

Minutes

Covent Garden Community Association

Planning Sub-Committee meeting held on Monday, 14 November 2016
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:** Elizabeth Bax (chair), Robert Bent, David Bieda, Shirley Gray, Selwyn Hardy, Gary Hayes, David Kaner, Christina Smith, Brian Tiernan, Jo Weir, Meredith Whitten

1.2 **Apologies received:** Jane French, Richard Hills, Rhu Weir

1.3 **Comments received:** Rhu Weir

2. **Presentations:** WCC Environmental Health (6:30 p.m.); Hogarth House, 136 High Holborn (7:30 p.m.)

3. Planning Applications & Appeals

	Address & Application No.	Proposal	Comments
CAMDEN APPLICATIONS			
3.1	Phoenix House 104-110 Charing Cross Road WC2H 0JN 2016/5190/P <i>C3/Mr & Mrs H S Markham and The Hallam Partnership LLP; GL Hearn (agent)</i>	Erection of 2 storey roof extension to provide 2 x 2 bedroom flats.	<p>The CGCA objects to the proposed two-storey roof extension because of its design and its impact on the conservation area, streetscape and heritage assets.</p> <p>The proposed roof extension is out of keeping with the character of the Denmark Street Conservation Area and the local streetscape because of its design (including the dominance of glass on the extension) increased height and bulk. We disagree with the applicant's assertion that the proposals "maintain balance and harmony with the original host building" (D&A, p. 7).</p> <p><u>Design</u></p> <p>These proposals fail to preserve or enhance the historic nature and unique character of the conservation area (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. These proposals fail to do so.</p> <p>DP24 further states that the character and proportions of the existing building, where alterations and extensions are proposed, must be respected. Again, these proposals fail to do so. In DP24.13, the Council says that "overly large extensions can disfigure a building and upset its proportions." That is the case with these proposals.</p> <p>Camden's planning policy is clear that the Council expects development to retain the distinctive characters of the conservation area and new development must contribute positively to this. DP25 specifies that the Council "will only grant planning permission for development in Camden's conservation areas that preserves and enhances the special character or appearance of the area."</p>

