

Minutes

Covent Garden Community Association

Planning Sub-Committee meeting held on Monday, 25 July 2016
at 18:30 at the Hospital Club, 24 Endell Street WC2H 9HQ

www.CoventGarden.org.uk



TheCGCA



@TheCGCA

1. Attendance

1.1 **Present:** Elizabeth Bax, David Bieda, Shirley Gray, Selwyn Hardy, Gary Hayes, David Kaner, Christina Smith, Meredith Whitten

1.2 **Apologies received:** Richard Hills; Jo Weir; Rhu Weir

1.3 **Comments received:** Rhu Weir

2. **Presentation:** 125 Shaftesbury Avenue (6:30 p.m.)

3. Planning Applications & Appeals

	Address & Application No.	Proposal	Comments
CAMDEN APPLICATIONS			
3.1	55 Neal Street WC2H 9PJ 2016/3713/A Nordic Bakery (A1)/ <i>Nordic Bakery Ltd.; a-g-architecture Ltd. (agent)</i>	Display of 1x non-illuminated hanging sign.	No objection Comments by 28-07-16 Photo: https://goo.gl/YUX8Ow Documents: http://goo.gl/37QZVL Note: Grade II listed building.
3.2	55 Neal Street WC2H 9PJ 2016/3651/L Nordic Bakery (A1)/ <i>Nordic Bakery Ltd.; a-g-architecture Ltd. (agent)</i>	Proposed minor internal alterations to ground floor and basement and re-painting of the shop front doors and side window to form a Scandinavian style café.	The CGCA questions why no noise report is included given the addition of a proposed extract to be connected to the existing system. Further, the Council observes that plant and mechanical equipment is a main source of noise and vibration in the borough (see CPG6 4.3). Equipment such as extract ducts, fans and flues can disturb the amenity and quality of life of residents and workers through noise and vibration, odour, and visual impact of the ducting fixed to the building and the area, particularly a conservation area (see CS5.8; DP28, including DP28.1 & 28.3; DP22.18; and CPG5 6.7-6.9; 6.21). This includes cumulative impacts (CPG6 4.7). To protect the amenity of nearby residents and neighbouring properties (CS5) and to ensure that the equipment does not cause undue noise, disturbance and odour, any permission granted must include conditions that: (1) restrict the amount of noise and vibration (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

			<p>throughout the life of the development (DP28.3). All such equipment shall be retained and maintained in accordance with the manufacturers' recommendations. This is necessary to safeguard the amenities of the adjoining premises and the area generally in accordance with CS5, DP26 and DP28. (See 2014/6696/P for precedent.);</p> <p>(3) require the applicant to submit the results of annual maintenance checks to the Council;</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;</p> <p>(5) limit the hours of use to business hours (no later than 22:30), to reduce the impact of noise and vibration on residential amenity during evening, late-night and weekend hours (CS5, CS7, DP12, DP26, DP28); and</p> <p>(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).</p> <p>Comments by 04-08-16 Photo: https://goo.gl/YUX8Ow Documents: http://goo.gl/8ujVv8 Note: Grade II listed buiding.</p>
3.3	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.	Whilst amenity space can add significantly to office space, particularly in a densely developed area such as Covent Garden, this must be balanced with the impact on neighbours. The Council's planning policies specify that residential amenity of neighbours be preserved, in accordance with policy DP26 – Managing the impact of development on occupiers and neighbours and Core Strategy policy CS5 – Managing the impact of growth and development. The CGCA points out that residents live in proximity of the proposed terrace in Betterton Street, Should the Council grant permission, a condition must 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). This condition is needed

