

**SUMMARY of Proof of Evidence for Covent Garden Community Association  
re Servicing requirements of the development  
and issues related to the draft Construction Management Plan**

**Document ref. no. 2.1b**

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Submitted by: David Kaner for Covent Garden Community Association (CGCA).

Appeal References: APP/X5210/W/19/3243781 & APP/X5210/Y/19/3243782.

Site: Odeon Cinema, 135-149 Shaftesbury Avenue, London WC2H 8AH.

Proposal The comprehensive refurbishment of the existing Grade II listed building and the provision of a new two storey roof extension and new basement level, providing a new four-screen cinema (Class D2) and spa (sui generis) at basement levels, a restaurant/bar (Class A3/A4) at ground floor level, a 94-bed hotel (Class C1) at part ground and first to sixth floors and associated terrace and bar (Class A4) at roof level, together with associated public realm and highways improvements.

Appellant: Capitalstart Limited.

Planning Authority: London Borough of Camden.

Application references: 2017/7051/P & 2018/0037/L.

1. This is a summary of my Proof of Evidence regarding the Servicing requirements of the development and of issues related to the Construction Management Plan.
2. The CGCA, in its Statement of Case, makes clear that one concern is the impact on residents in the vicinity on the servicing requirements of the development. There are 3 areas of concern in the CGCA's Statement of Case.
  - The number of deliveries and their timings assumed in the draft Servicing Management Plan (SMP) is unrealistic.
  - The use of a 20m<sup>2</sup> "loading bay area" within the building at the rear together with an on-street 10m loading bay is not sufficient for the intended use.
  - The local planning authority is unable to enforce a Service and Management Plan even if one was agreed which would prevent harm to residential amenity.

In addition the CGCA states that even with a Construction Management Plan (CMP) the proposal would lead to conflict and detriment to amenity. Part of this detriment comes from the inadequate consideration of the traffic impacts associated with the development.

3. The analysis I have carried out and which is set out on the Proof of Evidence shows that the draft Servicing Management Plan for the development significantly understates the number of servicing trips which will be generated.
4. Using data from Arup and Steer, which are well regarded transport consultants, I show that the development will require around 29 daily servicing trips rather than the 9 trips assumed by the applicant.

5. This significantly higher servicing load will lead to a significant impact on the road network and on local residents.
6. I have also looked in detail at the proposed changes to the layout of New Compton Street. The proposal would not leave only 2.3m of clear roadway on New Compton Street and this is not sufficient for larger vehicles to use the street.
7. With the higher level of servicing than assumed by the applicant the single loading bay will not be sufficient to allow servicing to take place within the time window proposed. This means that deliveries are likely to be made at times or locations which will have a significant impact on local residents.
8. I have used a template S106 Agreement from the City of London to show that Delivery and Servicing Plans are very difficult or impossible for an LPA to enforce, even if one could be agreed that would appear to mitigate the impact on residents.
9. I have shown that the draft CMP is not internally consistent. It will not allow the number of daily vehicle trips to the site which it says will be required during the development.
10. The draft CMP also requires that all deliveries arrive at the site via the heavily residential New Compton Street, despite saying that vehicles will not use residential side streets.

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