

THE CHING COURT ASSOCIATION

19-27 Mercer Street, and 1-19 Shelton Street, and 45-75 Monmouth Street, and 2-5 Ching Court
in Seven Dials, Covent Garden, London WC2H

G. Whittingham Esq
Planning Officer
Camden Town Hall Extension
Argyle Street
London
WC1H 8EQ

20th August 2015

Dear Mr. Whittingham,

Re. Application number 2015/4075/P, relating to 'St. Martin's House'
65-75 Monmouth Street & 1-9 Shelton Street, and backing onto Ching Court, London WC2H 9DG

As you know, the Ching Court Association represents residents in 19 dwellings adjoining and facing the rear of the building that is the subject of this proposed redevelopment. We write this letter to comment on the amended application made by Shaftesbury plc. which seeks flexible use for retail (Class A1) or restaurant (Class A3) use on 3 floors of the apex of the building.

We commented on the proposals for this building made last year under application 2014/4870/P, and on more recent amendments under 2015/2738/P. We appreciate that many of our concerns have been addressed in the conditions attached to the consent thereto. We are grateful to the council for the extensive discussions that they have conducted with the developer to achieve this.

However, we have some concerns in relation to the most recent application.

Firstly, we do not believe that the granting of 'flexible use' is fair on us as neighbouring residents. Indeed, in the past we have obtained legal advice on this matter in relation to another such application. We were advised that such applications are likely to be unlawful, as permission can only be granted by a planning authority for a change of use, not for an option to change back and forth repeatedly at will. We believe it to be unfair on neighbours who can be living next to a shop one day and watch it convert into a restaurant with no further consultation.


Secondly, we are concerned about noise and disruption from servicing a restaurant, which will have greater frequency of deliveries and refuse collections than a shop, and at more antisocial hours. In recent discussions with Shaftesbury plc. it has been agreed that servicing take place no earlier than 8am on any day, and not at all on Sundays. In the documents currently on your website this has not been updated, but they assure us that this is the case. A delivery window of 8am – Noon would be acceptable, with refuse collections at the new council times and no glass collections at night. It would be helpful if a planning condition to this effect could be added to any A3 permission.

Finally, we are concerned about noise and disruption from restaurant use in general, especially late into the evening when the streets around Seven Dials are very quiet indeed. The built environment, with its historic narrow streets, is one in which every sound echoes at times when there is little or no ambient noise. This is the case outside framework hours. Even a few people leaving a restaurant can cause a noise 'peak' which will wake people up. We would therefore ask you to set hours of operation for any A3 permission that are no greater than 8am-11.30pm Monday to Thursday, 8am-Midnight Friday and Saturday, 10am-10.30pm Sunday (this suggestion starts a little earlier than framework hours to allow for the business to have breakfast trade, but after local people are generally up and about).

Indeed, we would prefer hours of use for all A class permissions in the building because of the potential ease of changes to A3 under ever-changing planning legislation. The problem is exacerbated in the new context of all-night tube when there will be pressure on businesses to stay open beyond traditional times. Local people are very worried indeed about the impact of this change and we really need protection through the use of planning hours' restrictions wherever possible.

Please contact us if you would like any clarification.

Yours sincerely,

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Amanda Rigby, Chair
for the committee

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