

## Minutes

### Covent Garden Community Association

Planning Sub-Committee e-meeting (Monday, 28 May 2018)

www.CoventGarden.org.uk  TheCGCA  @TheCGCA

#### 1. Attendance

**1.1 Comments received:** Elizabeth Bax, David Bieda, Shirley Gray, Selwyn Hardy, Gary Hayes, Jane Palm-Gold, Rhu Weir

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

2. **Presentations:** None scheduled

#### 3. Planning Applications & Appeals

	Address & Application No.	Proposal	Comments
<b>CAMDEN APPLICATIONS</b>			
3.1	21-31 New Oxford St WC1A 1BA 2018/1934/P Various/ <i>Gerald Eve (agent)</i>	Details pursuant to condition 17 (detailed layout plans) of planning permission 2014/5946/P granted on 30/03/2015.	No objection, provided the officer is satisfied the proposed details meet the spirit of the condition. Comments by 31-05-18 No photo Documents: <a href="http://bit.ly/2IF37gc">http://bit.ly/2IF37gc</a>
3.2	199-203 High Holborn WC1V 7BD 2018/2084/P Hoxton Hotel/ <i>Hoxton (Holborn) Ltd.</i>	Details in regard to construction method statement and method statement in relation to crossrail structures as required by conditions 16 and 17 of planning permission 2017/0200/P dated 25/01/2018.	No objection, provided the officer is satisfied. (Note that Camden granted permission on 24-05-18 despite comment deadline of 06-06-18. No photo Documents: <a href="http://bit.ly/2KIWAxz">http://bit.ly/2KIWAxz</a>
3.3	45 New Compton Street WC2H 8DF 2018/1890/P <i>C3/Square Feet Architects (agent)</i>	Infill of existing undercroft carpark to create 5 new units (1x2-bed; 4x1-bed) and 104 sqm of B1 office space fronting New Compton St.; erection of single-storey roof extension to provide 3 new units (1x3-bed; 2x2-bed) including associated lift shaft extension to front elevation; erection of single storey 2-bed dwelling house in curtilage of site.	Objection. As the Planning Inspectorate noted with 2012/3957/P, which proposed a similar development, these proposals are significantly out of keeping with the conservation area. Given that this part of Covent Garden will be even more visible as a result of Cross Rail, it is vital that the character and appearance of the conservation area is preserved.  One such character is the roofline of the buildings along New Compton Street. The CGCA notes that English Heritage has placed this area on its Heritage at Risk register, as the conservation area's character has been significantly eroded by development. Further, again as noted by the Planning Inspectorate, buildings are built to the edge of the pavement along New Compton Street and this, combined with the height of the buildings, creates a very densely developed character. Relief is provided solely by the views upwards. The proposed development would disrespect this. As the Inspectorate stated, 45 New Compton Street should be compared to buildings in its immediate context and not to the bulkier buildings north of the site. Thus, these proposals would fail to preserve or enhance the historic nature and unique character of the Seven Dials

			<p>(Covent Garden) Conservation Area (Local Plan policies D1 &amp; D2).</p> <p>The CGCA supports residents' concern about loss of light and overlooking for existing residents. Residents, such as those in Pendrell House, already live with a sense of enclosure because of previous high-rise development. Adding another storey to 45 New Compton would exacerbate this. Thus, the proposals would contradict LBC's planning policies.</p> <p>The infill of the existing undercroft carpark would result in a loss of all car-parking spaces available to residents at 45 New Compton Street, meaning they would have to park on the street, where few existing parking spaces exist, particularly given the number of residents in the area and the influx of more residents in the area from nearby developments.</p> <p>Although the CGCA appreciates that construction works on their own do not form a reason to refuse an application, in this case we are concerned not just about the long-term impacts of construction on local residents, but also about the impact to the buildings by digging foundations for the new infill.</p> <p>Finally, the CGCA is concerned about the inclusion of a commercial unit within a residential development, particularly given the quiet character of the location of Pendrell House and the proximity to Phoenix Garden, one of only a few open spaces in Covent Garden.</p> <p>Comments by 07-06-18  Photo: See D&amp;A statement: <a href="http://bit.ly/2rX6O6b">http://bit.ly/2rX6O6b</a>  Documents: <a href="http://bit.ly/2rYu1VS">http://bit.ly/2rYu1VS</a></p>
<b>WESTMINSTER APPLICATIONS</b>			
3.4	125 Long Acre WC2E 9AA 18/03724/FULL <i>A1/Rolfe Judd (agent)</i>	Installation of a new shopfront.	<p>The CGCA objects to the proposed shopfront design, which increases the amount of glass used. The use of "frameless effect glazing with glass to glass corners" (see D&amp;A, p. 5), is inappropriate in a conservation area and does not fit with the character of the surrounding buildings or the host building itself.</p> <p>Whilst the CGCA recognise that other shopfronts in Long Acre have large plate-glass windows, these are not to the extent as proposed here. As the Council's "Shopfronts, Blinds &amp; Signs" guidance indicates, large expanses of glass are inappropriate (p. 8).</p> <p>Comments by 11-06-18  Photo: See D&amp;A statement: <a href="http://bit.ly/2s2QBM7">http://bit.ly/2s2QBM7</a>  Documents: <a href="http://bit.ly/2IAFu8j">http://bit.ly/2IAFu8j</a></p>
3.5	Third Floor Tower House 10 Southampton Street WC2E 7HA	Installation of one condenser at roof level.	<p>Whilst the CGCA has no objection, we note that residents are adjacent to the applicant's building. To ensure that the equipment does not</p>

