

This note has been prepared by the applicant 'SLQR Trustee No.1 Ltd & SLQR Trustees No.2 Ltd as Co-Trustees of SLQR Unit Trust No.3', to respond to the Covent Garden Community Association's (CGCA) comments on the applications for planning permission and listed building consent (refs: 2019/2773/P and 2019/2790/L) at Space House, 1 Kemble Street & 45-59 Kingsway, ('the site') received 2 July 2019.

CGCA Comment (2 July 2019)	Applicant Response (30 August 2019)
<i>Conditions Requested by CGCA</i>	
<p>Any use of the exterior forecourt for commercial activity to be restricted in time to 9am to 7pm Monday to Saturday and 10am to 6pm on Sundays. The owners have suggested a café use there, as well as discussing with us events such as film screenings and farmers' markets.</p>	<p>The hours of use of the exterior forecourt cannot be controlled through this planning application. It is envisaged that future tenants of the proposed flexible retail A1/A3 units will apply for separate tables and chairs licences and planning permission as required.</p> <p>The applications at the site do not seek permission to use the public realm for events such as film screenings and farmers' markets. The use of the public realm for events has been shown indicatively in the Landscape DAS as a future possibility. Necessary planning permission and listed building consent would be sought for any proposed events in the future.</p>
<p>Use of the 500 person events space to be restricted in time to 8am and 10pm Monday to Friday, 9am to 10pm on Saturdays and 10am to 6pm on Sundays. We are disappointed that the applicant is suggesting a 1am terminal time, which is completely unsuitable for this area. Dispersal of persons leaving events after 9pm to be towards Kingsway.</p>	<p>The application proposes flexible opening times for the event space between 07:00am through to 01:00am the following day, Monday through Saturday. Sunday events will start at 8am and cease at 10.30pm. The exact hours of operation will be dependant on each of the events and will not exceed the proposed time period stated. This time is considered appropriate for the proposed use. Should an event not require a terminal time of 1am, the site will close prior to that.</p> <p>The Landlord will employ a management team to ensure that egress from the proposed Sui Generis space is controlled and does not harm the amenity of the existing surrounding residential uses. Staffing levels will be increased around peak times if necessary to ensure the smooth access / egress of visitors at the site. Generally, a natural (and spread out) wind-down of operations is expected by the terminal hour which will result in staggered departure of visitors in the lead up to closing time.</p>

	<p>Those leaving the premises will be reminded by staff of the proximity of residential neighbours and the need to leave quietly.</p> <p>Access and egress will always be via the Kingsway northern entrance to ensure there is no impact on neighbouring residents on Kemble Street. All access into and out of the building will be carefully controlled and monitored from the lobby by security staff. CCTV will also be in operation at all times.</p> <p>Security staff will continuously be in place at the Kingsway entrance until after closing time to ensure all visitors (and staff) leave the building in an orderly manner. The security staff will actively monitor the site's frontage and perimeter to prevent noise disturbances, particularly those relating to visitors, and at times when residential amenity is more sensitive e.g. late in the evening.</p>
<p>Deliveries to be restricted a) in time to 8am to 8pm Monday to Saturday, 10am to 6pm on Sundays and b) in number to 50 per day Monday to Saturday, 10 on Sundays. The developers had told us that all deliveries would be restricted to 8am to 6pm, so we are disappointed that this is not reflected in the draft DSP.</p>	<p>a) Following further discussions with Camden, it has been agreed with the Environmental Health Officer (EHO) that deliveries will be restricted to the following hours for each land use:</p> <ul style="list-style-type: none"> • Flexible A1/A3 use: 7am - 6pm • B1 office and B1/Sui Generis use: 8am – 6pm <p>The above servicing hours will be set out within the final Servicing Management Plan, which is secured by the Section 106 agreement.</p> <p>b) Measures to reduce servicing vehicle numbers will be set out within the final SMP; this is discussed further under the Servicing Proposals section of this response note.</p>
<p>Waste collections to be restricted in time to 8am to 8pm Monday to Saturday.</p>	<p>The site will be increasingly busy from 8am, waste collections at this time would not be practical and would coincide with the busiest ingress times for the office use and the office related deliveries.</p>