			<p>to protect residential amenity from noise and disturbance at anti-social hours. For precedent, see 2014/4870/P, condition 10.</p> <p>Comments by 04-08-16</p> <p>Photo: https://goo.gl/VRxOy1</p> <p>Documents: http://goo.gl/pkkUz4</p>
3.4	<p>Parker Street London WC2B 5PW</p> <p>2016/3312/P</p> <p>New London Theatre/<i>Really Useful Theatres Group</i>; <i>Mitchell Price (agent)</i></p>	<p>Installation of 2x air-conditioning units chillers within a new rooftop enclosure.</p>	<p>Whilst the CGCA does not object to the installation of the chillers, we do object to permitting them to run 24 hours/day.</p> <p>Also, we note that Camden's website says the proposal is for two chillers, however, the applicant's supporting documents, including the D&A statement, specify three new chillers.</p> <p>Should the Council grant permission, conditions must be included that require that the mitigation measures specified on p. 13 of the applicant's acoustic report be fitted prior to first use of the equipment. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations. This is necessary to safeguard the amenities of the adjoining premises and the area generally in accordance with CS5, DP26 and DP28. (See 2014/6696/P for precedent.)</p> <p>Further, to protect the amenity of nearby residents and neighbouring properties (CS5) and to ensure that the equipment does not cause undue noise, disturbance and odour, any permission granted must include conditions that:</p> <p>(1) restrict the amount of noise (measured in decibels) emitted from the units to within Camden's thresholds (DP28; CPG5 6.9);</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 (DP28.3);</p> <p>(3) require the applicant to submit the results of annual maintenance checks to the Council;</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;</p> <p>(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</p>

			<p>(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).</p> <p>Comments by 04-08-16</p> <p>No photo</p> <p>Documents: http://goo.gl/c7t9Ey</p>
3.5	<p>St Giles Circus site WC2H 8NH</p> <p>2016/3896/P</p> <p><i>Various/Iceni Projects (agent)</i></p>	<p>Details of a maintenance plan detailing how the CHP and catalytic converter will be serviced and maintained to fully discharge (in conjunction with the details submitted under 2015/3104/P) condition 38 of 2012/6858/P dated 31/03/2015.</p>	<p>No objection, provided the officer is satisfied that the details satisfy the Council's reasons for including condition 38 in the original consent.</p> <p>Comments by 08-08-16</p> <p>No photo</p> <p>Documents: http://goo.gl/TyWOBK</p>
3.6	<p>Flat 4 76 Neal Street WC2H 9PL</p> <p>2016/1666/P</p> <p><i>C3/Dow Properties; MSE (agent)</i></p>	<p>Replacement of existing balustrade with glazed balustrade.</p>	<p>No objection</p> <p>Comments by 09-08-16</p> <p>Photo: https://goo.gl/f4RxxwU</p> <p>Documents: http://goo.gl/iD7Wzn</p>
WESTMINSTER APPLICATIONS			
3.7	<p>32-35 St Martin's Lane WC2N 4ES</p> <p>16/05814/FULL</p> <p><i>London Coliseum/English National Opera; Robin Snell and Partners (agent)</i></p>	<p>London Coliseum front-of-house redevelopment project: Phase 1 including a new display space; new promenade alcove Lounge; relocation of the existing box office; refurbishment of two existing bars; a new service entrance from Brydges Place; and redecoration of the Chairman's and Upper Circle Tower rooms.</p>	<p>No objection</p> <p>Comments by 05-08-16</p> <p>Photo: See D&A statement</p> <p>Documents: http://goo.gl/Hrzl0v</p> <p>Note: Grade II* listed building.</p>
3.8	<p>Wellington Street London</p> <p>16/04811/FULL</p> <p><i>N/A/Transport for London</i></p>	<p>Installation on the footway adjacent to 346 Strand on Wellington Street of a Cycle Hire docking station, containing a maximum of 24 docking points for cycles plus a terminal.</p>	<p>The CGCA objects to the installation of a cycle hire docking station and up to 24 cycles at this location on Wellington Street. The cycles would be located at the junction with Exeter Street and this junction experiences a constant stream of vehicular traffic, as vehicles – including lorries and taxis – use this junction to get to Strand or Aldwych because Wellington Street dead ends and, thus, traffic cannot continue traveling down the street. This would result in a highly dangerous position for people hiring or returning cycles and pulling out into the street at this location. This volume of traffic will only increase with the renovation of the hotel at One Aldwych as well as the proposed hotel at Wellington and Tavistock streets.</p>

