

Application No:	Consultees Name:	Received:	Comment:	Response:
2022/0986/PVL	Covent Garden Community Association (Elizabeth Bax, Chair of Planning Subcommittee)	17/03/2022 23:22:30	OBJNOT	<p>Covent Garden Community Association (CGCA) registers a strong OBJECTION to this application.</p> <p>The location and timings suggested are unsuitable for 12 customers to sit, eat and drink until very late every day of the week, and there is too little space to fit them in any case.</p> <p>We have three grounds for objection:</p> <ol style="list-style-type: none"> 1. The location is inappropriate for outside eating and drinking on grounds of harm to residential amenity. <p>Seven Dials is a densely residential area, with flats above most of the commercial units all along this section of Earlham Street. The applicant's premises are directly next to and under the windows of a block of 14 flats called Fielding Court at 28 Earlham Street, and more flats on the other side above 22 to 24 Earlham Street.</p> <p>The premises are also directly opposite a block of 19 social housing flats called Earlham House at 11 Earlham Street, with all their balconies facing the premises. Because of the short consultation period given for pavement licence applications, we have been unable to alert the residents at Earlham House (and PVLs do not appear on the planning alert system). However, these neighbours are likely to be very negative about the idea as they and the CGCA have had to complain about these premises on many occasions – most recently for breaches of licence conditions with noisy out-of-hours deliveries.</p> <p>Past complaints of the nature mentioned above should result in refusal of this application, let alone all the other factors that we mention below. (And could you confirm that you have these complaints on file, please? We are worried because complaints registered by other departments have not been passed to you in the past.)</p> <p>The neighbouring dwellings are occupied by families and elderly people. It is unreasonable for them to have noise and disruption directly outside their living rooms and bedrooms every day of the week and weekend until 11pm (10pm on Sundays), as has been applied for. It should be noted that Camden's tables & chairs guidance considers a terminal hour of 6pm to be the norm in streets like this, extending to 9pm by exception.</p> <ol style="list-style-type: none"> 2. The space is otherwise reserved. <p>Considerable investment in money and in time (including voluntary time from organisations such as our own) was made in 2016-17 to redevelop Earlham Street to include widened pavements. The purpose of this work was to increase the capacity of Earlham Street as a gateway to Covent Garden for pedestrians and cyclists, especially once Crossrail is open. The pedestrian need was assessed as requiring far more than the usual 1.8 metre minimum free pavement width.</p> <p>The purpose of the project was not to provide a spot for commercial space for existing businesses to expand. Indeed, at the time of the work the council assured us that these pavements would NOT be used for tables and chairs; the project would have lost local support had it been any other way.</p>

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3. There is insufficient room.

The applicant's plan does not show the position of fixtures such as the stalls of Earlham Street market. The first market pitch is located directly outside the applicant's premises, and there is insufficient width for even one row of tables let alone three rows as applied for. An application was made last year for 1 row of tables (ref. 2021/4208/PVL), and this was refused on the grounds of insufficient room.

The only way in which the premises could fit outside dining space would be if they rented the market pitch for it. And in that case they would need to operate during the market's hours (until 7pm). This might be acceptable to neighbouring residents as we have discussed the idea with the markets team in relation to other premises before.

The applicant's plan also does not show where the considerable number of Deliveroo bikes would stop, who currently use the space immediately outside the premises in the late evening. Placing tables there would lead to yet more disruption to residents from drivers with loud music speakers directly outside their windows, and from their bikes being left outside their front doors.

We should also comment on the reasoning that we have heard from applicants who want to use outside space to support their businesses to "recover after the pandemic". We must push back on this assertion. Plenty of businesses across the country do need support, and indeed there is a question as to whether businesses in the West End should be drawing customers away from them. But in the West End, business is booming. Extending their commercial space into the public realm is unnecessary for premises who can now use their full interior capacity.

Shaftesbury plc is owner of many hospitality units in the area, including Earlham Street. The company's CEO said that by January 2022, weekend visitor numbers in the West End were higher than at the same time in 2019. His words were quoted across the media in early February. And these visitor numbers have increased since. Bars are full, there are queues outside restaurants, and you often can't book a table. Even on Tuesday nights many venues are full – which was not the case pre-Covid.

At the same time many residents have suffered untold mental health problems, and children are finding it difficult to settle back into routine. Creating noise that seeps into their homes is deeply unfair and would further fracture our community at a time when we need to recover.

Extra permissions for tables and chairs were granted in this area during the pandemic under the pavement licensing regime. At that time local people made considerable sacrifices in terms of their own comfort and amenity, to enable local businesses to operate using outside space when their indoor space was closed. Residents have had two years of disruption, which they have tolerated with grace because it was promised to be temporary. But this should not be extended any further.