

Reference: PLANNING APPLICATION NO 2016/0477/P.

26 February 2016

Dear Sir/Madam,

We are writing in connection with the above planning application and to formally state that we wish to strongly object to the proposed demolition and redevelopment of the buildings at: 35 - 41 New Oxford Street, 10-12 Museum Street, 16A-18 West Central Street London WC1A 1AP. For your information, we have been occupying 39-41 New Oxford Street for 30 years and own a lease under the 1954 act. We do not support this proposal as we believe it will have a detrimental effect on our staff and our business.

The planning application is proposing a substantial redevelopment of the site including a number of external and internal changes: part demolition of existing buildings resulting in loss of residential units from 26 units to 21, infilling including an erection of a new building, an additional 4th floor loft extension to existing buildings and internal layout changes including demolition of Heritage old features and decorations.

Bloomsbury Conservation Area and Heritage Implications

To support our disagreement with the planning proposal, we would like to point out that the purpose of a conservation area is to ensure that new development or alterations will not have a negative impact on the existing character of the assets. The Heritage Assets and Archaeology Policy respectively advise that any development affecting Heritage Assets and their settings should conserve their significance. Unfortunately, the developers have not taken this into consideration. They are proposing complete demolition of all roofs, part demolition of existing buildings, the erection of a new building, new loft extensions to the heritage buildings and a number of significant internal and external changes including new storeys that extend the height of several of the buildings. Such extensive alterations will undoubtedly have a negative effect on the many aspects of the overall character of the interior and exterior of the buildings, which all are within the Conservation Area boundary.

The 'Historic Environment Assessment' submitted by the developer with the application states the following: "*These buildings were not accessed during the site visit but have presumably been internally modernised behind their 19th century facades*". The report further 'presumes' that these buildings are used as shops, which is most emphatically not the case. Both of these statements not only have no concrete evidence to support them but are simply not true. The buildings have great and significant aesthetic and heritage merits including traditional internal features such as original brick alcoves, ceilings and wooden staircases with original brass handrails. Additionally, the premises are definitely not used as shops. This will be addressed in the following paragraph of this objection.

The current proposal envisages severe internal as well as external changes, which, according to the Demolishing Report submitted with the application, will result in the destruction of a significant proportion of heritage features and decor, which the developer did not consider or seemingly purposely omitted in their assessments.

Furthermore, as in previous applications for redevelopment of the buildings and their subsequent rejections, we would like to again ask the following question: Why cannot the tired appearance of the façades and the internal features of our buildings be improved by cleaning, painting and renovating, instead of demolishing part of the building then re-building it?

To support this point we would like to draw your attention to our numerous requests throughout 2013, we understand that an application for a replacement of all front and rear steel windows was finally submitted and granted in 2014. The owners, however, decided not to proceed with the improvement. Ref Application No: 2014/5884/P. New windows would have made a significant improvement to the buildings.

Noise and Vibration Disturbance

The proposed development is particularly ill-considered with regards to the severity of the noise and vibration implications, not only because we have been deliberately omitted from all of the reports submitted by the developer, but also because the report only deals with noise and vibration from the development after it is completed.

Given that the developer completely excluded us from the report, we feel it is necessary to explain the purpose of our occupancy of these buildings.

We are a film and photography studio specialising in producing product commercials. We have been established at this address for 30 years and have a commercial lease according to the 1954 act. We employ 35 people and work for companies such as Marks & Spencer, Waitrose, Sainsbury's, Guinness, Fullers, BBC, ITV, Twinings, Innocent Drinks, Harrods, Jimmy Choo, Stella McCartney, Next, L'Oreal, Barbour and many other brands.

Our business is one of the most well-known and respected longstanding experts in the film and photography industry. We support numerous local businesses and employ 35 full-time staff, and also provide work for young and upcoming artists and apprentices including stylists, chefs, designers and technicians. Our staff includes old-master photographers and filmmakers with extensive collective experience and who have been working for the company for a minimum of 10 years each.

The business is a long-standing enterprise that has been run since its set-up by the same owner, at the same address. The managing director of the business has been working with the company for 21 years. We always hand pick our staff, treasure their expertise, craftsmanship and commitment and, therefore, provide a very special and unmatched service to all our clients.

