

## Decisions & minutes

### Covent Garden Community Association

Planning Sub-Committee meeting held on Monday, 23 January 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:** Elizabeth Bax (chair), Shirley Gray, Selwyn Hardy, Brian Tiernan, Meredith Whitten

**1.2 Apologies received:** Jane French, Gary Hayes, Jo Weir

**1.3 Comments received:** Gary Hayes

**2. Presentations:** None scheduled

**3. Planning Applications & Appeals**

	Address & Application No.	Proposal	Comments
<b>CAMDEN APPLICATIONS</b>			
3.1	2 Shop and Premises at Ground Floor Left Neal's Yard WC2H 9DP 2017/0239/P Neal's Yard Remedies/Neal's Yard Remedies Ltd.	Installation of glazed doors to shopfront.	<p>Objection. The proposed glazed doors, which essentially amount to a completely glazed shopfront, are out of keeping with the character of Neal's Yard. We emphasise that this is a yard, which housed warehouses and businesses that provided for the Covent Garden Market.</p> <p>Camden's Core Strategy recognises the importance of local character (CS9.1) and focuses on making sure that development properly takes into account this character and the aspects of the borough that make it such an attractive place to live, work and visit (CS5 &amp; CS14).</p> <p>These proposals fail to preserve or enhance the historic nature and unique character of Neal's Yard and the Seven Dials (Covent Garden) Conservation Area in which the yard is located (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. 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." Also see CPG1 2.6 and CPG1 2.9.</p> <p>Additionally, the original warehouse doors add to the site's historic value and should, thus, be retained.</p> <p>Comments by 07-02-17 Photo: See documents Documents: <a href="https://goo.gl/Dyw2pl">https://goo.gl/Dyw2pl</a></p>

3.2	<p>Parker House 25 Parker Street WC2B 5PJ 2016/7052/P C3/London &amp; Newcastle Capital Limited; DP9 Ltd. (agent)</p>	<p>Alterations to fenestration of the front elevation of the building including elongation of ground floor lobby windows and revised balustrade design of roof extension approved under planning permission 2012/6132/P dated 30/08/2013 as amended by permission reference 2016/2601/P dated 10/08/2016.</p>	<p>Objection. Although this site is undergoing redevelopment, the retained façade remains a distinctive Victorian, brick-build façade. The proposed alterations to the window design at levels 1-4 is wholly out of keeping with the character of the building itself, surrounding buildings and the conservation area. The proposed design is jarring and disappointing and, because the windows will be easily visible from street level, the design is inappropriate in the conservation area.</p> <p>In particular, we object to the placement of the horizontal glazing bar, which results in an unevenness that does not fit the building's character. None of the windows shown in the applicant's "contextual window analysis" have this design (see Parker House Design Development document, p. 3). We note that this façade is not modern, thus, the window design should be more traditional. The horizontal and vertical glazing bars should result in equal-sized quarters. Whilst we prefer the consented window design, if the applicant is trying to reduce the number of glazing bars, the windows should be evenly divided, such as those in window 3 of the "contextual window analysis."</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." Also see CPG1 2.6 and CPG1 2.9.</p> <p>The CGCA does not object to the elongated windows at ground level or to the revised balustrade design.</p> <p>Comments by 01-02-17 Photo: <a href="https://goo.gl/zbSyXW">https://goo.gl/zbSyXW</a> Documents: <a href="https://goo.gl/4Hrbb2">https://goo.gl/4Hrbb2</a></p>
3.3	<p>Flat 1-3 Carlton Mansions 182 Shaftesbury Avenue WC2H 8JB 2016/7001/P C3/Origin Housing Ltd.; Brodie Plant Goddard (agent)</p>	<p>Replacement of existing single glazed timer windows with double glazed timber windows to front and rear elevations of flats on upper floors (class C3).</p>	<p>No objection Comments by 03-02-17 Photo: <a href="https://goo.gl/VMv1eS">https://goo.gl/VMv1eS</a> Documents: <a href="https://goo.gl/tP92ky">https://goo.gl/tP92ky</a></p>
3.4	<p>Bus Stop, Outside 77-91 New Oxford Street London WC1A 1DG 2017/0114/A N/A/Camden; SM Planning (agent)</p>	<p>Display of 2x internally illuminated digital screens to bus shelter no. CAM00023AB.</p>	<p>The internally illuminated digital screen by reason of its location, size and design, would be dominant and visually obtrusive in the street scene, which fails to preserve and enhance the character and appearance of the conservation area (see CS5, CS9, CS14 &amp; DP25) and harms the setting of the adjacent Grade II and Grade II* listed buildings. In addition to Council policies</p>

