

Minutes

Covent Garden Community Association

Planning Sub-Committee meeting held on Monday, 11 September 2017
at 6:30 p.m. at the Hospital Club, 24 Endell Street WC2H 9HQ

www.CoventGarden.org.uk  TheCGCA  @TheCGCA

1. Attendance

- 1.1 Present:** Selwyn Hardy (chair), David Bieda, Gary Hayes, David Kaner, Amanda Rigby, Kester Robinson, Christina Smith, Brian Tiernan, Jo Weir, Meredith Whitten
- 1.2 Apologies received:** Elizabeth Bax, Jane French, Shirley Gray, Richard Hills, Rhu Weir
- 1.3 Comments received:** Elizabeth Bax, Shirley Gray, Rhu Weir

2. Presentations: The Mercers' Company (6:30 p.m.)

3. Planning Applications & Appeals

	Address & Application No.	Proposal	Comments
CAMDEN APPLICATIONS			
3.1	63 Monmouth Street WC2H 9DG 2017/4763/L Shiro (A1) <i>Laurel Europe Ltd.</i> ; <i>Office Sekkei Europe Ltd.</i> (agent)	Replacement of pink tiles with polished concrete and brass colour nosing to front entrance step.	No objection Comments by 19-09-17 Photo: https://goo.gl/ZgZo1s Documents: https://goo.gl/qvBqw7 Note: Grade II-listed building
3.2	16 St Giles High Street WC2H 8LQ 2017/4466/A A1/A3/A4/ <i>AXIS Architecture</i> (agent)	Display of 7 x non-illuminated brand signs on fixed planters, 2 x non-illuminated fascia signs above entrance door and on glass elevation, and the internal display of an internally illuminated LED screen.	<ul style="list-style-type: none"> The CGCA objects to the proposed internally illuminated LED screen due to the impact on the Grade I-listed St. Giles-in-the-Fields church, which is directly across the street. The proposed screen also is inappropriate and would harm the character and setting of the Denmark Street and Seven Dials (Covent Garden) conservation areas (see CS5, CS9, CS14). According to DP24, careful consideration must be given to the characteristics of a development site, features of local distinctiveness, and the wider context in order to achieve high-quality development which integrates into its surroundings. Further, internal illumination is inappropriate and unsympathetic in a conservation area, and conflicts with Westminster planning policy (see "Shopfronts, Blinds & Signs" SPG; "Advertisement Design Guidelines" SPG; and DES8). DES8-10.98 states that "Shop signs should be at fascia level and be externally illuminated. Internally illuminated box fascias and projecting signs are not normally appropriate in conservation areas." National guidance, as set forth in the Department of Communities & Local Government's "Outdoor advertisements and signs: a guide for advertisers," clearly states that Class 4 (illuminated advertisements) "does not extend to any premises in a

			<p>Conservation” (p. 17).</p> <ul style="list-style-type: none"> • The CGCA notes that the application refers to external seating, but this is not indicated on the proposed layouts. Any proposals for street furniture should be submitted under an application for tables and chairs. • Finally, the proposal site currently is behind hoarding, thus the CGCA cannot determine whether pavement is wide enough to accommodate the proposed planters. Any permission granted must ensure that at least 1.8m clearance is left, although given the predicted volumes of pedestrian traffic for the nearby Crossrail station at Tottenham Court Road, the CGCA maintains that a wider clearance should be required on the public highway. <p>Comments by 19-09-17 Photo: https://goo.gl/QRDPaC Documents: https://goo.gl/SWZw2s</p>
3.3	16 St Giles High Street WC2H 8LQ 2017/4464/P A1/A3/A4/ <i>AXIS Architecture (agent)</i>	Installation of low-level gold mesh covering to front glazed facade; 7 fixed planters to external seating area and 4 external heating; new ironmongery to existing entrance doors all in connection with retail unit (A1).	<p>No objection</p> <p>Comments by 22-09-17 Photo: https://goo.gl/QRDPaC Documents: https://goo.gl/8VRQ3C</p>
3.4	6 Stukeley Street WC2B 5LQ 2017/4135/P C3/ <i>Milan Babic Architects (agent)</i>	Partial demolition of existing single-storey house and creation of 2 dwellings (1x2-bed 4-person, 1x2-bed 3-person) following erection of first floor and roof extension, excavation of basement level / lightwell and associated alterations (C3).	<p>Comments to come later</p> <p>Comments by 05-10-17 Photo: https://goo.gl/qbPgZs Documents: https://goo.gl/sg8L7i</p>
WESTMINSTER APPLICATIONS			
3.5	Basement Part & Ground Floor Imperial House 15-19 Kingsway WC2B 6UN 17/04714/FULL <i>Pod/IDL (agent)</i>	Retention of new shopfront.	<p>The applicant appears to have made few changes from the previous retrospective application (17/01874/FULL) (the applicant has already installed the new shopfront), which the Council refused on 12 April 2017.</p> <p>The shopfront results in visual clutter that harms the conservation area and the many listed buildings in the area (see S25, S28, DES9, para 10.108-10.128).</p> <p>The design of the proposed shopfront (already in place) does not relate to the character of the building and the conservation area, in both its design and materials, including the use of cream and green tiling. This conceals the original stone fenestration, which is characteristic of buildings on Kingsway, including this building and adjacent buildings.</p> <p>Also, the proposed shopfront does not relate appropriately to the upper floors of the building,</p>