Our work is predominantly close-up, very precise work for both stills and moving images, often working only a few inches away from the product. In film and photographic terms this makes having a vibration free environment crucial to everything we do. The slightest vibration on a table-top set can render the job impossible to shoot, and in addition, we run a very tight schedule making it unfeasible to reschedule work around any potential vibration issues.

Regarding noise, our studios also record sound using actors. During a shoot, there are many people involved and it is essential there are no noise disruptions for it to be successful. Most of our work is attended by clients, where they and often their own clients, work alongside



our film and photographic teams. Excessive noise is, therefore, a crucial factor to consider, in particular as an issue that may be off-putting to existing and potential clients when visiting us, but also as it would make concentration and communication very difficult on set, resulting in it being impossible for us and our clients to work.

We also operate our own in-house post-production and retouch editing service. This type of work requires high concentration levels and near complete silence for editing film.

Furthermore, any increase in noise level will affect our business acquisitions department whose predominant work is speaking to clients on the telephone. Negotiations, briefing and numerous conference calls are conducted every day. It will be impossible for the department to effectively conduct their work with such extensive building works outside.

We understand that the developers will have to follow Sections 61 of the Control of Pollution Act where part of the 61 form deals with the plan to control noise during the construction process. We would like to remind you that in this Act there is a section where the developer has to list properties or businesses that will likely be affected by noise. If this Application is granted we would like to be informed and consulted when Section 61 of the application is received. It is crucial we are aware what the developer is planning to do about the noise and vibration in our case. This is of particular importance since the planning also involves the part-demolition of our premises where all of our studios and offices are located. There is only one main door access through our premises to the third floor, which is proposed to be rebuilt into new apartments. This will all have fatal consequences for our business. We did propose to be relocated and even suggested an alternative building including the costs associated with the move, but the proposal was refused by the landlord.

Due to the fact that we have not been taken into account by the developer, we have arranged for an independent Noise and Vibration Survey to be conducted and have obtained a report on the noise and vibration provisions as detailed in Appendix 1 attached.

As per paragraph 9.4 of the report:

"The proximity of the works to PFL must cause concern as throughout the demolition and construction phases there is potential for airborne noise immission via the brick walls and single glazed windows, especially at the rear of the building backing onto the construction works, and potential for re-radiated noise caused by structure-borne vibration from piling, excavation, power tools, the tower crane and other vibration causing plant on-site."

Should the application be granted and the noise, vibration and pollution disturbance from the building site fall outside the scope of working levels we will do everything in our power to take an injunction out in order to stop the scheme and protect our business.

Loss of Light and Heat

We have also asked a specialist company to comment on the planning application with regards to its impact on the loss of daylight to our property. We have attached their findings for your consideration in Appendix 2. Once again, the developers have omitted us from the Daylight and Sunlight Report that was submitted as part of the application. The BRE guidance is clear in its intention that all current and future occupiers of buildings should be considered and therefore, it seems unreasonable for the assessment not to consider the empirical relation of our daylight provision, which has been the same over the last 30 years. The proposed infill extensions and an erection of a fourth storey building on West Central



Street (Appendix 3) will cause a significant loss of light to the south side of our premises.
This will have several severe implications:

- Adequate and appropriate exposure to light is critical for the well-being of employees as detailed in Regulation 8 of the Workplace (Health, Safety and Welfare) Regulations 1992 (as amended). A combination of daylight and electric light can meet these needs, however, with the proposed development this will not be possible.
- Natural light should be incorporated into lighting design, not only because it is beneficial to staff, but also because it is light delivered at no cost, conserving energy.
- Our building does not have any central heating, therefore, the south-facing windows allow sunlight to naturally heat the premises, again saving energy. If the application is granted running electric heaters would be necessary for the whole time the building is occupied.
- Our business heavily relies on the use of natural light for many of our projects and it is not possible to recreate the same effect with artificial lighting.

In conclusion, we are extremely concerned that we have not been taken into consideration by the developers. We cannot even begin to imagine what effect a four-story building together with the noise and vibrations associated with the demolition and other works will have on the environment, the Conservation Area and our lives.

If this application is to be decided by councillors, please take this as notice that we would like to attend and present our case at the committee meeting at which this application is expected to be decided. Please let us know as soon as possible the date of the meeting.

Yours faithfully,



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Owner
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