		<p>(Also see CPG1 2.6 and CPG1 2.9.)</p> <p>The proposed extension dramatically changes the scale and proportion of the existing building, which affects its relationship with the streetscape and the surrounding buildings, including the Grade II listed Phoenix Theatre directly next door. With the proposed extension, the building will tower over Phoenix Theatre, causing an overbearing relationship that dilutes the theatre's presence. Yet, Camden policy (DP25(g)) is clear that the Council will not permit development that it considers would cause harm to the setting of a listed building. DP24.12 goes further: "Designs for new buildings, and alterations and extensions, should respect the character and appearance of the local area and neighbouring buildings."</p> <p><u>Impact on streetscape</u></p> <p>Whilst the footprint of the original roof may be used, the height and massing greatly alter the building's appearance, which has an impact on the streetscape and on neighbouring properties, including residential flats. Camden's Streetscape Design Manual notes that the relationship of buildings contributes to local character and distinctiveness and "should be preserved or enhanced" (sec. 1.01). Charing Cross Road has a prominent place in London's history and is an internationally recognised roadway because of its historical and cultural references. Further, with the development occurring at Tottenham Court Road, such as Crossrail, this area will soon experience greater pedestrian and vehicular traffic. Thus, as a gateway to the conservation area and to Covent Garden, this building will play a key role in signalling local character and distinctiveness.</p> <p>Further, DP24.16 calls for materials that match the original or neighbouring buildings, or, where appropriate, in materials that complement or enhance a building or area. However, the materials used for the proposed extension stand in stark contrast to the rest of the building, causing the proposed extension to not appear connected to the rest of the building, but rather built as an afterthought.</p> <p><u>Terrace/balcony</u></p> <p>Regarding the outdoor amenity space, the CGCA recognises that, whilst amenity space can add significantly to residents' quality of life, particularly in a densely developed area such as Covent Garden, this must be balanced with the impact on neighbours. This is acknowledged by the Council in CS5e-f, DP24 and DP26. DP24.23 states that, "the densely built up nature of the borough means that the provision of private amenity space can be challenging, and the Council will require that the residential amenity of neighbours be preserved, in accordance with policy DP26 and CS5." The proposed balcony/roof terrace would cause</p>
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			<p>significant nuisance and harm to the amenity of neighbours. This includes overlooking and loss of privacy, noise, light spillage and security, all of which are outlined as impacts from balconies and terraces in CPG1 5.23.</p> <p>Comments by 17-11-16</p> <p>Photo: https://goo.gl/0BHIAH</p> <p>Documents: https://goo.gl/oUfqFa</p>
3.2	<p>Flat 6 Leader House 166-170 Shaftesbury Avenue WC2H 8JB</p> <p>2016/5384/P</p> <p>C3/Revive Renovations (agent)</p>	<p>Erection of mansard roof extension on existing rear terrace and fully glazed garden room and external terrace with glass balustrade at roof level.</p>	<p>Whilst the CGCA does not object, we are concerned about overlooking and loss of privacy resulting from the glazed garden room and external terrace. In the supporting documents, the applicant does not refer to the flats in Monmouth Street that have rear windows, including bedroom windows, that face the rear of the applicant's building. The Council should ensure that the residents in Monmouth Street are consulted.</p> <p>Comments by 17-11-16</p> <p>Photo: https://goo.gl/PTsoAz</p> <p>Documents: https://goo.gl/G7n2rl</p>
3.3	<p>42 Earlham Street WC2H 9LA</p> <p>2016/5939/P & 2016/5972/L</p> <p>Seven Dials Warehouse/CBRE (agent)</p>	<p>Creation of terrace at roof level; alterations to ground floor façade and fenestration; and replacement of rooftop plant.</p>	<p>Like other areas in Camden, Covent Garden has its own character and identity (CS9.1). Camden's Core Strategy recognises the importance of this and focuses on making sure that growth is sustainable and properly takes into account the character of Camden and the aspects of the borough that make it such an attractive place to live, work and visit (CS5 & CS14; DP24 & 25). As the applicant's heritage statement acknowledges, this warehouse, a Grade II listed building, contributes to the character and vibrancy of the conservation area in general and to the Seven Dials area in particular. As such, it is a vital heritage asset to the local community.</p> <p>The CGCA appreciates that such heritage assets need to not only reflect the history of the area, but also need to function in the 21st-century urban environment and can provide needed office space for small- and medium-sized businesses.</p> <p>The CGCA's primary concerns relate to the roof-level terrace and the replacement plant, and the impact on the amenity of local residents. We do not object to the provision of amenity space and we support the opportunity for urban greening. However, as DP25 specifies, the Council must manage change in a way that retains the distinctive characters of the conservation area. Thus, the roof terrace and replacement of rooftop plant must not be visible from any street-level view.</p> <p>Further, the CGCA wants to ensure that the development would not have an impact on local residents and other office workers. Roof terraces can cause nuisance and harm to the amenity of neighbours. This includes overlooking and loss of privacy, noise, light spillage and security, all of</p>

