

## Minutes

### Covent Garden Community Association

Planning Sub-Committee meeting held on Monday, 11 July 2016  
at 18:30 at the Hospital Club, 24 Endell Street WC2H 9HQ

[www.CoventGarden.org.uk](http://www.CoventGarden.org.uk)



TheCGCA



@TheCGCA

#### 1. Attendance

- 1.1 **Present:** Elizabeth Bax (chair); Jane French; Selwyn Hardy; Christina Smith; Jo Weir; Meredith Whitten
- 1.2 **Apologies received:** Shirley Gray; Gary Hayes; Richard Hills; Kester Robinson; Rhu Weir
- 1.3 **Comments received:** Gary Hayes; Kester Robinson; Rhu Weir

#### 2. Presentation: Helical Bar (Drury Lane site) at 7 p.m.

#### 3. Planning Applications & Appeals

	Address & Application No.	Proposal	Comments
<b>CAMDEN APPLICATIONS</b>			
3.1	o/s Holborn Station 88-94 Kingsway WC2B 6AF 2016/3572/P <i>N/A/Clear Channel United Kingdom</i>	Installation of a telephone kiosk (associated with relocation of 1 x existing kiosk).	No objection Comments by 20-07-16 Photo: <a href="https://goo.gl/x402CJ">https://goo.gl/x402CJ</a> Documents: <a href="http://goo.gl/g50WXi">http://goo.gl/g50WXi</a>
3.2	103 New Oxford Street WC1A 1DD 2016/3450/P & 2016/3451/L <i>C3/Almacantar Ltd.; Gerald Eve (agent)</i>	Detailed elevations and sections (including method of illumination) in relation to condition 3b of 2013/1957/P dated 01/04/2014.	No objection Comments by 20-07-16 Photo: <a href="https://goo.gl/HK8cJl">https://goo.gl/HK8cJl</a> Documents: <a href="http://goo.gl/kCDObc">http://goo.gl/kCDObc</a>
3.3	103 New Oxford Street WC1A 1DD 2016/3332/P <i>C3/Almacantar Ltd.; Gerald Eve (agent)</i>	Details of the position, specification of luminance and typical design of fixtures in respect of external lighting in relation to condition 16 of 2013/1957/P dated 01/04/2014.	No objection Comments by 27-07-16 Photo: <a href="https://goo.gl/HK8cJl">https://goo.gl/HK8cJl</a> Documents: <a href="http://goo.gl/rZOsaq">http://goo.gl/rZOsaq</a>
3.4	63 Neal Street WC2H 9PJ 2016/3286/P <i>D1 Structadene Limited; Brooks/Murray Architects (agent)</i>	Erection of additional storey and reprovision of mansard roof with 2 dormer windows to front and 2 new windows to rear elevation.	Objection. The proposed additional storey and associated works would result in a building that is out of character with the conservation area, Neal Street and adjacent buildings, including the Grade II listed building directly next to this. Camden's planning policy firmly states that development must respect, protect and enhance "a) character, setting, context and the form and scale of neighbouring buildings; b) the character and proportions of the existing building, where alterations and extensions are proposed" (see DP24; also see CS5, CS9 & CS14; and CPG1). These proposals do not integrate into the building's surroundings, as specified in DP24.11. Further, the proposals would result in overlooking and lack of privacy for

			adjacent residents (see DP26). Comments by 22-07-16 Photo: <a href="https://goo.gl/dSI1EM">https://goo.gl/dSI1EM</a> Documents: <a href="http://goo.gl/XrgMtp">http://goo.gl/XrgMtp</a>
3.5	71-75 Shelton Street WC2H 9JQ 2016/3433/P <i>Atelier/Atelier London Ltd; Dunacre Ltd. (agent)</i>	Erection of a roof terrace to roof level and relocation of air conditioning units.	<i>Deferred to next meeting</i> Comments by 26-07-16 Photo: <a href="https://goo.gl/VRxOy1">https://goo.gl/VRxOy1</a> Documents: None available.
<b>WESTMINSTER APPLICATIONS</b>			
3.6	100-101 St Martin's Lane WC2N 4AZ 16/05321/FULL <i>B1/Bishopsgate Long-Term Prop. Fund; Bilfinger GVA (agent)</i>	Refurbishment for the restricted use of existing terraces at lower ground, third, fourth and fifth floor levels.	<p>Objection. The CGCA objects to the proposed use of the existing terraces because of the acknowledged impact this will have on neighbouring residents' amenity, including noise and disturbance and loss of privacy/overlooking.</p> <p>The internal courtyard where these terraces are located is surrounded by residential flats, including Talbot House, Burleigh Mansions, Faraday House and Garrick Mansions. Some of these flats are small studios with only one window, which looks out on the terraces that are the subject of this application. Indeed, an estimated 70 windows look onto the terrace. The demographic makeup of residents in these flats includes elderly residents, families with school children and residents with disabilities and limited mobility and, thus, the flats are in use throughout the work day.</p> <p>Because of the close proximity of the terraces to noise-sensitive windows in the neighbouring flats, as well as the canyon-like effect of noise in the courtyard, previous planning permission specified that the terraces could be used solely as a means of emergency escape. They could not be used for office workers' amenity, such as smoking, taking breaks or having lunch. (See 87/03993/FULL.) This internal courtyard is not "representative of a busy London location," as the noise report indicates (see p. 2) and, thus, existing noise levels do not exceed the Council's established thresholds. This means that the noise from the terraces – which could be constant – would result in a significant increase over the existing background noise, causing harm and disturbance to residential amenity (see S29, S32, ENV6 and ENV7).</p> <p>The CGCA highlights that for years the</p>

