

Minutes

Covent Garden Community Association

Planning Sub-Committee meeting held on Monday, 9 November 2015
at 17:30 at Covent Garden Community Centre (Shelton Room), 42 Earlham Street WC2H 9LA

www.CoventGarden.org.uk



1. Attendance

1.1 Present: Elizabeth Bax, Jo Weir, Robert Bent, David Bieda, Selwyn Hardy, Gary Hayes, David Kaner, Christina Smith, Meredith Whitten

1.2 Apologies received: Shirley Gray, Richard Hills, Kester Robinson, Rhu Weir

1.3 Comments received: Shirley Gray, Amanda Rigby, Rhu Weir

2. Presentation: Triangle Investments and Development Ltd. re: proposals for 35, 37 and 39-41 New Oxford Street, 10-12 Museum Street and 16a-18 West Central Street

3. Planning Applications & Appeals

	Address & Application No.	Proposal	Comments
CAMDEN APPLICATIONS			
3.1	65-75 Monmouth Street WC2H 9DG 2015/5642/P & 2015/5973/L A1&B1/Shafesbury; Rolfe Judd (agent)	Relocation and replacement of existing air-conditioning units to new roof-top plant enclosure.	No objection Comments by 26-11-15 (Comments for listed building app due on 19-11-15.) Photo: https://goo.gl/OOAcqJ Documents: http://goo.gl/SYNumq Note: Grade II listed building
3.2	65-75 Monmouth Street WC2H 9DG 2015/5617/P & 2015/5969/L A1&B1/Shafesbury; Rolfe Judd (agent)	Removal and replacement of existing projecting windows and installation of Juliette balconies to apex of St. Martins House, and alterations to existing office entrance on Shelton Street frontage.	The CGCA objects to the removal of the projecting apex window, which is a famous example of early Farrell architecture that has become iconic in the conservation area. CS14 – Promoting high quality places and conserving our heritage states that the Council will promote high-quality places and seek to ensure that Camden’s places and buildings are attractive, safe, healthy and easy to use and requiring development to be of the highest standard of design that respects local context and character. The CGCA also objects to the proposed entrance on Shelton Street, as a Crittall door system with glazed panel above is out of keeping with the period shopfronts along Shelton Street and with the character of the conservation area, as the attached photo of the street illustrates. Additionally, as noted in the Seven Dials Renaissance Study, which Camden has adopted, much of the special character of the street is derived from the use of timber painted shopfronts. The report says that “it is important that these are maintained” (p. 34). The report specifically addresses No. 1-9 Shelton Street, which includes the entrance that is the subject of this application. The report notes that the shopfronts “have been excellently reconstructed and appropriately painted” (p. 75).

			<p>Comments by 19-11-15</p> <p>Photo: https://goo.gl/00AcqJ</p> <p>Documents: http://goo.gl/rssH1b</p> <p>Note: Grade II listed building</p>
3.3	<p>65-75 Monmouth Street WC2H 9DG</p> <p>2015/5949/P</p> <p>A1&B1/<i>Shaftesbury; Rolfe Judd (agent)</i></p>	<p>Discharge of condition 7 (cycle storage facilities) granted under reference 2014/4870/P dated 12-05-15.</p>	<p>The CGCA cannot comment until a drawing of the proposed basement layout, including proposed cycle storage facilities, is provided by the applicant.</p> <p>Comments by 13-11-15</p> <p>Photo: https://goo.gl/00AcqJ</p> <p>Documents: http://goo.gl/6R111K</p> <p>Note: Grade II listed building. On 08-09-14 agenda. Comments re: cycling storage: As proposed, a resident would need to go through four doors and down stairs to get to the cycle storage, which undoubtedly is a disincentive. Instead, the CGCA suggests allocating a small part of the alcove at back of the new retail unit at ground floor level as the cycle storage.</p>
WESTMINSTER APPLICATIONS			
3.4	<p>10-11 Great Newport Street WC2H 7JA</p> <p>15/05558/FULL</p> <p>A1, A3, C3/<i>Aviva Investors; Montagu Evans LLP (agent)</i></p>	<p>Erection of a timber slatted screen to the east side of the existing lightwell at first to fifth floor levels.</p>	<p>No objection</p> <p>Comments by 13-11-15</p> <p>Photo: https://goo.gl/PYbbKt</p> <p>Documents: http://goo.gl/lcQjoo</p>
3.5	<p>10 Long Acre WC2E 9LH</p> <p>15/07943/FULL</p> <p>A1/<i>Calzedonia UK Limited</i></p>	<p>Alterations to existing shopfront.</p>	<p>No objection</p> <p>Comments by 13-11-15</p> <p>Photo: https://goo.gl/jNC0tY</p> <p>Documents: http://goo.gl/xTRpO6</p>
3.6	<p>48 Charing Cross Road WC2H 0BS</p> <p>15/08044/FULL</p> <p>A4 (<i>The Porcupine</i>)/<i>Mitchells & Butlers PLC; Arc Design Associates (agent)</i></p>	<p>Alterations to shopfront including new floodlights to light swing signs, replacement of existing black aluminium lantern with new brass lantern, replacement menu box, and new valances to existing awnings.</p>	<p>No objection</p> <p>Comments by 26-11-15</p> <p>Photo: https://goo.gl/6bbnY1</p> <p>Documents: http://goo.gl/sMfnJI</p>
3.7	<p>Flat 1 Siddons Court Tavistock Street WC2E 7NT</p> <p>15/08589/FULL</p> <p>C3/<i>Private resident</i></p>	<p>Replacement of windows at ground floor level.</p>	<p>No objection to the replacement of the windows, provided the replacement windows, including the sash bars, are like for like and match the existing style and design of the windows on the rest of the building.</p> <p>The CGCA objects to the portico, as it is out of keeping with the character of the conservation area and the building in particular. We support the Council's statement to the applicant that the portico "is not appropriate to the period and style of the building and therefore would not be supported in design and townscape terms" (see Westminster letter dated 02-10-15).</p> <p>Comments by 01-12-15</p> <p>Photo: https://goo.gl/5W92uk</p>