	<p>The applicant is therefore seeking for collections to take place from 7am – 8pm. This would reduce the number of Heavy Goods Vehicles (HGVs) being stuck in traffic, engine idling for long periods of time and as a consequence contributing more significantly to air pollution.</p> <p>It should be noted that Westminster City Council states that collections can take place from (neighbouring road) Wild Street for the Peabody Buildings from 07:00, and London Boroughs widely allow for collections to take place between 7am – 11pm in line with ‘Noise nuisances: how councils deal with complaints’ guidance.</p>
<p>Lighting levels and location of smoking areas to be decided with the agreement of residential neighbours</p>	<p>Neighbours will be consulted on the detailed design of the lighting at the site through the consultation period of the relevant planning and listed building consent condition discharge application.</p> <p>Smoking areas cannot be controlled by planning. The applicant will employ a security management company who will ensure that behaviour in the public realm is managed and to discourage and remove anti-social behaviour.</p>
<p><i>Servicing Proposals</i></p>	
<p>The Transport Document (table 6.1) suggests that there will be an increase in servicing trips from 63 daily to 86 daily, an increase of 37%. The CGCA’s view is that, given the planned reductions in road capacity in the area - from both Camden’s emerging Holborn Vision and WCC’s plans for Aldwych - it is untenable for a development located in between these schemes to propose increases in the demand for limited road space. Instead we would expect the applicant to be proposing measures which would reduce the number of servicing trips.</p> <p>Our view is that the Council should cap the number of servicing trips at a figure which is lower than the current estimated demand – in our view 50 trips, and challenge the applicant to propose ways to achieve this. This reduced number of trips required needs to be secured by Condition.</p>	<p>All deliveries and servicing will be undertaken from within the existing off-street servicing yard, and a key objective of the final Servicing Management Plan (SMP) will be to prevent delivery and servicing vehicles stopping on-street.</p> <p>Whilst it is not considered that the worst-case assessment of 23 additional vehicles per day would lead to a severe impact on the surrounding highway network, the Applicant does recognise the opportunity and benefits in reducing servicing and delivery vehicle numbers.</p> <p>With regard to the proposed flexible A1/A3 use (assumed A3 restaurant as a worst case), standard metrics have been used to forecast deliveries, allowing for delivery of fresh produce from multiple sources. It may be that through discussions with potential occupiers this number can be reduced.</p>

<p>Examples of measures which could be taken to achieve this include requiring office occupiers to have a single stationary supplier which would reduce the number of individual deliveries. Another measure for the office occupier would be either to ban personal deliveries or to require that they be delivered to a consolidation site which would then provide a consolidated delivery to the building.</p> <p>The Draft Delivery and Servicing Plan (Appendix H of the Transport Statement) is poorly thought out and, if implemented, is likely to cause harm to residential amenity.</p>	<p>The Applicant notes that there is currently limited clarity regarding the likely tenant make-up for the refurbished B1 office and sui generis (B1/B1 and events space) floor space, such that this could be occupied by one tenant or multiple tenants; this makes it more difficult to forecast the potential effectiveness of measures to reduce servicing vehicle numbers at this stage.</p> <p>In light of the above, the Applicant is keen to investigate further measures that can be discussed with tenants / occupiers of the building to reduce servicing vehicle numbers and commits to setting these out within the final Servicing Management Plan which will be secured through the Section 106 agreement.</p> <p>The Applicant will have greater surety regarding the likely tenant make-up at the post-planning stage, when it will be able to approach the market with greater confidence and can therefore maximise the effectiveness of any measures proposed through the final SMP.</p>
<p>a) It is proposed that servicing the site will start at 05:00. This means vehicles approaching and leaving the site at a time when residents in the area are asleep. Our view is that servicing activity at the site should not start before 08:00. If any servicing is required before this time it should be restricted to electric vehicles and any deliveries need to comply with TfL's Quiet Delivery Guidance and the fact that the deliveries can be made without causing a disturbance needs to be demonstrated in advance and then monitored. Similarly, deliveries should only be made until 20:00 unless the same measures are taken.</p>	<p>As discussed earlier in this response note, discussions with LBC EHO have agreed revised servicing hours, which will be specified within the final SMP, as follows:</p> <ul style="list-style-type: none"> • Flexible A1/A3 use: 7am - 6pm • B1 office and B1/Sui Generis use: 8am – 6pm
<p>b) Part of the site is proposed to be used as an events space. Our experience is that for these types of space get-in and get-out often occurs in the evening before and after the event. This would be likely to disturb</p>	<p>The Applicant is content with restricting hours of deliveries and collections to the events space to between 8am-8pm.</p>