management of this space has respected its residential nature and quiet character through verbal agreements between local businesses, local residents and community groups. In some instances, these verbal agreements have been captured in binding licensing conditions (for example, see the license for The Garrick Arms, 8-10 Charing Cross Rd, Leicester Square WC2H 0HG).

Despite this, tenants of the office building have used the terraces for workers' amenity, going so far as to place multiple tables and chairs on the terraces, despite residents' objections to the noise and overlooking that resulted. Thus, we have serious reservations that the terraces could be managed effectively and in such a way that does not result in disturbance and loss of privacy to the many adjacent residents.

Also because of the close proximity of the terraces to residential windows – including bedroom windows – the residents will experience a loss of privacy due to overlooking. There is a difference between office workers sitting at a desk working behind a window and workers on an outdoor terrace looking out into residential windows. The applicant proposes installing black trellis screens, however, these will contribute to a closed-in feel for residents. This conflicts with UDP ENV13, which states that: "Developments should not result in a significant increase in the sense of enclosure or overlooking, ...particularly on gardens, public open space or on adjoining buildings, whether in residential or public use" (emphasis added). (Also see S29.)

The CGCA also notes that the lower ground floor terrace is a designated fire escape for occupants of 101 St. Martin's Lane. The fire escape way continues through the lobby of Faraday House to the west to Charing Cross Road. Allowing part of the terrace to be used for office amenity would result in workers using the lobby entrance of Faraday House as an entrance and exit to 101 St. Martin's Lane. There is precedent for this unlawful access at Faraday House, as this has occurred in the past, causing great disturbance to residents and presenting a safety

			<p>hazard.</p> <p>Local residents have shared photos with the CGCA that illustrate the proximity of the terraces to many noise-sensitive windows, the canyon-effect created by the location of all the buildings and, notably, the applicant's disregard for the current condition prohibiting amenity use by placing numerous tables and chairs on the terraces. See attached photo.</p> <p>Given that noise has only increased over the years since the original condition was included and that nothing has changed to warrant its removal – including allowing loss of privacy/overlooking and use of a residential lobby for amenity purposes – the proposed use – even restricted use – should be refused.</p> <p>Comments by 18-07-16</p> <p>Photo: <a href="https://goo.gl/6EYz19">https://goo.gl/6EYz19</a></p> <p>Documents: <a href="http://goo.gl/8JgHqs">http://goo.gl/8JgHqs</a></p>
3.7	<p>14-15 Henrietta Street WC2E 8QH 16/05227/FULL</p> <p>C1/<i>Experimental Worldwide Ltd.; Offset Architects (agent)</i></p>	<p>Alterations to front elevation including removal of stone window mullions to ground floor, replacement window and front door and removal of gate.</p>	<p>Whilst the CGCA does not object to the overall scheme, we do object to the following elements:</p> <ul style="list-style-type: none"> <li>• Object to the installation of a shopfront window with so many panes across the glass. The window should include fewer, but larger panes – the CGCA recommends six panes overall. This is more appropriate and in character with the conservation area, and the Council's "Shopfronts, blinds and signs" SPG.</li> <li>• Object to the proposed glass door, which is out of keeping with the character of the conservation area, as well as the building itself (see S25 and S28; UDP DES1 &amp; 10). As the applicant's own historic photo indicates, a solid wood door was historically in use (see D&amp;A statement, Fig. 1.0 on p. 3).</li> <li>• Object to the loss of the existing metal gate, which is an important element of the shopfront. The gate could remain open, which could achieve the applicant's purpose for proposing to remove it.</li> <li>• Object to the loss of window mullions, which should be retained according to the Council's "Shopfronts, blinds and signs" SPG.</li> </ul>

