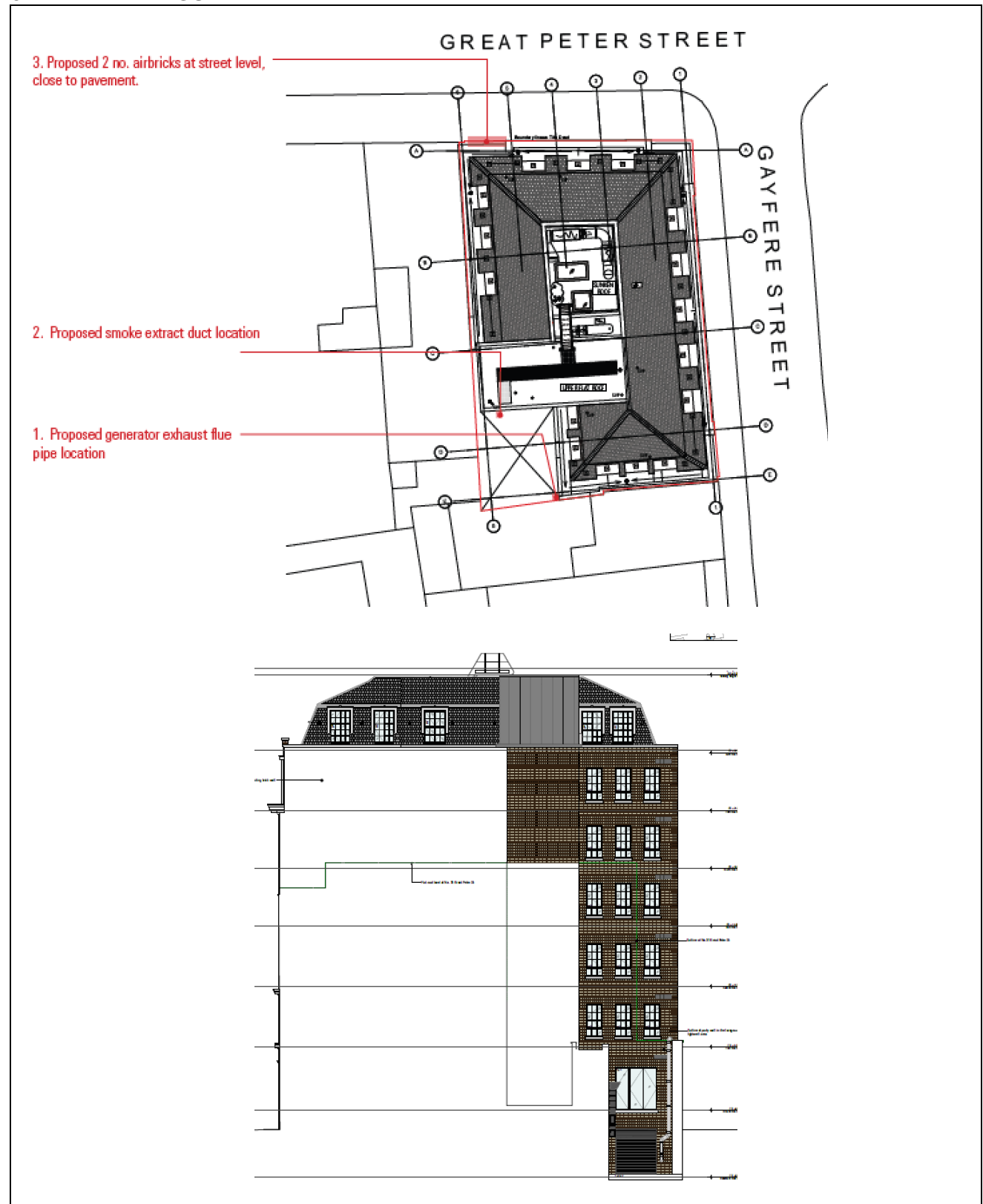
ENVIRONMENTAL HEALTH

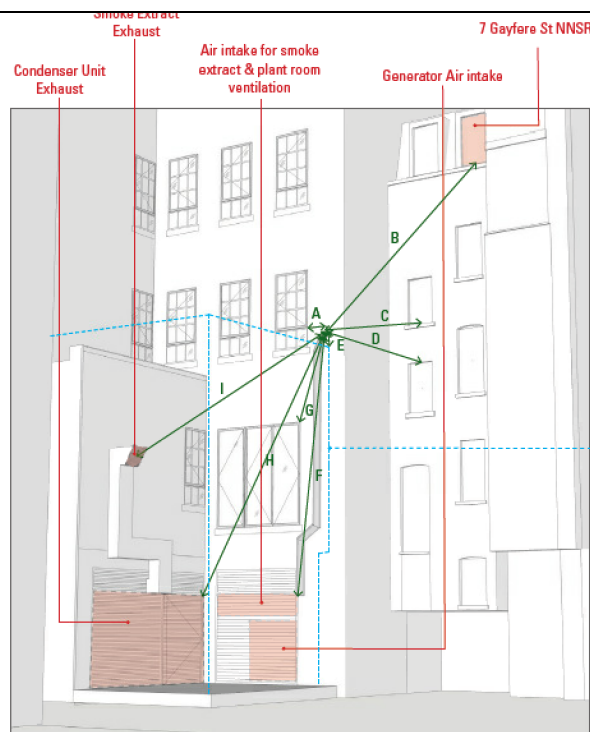
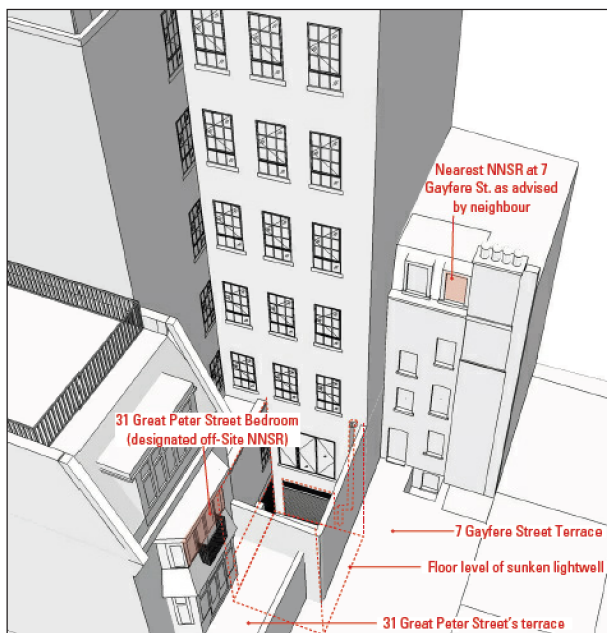
Any further response to be reported verbally.

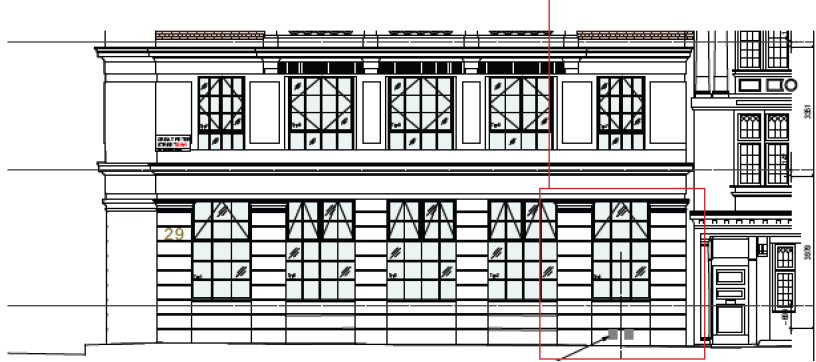
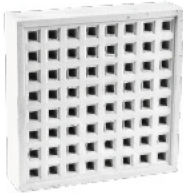
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JULIA ASGHAR BY EMAIL AT jasghar@westminster.gov.uk