			<p>The current cycle hire docking station is located further down Wellington Street towards the Strand and, thus, is insulated from the high amount of vehicular traffic.</p> <p>Pedestrian traffic is also consistently high, as this is a primary entryway to Covent Garden from Strand, Waterloo and the South Bank. The location of Lyceum Theatre, which typically has a queue of customers – many of whom are schoolchildren – for “The Lion King,” contributes to the consistently high footfall on this end of Wellington Street.</p> <p>Additionally, the CGCA questions what will happen to the electric car charger currently located where the proposed docking station and cycles would be located.</p> <p>Comments by 09-08-16 Photo: See D&A statement Documents: http://goo.gl/q4r0EE</p>
3.9	<p>Third Floor 25 Bedford Street WC2E 9HP 16/05630/FULL B1/Blackrock; TTSP (agent)</p>	<p>Installation of two single doors, one central bi-folding door and low-level LED lighting to third floor terrace, and extract vent to rear courtyard elevation.</p>	<p>Any permission granted must include (1) a condition that specifies that the roof terrace is restricted to the current B1 office use, and the terrace cannot be used outside of normal business hours (no later than 21:00). This is to protect residential amenity from both noise and disturbance, and overlooking, as set out in S29 and ENV13.</p> <p>Another condition prohibiting the use of structures such as tables and chairs, umbrellas, canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. This is to ensure that the appearance of the building continues to contribute to the character and appearance of the Covent Garden Conservation Area, as set out in S25 & S28, and in DES1, DES5 & DES6, and paras 10.108 to 10.128.</p> <p>These conditions have precedent in a recent application at the same property (see 15/10227/FULL, conditions 3 & 4; and 15/02721/FULL, conditions 4 & 5. Also see 14/00907/FULL, condition 7). In particular, note that 15/02721/FULL relates to the third floor.</p> <p>Comments by 11-08-16 Photo: https://goo.gl/Du4Nlz Documents: http://goo.gl/izVQfU</p>
3.10	<p>26 Wellington Street 16/06316/FULL A1/A3/Rolfe Judd (agent)</p>	<p>Amalgamation and use of 26 and 26a Wellington Street at ground floor level as a cafe (Class A1/A3) on the ground and basement floors, associated internal alterations and the installation of a new shopfront.</p>	<p>The CGCA cannot make definitive comments on these proposals because the applicant has not provided drawings of the proposed elevations. Thus, the CGCA cannot determine what impact the proposed new shopfront would have on this Grade II listed building or the conservation area in which it sits.</p>

			<p>Given that no proposed elevation is available, this application should not have been validated, as the Council also does not have the information needed to make a decision.</p> <p>From the drawings that have been provided, though, the CGCA can see that the applicant is proposing an openable shopfront with sliding windows. The CGCA strongly objects to these sliding windows and any other features that would result in an openable shopfront. The CGCA raised this concern with the previous application (13/04149/FULL) and the Council agreed (see condition 6 of the decision notice).</p> <p>Westminster planning policy opposes folding and 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>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.</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>The CGCA suggests the proposal be revised to include removal of all openable shopfronts, rather than maintaining existing sliding windows with conditions that prohibit opening them. The applicant should also be required to submit drawings depicting existing and proposed elevations.</p> <p>Comments by 16-08-16 Photo: https://goo.gl/kSz3nl Documents: http://goo.gl/ynWR1a Note: Grade II listed building.</p>
3.11	11 Henrietta Street WC2E 8PS 16/06541/FULL Sticks N Sushi/ <i>Sticks N Sushi UK Ltd; Firstplan (agent)</i>	Installation of external plant and associated screening at roof level.	Westminster’s City Plan observes that noise should not affect individuals’ right to a quiet environment and peaceful enjoyment of their property. Air conditioning and plant equipment generates noise that can be intrusive and disturbing to local residents (see ENV7 para 9.111; also see S29, S32, ENV6 & ENV7). To ensure that the equipment does not cause undue nuisance and disturbance to nearby residential properties, any permission