			<p>(see CS5, CS9, CS14, DP25, CPG1), the Council has a statutory obligation to preserve or enhance the borough's listed buildings.</p> <p>Additionally, the use of internal illumination is inappropriate and unsympathetic in a conservation area, and conflicts with Camden planning policy (see CGP1, 8.11-8.15; &amp; DP25).</p> <p>Comments by 08-02-17</p> <p>Photo: See documents</p> <p>Documents: <a href="https://goo.gl/0srJ4W">https://goo.gl/0srJ4W</a></p>
3.5	<p>Bus Stop, Outside 210 High Holborn WC1V 7DL</p> <p>2017/0284/A</p> <p>N/A/Camden; SM Planning (agent)</p>	<p>Display of 2x internally illuminated digital screens to bus shelter no. CAM00129AB.</p>	<p>See 3.4.</p> <p>Comments by 09-02-17</p> <p>Photo: See documents</p> <p>Documents: <a href="https://goo.gl/M4BLyj">https://goo.gl/M4BLyj</a></p>
3.6	<p>Bus Stop, Outside Commonwealth House New Oxford Street WC1V 6PJ</p> <p>2017/0278/A</p> <p>N/A/Camden; SM Planning (agent)</p>	<p>Display of 2x internally illuminated digital screens to bus shelter no. CAM00105AB.</p>	<p>See 3.4.</p> <p>Comments by 09-02-17</p> <p>Photo: See documents</p> <p>Documents: <a href="https://goo.gl/mf2cVt">https://goo.gl/mf2cVt</a></p>
<b>WESTMINSTER APPLICATIONS</b>			
3.7	<p>58 St Martin's Lane WC2N 4EA</p> <p>16/06795/FULL</p> <p>A4/d-raw; d-raw ltd. (agent)</p>	<p>Replace double door with single door on New Row frontage and replacement windows at ground floor level on the St Martin's Lane and New Row elevations.</p>	<p>Objection. These proposals fail to maintain or improve (preserve or enhance) the character and appearance of Covent Garden Conservation Area (S25, S28, DES9, para 10.108-10.128). According to S25, S28 and DES9, 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. Westminster'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. S25 specifies that "the built environment must be respected and refurbished sensitively in a manner appropriate to its significance. Any change should not detract from the existing qualities of the environment."</p> <p>Additionally, the proposed development is inappropriate for a Grade II-status listed building and would result in harm to the special interest of the building (S25; DES10). In addition to Council policies (see S25, DES10 &amp; "Repairs &amp; Alterations to Listed Buildings" SPG), the Council has a statutory obligation to preserve or enhance the borough's listed buildings.</p> <p>In particular, replacing the double door on the New Row elevation with a single door would result in a loss of character of this Grade II listed building. The narrow double doors contribute to the historic nature and to the character of this</p>

			<p>building.</p> <p>The CGCA also strongly objects to the installation of new sash windows, which the applicant says will be open during business hours “in order to visually maximize the space and provide a comfortable ventilation” which will “will provide a newly orchestrated buzz and vibrancy to the street sides of St Martins Lane and New Row (see applicant’s Design &amp; Heritage Statement, section 4.0 on p. 4).</p> <p>This amounts to an openable shopfront, which is unacceptable on policy and planning terms. Westminster planning policy opposes openable 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> <p>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 (or what the applicant refers to as “orchestrated buzz”). We note that residents live directly opposite, as well as all around, the public house.</p> <p>The CGCA also notes that Westminster has consistently refused permission for similar requests (for example, see 14/07107/FULL; 15/03108/FULL; 15/07688/FULL; among others).</p> <p>Comments by 03-02-17</p> <p>Photos: <a href="https://goo.gl/n8JqKo">https://goo.gl/n8JqKo</a> (New Row) &amp; <a href="https://goo.gl/SZTZuG">https://goo.gl/SZTZuG</a></p> <p>Documents: <a href="https://goo.gl/B7Tgku">https://goo.gl/B7Tgku</a></p> <p>Note: Grade II listed building</p>
3.8	41 Kingsway WC2B 6TP 16/12156/FULL B1 & A2/ <i>Ministerium Capital SA; DP9 Ltd. (agent)</i>	Use of part basement and part ground floor as a restaurant (A3) and use of part ground and first to seventh floors to provide 14 residential flats (C3). External alterations including improved ground facade, extension housing circulation core, and new dormer windows at roof level, installation of mechanical plant within the rear lightwell and at seventh floor level, and installation of an extract duct to the rear elevation."	<p>The CGCA has serious concerns about the proposed restaurant’s impact on local residents and their amenity. We note that residents live directly opposite the site in Kean Street and nearby in Kemble Street and Wild Street.</p> <p>Our concerns relate primarily to impact on local residents from noise and disturbance caused by customers of the restaurant as well as by servicing and deliveries.</p> <p>Should Westminster be minded to grant permission, the CGCA requests the following conditions to protect residential amenity:</p> <ul style="list-style-type: none"> <li>As noted in Westminster’s CS41, servicing and deliveries can have adverse effects on local residents. To protect the amenity of nearby residents, as well as those working in and visiting Covent Garden, the CGCA requests a condition that limits the hours of</li> </ul>