8. KEY DRAWINGS



**Rear sunken lightwell****Generator exhaust flue****Smoke extract duct**



Air bricks to Great Peter Street

DRAFT DECISION LETTER

Address: 29 Great Peter Street, London, SW1P 3LW

Proposal: Installation of emergency smoke extract duct and emergency generator exhaust flue with attenuator within external sunken lightwell; and installation of two external airbricks at plinth level to Great Peter Street and associated works (part retrospective).

Reference: 22/01194/FULL

Plan Nos: Site location plan; 831-GAB1-P1; 831-GE01-P11; 831-GE03-P5; 831-GE04-P9; 831-GAB1-P2; 831-GE01-P13; 831-GE03-P6 and 831-GE04-P11. Emergency Plant Acoustic Report from Bickerdike Allen Ref:A11350_00_RP005_3.0 dated 21 April 2022; Air Quality Assessment from Aether Ref: AQ Assessment /2022/Great Peter Street version 4 dated 14 April 2022 and Document Reference: B.01 - Generator Use Planning Response dated 17.02.2023 by HdAr. For information: Design and Access Statement dated February 2022.

Case Officer: Julia Asghar

Direct Tel. No. 020 7641
07866037964

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 , onot 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	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)
4	The emergency plant and generators hereby approved shall only be used for the purpose of public safety and life critical systems and shall not be used for backup equipment for commercial uses such as Short Term Operating Reserve (STOR). The emergency plant and generators shall be operated at all times in accordance with the following criteria: (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the LA90, 15 mins over the testing period) by more than 10 dB one metre outside any premises. (2) The emergency plant and generators hereby permitted may be operated only for essential testing, except when required in an emergency situation. (3) Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour every 6 months, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays. Neighbouring residents (7 Gayfere Street, 31 Great Peter Street and tenant representative of Tufton Court) shall be given advance notification of 10 working days of any scheduled maintenance visit.
	Reason: Emergency energy generation plant is generally noisy, so in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby. (R50AC)
5	You must install the acoustic attenuation measures shown on the approved drawings and as set out in Section 4.6 of the Emergency Plant Acoustic Report from Bickerdike Allen Ref:A11350_00_RP005_3.0 dated 21 April 2022 within 3 months from the date of this decision. You must then maintain the attenuation measures in the form shown and as specified for as long as the machinery remains in place.
	Reason: To protect neighbouring residents from noise and vibration nuisance, as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R13AD)
6	You must carry out the following measures as set out in Section 4 of Document

	Reference: B.01 - Generator Use Planning Response dated 17.02.2023 by HdAr: a. Reprogram the threshold of the emergency generator to decrease the sensitivity of the generator to stop it erroneously operating; b. Reprogram the delay in which the emergency generator operates to ensure it is capable of providing power within 15 seconds; c. the fuel source of the emergency generator to be hydrotreated vegetable oil only. These measures shall be carried out within 3 months from the date of this decision and you must maintain them as specified for as long as the machinery remains in place, unless otherwise agreed in writing by us. A log book shall be kept of all instances that the emergency generator is used.
	Reason: To protect neighbouring residents from air pollution, noise and vibration nuisance, as set out in Policies 7, 32 and 33 of the City Plan 2019 - 2040 (April 2021). (R13AD)
7	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 Smith Square Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)
8	You must finish the ductwork in grey and the air bricks in a colour to match the material next to it. You must then keep it that colour thereafter. (C26FA)
	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 Smith Square Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

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 Please contact Environmental Sciences by email to environmentalsciences2@westminster.gov.uk if you have any queries about your obligations under the Control of Pollution Act 1974 or the Environmental Protection Act 1990.