			<p>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, 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 (ENV6(8));</p> <p>(3) require the applicant to submit the results of annual maintenance checks to the Council;</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;</p> <p>(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 (ENV6(6)) (for precedent, see 14/03699/FULL & 15/05983/FULL, among others); and</p> <p>(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.</p> <p>Further, prior to first use of the plant equipment, the equipment shall be fitted with the noise attenuation measures recommended in the applicant's noise assessment. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations. This is necessary to safeguard the amenities of the adjoining premises and the area generally in accordance with S29, S32 ENV6 and ENV7.</p> <p>Comments by 16-08-16 Photo: https://goo.gl/A1qxpw Documents: http://goo.gl/BtQOqp</p>
3.12	The Market WC2E 8RF 16/06416/FULL Various/Capco; Gerald Eve (agent)	Variation of Conditions 1 & 4 of planning permission dated 10-02-2015 (15/09825) for Variation of Conditions 7, 9 & 11 of planning permission dated 22-09-2015 (15/06870), namely stainless steel	<i>Postponed until applicant provides further information</i> Comments by 16-08-16 No photo Documents: http://goo.gl/kJMB2A

		for the solid section of the new roof in place of a zinc finish, facade amendments, glazed panels are proposed, a loft space has been revealed in the north pavilion, removal of the north pavilion chimney stacks, fixing structure, fixings to the existing stone, replacement of the existing structure details in respect of the private dining terrace, removal of south wing lateral chimney flue and removal of the central avenue piers on first floor.	Note: Grade II listed building. 95 documents.
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4. Tables and Chairs

CAMDEN APPLICATIONS			
4.1	33 Earlham Street WC2H 9LD 2016/4012/TC <i>Canela Café/Canela Covent Garden Ltd.; Thomas & Thomas Partners LLP (agent)</i>	3 tables and 6 chairs	<p>The CGCA objects to the number of proposed tables and chairs. We maintain that two tables and four chairs are more appropriate for this location.</p> <p>As the attached photo shows, the public highway is very narrow at this location. As stated in CPG5 6.10 and 6.14, tables and chairs create problems for pedestrians, particularly those with disabilities, because of obstruction of the public highway. Because the tables and chairs are placed against the shopfront at this location, customers often sit with their legs extended well into the public highway, leaving little room for pedestrians to pass and forcing them to walk in Earlham Street. This is even more of a problem for the table and chairs in front of the bollard, as shown in the attached photo.</p> <p>Camden's planning policy and guidance (see Tables & Chairs Application Guidance; and CPG5 6.10-6.11) require that clearances take into account highway and disability 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>Additionally, as the attached photo shows, the shopfront is not wide enough to accommodate three tables and six chairs. The table and two chairs to the left are partially blocking the front door of the flat next to the applicant's shop, as well as also blocking the entrance to the applicant's shop, which poses a health and safety risk.</p> <p>At most there is room for two small tables and four small chairs that are positioned flush with the shopfront (e.g., so customers' legs go under the table and not into the public highway).</p> <p>The CGCA also objects to the proposed hours. The proposed hours do not comply with Camden's tables and chairs guidance or the Council's Statement of Licensing Policy (2011), which specify that hours will not be allowed past 9 p.m., unless the site is located in "predominantly commercial street in the Central London Area," which Earlham Street is not. (See</p>