			<p>servicing and deliveries from 08:00 to 20:00. No deliveries should be permitted outside of these hours.</p> <ul style="list-style-type: none"> <li>• All servicing and collections must be done by small vans and not large lorries. (See CONDITION 27 &amp; INFORMATIVE 15 from consented scheme).</li> <li>• The use of the flats for short-term lets should be expressly prohibited. (See INFORMATIVE 10 from consented scheme).</li> <li>• Conditions should ensure that works are restricted to avoid the impact of noise and disturbance on existing residents</li> <li>• The property must be used for restaurant only. The applicant must not use it for any other purpose, including any within Class A3. (See CONDITION 14 from consented scheme).</li> <li>• The applicant must not sell any take-away food or drink on the premises, even as an ancillary part of the primary Class A3 use. (See CONDITION 14 from consented scheme).</li> <li>• Noise emitted by equipment and vents used in the building must not exceed 10 decibels, equipment must be installed on anti-vibration mounts and odour from ventilation equipment must be monitored.</li> <li>• Customers shall not be permitted within the restaurant premises before 12:00 or after 23:30 each day.</li> <li>• The applicant must ensure that neither customers nor employees congregate in front or behind the building.</li> <li>• All windows serving the A3 unit at ground floor must be fixed shut at all times, unless otherwise agreed in writing by the Council. (See CONDITION 20 from consented scheme).</li> <li>• An internal bottle crusher and compactor should be required.</li> </ul> <p>Additionally, we support the Council's Environmental Services officer's objections regarding environmental air quality and fire safety.</p> <p>Comments by 08-02-17  Photo: <a href="https://goo.gl/MQ5jdG">https://goo.gl/MQ5jdG</a>  Documents: <a href="https://goo.gl/IPAcmR">https://goo.gl/IPAcmR</a></p>
3.9	House 33 Kingsway WC2B 6UF 17/00136/FULL B1/Ascential Plc; Porta	Installation of louvres to the Kean Street elevation and associated works.	No objection, provided that any permission granted includes the following conditions 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

	<i>Planning LLP</i>		<p>disturbance, any permission granted must include conditions that:</p> <p>(1) restrict the amount of noise (measured in decibels) emitted from the units to within Westminster's thresholds (S32; ENV6; ENV7);</p> <p>(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 (S32; ENV6);</p> <p>(3) 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);</p> <p>(4) 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); 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 15-02-17  Photo: <a href="https://goo.gl/hg44af">https://goo.gl/hg44af</a>  Documents: <a href="https://goo.gl/aqGG9Z">https://goo.gl/aqGG9Z</a>  Note: Unlisted building of merit</p>
3.10	3 Henrietta Street WC2E 8PS 17/00143/FULL <i>N/A/Capco; Gerald Eve (agent)</i>	Installation of an external lighting scheme to the Henrietta Street facade including lights, fixings and associated cabling and drivers. (Linked Case: 17/00144/LBC).	No objection Comments by 17-02-17 Photo: See documents Documents: <a href="https://goo.gl/SC8Xhd">https://goo.gl/SC8Xhd</a>
3.11	7 Henrietta Street WC2E 8PS 17/00147/FULL <i>N/A/Capco; Gerald Eve (agent)</i>	Installation of an external lighting scheme to the Henrietta Street facade including lights, fixings and associated cabling and drivers. (Linked Case: 17/00148/LBC).	No objection Comments by 17-02-17 Photo: See documents Documents: <a href="https://goo.gl/fYBKnZ">https://goo.gl/fYBKnZ</a>
3.12	17-18 Henrietta Street WC2E 8QH 17/00149/FULL <i>N/A/Capco; Gerald Eve (agent)</i>	Installation of an external lighting scheme to the Henrietta Street facade.	No objection Comments by 17-02-17 Photo: See documents Documents: <a href="https://goo.gl/Q4TWB6">https://goo.gl/Q4TWB6</a>
3.13	23 - 24 Henrietta Street	Installation of an external lighting scheme including lights,	No objection