			Documents: http://goo.gl/etztAU
3.8	12 Maiden Lane WC2E 7NA 15/09562/FULL Big Easy/ Maiden London Ltd.; Walsingham Planning (agent)	Installation of external plant and equipment within existing enclosure at main roof level and retention of extract ducts from second floor level to roof level.	<p>The CGCA remains concerned about the applicant's ability to control both noise and odours given that local residents, as well as the CGCA and the Council, have repeatedly attempted to get the applicant to comply with existing policies and regulations.</p> <p>Local residents have had their amenity severely diminished by the actions of the applicant, who has not worked with residents and others, such as the adjacent theatre, in good faith. Thus, the CGCA remains highly suspicious of the applicant's proposals to reduce the noise and remove the odours.</p> <p>Thus, should the Council be minded to grant permission, conditions must be included that specify the type of efficient equipment that must be used, including noise and odour mitigation equipment.</p> <p>Any permission granted must include strongly worded conditions that legally require the applicant to have at least annual maintenance performed on all equipment, including ducting, to ensure it is running effectively and is not causing disturbance to nearby residents, such as by exceeding 10 decibels below background or by causing odours to affect neighbouring properties. The applicant should be required to submit these reports to the Council.</p> <p>The CGCA refutes the applicant's statement that residents who live nearby must have "reasonable expectations" for "choosing to live there." The residents have the reasonable expectation that development will comply with the planning policies and guidance set forth by Westminster, regardless of if they move in before or after the restaurant. The applicant has a history of disregarding these standards. The applicant chose to try to operate a restaurant of this type and size in an area that has been residential for hundreds of years and at a site that is surrounded by residential, knowing it would be difficult to comply with noise regulations.</p> <p>The CGCA also refutes the applicant's statement that the proposals should be permitted because the need for the restaurant adheres to the National Planning Policy Framework's call for sustainability. In particular, the NPPF specifies that for development to be considered sustainable, it must take into account economic, social and environmental dimensions; these must be considered together, not in isolation.</p> <p>Finally, we challenge the applicant's assertion that "the principle of the</p>

