

Application No:	Consultees Name:	Received:	Comment:	Response:
2021/5347/P	Covent Garden Community Association (Elizabeth Bax, Chair of Planning Subcommittee)	12/12/2021 23:20:46	COMNOT	<p>The Covent Garden Community Association is pleased that there is a plan to bring this building back into use, however we do have a number of concerns regarding:</p> <ul style="list-style-type: none">- Plans for 'enlivening of the Betterton Street façade' and new windows on the Betterton Street frontage,- The new roof terrace on the 5th floor,- Servicing of the building,- The construction management plan.

We outline these concerns below, and suggest some changes and some planning conditions that we feel would mitigate problems and enable us to withdraw our objections.

We note that the application is for change of use to office (Class E(g) except for the basement studio. If granted, the upper part of the building could later change to any other use within Class E - including uses such as food and drink which have a much larger servicing requirement and a larger impact on the area. In granting permission we believe that it is important that the Planning Authority applies conditions to ensure that any future change between uses within Class E avoid the impacts of the alternative uses resulting in harm to amenity in the immediate area.

The history of this site is that it morphed into a Club from its original concept of a 'state of the art music media and arts venue' - and then became a building with various areas for hire - rooms for advertising photography, conferences, meetings and the hiring of the studios for broadcast of popular shows as well as the busy club. The servicing plan was never put into place, so hopefully this is the time to get this building into good use and comfortable with its residential surroundings.

CONTEXT

The site is in a densely residential area.

There are c. 60 dwellings in Betterton Street between the junction with Endell Street and Drury Lane, including 36 opposite one side of the site at Betterton House / 31-33 Betterton Street, and a Grade II* listed residential building at 24 Betterton Street which directly abuts the site.

There are c. 140 dwellings on Endell Street between Shelton Street and High Holborn, including 90 in Dudley Court which is directly opposite the other side of the site.

There are many more flats in buildings directly opposite the front of the site, including those with entrances on Shorts Gardens which were probably those most affected by the previous activities in this building.

BETTERTON STREET FRONTAGE

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The reason that the original Hospital Club building had few windows and reduced height windows on the Betterton Street elevation was to protect the amenity of the residents. Each flat in Betterton House has in general a bedroom and living room facing the street, which would be in direct sight line of any window on the opposite building. This was a concession to the residents opposite. To open up these windows now will remove any privacy from Betterton House residents and those at 31 and 33 Betterton Street. It is noted that the proposed new windows will also be openable, which again will [REDACTED] residential neighbours. New and higher windows on this side will also cause light pollution for the opposite neighbour.

In order to protect the privacy of the neighbours we ask for a planning condition that any glass windows be coated or frosted so that there is reduced overlooking of residents.

Lights within the building that directly shine into flats should also be turned off at the end of office hours, or blinds drawn.

Betterton Street is, as noted, a highly residential street. So the proposal to lanternate this side of the former Hospital building is very likely to cause considerable nuisance to the residential neighbours. There were occasions when the former use saw queues of people along this side to enter for events in the basement of the building, causing noise and disruption to the neighbours. Betterton Street is a very narrow street with high buildings which has a canyon effect that amplifies any noise. A comment on the planning portal from someone who is not a resident of this particular area mentioned that the street is dark and that opening up this side of the building with lights and entrances could help, however, there are just 2 street lights for the entire length of the street which is likely to be the issue here. We suggest that additional street lighting should be mounted on the facades as part of the S106 agreement, for example the (Covent Garden Lantern) developed by the Seven Dials Trust and used in other streets in the area.

Should a new public entrance be made in Betterton Street to the building we ask for a planning condition that there must be no queuing in the street to enter to the building and that its hours of use should not extend beyond 10pm given the residential location. We are mindful that events, even those held in office buildings, and especially given the broad reach of Class E, can be late and noisy.

ROOF TERRACES

The Hospital Club had 3 roof terraces: one original installed during the initial development which is directly next to 24 Betterton Street, and a further one constructed later at the end of Betterton Street looking onto Betterton House.

A third, small one was incorporated into one of the hotel bedroom and this new one was granted with limited hours to protect the amenity of the local residents. Noise from this terrace could be heard along Betterton Street on regular occasions, it was open until 9.30pm.

The proposed new terrace is at a higher level than the original, but again directly opposite neighbours who will suffer from noise from it. Whilst this is proposed for office, use we ask for an important planning condition for

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a terminal hour of 7.30pm. There are families with young children and also elderly people living opposite at Betterton House who will be disturbed by noise from this terrace - as they were in the past by the original terrace at the far end of the building.

We also ask for a continuation of the current planning condition that no music to be played on terrace and no noise emanate from the building at any time.

ADDITIONAL NEW DOOR?

The Shorts Garden façade has an original window with original architrave. A proposal for a new door here was turned down by planning officers around 2005 - although there may not have been a formal application for this. We notice that a similar proposal had been put forward by the current owner, but is now not in the plans. We hope that the idea has been dropped as it would be inappropriate to lose this window at this stage having kept it for the last 20 years during The Hospital Club's lifetime.

SERVICING

Our comments below on the transport statement are restricted to the trips generated for servicing at the site.