			<p>resulting in a disjointed appearance that further harms the conservation area.</p> <p>Additionally, the CGCA objects to the use of internal illumination, as this method of illumination is inappropriate and unsympathetic in a conservation area, and conflicts with Westminster planning policy (see “Shopfronts, Blinds & Signs” SPG; “Advertisement Design Guidelines” SPG; and DES8). DES8-10.98 states that “Shop signs should be at fascia level and be externally illuminated. Internally illuminated box fascias and projecting signs are not normally appropriate in conservation areas.”</p> <p>Additionally, national guidance, as set forth in the Department of Communities & Local Government’s “Outdoor advertisements and signs: a guide for advertisers,” clearly states that Class 4 (illuminated advertisements) “does not extend to any premises in a Conservation” (p. 17).</p> <p>Comments by 15-09-17 Photo: https://goo.gl/bXQPWA Documents: https://goo.gl/jeXZ4j</p>
3.6	Royal Opera House WC2E 9DD 17/07584/FULL ROH/ <i>Gerald Eve (agent)</i>	Variation of condition 1 of planning permission dated 30-03-2015 (14/12407/FULL), NAMELY, to amend the approved drawing numbers to allow the alterations at Bow Street elevation and the Piazza elevation of the Royal Opera House at level S+4.	<p>No objection</p> <p>Comments by 26-09-17 Photo: https://goo.gl/74q4G6 Documents: https://goo.gl/PeqN7K Note: Grade I-listed building. On 12-01-15 agenda. CGCA had no objection to internal alterations, but objected to some external alterations, including loss of trees. Proposals were revised.</p>
3.7	Royal Opera House 17/07935/FULL ROH/ <i>Gerald Eve (agent)</i>	Variation of Condition 1 of planning permission dated 30-03-2015 (14/12407/FULL) NAMELY, alterations to Bow Street and Piazza elevations (Linked to 17/07947/LBC)	<p>No objection</p> <p>Comments by 04-10-17 Photo: https://goo.gl/74q4G6 Documents: https://goo.gl/8iihcM Note: Grade I-listed building</p>
3.8	19 Bedford Street WC2E 9HP 17/07460/FULL Rush Covent Garden Academy/ <i>Rush Hair Ltd.</i>	Installation of four condenser units to rear at lower ground floor level.	<p>The CGCA notes that the equipment will be placed adjacent to a number of residential flats, although the applicant’s noise report, which appears incomplete, does not address the proximity of flats and noise-sensitive windows. This includes residents at Davey’s Court, which includes sheltered housing, flats at 8-9 Bedford Court, flats directly above at 17-19 Bedford Street, and other flats that are directly adjacent.</p> <p>The CGCA is concerned that the applicant’s noise report does not appear to meet Council requirements and provides a vague estimate.</p> <p>Thus, to protect the amenity of nearby residents from noise and vibration (S29 & S32) and to ensure that the units do not cause undue noise and disturbance, any permission granted must include conditions that:</p>