			<p>Appendix 2 of Camden's "Tables & Chairs Guidance.") Permission for hours beyond this not only violates Camden's policy, but also is highly inappropriate in a residential area in a conservation area.</p> <p>Comments by 16-08-16</p> <p>Photo: https://goo.gl/OBybCi</p> <p>Documents: http://goo.gl/BCB7Z7</p> <p>Note: New application. Proposed hours: M-SU 08:00-23:00.</p>
WESTMINSTER APPLICATIONS			
4.2	<p>48 Charing Cross Road WC2H 0BS 16/06242/FULL <i>Porcupine/Mitchells & Butlers Leisure Retail; Poppleston Allen Solicitors (agent)</i></p>	<p>Use of two areas of the public highway each measuring 2.25m x 1.65m either side of the corner entrance for the placing of two tables and eight chairs.</p>	<p>While the CGCA has no objection to the continued use of tables and chairs at this site, we remain concerned about vertical drinkers obstructing the pavement at this busy location adjacent to Leicester Square and station. A large volume of pedestrians use this popular route between Strand and Covent Garden, as well as those coming and going from Charing Cross station, which has an entrance directly next to this shop.</p> <p>In the past, the applicant placed barriers on the pavement, although the applicant did not have permission to do so. We assume the barriers were meant to keep the pub's customers within the permitted area. However, despite this, vertical drinkers continued to stand outside the barriers and, thus, cause an obstruction and impede pedestrian flow and, ultimately, forcing pedestrians to walk in the very busy Charing Cross Road.</p> <p>Further, the barriers were often pushed further into the public highway, essentially blocking off a larger-than-permitted area of the public highway for the public house's use.</p> <p>The CGCA does not object to the barriers. Indeed, barriers, if used properly and in line with planning permission, can be an effective way of allowing outside seating while leaving sufficient room on the public highway for pedestrians to safely pass.</p> <p>Should permission be renewed, the applicant should be reminded, via condition or informative, that vertical drinkers are not to obstruct the pavement by congregating outside the permitted area. Any violations will result in the Council withdrawing planning permission and the applicant's street trading license.</p> <p>The Council could also recommend that the applicant use barriers, after applying for and receiving planning permission for these structures.</p> <p>Comments by 03-08-16</p> <p>Photo: https://goo.gl/LpPWAi</p> <p>Documents: http://goo.gl/X6lqc4</p> <p>Note: Renewal. No change in use or hours: M-SU 10:00-23:00. On 8-07-14 agenda.</p>
4.3	376 Strand WC2R 0LQ	Use of two areas of the	The CGCA contends that this application should not

	16/05853/TCH Eat/Eat Ltd.; BA Shaw (agent)	public highway measuring 8.3m x 1.8m for the placing of five tables, 14 chairs and two barriers on the Southampton Street frontage and an area measuring 6.5m x 0.9m for the placing of five tables, 10 chairs and two barriers on the Strand frontage.	<p>have been validated, as the proposed layout does not match the proposal listed in the application or on the Council's website.</p> <p>The application is for five tables, 14 chairs and 2 barriers on Southampton Street. However, the applicant's layout (drawing 2389-40) indicates four tables, 16 chairs and two barriers.</p> <p>Similarly, on Strand, the application says five tables, 10 chairs and two barriers. However, the drawing shows five tables, 20 chairs and two barriers.</p> <p>Tables and chairs should be flush with the shopfront on both elevations, as they are at other cafes and restaurants along Strand.</p> <p>Additionally, despite the presence of barriers on the drawing, the applicant does not use barriers on Southampton Street. In the CGCA's comments on the previous application (15/07225/FULL), we noted that customers consistently push the chairs on the Southampton Street frontage further into the pavement – which is already cluttered with other items and is an emergency thoroughfare – than permitted, which impedes pedestrian flow at this high-traffic location. The barriers should be used and should not be moved to allow for an area larger than that permitted.</p> <p>Comments by 03-08-16</p> <p>Photos: https://goo.gl/P8nPTF & https://goo.gl/Y8j3do</p> <p>Documents: http://goo.gl/mds1GO</p> <p>Note: Renewal. No change in use or hour: M-SA 07:00-22:00; SU/BH 07:00-21:00. On 12-10-15 agenda. CGCA's comments: No objection.</p>
4.4	11-12 Russell Street WC2B 5HZ 16/05786/TCH Tuttons/Tuttons Ltd.; RadcliffesLeBrasseur (agent)	Use of an area of the public highway measuring 18.4m x 4m for the placing of 28 tables and 72 chairs.	<p>No objection</p> <p>Comments by 05-08-16</p> <p>Photo: https://goo.gl/PWGI2</p> <p>Documents: http://goo.gl/exOYLt</p> <p>Note: Renewal. No change in use or hours: M-SU 08:00-23:00.</p> <p>On 07-07-14 agenda. CGCA had no objection.</p>
4.5	3 Adelaide Street WC2N 4HZ 16/05945/FULL Subway/Tatla Enterprise Ltd.; Olympic Sign Services (agent)	Use of an area of the public highway measuring 2700mm x 2000mm for the placing of 4 tables and 8 chairs, including 5 pavement barriers measuring 90mm and 1 parasol.	<p>The CGCA objects to the proposed number of tables and chairs because, as illustrated on the applicant's layout, the area of use will extend too far into the public highway, thus creating an obstacle for</p> <p>Two tables and four chairs, with barriers and flush with the shopfront, are more appropriate at this location.</p> <p>Further, the CGCA objects to the use of the applicant's logo on the proposed barriers, which is inappropriate in a conservation area. It also violates Westminster's policy DES8, which states that advertisements on street furniture will generally not be permitted. Additionally, "Westminster Way: Public Realm Strategy" SPD, states that advertisements on street furniture, such as barriers, will generally be prohibited "in the interests of protecting visual</p>