			<p>which are outlined as impacts from balconies and terraces in CPG1 5.23. (Also see CPG6 7.4 re: privacy.)</p> <p>Should the Council grant permission, a condition should be included that limits the hours of use of the balcony/terrace to standard business hours (no earlier than 08:00 and no later than 21:00 Monday through Friday, and not at all on weekends and Bank Holidays). Roof-terrace lighting should be turned off or minimised outside of these hours. This condition is needed to protect residential amenity from noise and disturbance at anti-social hours. For precedent, see 2014/4870/P, condition 10.</p> <p>No music, public events or consumption of alcohol should be permitted on the roof terrace.</p> <p>Additionally, the Council should require the installation of bird and bat nesting boxes on the roof to encourage biodiversity in this part of the borough. This is in line with Council policies, including CS15 (see para 15.20).</p> <p>To protect the amenity of nearby residents and neighbouring properties (CS5) and to ensure that the replacement plant does not cause undue noise, disturbance and odour, any permission granted must include conditions that:</p> <ol style="list-style-type: none"> (1) restrict the amount of noise (measured in decibels) emitted from the units to within Camden's thresholds (DP28; CPG5 6.9); (2) require the applicant 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 (DP28.3); (3) require the applicant to submit the results of annual maintenance checks to the Council; (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; (5) 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 (CS5, CS7, DP12, DP26, DP28); and (6) 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. The timer equipment shall thereafter be permanently retained and maintained and retained in accordance with the manufacturer's recommendations (CS5, DP12, 26 & 28).
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3.4	<p>12 Earlham Street WC2H 9LN</p> <p>2016/5744/P</p> <p>C3/<i>Johanna Molineus Architects (agent)</i></p>	<p>Various external alterations to the front and rear elevations of residential dwelling(Class C3) including replacement of ground floor shopfront and fascia, infill of rear courtyard with timber roof and glass panels, replacement of all metal frame windows with double glazed metal frame widows and other external works.</p>	<p>No objection</p> <p>Comments by 23-11-16</p> <p>Photo: https://goo.gl/2ySr7N</p> <p>Documents: https://goo.gl/zQp9yV</p>
3.5	<p>25 New Compton Street WC2H 8DS</p> <p>2016/5522/P</p> <p>B1/ <i>Leyland SDM; Evan Ferguson (architect/agent)</i></p>	<p>Change of use from office (Class B1a) to shop (Class A1) with associated internal alterations to re-connect to existing retail unit at nos 167-169 Shaftesbury Avenue.</p>	<p>No objection</p> <p>Comments by 24-11-16</p> <p>Photo: https://goo.gl/Z4ANSr</p> <p>Documents: https://goo.gl/Xlla74</p>
3.6	<p>50-52 Monmouth Street WC2H 9EP</p> <p>2016/5682/P</p> <p>A3/<i>Redvesev Ltd. (agent)</i></p>	<p>Installation of external extraction ducting to rear of property following removal of existing to serve ground/first floor restaurant (A3).</p>	<p>The proposed extract ducting will be located in a small lightwell that the restaurant shares with several residents. Thus, before any decision is made, the applicant should be required to provide a noise report to ensure that the proposed development does not have an impact on residential amenity.</p> <p>The residents who share a lightwell with the restaurant, including those in Monmouth Street and not just the residents to the rear of the restaurant, should be consulted on these proposals before any decision is made.</p> <p>Comments by 24-11-16</p> <p>Photo: See documents</p> <p>Documents: https://goo.gl/nBXAyi</p>
3.7	<p>16 Neal's Yard London WC2H 9DP</p> <p>2016/5869/P</p> <p>A3/<i>Walsingham Planning (agent)</i></p>	<p>Change of shop frontage to a more open configuration.</p>	<p><i>Withdrawn</i></p> <p>Comments by 24-11-16</p> <p>Photo: https://goo.gl/JS0GJn</p> <p>Documents: https://goo.gl/3vln1v</p>
3.8	<p>St. Giles Circus site WC2</p> <p>2016/5690/P</p> <p><i>Various/Iceni Projects (agent)</i></p>	<p>Variation of Conditions 33 (hours of operation for A1, A3 and A4 uses) and 34 (hours of operation for urban gallery and basement venues) of planning permission 2012/6858/P dated 31-03-15, namely to vary condition 33 to allow A1 (retail), A3 (cafe/restaurant) and A4 (drinking establishment) uses to operate between 08:00 to 01:00</p>	<p>The CGCA objects to the proposed variation of conditions 33 and 34, which would extend the hours of operation, because of the negative impact on residential amenity and the local area. The area includes a large number of residents and permitting entertainment use late into the night will result in noise, disturbance, antisocial behaviour and other impacts. The conditions were imposed on the development specifically “to safeguard the amenities of the adjoining premises and the area.” Nothing has changed to warrant varying these conditions, as the amenity of local</p>

		Monday to Sunday and to vary condition 34 to allow the Sui Generis uses (the urban gallery and basement venues) to operate between 09:00-23:30 Monday to Thursday, 09:00 - 00:00 Friday and Saturday and 09:00 - 22:30 on Sundays with the ability to operate until 02:00 on 104 occasions per year.	residents remains paramount. generally Comments by 24-11-16 No photo Documents: https://goo.gl/PMRdDt
3.9	Commonwealth House 1-19 New Oxford Street WC1A 1NQ 2016/5186/P B1/DP9 (agent)	Details pursuant to Condition 7 (mechanical plant technical specifications) of planning permission ref 2014/4983/P, dated 30-01-15,	No objection, provided the officer is satisfied that the mechanical plant specifications satisfy the Council's concerns and reasons for including the condition. Comments by 25-11-16 No photo Documents: https://goo.gl/XjvC3C
WESTMINSTER APPLICATIONS			
3.10	20 Cranbourn Street WC2H 7AA 16/09882/FULL N/A/Bilfinger GVA (agent)	Erection of 6 no. roof mounted antennas, equipment cabinets and associated development.	The CGCA is concerned that these proposals result in clutter on the skyline and street frontage, and damage visual and other amenity (DES6 para 10.70). We note that the building atop which the equipment is proposed sits in a prominent site in the conservation area. Also, as stated in Westminster's supplementary guidance, "A guide to the siting of Satellite Dishes and other Telecommunications Equipment," "Planning permission is unlikely to be granted for telecommunications equipment that is visible from street level and is considered to harm the character or appearance of the building and locality. In built-up areas, roofscapes can also be overlooked from surrounding buildings, and the impact on high level views will also be considered." Whilst the CGCA recognises that maintaining updated technology, including telecommunications equipment, is necessary to efficient businesses operations and the enjoyment of residential premises, we would prefer that the antennas and associated development are sited in a position that is more sensitive to the conservation area and its associated views. Comments by 15-11-16 Photo: https://goo.gl/HIRIly (from documents) Documents: https://goo.gl/XZGwXa
3.11	20 Upper St Martin's Lane WC2H 9DL 16/08972/FULL The Sussex/Spirit Pub Company (Services) Limited; TLT LLP (agent)	Installation of an awning to the Long Acre elevation.	No objection Comments by 22-11-16 Photo: https://goo.gl/LZ1j3K Documents: https://goo.gl/6j0Gnn