			<p>(1) limit the hours of use to business hours of the premises, to reduce the impact of noise and vibration on residential amenity during evening, late-night and weekend hours (ENV6; ENV6-9.78) (for precedent, see 16/03529/FULL, condition 3; 16/09309/FULL, condition 5; and 16/12156/FULL, condition 16);</p> <p>(2) restrict the amount of noise (measured in decibels) emitted from the units to within Westminster's thresholds (S32; ENV6; ENV7);</p> <p>(3) require the applicant to have a reasonable warranty and to ensure that equipment is kept working efficiently and is not causing disturbance to nearby residents, as verified through annual maintenance checks performed on all equipment throughout the life of the development (S32; ENV6);</p> <p>(4) specify that failure to conduct annual maintenance checks and failure to maintain all equipment to levels specified in planning permission is a breach of planning regulations and voids planning permission granted (ENV6); and</p> <p>(5) require automatic time clocks to be fitted to the equipment approved, prior to commencement of the use of the units, to ensure that the plant/equipment does not operate at any time other than that permitted and to safeguard the amenity of the adjoining premises and the area generally. The timer equipment shall thereafter be permanently retained and maintained and retained in accordance with the manufacturer's recommendations. (S32; ENV6; ENV7).</p> <p>Comments by 28-09-17 Photo: https://goo.gl/XaZNdK Documents: https://goo.gl/2if5iE Note: Grade II-listed building</p>
3.9	<p>Ground Floor Shop 1-4 King Street WC2E 8HH 17/06594/FULL Oakley (A1)/Luxottica; Project Entity Ltd. (agent)</p>	<p>Replacement of existing glazing to windows and the installation of louvers in existing windows on side elevation.</p>	<p>No objection Comments by 29-09-17 Photo: See documents Documents: https://goo.gl/tJqPE9</p>
3.10	<p>12 Floral Street WC2E 9DH 17/07637/FULL A1/Trinity Brands UK Ltd.; Walters Consultancy Ltd. (agent)</p>	<p>Installation of air conditioning and ventilation equipment and general decoration works in connection with fit out of shop.</p>	<p>The CGCA agrees with the Council's environmental health officer that the proposals cannot be assessed without an acoustic report for the proposed equipment. For example, the CGCA cannot ascertain the potential impact on adjacent residents, including those directly across from the location of the proposed equipment.</p> <p>The applicant should be required to submit such a report and the application should be reconsulted.</p> <p>Comments by 01-10-17</p>

			<p>Photo: https://goo.gl/2hnd7Y</p> <p>Documents: https://goo.gl/6qHTEF</p> <p>Note: Grade II-listed building</p>
3.12	<p>30 Henrietta Street WC2E 8NA</p> <p>17/07673/FULL</p> <p>A3/Capco; Gerald Eve (agent)</p>	<p>Relocation of duct at ground floor level; removal of window bars from 2 rear windows at ground floor; and associated works. (Linked to 17/07674/LBC)</p>	<p>No objection</p> <p>Comments by 02-10-17</p> <p>Photo: https://goo.gl/Sy7kqk</p> <p>Documents: https://goo.gl/oExJMW</p> <p>Note: Grade II-listed building</p>
3.13	<p>Unit 35 Jubilee Hall Jubilee Market The Piazza WC2E 8BE</p> <p>17/07659/CLEUD</p> <p>Roadhouse/Capco; Gerald Eve (agent)</p>	<p>Restaurant and late-night drinking and dancing venue playing live music (Sui Generis) for the basement unit of Jubilee Hall (and ground floor entrance). (This application for a Lawful Development Certificate is being sought on the grounds that the use began more than 10 years before the date of the application).</p>	<p>No objection</p> <p>Comments by 02-10-17</p> <p>Photo: See documents</p> <p>Documents: https://goo.gl/a5nMPb</p> <p>Note: Grade II-listed building</p>
3.14	<p>Upper Flat 15-17 Mercer Street WC2H 9QJ</p> <p>17/07815/FULL</p> <p>Sui generis/Longmartin Properties Ltd.; Rolfe Judd (agent)</p>	<p>Use of the first floor as self-contained residential unit (Class C3) to, and replacement of windows at first floor level at Shelton and Mercer Street elevations with double glazed sash windows.</p>	<p>No objection</p> <p>Comments by 04-10-17</p> <p>Photo: https://goo.gl/Yj3DwJ</p> <p>Documents: https://goo.gl/KR3JBZ</p> <p>Note:</p>
3.15	<p>55 Long Acre WC2E 9JL</p> <p>17/06770/FULL</p> <p>Amorino/Amorino Ltd.; The Yorkshire Maintenance co (Hull) Ltd. (agent)</p>	<p>Replacement shopfronts. Linked to 17/06771/ADV</p>	<ul style="list-style-type: none"> • Although the Council recently refused the retrospective application for an openable shopfront (see 17/03705/FULL, 21 July 2017), the applicant has simply submitted revised drawings showing the shopfront with the bifolding doors closed. As such, the proposals are essentially the same as the ones the Council refused. • We note that the applicant's drawing No. WD/100/FP_D shows "doors closed" on the drawing and says the revisions include "bi-fold doors shown closed" (see Revision C at the bottom of the drawing). Simply submitting drawings with an openable shopfront shown with the doors closed fails to address the Council's reasons for refusal and does not address the CGCA's reasons for objecting. By installing the shopfront without permission in the first place, plus this disingenuous revision after being refused permission, the applicant has indicated they cannot be trusted to keep the shopfront closed. There is no design-based rationale for installing bifolding doors unless the applicant intends to at some point open them. • Thus, the CGCA continues to object to the installation of bi-folding doors, as this is an openable shopfront. Westminster planning policy opposes folding and openable