			Comments by 20-07-16 Photo: <a href="https://goo.gl/QZRkJ1">https://goo.gl/QZRkJ1</a> Documents: <a href="http://goo.gl/4Fc8rt">http://goo.gl/4Fc8rt</a>
3.8	11-12 Floral Street WC2E 9DS 6/05805/FULL D2 & A1/Capco; Gerald Eve (agent)	Installation of new shopfront to 11 Floral Street; change of use of part basement, part ground, first and second floors of no. 11 Floral Street from health and fitness club (D2) to retail (A1) with ancillary cafe and change of use of part basement floor of no. 12 from health and fitness club (D2) to retail (A1); change of use of part basement, part ground, and first to fourth floors of no. 12 Floral Street from health and fitness club (D2) to office (B1); and associated external alterations to no. 11 Floral Street and internal and external alterations to no. 12 Floral Street.	The CGCA objects to the proposed shopfront for 11 Floral Street, as the large expanse of glass is out of keeping for and inappropriate in a conservation area, as well as the Grade II listed building directly next door to it. It does not preserve or enhance the conservation area (see S25 and S28; UDP DES1 & 10, esp. 10.108-10.128). Additionally, Westminster's "Shopfronts, blinds and signs" SPG states that a "large expanse of glass is inappropriate for the street (see p. 8 of pdf version). The CGCA does not object to any other elements in the proposed scheme.  Comments by 28-07-16 Photo: <a href="https://goo.gl/f3lwac">https://goo.gl/f3lwac</a> Documents: <a href="http://goo.gl/l3ipXA">http://goo.gl/l3ipXA</a> Note: Grade II listed building
3.9	13-14 Langley Street WC2H 9JG 16/05874/FULL B1/H&M Hennes & Mauritz UK & Ireland Ltd; DP9 Ltd. (agent)	Proposed installation of louvres within the roof as attenuation for roof plant. Installation of emergency generator within plant area.	No objection. The CGCA welcomes the mitigation efforts designed to reduce noise and disturbance for nearby residents.  Comments by 01-08-16 Photo: <a href="https://goo.gl/0w1IBW">https://goo.gl/0w1IBW</a> Documents: <a href="http://goo.gl/uLqg4k">http://goo.gl/uLqg4k</a>

#### 4. Tables and Chairs

##### CAMDEN APPLICATIONS

4.1	38 Monmouth Street WC2H 9EP 2016/3763/TC Pierre Hermes Paris	2 tables and 4 chairs	The CGCA does not object to the use of two tables and four chairs, provided a condition is included that specifies that the tables and chairs must always be configured flush with the shopfront, as they are on the proposed drawings.  Comments by 19-07-16 Photo: <a href="https://goo.gl/RAFYWc">https://goo.gl/RAFYWc</a> Documents: <a href="http://goo.gl/ygB24z">http://goo.gl/ygB24z</a>  Note: New application. Proposed hours: M-TH 10:00-19:00; F-SA 10:00 - 20:00; SU 12:00- 18:00
4.2	77 Kingsway WC2B 6SR 2016/3623/TC Cafe Rouge	9 tables, 36 chairs and 10 barriers	No objection  Comments by 27-07-16 Photo: <a href="https://goo.gl/uBfzwb">https://goo.gl/uBfzwb</a> Documents: <a href="http://goo.gl/ITpG4T">http://goo.gl/ITpG4T</a>  Note: Renewal. No change in use or hours: M-TH 08:00 - 23:00; F-SA 08:00 - 23:30; SU 08:00 - 22:30.

