

Application No:	Consultees Name:	Consultees Addr:	Received:	Comment:	Response:
2014/5224/L	Meredith Whitten	Covent Garden Community Association 42 Earlham Street WC2H 9LA	15/09/2014 00:11:32	COMMNT	<p>The CGCA appreciates that the triangular shape of this listed building presents a challenge for efficiently using the interior space as B1 use. Given that, the CGCA does not object to the proposed scheme in principle. However, we do have the following concerns that should be addressed, should Camden be minded to approve the application.</p> <p>Dual use The CGCA consistently objects to permission for dual use, and we have previously provided Camden with legal advice to support our position that dual use is unlawful. Granting the applicant permission to change use at some point in the future between A1 and A3 without the need to apply for planning permission or consult with neighbouring residents at that time effectively removes this premise from planning control. For example, A1 and A3 affect neighbouring residents in different ways, and the planning system is set up to give residents the opportunity to voice their concerns before a change of use is granted.</p> <p>Restaurant use and waste disposal The CGCA does not see the need for another restaurant in Covent Garden. As noted in CPG2, 4.45, additional food, drink and entertainment uses may cause harm to residential amenity and to the mix and balance of uses in Covent Garden. The dense built environment means that the area is particularly sensitive to the impacts of food drink and entertainment uses including noise and cooking smells.</p> <p>In addition, CPG5 has a section on Covent Garden (4.40-4.45). This seeks to “avoid clusters of food drink and entertainment uses that cause harm to the amenity of the area and to the residential population.” CPG5 gives guidance as to when permission “will not generally be granted” connected with the proportion of similar uses within the frontage and also states that “the Council will also take into account the number and mix of uses in adjacent and opposite premises in assessing applications”.</p> <p>In the case of this building there are a significant number of premises which are in food, drink or entertainment use in the immediate vicinity. These include Cantina Laredo across Shelton Street in the City of Westminster and Timberyard and Rossopomodoro on Monmouth Street. A little further away, but still within 50m of the premises are Crazy Bear, Jamie’s Italian and Tredwells (Westminster) and the Two Brewers (Camden). We believe that this group of premises constitute a “cluster of food, drink and entertainment uses” and so permission for an A3 use at this location should not be granted.</p> <p>We would point out that a previous application (2005/4141/P) for a restaurant use near this site (25 Shelton Street) was refused under the previous version of CPG5 and this refusal was upheld by the Planning Inspector at appeal (APP/X5210/A/06/2017550). The application had previously been granted (2004/3907/P) but the decision had been overturned at the High Court following a Judicial Review by residents. This location already has residents living opposite on Shelton Street and immediately next door and is therefore sensitive to the impact of food, drink and entertainment uses.</p>

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However, should Camden permit A3 use, the CGCA requests the following conditions:

- To protect residential amenity from late-night noise, disturbance and the potential for antisocial behaviour, the hours of operation should be limited to Camden's core hours.
- A condition should specify that servicing must be limited to 08:00 to 20:00. As noted in Camden's DP20.16, delivery timings can have a significant influence on residential amenity from when made out of working hours. To protect the amenity of nearby residents, as well as those working in and visiting Covent Garden (see CS5), no deliveries should be permitted outside of these hours.
- The proposed space allotted for servicing and refuse/waste collection is inadequate and largely inaccessible. For example, residents in the second and third floors would have to go outside, back in and then downstairs to use the designated refuse space. Similarly, to use the refuse space, restaurant staff also would have to go outside onto Shelton Street and then back in again before going downstairs. The result of these onerous processes is likely to be rubbish – and the subsequent noise – on Shelton Street. The CGCA also questions the amount of space proposed for restaurant waste. This seems inadequate and we suggest that internal waste handling should take place in the restaurant basement. The CGCA suggests a refuse chute could be designed for the residential aspect of the development.

Cycle storage

Similarly, as proposed, a resident would need to go through four doors and down stairs to get to the cycle storage, which undoubtedly is a disincentive. Instead, the CGCA suggests allocating a small part of the alcove at back of the new retail unit at ground floor level as the cycle storage.

Residential units

The CGCA is also concerned about potential noise and disturbance and overlooking from the proposed alterations to the roof light onto existing residents behind the building site, including those in Ching Court.

To address noise and disturbance, the CGCA requests replication of existing covenants regarding the residential units at the back around Ching Court to minimise noise and disturbance.

To address overlooking, the CGCA suggests filling in the gaps in the metal balcony rails and frosting the bottom half of the French doors onto the balconies.

Plant and equipment

Noise emitted by plant and equipment should not exceed 10 decibels below background, equipment should be installed on anti-vibration mounts. Odour from ventilation equipment should be monitored.

The applicant should be required to have at least annual maintenance performed on all equipment to ensure it is running effectively.