			<p>shopfronts. See ENV6-9.108; DES5(c); and “Shopfronts, Blinds and Signs” supplementary planning guidance, which specifies that “this type of shopfront will be discouraged.”</p> <ul style="list-style-type: none"> • Folding and openable shopfronts detract from the character of the street and the Conservation Area, as well as the architectural integrity of the building. When open, they erode the appearance of the shopfront, creating a visual void, and can have a negative impact on local amenity, for example in terms of noise and disturbance. • Local residents have counted up to 40 people queuing in front of the shop at one time. After getting their food, patrons congregate outside, causing great noise and disturbance for residents, including those in Hanover Place and residents in Odhams Walk, directly across Long Acre, where residents’ noise-sensitive windows face the applicant’s shop. Residents have complained repeatedly to the CGCA about noise and disturbance coming from the applicant’s business late at night. • Further, the applicant has not addressed the Council’s concerns about the proposed awning in Hanover Place, a narrow passageway with residents located on upper floors. The passageway is used by local residents to avoid the more congested Long Acre. <p>The applicant’s drawings do not indicate the measurements of the awnings or the width of Hanover’s Place and, thus, do not indicate how far the awning hangs over the passageway and how close it is to the adjacent building. As indicated on the drawings, the awnings continue to be overbearing in Hanover Place, causing a closed-in feeling and, thus, fail to maintain or improve (preserve or enhance) the character and appearance of the Covent Garden Conservation Area (see S25, S28, DES9, para 10.108-10.128).</p> <p>Comments by 04-10-17 Photo: https://goo.gl/EUN2hQ Documents: https://goo.gl/7wYdUt</p>
3.16	15A New Row WC2N 4PD 17/07716/CLEUD Spreads/Spreads; Nicholas Williams Chartered Architect (agent)	Restaurant /cafe, with hot food preparation on site for consumption on and off the premises.	No objection Comments by 04-10-17 Photo: https://goo.gl/wT9TgM Documents: https://goo.gl/HJG1Gt

