

## Chan, Mark

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**From:** Rhys Govier [REDACTED]  
**Sent:** 30 August 2019 13:38  
**To:** Chan, Mark  
**Cc:** Joshua Price; McDonald, Neil  
**Subject:** RE: 37-39 South End Road, London (ref.'s 2019/3630/P, 2019/3627/P & 2019/3628/NEW)

**Importance:** High

Dear Mark,

Thank you for your email and providing an update on the applications.

It is disappointing the public consultation has started so late on in the process. The applications were submitted on 16 July 2019 which gives an eight week target date of 10 September 2019. From your information, it is now the case that the public consultation does not expire until 22 September 2019, well after a decision should have already been reached on the applications. In this regard you will understand the frustration to my client and the wish that these applications now get dealt with proactively and as a matter of urgency by the Council.

I note the comments received from Environmental Health (to application 2019/3627/P) and Cllr Stephen Stark (to application 2019/3630/P). For ease, I provide my initial response to these in the same order referred to in your email below:

*1) Confirmation on the proposed business operating hours are required*

The application seeks full planning permission for the installation of shopfront, roof alterations and associated works. As such, matters relating to the operating hours of the proposed business are not material to the application and are not at the gift of the local authority to review or control in this respect as this is not an application for a new unit or a change of use. Without evidence to the contrary, I see no reason to provide this information as it is not material to the assessment of an application for shopfront and roof alterations.

*2) The plans illustrate asbestos is present within the current walls and makes reference to an asbestos refurbishment survey. A copy of the survey report is required for LPA review*

I understand asbestos is present in the building. However, the presence of asbestos is not a material consideration in the assessment of this planning application. The presence of asbestos is sufficiently controlled under separate legislative and health and safety regimes outside of the Planning Acts. Without evidence to the contrary, I see no reason to provide the information requested as it is not material to the assessment of an application for shopfront and roof alterations.

*3) 3) The site background noise level (day and night time) and the plant operating noise level are required.*

A Noise Assessment has been instructed for the site to consider the introduction of the roof top plant proposed under application 2019/3630/P. This will be provided as soon as it is available.

In addition to the above points, I would be grateful for your feedback on the applications in all other respects, including design, at the earliest opportunity to ensure that positive decisions can be reached as soon after the public consultation expires as possible. Please do continue to forward any further consultation responses received.

I trust the above is helpful. Should you have any questions then please do not hesitate to contact me however please note I will be on annual leave after today until Monday 16 September therefore please ensure my colleague Josh Price is cc'd into any emails to ensure a timely response.

Kind regards,

Rhys

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