	WC2E 8ND 17/00141/FULL N/A/Capco; Gerald Eve (agent)	fixings and associated cabling and drivers. (Linked application 17/00142/LBC)	Comments by 17-02-17 Photo: See documents Documents: <a href="https://goo.gl/awSciG">https://goo.gl/awSciG</a>
3.14	14 Henrietta Street WC2E 8QH 17/00150/FULL N/A/Capco; Gerald Eve (agent)	Installation of an external lighting scheme to Street facade.	No objection Comments by 17-02-17 Photo: See documents Documents: <a href="https://goo.gl/ZNrte9">https://goo.gl/ZNrte9</a>
3.15	30 Henrietta Street WC2E 8NA 17/00139/FULL N/A/Capco; Gerald Eve (agent)	Installation of downlighting to the passage entrance, fixings and associated cabling and drivers. (Linked Case: 16/00140/LBC).	No objection Comments by 17-02-17 Photo: See documents Documents: <a href="https://goo.gl/bzV2Ar">https://goo.gl/bzV2Ar</a>

#### 4. Tables and Chairs

CAMDEN APPLICATIONS			
None			
WESTMINSTER APPLICATIONS			
4.1	8-10 Charing Cross Road WC2H 0HG 16/12040/TCH Garrick Arms/DHA Planning (agent)	Use of an area of the public highway measuring 3.58m x 1.45m for the placing of two tables, four chairs and two temporary barriers.	<p>The CGCA objects to the use of tables and chairs at this location and we note that the Council refused permission for street furniture for years at this location before approving it in 2014, despite the objection of the Council's Highways manager to the original proposals.</p> <p>The reasons that the application was refused permission have not changed. With street furniture, the pavement is still not wide enough to accommodate the high volume of pedestrian flow. The presence of street furniture will also negatively affect the Council's ability to clean the footpath.</p> <p>Further, a number of obstacles on the public highway exist, including a phone box, cycle rack and bins. There also is a zebra crossing directly in front of the site, so this location is in constant use by pedestrians.</p> <p>As the attached photo shows, the applicant continues to use tables and chairs despite being refused permission last year (see 16/07339/TCH). Further, the applicant is using three tables and six chairs (without permission), which exceeds the proposed amount of street furniture in the current application. The CGCA has notified the Council's enforcement team about this.</p> <p>Even when the applicant had permission, the applicant consistently did not comply with the permitted layout. Instead, the applicant placed tables and chairs directly across from the cycle racks, creating a pinch point at this busy location. The applicant also placed an additional, unpermitted chair at each table, which backed into the pavement. The applicant placed as many as four tables and 16 chairs on the pavement without permission.</p> <p>The officer's report from 2014 (see 14/09384/TCH) says that, "The situation regarding pedestrian free movement on the site is not considered to have improved since 2003, but worsened." Further, two bike racks have been installed adjacent to a phone box on the highway, which "further exacerbate the situation that had previously led to refusal," according to the officer's report.</p> <p>The Council's refusal for tables and chairs permission at this</p>