3.12	6 Catherine Street WC2B 5JJ 16/09349/FULL Theatre Royal/ <i>Really Useful Theatres Group</i> ; <i>Lee/Fitzgerald Architects</i> (agent)	Replacement windows, replacement of entrance screens and doors to create new ground floor entrances, demolition of existing 5th floor mansard plant and office space and construction of new mansard office space, removal of existing spiral external escape stair and construction of new secondary escape route into Vinegar Yard, removal of existing spiral escape stair to rear of office leading to Siddons Court and construction of new escape stair leading to Vinegar Yard adjacent to the Theatre Royal, creation of link at second floor level to the Theatre Royal Manager's office.	No objection, provided the officer is satisfied that the rear elevation of the new mansard will not have an impact on adjacent residents. Comments by 23-11-16 Photo: See documents. Also see the building on the far left in this photo: https://goo.gl/RSttMo . Documents: https://goo.gl/ZSxVd9
3.13	Flat 3 16 New Row WC2N 4LA 16/10107/FULL <i>C3/Rodic Davidson Architects</i> (agent)	Removal of rear bathroom window and replacement with a new painted timber sash window. Relocation of boiler flue from the centre of the rear elevation to the right-hand edge. Internal alterations. (Linked Case: 16/10108/LBC).	No objection Comments by 25-11-16 Photo: https://goo.gl/Vr4O7a Documents: https://goo.gl/NfTmRU Note: Grade II listed building
3.14	Unit 1 and Unit 21, The Market WC2E 8RA 16/08894/FULL A3 & A4/ <i>Capco; Gerald Eve</i> (agent)	Removal of modern fit out additions to existing metal balustrades, refurbishment and redecoration of retained balustrades and replacement with new clear glass, fixed to the existing retained metal balustrades at the first floor terraces.	<i>On 10-10-16 agenda</i> Comments by 28-11-16 Photo: See documents Documents: https://goo.gl/IQ1cxf Note: Grade II* listed building
3.15	26-27 Southampton Street WC2E 8PS 16/09856/LBC <i>C3/Capco; Gerald Eve</i> (agent)	Variation of condition 1 of listed building consent dated 10-08-16 (16/05691/LBC) for the variation of Condition 1 of listed building consent dated 10-03-15 (14/11922/LBC) namely, to position the PV panels slightly on the building's roof. The access ladder and walkway is no longer required as an alternative access route to the roof has been developed. To shift the position of the doors to the terrace from the reception room at 5th floor level.	No objection Comments by 25-11-16 Photo: https://goo.gl/v478g1 Documents: https://goo.gl/ngNRd3 Note: Grade II listed building.
3.16	Unit 11 Royal Opera House WC2E 9DD 16/10448/LBC	Variation of Condition 1 of listed building consent dated 21-10-2015 (15/07750),	No objection Comments by 05-12-16 Photo: See documents

	ROH/ <i>Capco; Gerald Eve (agent)</i>	namely fabric removal in connection with amended shopfront design.	Documents: https://goo.gl/r6pKZR Note: Grade I listed building Note: Condition 1 specifies that development must adhere to approved drawings. <i>Original on 12-10-15 agenda. CGCA had no objection.</i>
3.17	11 West Street WC2H 9NE 16/10403/FULL <i>London Grace/London Grace Ltd.</i>	Use of the basement and ground floor for retail purposes, in connection with the existing adjacent retail unit.	No objection, provided the hours specified in the application are included as a condition (M-F 09:00-21:00; SA 09:00-20:00; SU 10:00-16:00) to protect the amenity of residents, particularly those who live directly above the applicant's business. Comments by 05-12-16 Photo: https://goo.gl/VLZZh6 Documents: https://goo.gl/mzXKtR Note: Application for sui generis.