4. Tables and Chairs

CAMDEN APPLICATIONS

None

WESTMINSTER APPLICATIONS

4.1	Walter House 418-422 Strand WC2R 0PT 17/07734/FULL Pret a Manger/ Harrison Clark Rickerbys Ltd. (agent)	Use of area of public highway measuring 7.1m x 2m for the placing of 4 banner barriers, 3 tables and 12 chairs.	No objection Comments by 29-09-17 Photo: https://goo.gl/Dsdmdu Documents: https://goo.gl/ZPjW5W Note: No change in use or hours: M-SU 09:30-23:00. On 13-07-15 agenda. CGCA's comments: No objection to the tables and chairs; however, the CGCA objects to a closing time of 23:30, which does not comply with Westminster's core hours. The closing time should be 23:00. <i>Hours approved were M-SU 09:30-23:00.</i>
4.2	17 Charing Cross Road WC2H 0EP 17/07235/TCH Saravanaa Bhavan/ Capital Safety Solutions (agent)	Use of an area of the public highway measuring 1.9m x 3.6m for the placing of 4 tables and 8 chairs, one menu lectern and four canvas barriers.	The CGCA objects to the proposed amount of street furniture, which is excessive and would result in an obstruction on the public highway at this extremely busy location in the heart of the West End. We maintain that the pavement is wide at this location precisely because the Council recognised this is needed to accommodate the heavy footfall. Pedestrians, including busloads of tourists, consistently use this pavement to travel amongst Trafalgar Square, the National Gallery, the National Portrait Gallery, Leicester Square and Covent Garden, as well as the area's many theatres. The Council specifies that, at a minimum, 2m clear width must be left between the edge of the chairs and the kerb or other obstructions. The CGCA notes that the Council specifies that 2m is a minimum and where footways are very crowded the Council's policy is for the clear zone to be much wider (see "Westminster Way public realm strategy" SPG, para 46, p. 25; also see "Guidelines for the placing of tables and chairs on the highway" SPG). Further, the "Pedestrian Comfort Guidance for London," published by the GLA, recommends total footway widths for different levels of pedestrian flow. For high-flow areas (greater than 1,200 people per hour), the recommended width is 5.3m; for active flow areas (600 to 1,200 people per hour), the recommended width is 4.2m. <ul style="list-style-type: none"> Given this, the CGCA maintains that two tables, four chairs and two canvas barriers are more appropriate. Comments by 04-10-17 Photo: https://goo.gl/6pWy7j Documents: https://goo.gl/tD7SbW Note: New application. Proposed hours: M-SU 10:00-23:00.
4.3	42 Drury Lane WC2B 5RT 17/07793/TCH Farmstand/ Company M Ltd.; Firstplan (agent)	Renewal of use of the public highway measuring 700mm (at its widest point) x 3500mm for the placing of one table and a bench. (16/08131/TCH)	The CGCA continues to object to the proposed table and bench on the Drury Street elevation because there is insufficient space on the public highway. The applicant's photos are unrealistic, showing the bench pushed in under the table with no customers seated. In reality, when seated, customers will have to push the table further into the public highway than is indicated on the plans. Further, in the applicant's photos, the bench is pushed under the window sill. When customers use the bench, they have to pull it out from under the window sill in order to sit on it. As the attached photo shows, the pavement in front of the

			<p>applicant's shop is narrow, with barely enough room for pedestrians without anyone seated at the bench and table. As a result, the proposals would fail to leave a minimum clear width of 2 metres between the edge of the table and the kerb or other obstructions as required by Westminster (see "Westminster Way public realm strategy" SPG, para 46, p. 25; also see "Guidelines for the placing of tables and chairs on the highway" SPG).</p> <p>In determining proposals for external tables and chairs, the Council should take into consideration that this street furniture will be used by customers, not sitting in isolation on the public highway. Businesses place tables, chairs and benches on the pavement to be used and, thus, the use of such street furniture should be a factor in the Council's decisions.</p> <p>In granting permission for 16/08131/TCH on 25 April 2016, the officer noted that, "Given the limited size of the bench and the likely use of the bench by customers for only short periods, it would not materially alter the use of the premises." The CGCA challenges the relevance of "only short periods." Simply because one customer sits at the table for a short period does not preclude from another sitting at the table immediately after. In other words, once the table and bench are placed on the pavement, they can be in constant use, whether by the same customer or a stream of different customers.</p> <p>Further, the CGCA challenges the measurements used on the proposed layout. We note that in an earlier application for just the bench (16/02748/FULL), the applicant said the furniture would extend 1.1m into the public highway. With the addition of the table, however, the applicant continues to say the furniture will take up 1.1m. This is literally impossible.</p> <p>Given the appeal (16/00268/ADVREF) that allowed an A-board at this site, pedestrians have to manoeuvre past an A-board, a bench and a table at this narrow pavement, which is located in a predominantly residential area. All of these items must be considered in their totality, as collectively they result in a significant obstruction on the pavement. We note that the A-board is not shown on the drawing or in the applicant's photos.</p> <p>Clearances must require sufficient space on the pavement to allow pedestrians, wheelchair users, disabled people, the elderly and those with prams and buggies to pass along safely and easily, as well as take into account highway concerns and the space needed to use seating and tables, as well as not result in an impediment to street cleaning and rubbish collection.</p> <p>Comments by 05-10-17</p> <p>Photo: https://goo.gl/SHvK71</p> <p>Documents: https://goo.gl/RFVmfS</p> <p>Note: Renewal. No change in use or hours: M-SA 07:00-23:00; SU 07:00-22:30. On 12-09-16 agenda.</p>
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5. Other business

6. Next meetings & future presentations

- 6.1 25 September 2017
- 6.2 9 October 2017
- 6.3 23 October 2017

- 6.4 13 November 2017
- 6.5 27 November 2017
- 6.6 11 December 2017