			<p>location for years due to the impact on the pedestrian flow and the applicant's failure to comply with the permission that was granted for two years, the applicant has demonstrated that they are unwilling to adhere to any permission granted. Simply including conditions does not work, as the applicant disregarded conditions 4 &amp; 6 in the last permission. This further supports the reasons for the Council to continue to refuse tables and chairs at this location. Finally, the CGCA is concerned about the impact on residential amenity. Local residents already have noise from the street and nearby Leicester Square to contend with. Permitting outside customers, including drinkers, would only compound this negative impact on amenity.</p> <p>Comments by 02-02-17</p> <p>Photos: <a href="https://goo.gl/5I1Va8">https://goo.gl/5I1Va8</a> &amp; <a href="https://goo.gl/W49pKL">https://goo.gl/W49pKL</a></p> <p>Documents: <a href="https://goo.gl/u0ekle">https://goo.gl/u0ekle</a></p> <p>Note: Previous permitted use was three tables and six chairs. No change in hours: M-SU 11:00-23:00. Applicant is using T&amp;CH without permission and using more than applied for here.</p> <p>On 06-09-16 agenda. CGCA objected. Application (16/07339/TCH) refused. Reason for refusal: The tables and chairs would block the flow of pedestrians along the footpath and so could be unsafe. This would also make it difficult to clean the footpath.</p>
4.2	<p>26 New Row WC2N 4LH 16/12294/TCH A3/Jamaica Patty Co Ltd.; Monmouth Planning Ltd. (agent)</p>	<p>Use of an area of the public highway measuring 1.6m X 5m for the placing of 3 tables, 6 chairs and 2 barriers.</p>	<p>Objection. The use of tables and chairs at this location is inappropriate because of the incredibly narrow and busy pavement, as shown by the applicant's drawing and by the attached photo. We note that a previous application was refused (see 96/03065/FULL).</p> <p>As shown on the drawing, the applicant has left no more than 0.915m clearance for pedestrians on the pavement. The pavement is almost entirely blocked with these proposals. Instead, the applicant is claiming the road itself as part of the pavement.</p> <p>Currently, New Row is under a trial as a pedestrian zone, due in part because of the high pedestrian flow identified in a traffic study undertaken by the Council in December 2012 (see <a href="https://goo.gl/wC9H9p">https://goo.gl/wC9H9p</a> &amp; <a href="http://westminstertransportationservices.co.uk/projects/project_details.php?id=431">http://westminstertransportationservices.co.uk/projects/project_details.php?id=431</a>). New Row is not permanently a pedestrian zone and even during the trial it is only pedestrian from 11:00-20:00. There is no guarantee that the trial will continue or that New Row will permanently become pedestrianised. Indeed, the Council has stated that some vehicle access will be needed. Thus, the applicant should only consider the public highway and not the road in the application. Otherwise, the applicant is forcing people to walk in the street.</p> <p>Permitting tables and chairs at this location would also set a dangerous precedent, with the many cafés, bars and restaurant on New Row applying for tables and chairs usage. This would result in a fundamental change in the character of New Row, which is one of the most character-filled streets in Central London (scenes for Harry Potter were shot in New Row).</p> <p>The Council has been assertive in ensuring that A-boards along New Row are not placed in a position that creates an obstruction on the public highway (see A-boards flat against shopfront in attached photo). Permitting tables and chairs usage would take up even more of the public highway.</p>



			<p>Comments by 03-02-17</p> <p>Photo: <a href="https://goo.gl/nZM9mP">https://goo.gl/nZM9mP</a></p> <p>Documents: <a href="https://goo.gl/n3hf2U">https://goo.gl/n3hf2U</a></p> <p>Note: New application. No proposed hours listed.</p>
4.3	<p>10 Upper St Martin's Lane WC2H 9FB 17/00030/TCH Cantina Laredo/Oriole Restaurants Limited; Rolfe Judd (agent)</p>	<p>Use of an area of the public highway measuring 19m X 3m for the placing of 9 tables, 32 chairs, 1 space heater, 2 umbrellas, a service trolley and a barrier.</p>	<p>The CGCA continues to object to a start time of 8 a.m., which is too early for tables and chairs use at this restaurant to begin, particularly on Sundays, as this negatively affects residential amenity due to noise, particularly as the 32 chairs will invariably be set up before 8 a.m. Also, 8 a.m. is earlier than neighbouring properties have permission for T&amp;CH use, thus sets a dangerous precedent.</p> <p>Comments by 09-02-17</p> <p>Photo: <a href="https://goo.gl/cv9gYV">https://goo.gl/cv9gYV</a></p> <p>Documents: <a href="https://goo.gl/6nmue1">https://goo.gl/6nmue1</a></p> <p>Note: Renewal. Service trolley is new. Current hours: 08:00-23:00. No proposed hours listed. On 26-01-15 agenda.</p>

**5. Other business**

**6. Next meetings & future presentations**

- 6.1 13 February 2017
- 6.2 27 February 2017