

Established in 1971 to save Covent Garden - working ever since to keep it liveable



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19<sup>th</sup> September 2020

Dear Mr. Lawlor,

Re application ref. 2020/3244/P and 2020/3727/L for replacement plant & attenuation to rear elevation & lightwell at 26 Earlham Street WC2H 9LN (Rosa's Thai restaurant)

Covent Garden Community Association has the following comments in relation to this application.

These should be interpreted as an OBJECTION, subject to planning conditions being attached to any consent that would make it acceptable. Such planning conditions are suggested below.

We also suggest an alternative approach, which may work considerably better in this location.

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#### Context

The location for this plant and equipment is a lightwell directly behind a block of 14 flats called Fielding Court at 28 Earlham Street. It lies within the densely residential area of Seven Dials.

The existing extraction equipment used by the applicant in this location had no planning permission until May last year, and has continued to be problematic. Residential neighbours had been complaining for a long time about the nuisance caused by noise and vibration. Sadly, trying to deal with this sort of disturbance is exhausting for residents. It can lead to families moving away, which is deeply unfair to them and damages the community. The fact that the applicant did not engage with change more rapidly with the issues makes it even more important that enforceable conditions are attached to any consent for new equipment, to avoid future repetition of such problems.

#### Suggested alternative approach to the approach that has been applied-for

In this location it would be preferable to all parties if no part of the premises' extraction equipment were located outside the building. The restaurant could instead use a recirculating extraction system. A number of these now operate within other A3 premises in the Covent Garden area. An example of a supplier is found here: <https://www.premierrestaurantengineering.co.uk/canopyairrecirculationextractor.html>

We believe that recirculating extraction systems should be used throughout Camden's conservation areas. External systems are out-of-date and neither preserve nor enhance a conservation area.

Suggested conditions to attach for any planning consent for the approach that has been applied-for

If you are nevertheless minded to give permission for new external plant at this location, we would ask for conditions to be attached along these lines:

**1. Hours of use**

All equipment to be turned off outside the hours at which the premises are open to the public, but in any case not to operate outside the time window of 9am to 10pm each day. Equipment to have an automatic timer to achieve this.

(The reason for the timer is that there have been problems in the area with staff leaving equipment on all night. At such hours this area is dead quiet, which means that equipment which passes noise tests at other times becomes a nuisance later, when neighbours are trying to sleep.)

**2. Noise**

No sound from operation of the equipment to be audible at any point on or in surrounding properties.

(The reason for this, in addition to the standard condition for 1dB below background, is that in the case of these confined 'chimney' spaces, we have found that there can be significant noise reflection and conduction, leading to sound levels actually being louder closer to a facade, or even behind it).

**3. Vibration**

No vibration from operation of the equipment to be discernible at any point on or in surrounding properties.

**4. Odours**

No odour from the premises to be discernible at any point on or in surrounding properties.

(The reason for this is that, in our experience, mechanical testing for odour is fraught with difficulty. We have had residents feel very sick, day after day, because of the smell of cooking from restaurant extraction systems elsewhere in Seven Dials. Yet in all those cases the EH officers were unable to achieve calibrated readings sufficient to show nuisance. In one case a couple had to move house just as they were preparing to have a baby, in another case it compounded the distress of an elderly lady suffering from cancer who was unable to move house.)

**5. Maintenance**

A deep clean and maintenance check of the full system to be carried out at least every 3 months by an independent contractor, and the logbook for this to be made available to neighbouring residents.

(The reason for this is that, in our experience, the need to maintain equipment can become a low priority for operators. Yet it is always better to prevent problems rather than trying to deal with them after they have started - which was the distressing situation that neighbours had to deal with at this site from 2018 to 2019. Quarterly checks are recommended industry standard. Regular cleaning also reduces the risk of fire.)

Yours sincerely,

Elizabeth Bax  
Chair, Planning Subcommittee