			<p>amenity and Conservation Area character” (p. 81). Comments by 08-08-16 Photo: See documents. Documents: http://goo.gl/zQb7hF Note: New application. Proposed hours: M-F 07:00-23:00; SA 08:00-23:00; SU 09:00-22:00.</p>
4.6	<p>351 Strand WC2R 0HS 16/06123/FULL The Wellington/ <i>Mitchells and Butlers Leisure Retail Ltd.</i>; <i>Poppleston Allen Solicitors (agent)</i></p>	<p>Use of two areas of the public highway measuring 4m x 9m and 1.3m x 4.9m for the placing of 11 tables, 44 chairs and six canvas screens around the tables and chairs namely, to allow the tables and chairs and associated furniture on the highway for a further 12 months.</p>	<p>The CGCA continues to object to the excessive number of tables and chairs at this location with incredibly high pedestrian and cyclist traffic. The large number of tables and chairs create a significant safety hazard, as a designated cycle highway that is heavily used is next to the tables and chairs. The applicant has omitted this cycle highway on the proposed layout, thus making it appear as though there is a larger clearance for pedestrians than there actually is.</p> <p>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. Some streets are so busy or so narrow that they are unsuitable for tables and chairs altogether (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). There are few locations in Covent Garden that have heavier footfall than this site at Strand and Wellington Street. 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.</p> <p>Many pedestrians in this area are children, as the Lion King at the Lyceum Theatre next door attracts large numbers of children. Those with wheelchairs or pushchairs also have difficulty manoeuvring along the public highway at this location.</p> <p>In granting previous permission, the Council noted that no complaints had been received. However, local residents have complained to the CGCA because we represent Covent Garden residents as the local amenity society.</p> <p>Comments by 10-08-16 Photo: https://goo.gl/W96yPk Documents: http://goo.gl/iDdR0H Note: Renewal. No change in use or hours: 08:00-23:00. On 11-05-15 agenda.</p>

5. Other business

An appeal has been made on the following application:

5.1	42 Maiden Lane WC2E 7LJ 16/00194/TPREF Grind/Grind & Co. Ltd.	Use of the basement and ground floor for restaurant purposes (Class A3). Installation of a full height extract duct to the rear elevation.	<p>A3 usage: The Covent Garden Community Association is concerned about the change of use to A3, and we believe that some amount of retail (A1) should be retained at this location. Otherwise, the introduction of solely A3 use at this site would intensify an existing concentration of A3 use on Maiden Lane. This conflicts with Westminster's planning policy, S21 and S6.</p> <p>Although developers often describe Covent Garden as an entertainment destination, the area has long been, and remains, a residential area. Whilst Covent Garden is popular with Londoners and visitors alike because of its history, heritage assets, theatres, museums, shops, restaurants and entertainment venues, what causes the area's vibrancy are the thousands of people who call the area home. As an organisation that has represented Covent Garden residents for more than 40 years, the CGCA has worked to ensure that the character, quality of life and amenity that sustains a residential population is not eroded by an unbalanced distribution of various classes of use in the conservation area. This is noted in Westminster's City Plan (see para 3.32).</p> <p>Maiden Lane, a narrow lane within the Covent Garden Conservation Area, already is saturated with bars and restaurants. The introduction of another strictly A3 use could compound the already existing late-night noise nuisance for nearby residents. A concentration of A3 harms the character and function of the area. If Maiden Lane is already an "A3 destination," as noted in 6.7 of the appellant's statement, then surely that is evidence that the area is already is overly concentrated with A3 and, thus, A1 should be retained.</p> <p>The CGCA notes that this end of Maiden Lane is becoming increasingly residential, including approval for C3 on the upper floors of this building and other residents in Maiden Lane, including Sussex Mansions. Additionally, residential flats are on Southampton Street and Henrietta Street that back onto 42 Maiden Lane. This site is also directly across from Corpus Christi church.</p> <p>Extract flue: The CGCA also is concerned about the installation of a full-height extract duct at the rear elevation of this Grade II listed building. At the time of the original application (15/10701/FULL), the applicant had not provided an acoustic report that enabled the CGCA to ascertain the potential impact of an extract duct to the rear elevation on the amenity of adjacent residents.</p> <p>The noise report now provided by the applicant assumes an A1 retail use, not solely A3 use. Given the applicant's reasons for appealing, this noise report should reflect an A3 use. Also, the noise report does not specify mitigation measures, but rather suggests that these are required, but should be "recommended at a later stage." Without knowing what the mitigation measures are, the CGCA cannot accurately determine what impact on residential amenity would result and, therefore, cannot object or support the proposal at this stage.</p> <p>Should the proposal for an extract flue be permitted, the following conditions must be included to ensure that the equipment does not cause undue nuisance and disturbance to nearby residential properties:</p> <ol style="list-style-type: none"> (1) restrict the amount of noise (measured in decibels) emitted from the units to within Westminster's thresholds (S32, ENV7); (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 (ENV6(8)); (3) require the applicant to submit the results of annual maintenance
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			<p>checks to the Council;</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;</p> <p>(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 (ENV6(6)) (for precedent, see 14/03699/FULL & 15/05983/FULL, among others); and</p> <p>(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.</p> <p>The CGCA recognises that the applicant successfully operates cafes/restaurants in other areas of Central London, including elsewhere in Covent Garden (at Holborn). The CGCA supports London-based businesses, such as the applicant's, and wants these businesses to succeed in Covent Garden and contribute to the growing residential community in Covent Garden. However, as Westminster's planning policies observe, each area of the borough is unique and, thus, the applicant must be willing to adapt the proposals to fit with the character and residents of the local area, as the applicant has done with other branches elsewhere in Central London.</p> <p>Interested party comments by 02-08-16</p> <p>Photo: https://goo.gl/p8Bci1</p> <p>Documents: http://goo.gl/5oNvWg</p> <p>Note: On 13-07-15 agenda.</p>
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Comments were submitted on the following applications between meetings (no action needed):

5.2	Footway adj to 166 High Holborn London WC1V 2016/3201/P <i>N/A/Transport for London</i>	Installation on the footway adjacent to 166 High Holborn of a Cycle Hire docking station, containing a maximum of 22 docking points for scheme cycles plus a terminal.	No objection Comments by 21-07-16 Photo: See documents. Documents: http://goo.gl/NbkZnX
5.3	Marlborough House 10 Earham Street WC2H 9LN 2016/3158/P <i>A1/Shaftebury; Rolfe Judd (agent)</i>	Installation of a replacement glazed shopfront, replacement of existing render with tile treatment on corner elevation; and other external alterations.	No objection Comments by 21-07-16 Photo: See documents Documents: http://goo.gl/KWuLn5

6. Next meetings & future presentations

- 6.1 9 August 2016 (Note that this is a Tuesday.)
- 6.2 22 August 2016