The Transport Statement shows in Table 6-7 that the site is predicted to have 8 servicing trips per day, of which 6 will use the existing internal bay, 1 will use a bay on Shorts Gardens and 1 will use a bay on Betterton Street.

The Statement also contains a swept path drawing for a bay on Endell Street opposite the site, although it does not contain a prediction that this bay will be used.

We would like to point out that the loading bay on Betterton Street is outside the Sun Pub which is 90m away from the site. It seems unlikely that this bay will be used to serve the premises. There is a closer loading bay on Betterton Street, but it is small and we believe any vehicle able to use this bay could instead use the internal service area.

We would also like to point out that there is currently no loading bay on this section of Shorts Gardens. We are therefore unclear which bay the applicant proposes to use.

The comparison with the existing use is done with a 2018 survey. The most recent survey for the existing use shows that it generated 17 daily trips (Table 4-1) of which 3 were from Betterton Street and 1 from Shorts Gardens with the remainder from the internal bay. In Table 6-7 the number has been increased to 21 trips; we assume this is an error.

The CGCA agrees with the assessment of the applicant that there will be a significant reduction in the number of servicing trips for the development compared to the existing use.

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Clearly the number of deliveries in the Transport Statement is only an estimate, though. Class E covers a wide range of possible uses and some of these might result in a higher number of deliveries and hence a greater impact on the road network and on residential amenity. It is important that the number of daily deliveries is capped in any Planning Permission that is granted. If the nature of the use changes at a later date to one with a greater impact then there would be the opportunity of the Planning Authority to impose additional requirements in order to mitigate any harm that was likely to be caused. We ask for a planning condition that the number of deliveries is capped at 12 per day Monday - Saturday, and 2 per day on Sundays.

The previous Club use resulted in significant issues in the immediate area associated with servicing, and we are concerned that the same issues will occur with the proposed use unless measures are taken to mitigate these. This is true even with the significant reduction in the total number of trips as set out in the Transport Statement.

The problem with the existing use was that vehicles making delivery from Shorts Gardens would tend to obstruct the carriageway, which is narrow. This was particularly the case for vehicles making deliveries and collections associated with events in the basement studio. As this use is intended to continue, these types of deliveries and collections are very likely to take place.

The issue is associated with the relatively narrow width of Shorts Gardens. If a vehicle stops to offload on a section of Double Yellow Line or a Residents Bay close to the exit from the internal bay then they prevent other larger vehicles from using the road unless they mount the pavement. This was a frequent occurrence with the previous use and was the subject of lengthy discussions with both LB Camden and the CGCA.

The CGCA's proposed solution was to make changes in the way kerbside space was allocated, to move residents and doctors bays which are outside the Doctors Surgery on the North side of Shorts Gardens so that this space, which is level with the roadway, can be used for vehicles to pass any larger goods vehicle being used to make deliveries or collections. This solution was discussed at length and an application was made (2012/0976/P). The plan which was attached to this application is below.

(PLEASE SEE FULL LETTER FOR PLAN GRAPHIC)

This solution required some reallocation of kerb space but meant that deliveries could be made without obstructing the street.

If any deliveries are made to the site from Shorts Gardens by larger vehicles, the previous issues will return. We need to learn from the past and avoid repetition. We ask that the Council requires the applicant to make these changes as part of the S106 Agreement in order to ensure that the site can be serviced without causing problems in the immediate area.

The Transport Statement proposes to retain the existing hours of operation for deliveries which are:
Monday - Friday 07:00-22:00
Saturday 09:00-18:00
Sunday 10:00-14:00

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We do not agree that this is appropriate. As the proposed use is primarily office and the number of deliveries is reduced from 21 to 8 each day there is no need for deliveries to carry on until 22.00. We believe that deliveries and servicing trips should take place between these times:

Monday - Friday 08:00-20:00
Saturday 09:00-20:00
Sunday 10:00-20:00

This is ample time for the number of deliveries required to service the site and means that deliveries will not cause a disturbance, and so loss of amenity, to residents living in the vicinity.

CONSTRUCTION MANAGEMENT PLAN

The CMP states in section 13 that there was a discussion with David Kaner about the CMP. This was not the case. There was a discussion about the Transport Statement (covering the topics above).

There is not enough detail in the CMP to be able to provide meaningful comments. Nearly all boxes merely state VTBC upon appointment of contractor¹.

The noisy works hours are listed as Camdens usual hours. Given the highly residential nature of the surrounding area these times need to be strictly adhered to, and on any days when noisy works are taking place there needs to be substantial breaks between sessions.

The Transport section provides a vehicle routing which is not possible given the recent ETO for the Covent Garden Neighbourhood Traffic Management Scheme. The only feasible routing is from High Holborn, down Endell Street and then a right turn into Betterton Street. Leaving the site will be via the route indicated.

The CMP requires the suspension of the residents bays adjacent to the service area on Betterton Street. A significant number of residents bays in the area already been removed. If these 3 bays are removed for construction purposes then they must be re-provided in the immediate area for the duration of the period of suspension. Given the lack of available kerbside space this may be difficult to do, but it is definitely needed and should be at the expense of the applicant, even if this means renting space in a public car park (eg. the NCP on Shelton Street or Parker Street).