			<p>restaurant plant room located on the top floor roof of 14 Bull Inn Court, and extract ducts linking the restaurant kitchen to the plant room has been firmly established by the grant of planning permissions in 2004, 2008, 2011 and 2012.” The current restaurant is quite large and the applicant has installed plant and extract equipment without permission and in a context different from what existed in 2004, for example.</p> <p>Comments by 01-12-15</p> <p>Photo: https://goo.gl/IK2Sfv</p> <p>Documents: http://goo.gl/llqtUr</p>
3.9	<p>The Market WC2E 8RF 15/09825/FULL A3 (Opera Terrace)/Capco; Gerald Eve (agent)</p>	<p>Variation of Conditions 7, 9 and 11 of planning permission dated 22-09-2015 (15/06870/FULL) namely, to amend wording of conditions to approve a new operational management statement, extend the time of outdoor seating until 23.00 hours, and to provide a bar open to non-diners.</p>	<p>The CGCA objects to the proposed variation in condition 7 to permit deliveries to take place between 7:00am and 10:30am, seven days a week (item 26 in revised OMP).</p> <p>As the officer’s report states, “all servicing will remain as per the existing uses and are subject to the Covent Garden controls which allows servicing between 07:30 a.m. and 10:30 a.m. as the piazza is pedestrianised.” Further, in the applicant’s approved OMP, the applicant states that, “The Piazza is pedestrianised though delivery vehicles are allowed to service businesses within the Market Building between 7:30am and 10:30am.” Thus, permitting the earlier start time of 7:00am is out of keeping with the rest of the piazza and the Council should refuse this variation. Servicing consistently ranks high amongst complaints from local residents, thus the Council further should not permit the earlier start time because of impact on residential amenity.</p> <p>The CGCA does not object to a variation in condition 7 that would allow the first-floor external seating area on the terrace to be used until 11 p.m.</p> <p>A condition must be included to require that doors are closed when live music is playing.</p> <p>The CGCA objects to the proposed variation in condition 11, which would permit the applicant to provide bar service, namely selling alcoholic beverages, to non-diners. Permitting this variation would set a dangerous precedent.</p> <p>Westminster includes this condition as a standard across similar proposals to prevent a use that would be unacceptable because of the character and function of this part of the Covent Garden Conservation Area (see CMP S25 and UDP DES9). Removing part of the condition to allow bar service to non-diners changes the principle of the use from A3.</p> <p>The CGCA does not object to the proposed</p>

			<p>variation in condition 9 to allow the applicant to put tables on the terrace and the piazza between 07:00-23:00 daily.</p> <p>Comments by 04-12-15</p> <p>Photo: https://goo.gl/77Ghyl</p> <p>Documents: http://goo.gl/YmpHjc</p> <p>Note: Grade II* listed building. On 14-09-15 agenda. CGCA had no objection.</p>
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4. Tables and Chairs

CAMDEN APPLICATIONS			
4.1	<p>57-59 Endell Street WC2H 9AJ</p> <p>2015/6167/TC</p> <p>Cafe Mode/Mr. Mohammed Alakhal</p>	7 tables and 18 chairs	<p>The CGCA strongly objects to the proposed number of tables and chairs, which are excessive given the limited space on the public highway. The Council should refuse permission or limit permission to three tables and six chairs.</p> <p>The applicant has submitted a highly misleading drawing and has greatly overstated the depth of the forecourt. The drawing shows 1.5m, but the forecourt depth is actually 90cm. Thus, the tables and chairs are not limited to the forecourt as the drawing misleadingly indicates, but actually extend well into the pavement.</p> <p>Further, the drawing shows the tables-and-chairs configuration with the chairs pushed under the table. The measurements are not realistic once customers are seated. The CGCA conservatively estimates that a person seated at the table takes up at least 45cm. Thus, the applicant would need to show at least 90cm between chairs. Further, the drawing shows one chair per table pushed not only under the table, but also against the shopfront. A customer will have to push the table further out in order to be seated in this chair. This, then, further pushes the tables and chairs into the public highway.</p> <p>Drawings by other applicants that are approved by the Council more accurately reflect the measurements and space needed to accommodate customers seated at the tables and chairs.</p> <p>The applicant further obstructs pedestrian movement by the excessive use of A-boards. As the attached photos show, the applicant is using three A-boards, including two in the public highway and one in front of the shopfront next door (eg, not the applicant's property).</p> <p>The applicant also is using rope barriers without permission.</p> <p>The CGCA also objects to the hours. As specified in Camden's guidance for tables and chairs, hours should not extend beyond 21:00. Endell Street is not a "predominantly commercial street in the Central London Area" as defined in the guidance and, thus, the hours must conform to Camden's policy hours, which are Monday to Sunday, 08:00-21:00. Permission for hours beyond this violates Camden's policy.</p> <p>Comments by 02-12-15</p> <p>Photo: https://goo.gl/QCY9Am</p> <p>Documents: http://goo.gl/tYr7Ho</p> <p>Note: Renewal. No change in use. No change in hours: M-SA: 09:00 to 23:00; SU: 09:00 to 22:30. On 13-01-14 agenda. CGCA objected.</p>