4. Tables and Chairs

CAMDEN APPLICATIONS			
4.1	18 Great Queen Street WC2B 5DG 2016/5713/TC <i>Hercules Pillars/Interpub Limited; TLT Solicitors (agent)</i>	4 tables and 12 chairs	<p>The CGCA does not object to the continued use of four tables and 12 chairs, although we do object to the proposed layout, which we note the applicant does not use.</p> <p>As stated in CPG5.14, T&CH create problems for pedestrians because of obstruction of the public highway. This is particularly the case when a chair is placed at the table in such a way that it backs into the pavement, which leaves less than the required minimum clear width of 1.8 metres.</p> <p>The applicant's drawing shows two of the three chairs at each table positioned so that when customers are seated the chairs, the chairs are pushed out, causing the tables the chairs extend into the public highway beyond the permitted area. This creates an obstacle for pedestrians and forces them into the street. This violates Camden's guidance for tables and chairs, notably that "There should be a minimum 'clear width' of 1.8 metres (5.91 feet) between the edge of the chairs and the kerb. 'Clear width' is the width available to pedestrians either on a footway or a shared surface between the area being used for tables and chairs and any other obstructions e.g., trees or parking metres."</p> <p>The CGCA objects to the end time of 00:00. As specified in Camden's guidance for tables and chairs, hours should not extend beyond 21:00. Great Queen Street is not a "predominantly commercial street in the Central London Area" as defined in Appendix 2 of 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 not only violates Camden's policy, but also is highly inappropriate in a residential area. There are residents in Great Queen Street, as well as nearby on Parker Street, Drury Lane and Wild Street.</p> <p>Comments by 16-11-16 Photo: https://goo.gl/xPMyGK</p>

			<p>Documents: https://goo.gl/wkzpi5</p> <p>Note: Renewal. M-TH 09:00-23:00; F-SU 09:00-00:00. On 26-10-15 agenda.</p>
4.2	13 Neal's Yard WC2H 9DP 2016/6023/TC Homeslice	3 tables and 6 chairs	<p>Whilst the CGCA does not object to the use of tables and chairs at this location, we do object to the hours for the following policy-based reasons.</p> <p>First, as Camden's policy and planning guidance for tables and chairs state, hours for tables and chairs usage should not extend beyond 21:00. Neal's Yard 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. Thus, allowing hours until 22:00 should not be permitted. Neal's Yard is a highly residential area, despite some local businesses not being mindful of this. Permitting hours until 22:00, particularly on a Sunday detracts from residential amenity.</p> <p>To protect residential amenity from noise and disturbance (see CPG5 6.14), the hours of use for the T&CH should be limited to Camden's core hours (end time of 21:00), as outlined in the Tables & Chairs policy (Statement of Licensing Policy, 2011). The CGCA stresses that this means the tables and chairs are no longer in use and are put away by 21:00, and this should be spelled out either by condition or by informative in any permission granted. Currently, the street furniture is often not put away until well after the end time for tables and chairs and often when the restaurant closes, which causes noise disturbance to the residents of Neal's Yard. The Council's policy justification for having tables-and-chairs hours end at 21:00 is to protect nearby residents from such disturbance. Regardless of the end time specified, tables and chairs should not be broken down and noisily put away after the closing hours of the restaurant, as this defeats the purpose of limiting the hours of use to protect residential amenity.</p> <p>Second, the applicant continues to demonstrate an inability to control noise, disturbance and antisocial behaviour, including excessive littering coming from the restaurant's customers. Customers congregate outside after 22:00 (the currently permitted end time for tables and chairs) to smoke and they consistently leave the premises in noisy groups. Customers also create significant noise and disturbance to residential amenity by ordering their meals from the restaurant as take-aways, which they then eat in the public part of Neal's Yard. In addition to the excessive noise disturbance (particularly at night), this also causes rubbish issues that violate health-and-safety practices.</p> <p>Because of the considerable noise and disturbance to residential amenity, the applicant's inability to manage customers, and the health-and-safety violations in Neal's Yard, the hours for tables and chairs should be limited to no later than those stated in Camden's policy. An informative should also be included that clearly states that Camden will monitor this development and take</p>

			<p>enforcement action if planning permission is breached (e.g. the applicant and restaurant staff cannot adhere to the permitted use and hours).</p> <p>Comments by 30-11-16</p> <p>Photo: https://goo.gl/7B7vNZ</p> <p>Documents: https://goo.gl/lfDWqM</p> <p>Note: Renewal. M-SU 12:00-22:00. On 23-11-15 agenda.</p>
WESTMINSTER APPLICATIONS			
None			

5. Other business

6. Next meetings & future presentations

- 6.1 28 November 2016
- 6.2 19 December 2016 (If needed)