##### WESTMINSTER APPLICATIONS

4.3	2A Garrick Street WC2E 9BH	Use of an area of the public highway	No objection  Comments by 21-07-16
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	16/05645/TCH Carluccio's	measuring 17.14m X 0.8m for the placing of 8 tables and 16 chairs.	Photo: <a href="https://goo.gl/CSo27R">https://goo.gl/CSo27R</a> Documents: <a href="http:// goo.gl/dyK0za">http:// goo.gl/dyK0za</a> Note: Renewal. No change in use or hours: M-SA 09:00-23:00; SU 09:00-22:00.
4.4	92-93 St Martin's Lane WC2N 4AP  16/05571/TCH <i>Chipotle/Chipotle Mexican Grill Ltd.; Woods Whor 2014 Ltd. (agent)</i>	Use of an area of the public highway on the Cecil Court frontage measuring 10.1m x 1.5m for placing of five tables and 20 chairs.	No objection Comments by 27-07-16 Photo: <a href="https://goo.gl/TYB32G">https://goo.gl/TYB32G</a> Documents: <a href="http:// goo.gl/VEkvbd">http:// goo.gl/VEkvbd</a> Note: Renewal. No change in use or hours: M-SU 11:00-23:00. On 13-07-15 agenda. CGCA had no objection.
4.5	7 Kingsway WC2B 6XF 16/05848/FULL <i>EAT/ EAT Ltd.; BA Law (agent)</i>	Use of an area of the public highway measuring 1.4m x 4m for the placing of three tables and 12 chairs.	No objection Comments by 27-07-16 Photo: <a href="https://goo.gl/B13Avc">https://goo.gl/B13Avc</a> Documents: <a href="http:// goo.gl/wrbs9h">http:// goo.gl/wrbs9h</a> Note: Renewal. No change in use or hours: M-SU 07:00-22:00.
4.6	13 Slingsby Place WC2E 9AB  16/05501/FULL <i>Bill's Cafe/Bill's Restaurants Limited; Poppleston Allen Solicitors (agent)</i>	Use of an area of the courtyard to the front of Unit 28 (13 Slingsby Place/ St Martin's Courtyard) for the placing of 7 tables and 22 chairs.	The CGCA objects to the proposed change in hours. We note that Slingsby Place is a residential area, as it consists of residential on the upper floors, including directly adjacent to this location. An 8 a.m. start time would result in noise and disturbance that would have a negative impact on their amenity. As discussed in Westminster's policy and planning guidance, tables and chairs can cause problems when located near residential accommodation. T&CH also can create problems for pedestrians because of noise from outside diners and drinkers. Noise from tables and chairs is particularly amplified at this location because of the cavernous, echo effect.  We note that the Council's "Licensing Guidelines for the placing of Tables and Chairs on the Highway: 2(e)" states that the placement of tables and chairs "should consider the likely effect that this will have on surroundings residents, businesses and the amenity of the area, and limit the hours they will be out accordingly." The current start time of 9 a.m. is more appropriate. Comments by 01-08-16 Photo: <a href="https:// goo.gl/B5PNgl">https:// goo.gl/B5PNgl</a> Documents: <a href="http:// goo.gl/2Va6ev">http:// goo.gl/2Va6ev</a> Note: Renewal. Change in use. Previous use: nine tables, 22 chairs, two umbrellas and four planters. Change in hours. Previous hours: M-SU 09:00-23:00. Proposed hours: M-SU 08:00-23:00.

## 5. Other business

An appeal has been made on the following application:

5.1	42 Maiden Lane WC2E 7LJ  16/00194/TPREF <i>Grind/Grind &amp; Co. Ltd.</i>	Use of the basement and ground floor for restaurant purposes (Class A3). Installation of a full height extract duct to the rear elevation.	<i>Deferred until additional information on reason for appeal is gathered.</i> Interested party comments by 02-08-16 Photo: <a href="https:// goo.gl/p8Bci1">https:// goo.gl/p8Bci1</a> Documents: <a href="http:// goo.gl/5oNvWg">http:// goo.gl/5oNvWg</a> Note: On 13-07-15 agenda. CGCA's comments:
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		<p>Objection. Maiden Lane, a narrow lane within the Covent Garden Conservation Area, is saturated with bars and restaurants. The introduction of yet another A3 use, particularly one that serves alcohol and is open late, will compound the already existing noise nuisance for nearby residents. (The CGCA notes that this end of Maiden Lane is becoming increasingly residential, including approval for C3 on the upper floors of this building. This is in addition to existing residents, including Sussex Mansion.) City Plan policies S29, S31, S32, and UDP policies ENV6, ENV7 and ENV13 discuss harm to residential amenity due to noise and disturbance from customers and mechanical plant, smells, anti-social behaviour, crime, servicing and delivery, and late-night activity. Further, the CGCA notes that the proposals do not indicate that a kitchen is provided on-site, making the designation of A3 restaurant use unlikely. Regarding noise from the proposed full-height extract duct to the rear elevation, the applicant has not provided an acoustic report and, thus, the CGCA cannot assess the impact of the proposed extract duct on residential amenity. The applicant should be required to submit an acoustic report before any decision is made regarding this application. While residents in this central location must expect a degree of disturbance from the evening economy, the existing noise and disturbance at this location, when considered in total, has already caused significant harm to residential amenity. Further, Westminster's policies recognise the critical need to balance entertainment uses with the protection of residential amenity and Westminster's unique character. Antisocial behaviour has already increased in recent years as a result of the close vicinity of the many late-night drinking venues in Maiden Lane and the surrounding area. Maiden Lane has been designated a police high-stress area, as a result. Should Westminster be minded to permit the development: There must be no A5 (take-away) use, even as ancillary to A3. Bar use can only be for customers before, during or after their meal. The bar and bar seating area must consist of no more than 15% of floor area of the property. Customers shall be permitted on the premises only during the hours of Monday-Wednesday 07:00-23:00; Thursday-Saturday 07:00- 23:30; and Sunday 07:00-22:30. Plant or machinery must be used only between 10:00-23:30 daily.</p>
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## 6. Next meetings & future presentations

- 6.1 25 July 2016
- 6.2 8 August 2016