4.2	50-52 Monmouth Street WC2H 9EP 2015/6157/TC Rossopomodoro/ <i>Antonio Merlin</i>	5 tables and 10 chairs	<p>The CGCA maintains our objection from last year and we express disappointment that the Council granted permission for tables and chairs in 2014 (2014/6910/TC), as the applicant consistently disregards the permitted layout of 5 tables and 10 chairs and instead regularly uses 20 chairs. This results in a configuration that has the tables and chairs backing into the narrow public highway and impeding pedestrian flow. This creates a significant health and safety issue, as pedestrians often walk in the roadway in Monmouth Street because there is no longer room on the pavement for them to pass.</p> <p>The CGCA also objects to the hours. As specified in Camden's guidance for tables and chairs, hours should not extend beyond 21:00. Monmouth Street is not a "predominantly commercial street in the Central London Area" as defined in the guidance and, thus, the hours must conform to Camden's policy hours, which are Monday to Sunday, 08:00-21:00. Permission for hours beyond this violates Camden's policy.</p> <p>Comments by 01-12-15 Photo: https://goo.gl/jjCHec Documents: http://goo.gl/h8INPO Note: Renewal. No change in use. No change in hours: M-SA 10:00 - 23:00; SU 10:00 - 22:00. On 10-11-14 agenda. CGCA objected.</p>
4.3	190 Shaftesbury Avenue London WC2H 8JL 2015/6147/TC <i>The Diner/Winston Barker</i>	8 tables and 16 chairs	<p>The CGCA objects to the proposed hours, which exceed Camden policy. As specified in Camden's guidance for tables and chairs, hours should not extend beyond 21:00. Shaftesbury Avenue is not a "predominantly commercial street in the Central London Area" as defined in the guidance and, thus, the hours must conform to Camden's policy hours, which are Monday to Sunday, 08:00-21:00. Permission for hours beyond this violates Camden's policy.</p> <p>The CGCA also notes that this location is in a residential area, not a primarily commercial area, further supporting the need to adhere to Camden's policy regarding hours for tables and chairs.</p> <p>Comments by 01-12-15 Photo: https://goo.gl/j1KztW Documents: http://goo.gl/pBYCiv Note: Renewal. No change in use. Change in Sunday hours: Current hours: M-SA 09.00 to 23.00; SU 09:00-20:00. Proposed hours: M-SA 09.00 to 23.00; SU 09.00 to 22:00. On 09-06-14 agenda. CGCA objected to hours.</p>
WESTMINSTER APPLICATIONS			
4.4	7 Aldwych WC2B 4DA 15/06164/TCH <i>Caffe Fratelli/Caffe Fratelli</i>	Use of two areas of the public highway measuring 1m x 3.5m and 1m x 2m for the placing of three tables and six chairs.	<p>No objection</p> <p>Comments by 19-11-15 Photo: https://goo.gl/uB0drw Documents: http://goo.gl/uqtbAb Note: Renewal. No change in use. Current hours: M-SU 07:00-23:00. Proposed hours: M-F 07:00-19:00; SA 08:00-19:00; SU 10:00-16:00. On 09-12-13 agenda. CGCA had no objection.</p>
4.5	24 Charing Cross Road WC2H ODT	Use of the public highway measuring 8.7m x 1.8m for the placing of eight tables	<p>No objection</p> <p>Comments by 23-11-15</p>

	15/09239/FULL Byron/Byron; Bidwells LLP (agent)	and 16 chairs on Cecil Court frontage.	Photo: https://goo.gl/fNxaJV Documents: http://goo.gl/rGd2uJ Note: Renewal. No change in use or hours: M-SU 11:00-23:00. On 28-07-14 agenda. CGCA had no objection.
4.6	65 Long Acre WC2E 9JD 15/09281/TCH Pret/Pret A Manger; Planning Potential Ltd. (agent)	Use of an area of the public highway for the placing of one table and two chairs in an area measuring 2m x 0.7m.	No objection Comments by 26-11-15 Photo: https://goo.gl/vR2RTA Documents: http://goo.gl/DqJqig Note: Renewal. No change in use or hours: M-SA 07:00-19:00; SU 09:00-19:00. On 11-11-13 agenda. CGCA had no objection.

5. Other business

6. Next meetings & future presentations

- 6.1 23 November 2015
- 6.2 TBD December 2015