<p>residents in the vicinity. The hours of deliveries and collections for the events space needs to be 08:00-20:00 as for the remainder of the building.</p>	
<p>c) The Draft DSP proposes that all vehicles access the site from the South along Kingsway. For vehicles seeking to deliver to the site from the West and South this may be possible but it will require significant additional distance along congested roads for vehicles delivering from the North and East. we would predict that these vehicles will use the network of streets to the West of the site to access it and so will be using narrow streets with large numbers of residents. The applicant has not provided any detail about how this will be managed so as to ensure that this can be done safely without disturbing residents.</p>	<p>Vehicle access will be little different to the existing scenario in which all servicing and delivery vehicles travel to the site from Kingsway or Kemble Street/Wild Street. The proposal will simply require arriving vehicles to travel the additional distance to Keeley Street.</p> <p>A robust final Servicing Management Plan will be secured via the Section 106 agreement; this will include measures discussed and agreed with LBC seeking to reduce delivery and servicing vehicle numbers. On this basis, it is considered that with the implementation of the SMP, the proposal will result in nil-detriment to surrounding residents in terms of vehicle movements and routing, and may assist in delivering benefits in terms of vehicle reductions on the immediate surrounding streets.</p>
<p>The hours permitted for delivery and servicing should to be secured by condition, as should clear proposals for site access from directions other than the South.</p>	<p>The applicant agrees that the hours permitted for delivery and servicing should be secured by planning condition. It is not appropriate for vehicle routing to be secured by planning condition, however measures to encourage suppliers to use preferred routes to access the site will be set out within the final SMP following discussions with LBC.</p>
<p><i>Waste Management</i></p>	
<p>The Waste Management Plan provides for storage in the basement area sufficient to allow waste collection to take place twice a week for all waste streams. This seems to be a sensible approach. Our concern is that the collection of the significant volume of waste generated is planned to take place “outside of the working hours of all commercial units”. It is not clear what these hours will be. However waste collection, especially for glass, is an inherently noisy process and we would ask that times for all waste collection are limited to 08:00-20:00 Monday to Saturday and not at all on Sunday. Our view is that each waste stream only needs to be collected twice a week this can easily be managed.</p>	<p>The site will be increasingly busy from 8am, waste collections at this time would not be practical and would coincide with the busiest ingress times for the office use and the office related deliveries.</p> <p>The applicant is therefore seeking for collections to take place from 7am – 8pm. This would reduce the number of Heavy Goods Vehicles (HGVs) being stuck in traffic, engine idling for long periods of time and as a consequence contributing more significantly to air pollution.</p>

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These times for Waste Collection should be secured by Condition.	The applicant agrees that the timings for waste collections should be secured by planning condition.
<i>Construction Management Plan</i>	
The Plan provided gives no detail about how the Construction will be managed and it is therefore not possible to determine the impact on local residents or on traffic flow around the area as a whole. As this is a very congested part of London with very poor air quality we do not believe that the application should be considered and outline CMP has been provided which includes any proposed road closures, material storage requirements and information on vehicle numbers and routes.	<p>Since the submission of the applications on 24 May 2019, the applicant has prepared an Outline Construction Logistics Plan (CLP). The Outline CLP gives greater consideration for how the development will be constructed and provides mitigation to alleviate concerns regarding the impact of construction traffic, in line with the Mayor's Healthy Streets Approach and TfL's CLP guidance (July 2017).</p> <p>A full Construction Management Plan will be required for submission and approval by Camden both via planning condition and a s106 Legal Agreement Obligation. A CMP monitoring fee will also required by the s106 and the applicant and its Principal Contractor will establish a Community Working Group, which will also be required by the s106 legal agreement.</p>