

Application No:	Consultees Name:	Received:	Comment:	Response:
2018/4492/P	Elizabeth Bax, for Covent Garden Community Association	12/11/2018 23:20:03	OBJNOT	<p>Covent Garden Community Association (CGCA) OBJECTS to the application by the Phoenix Arts Club for the reconfiguration of external plant relating to kitchen extraction.</p> <p>The proposed new extraction piping would pass through the private area behind 5 floors of existing flats above, at Phoenix House. This private area contains the staircases by which residents enter their dwellings, and the external balustrade areas that are used as their only balcony 'outside space'. The level of visual intrusion of this 50cm wide, industrial flue would be unacceptable. There is also likelihood of fumes, as well as possible noise at times when the area is otherwise silent (the Club does not close until 2.30am).</p> <p>The existing routing of the kitchen extraction system is satisfactory to all parties who currently occupy the commercial and residential properties. Any modernised equipment should therefore follow the same existing route.</p> <p>-----</p> <p>The applicant's drawings do not show elevations of the enclosed space, nor plans that would show proximity to the flats at upper levels. The adjoining residents also tell us that no communication has been received by them from the applicant as they would have expected as interested parties. On both these grounds we therefore ask that you either reject this application, or re-consult on it to give residents the opportunity to comment (they were only informed of it today via us).</p> <p>-----</p> <p>However, if you were minded to grant any consent for the application as it stands despite the points above, there are a number of conditions to be considered.</p> <ol style="list-style-type: none"> 1. Aesthetically pleasing cladding should surround any new metal piping. For example, this was approved in a 'brickwork style' for the otherwise problematic flue behind 2 Neal's yard (ref. 2017/1655/P) 2. All sound generated by this plant and equipment should not exceed 10 decibels below ambient at 1m from noise sensitive windows. <p>It is essential that this relative measure is used rather than an absolute noise level because work is going on in the general neighbourhood, by property owners and residents, to improve the situation with current equipment. We hope that ambient sound levels will drop as a result.</p> <ol style="list-style-type: none"> 3. Sound and smell emanating from the premises via this equipment should cause no public nuisance. <p>It is essential that this public nuisance criterion is used rather than relying on statutory nuisance because of the sorts of problems with taking technical measurements referred to in the case of 2 Neal's Yard above, for example. The significant problems were never able to be sorted out because Environmental Health readings were insufficient to trigger enforcement on grounds of statutory nuisance – despite the fact that things were so bad that a nearby family had to move out.</p> <p>We have many more examples of people being made ill through fumes in the area that simply can't be picked</p>

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				<p>up by the authorities' equipment. And we have even more examples of people's lives being blighted day-in, day-out, by noise that EH is unable to capture the data to enforce against.</p> <p>3. Hours of use of equipment should be restricted.</p> <p>Extraction equipment should not operate outside the hours of 8am to 10pm Monday to Saturday and 10am to 9pm on Sundays to protect the amenity particularly of families with children living nearby. This club restaurant is in use until later, but the elements of the kitchen that require heavy extraction should close far earlier if the extraction is running behind people's bedrooms. This additional condition would also ensure that equipment is not left running all night.</p> <p>4. A maintenance log should be made available to neighbours on request.</p> <p>Some landowners already provide this, but we ask that it be a condition of any consent so that neighbours can be reassured that filters are being changed and equipment properly serviced by commercial tenants.</p>
