

Application No:	Consultees Name:	Received:	Comment:	Response:
2022/3338/P	Covent Garden Community Association (Elizabeth Bax, Chair of Planning Subcommittee)	16/10/2022 23:35:13	OBJNOT	<p>Covent Garden Community Association (CGCA), as the amenity society for the area, would like to ask for 3 conditions to be added to any consent under this application.</p> <p>The applicant states that the proposals are essentially the same as those submitted and consented under Planning application ref. 2019/1998/P and Listed Building Consent ref. 2019/2370/L. However, significant recent changes in Planning law mean that THE IMPACT OF THIS NEW PLANNING APPLICATION IS MATERIALLY DIFFERENT FROM THE IMPACT PREVIOUSLY CONSIDERED UNDER APPLICATION REF. 2019/1998/P.</p> <p>We therefore believe that additional conditions will be required in order to protect residential amenity in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.</p> <p>-----</p> <p>The Business and Planning Act 2020 introduced a significant change to the Use Classes Order since the original application was approved in 2019. The new Class E is a broad category of 'commercial, business and service' uses, effectively amalgamating the former Class A1 (retail), Class A2 (financial and professional services), A3 (restaurants/cafes), B1 (offices) along with health/medical uses, creches, nurseries (all formerly D1 uses) and indoor sports/recreation (formerly D2 use).</p> <p>Permission is not required to change between any of the uses within the new Class E. In considering the scheme de novo, Camden must therefore consider not only the office use previously considered under Class B1 but also all the other possible uses under Class E.</p> <p>If the refurbished building were to attract a new tenant wishing to use all or part of the building as a restaurant, for example, the impact on neighbouring dwellings would be far greater than if it were used entirely as an office. This impact would be both from the nature of the activity itself, and from:</p> <ol style="list-style-type: none"> the coming and going of groups of potentially noisy customers at later hours, and greater delivery and servicing requirements. <p>We therefore ask that any permission granted now be subject to protective conditions as listed below.</p> <p>-----</p> <ol style="list-style-type: none"> Hours of use of the building be restricted to: <ul style="list-style-type: none"> 8:00 to 20:00 Monday to Friday, 9:00 to 19:00 on Saturday, 10:00 to 18:00 on Sunday. <p>These hours are well beyond those needed for normal office work and would give comfort that customers coming and going from any more intensive use would be only moderately likely to cause problems for neighbouring residents.</p> <p>-----</p>

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2. Hours of deliveries and servicing of the building (including rubbish collections) be restricted to:
- 8:00 to 20:00 Monday – Friday.

3. Hours of use of terraces of the building be restricted to:
- 8:00 to 20:00 Monday – Friday.

We appreciate that the council considered our comments on the original application regarding the impact of use of the outside spaces on neighbouring amenity. The decision notice stated in Condition 4 that “The approved roof terraces, as shown on the 2nd floor and roof plan, shall not be used outside the hours of 08:00 and 20:00 Monday-Friday”.

This 3rd point is therefore merely a request that condition 4 of the original planning consent be retained. It would become all the more essential if the building were to switch to a more intensive use within Class E, causing more overlooking and far more noise.