	<p>18/03699/FULL  B1/<i>Pocket Living Ltd.; Gerald Eve (agent)</i></p>		<p>cause undue nuisance and disturbance to nearby residential properties, 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, 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) 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>(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(6)) (for precedent, see 14/03699/FULL &amp; 15/05983/FULL, among others); 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. The timer equipment shall thereafter be permanently retained and maintained and retained in accordance with the manufacturer's recommendations.</p> <p>Comments by 11-06-18  Photo: See D&amp;A statement: <a href="http://bit.ly/2Ljtmq3">http://bit.ly/2Ljtmq3</a>  Documents: <a href="http://bit.ly/2LlucCG">http://bit.ly/2LlucCG</a></p>
<p>3.6</p>	<p>40-42 William IV Street  WC2N 4DD  18/03910/FULL  A3/A4/<i>Shaftesbury; Rolfe Judd (agent)</i></p>	<p>Dual/ Alternative use of the basement floor for continued Class A3 (restaurant) or A4 (drinking establishment) use.</p>	<p>The CGCA objects to A4 use, including as dual use, at this location. The applicant says there is long-standing use of A4, however, the unit has not had A4 permission for more than six years. The environment around the unit has changed and there now is a higher density of adjacent residential units. Local residents already must contend with The Chandos, at 29 St. Martin's Lane and the Harp at 47 Chandos Place, both of which are in A4 use and consistently have large, noisy and disruptive customers crowding outside the respective bars. Thus, the cumulative effect would further contribute to the noise and disturbance local residents contend with.</p> <p>The CGCA does not object to A3 use. To protect the amenity of local residents, any permitted use, including A4, must specify that meals must be served; drinks only should not be permitted.</p> <p>Comments by 14-06-18  Photo: See D&amp;A statement: <a href="http://bit.ly/2s2XBbM">http://bit.ly/2s2XBbM</a></p>

			Documents: <a href="http://bit.ly/2wYFQ3l">http://bit.ly/2wYFQ3l</a>
3.7	Basement & Ground Floor 26 Wellington Street WC2E 7DD 18/03132/FULL A1&A3 (Grays & Feather)/ <i>Bidwells (agent)</i>	Installation of louvred air vent panels into existing shopfront stall risers in connection with internal works to raise the ground floor and lowering of basement ceiling to accommodate associated duct work.	<p>Objection. The applicant has failed to supply adequate documentation regarding the noise and disturbance impact on neighbouring residents. A full acoustic report is required by Council policy, yet the applicant has submitted a vague “technical note.”</p> <p>The CGCA cannot provide comments, and the Council cannot make a decision, on this application until sufficient documentation has been provided.</p> <p>The CGCA also notes that this unit is surrounded by residential units, thus making the provision of an acceptable acoustic report all the more essential before any decision can be made.</p> <p>Comments by 18-06-18 Photo: See acoustic report: <a href="http://bit.ly/2x0dSEj">http://bit.ly/2x0dSEj</a> Documents: <a href="http://bit.ly/2IEYsec">http://bit.ly/2IEYsec</a> Note: Grade II-listed building</p>

#### 4. Tables and Chairs

CAMDEN APPLICATIONS			
4.1	Unit 1a 100-110 High Holborn WC1V 6QL 2018/2235/TC Caffe Nero	4 tables, 8 chairs and 2 barriers	<p>No objection</p> <p>Comments by 11-06-18</p> <p>No photo</p> <p>Documents: <a href="http://bit.ly/2rZxjYl">http://bit.ly/2rZxjYl</a></p> <p>Note: Renewal. No change in use or hours: M-SU 08:00-19:00.</p>
4.2	1A Earlham Street WC2H 9LL 2018/2346/TC Chick N Sours	3 tables and 6 chairs	<p>Objection. The pavement in front of 1A Earlham is narrow and intensively used. Indeed, the Council has recently noted the heavy footfall in Earlham Street, stating “the pavements on the street are heavily used by pedestrians but they are cluttered and in poor condition. The street acts as a key entrance point to the Seven Dials area” (see Earlham Street West public realm consultation).</p> <p>Although the street in front of 1A Earlham did not form part of the redeveloped shared surface, this makes the use of tables and chairs in the narrow, high-traffic public highway all the more inappropriate.</p> <p>Given the Council has recently invested in removing street clutter from this area “heavily used by pedestrians” it is inappropriate to permit street furniture, particularly given no tables and chairs are permitted elsewhere on this side of Earlham Street.</p> <p>Further, 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. (See Appendix 2 of Camden’s “Tables &amp; Chairs Guidance.”) Permission for hours beyond this not only violates Camden’s policy, but also is highly inappropriate in a residential area.</p> <p>Comments by 11-06-18</p>

			<p>No photo</p> <p>Documents: <a href="http://bit.ly/2x0WX4n">http://bit.ly/2x0WX4n</a></p> <p>Note: New application. Proposed hours: M-SU 12:00-22:00.</p>
<b>WESTMINSTER APPLICATIONS</b>			
4.3	<p>Ground Floor Drury House 34-43 Russell Street WC2B 5HA 18/03731/TCH</p> <p>By Chloe</p>	<p>Use of the public highway for the placing of 7 tables and 14 chairs.</p>	<p>Objection. Tables and chairs are not permitted in this part of the conservation because of the neighbourhood's quiet character, the density of residents, and the noise and disturbance that external seating and customers would cause. Permitting this application would set a dangerous precedent.</p> <p>Additionally, the amount of street furniture proposed is excessive. In particular, the proposed furniture near the lamp posts and street sign would result in an obstruction on the public highway. Further, the CGCA questions the measurements on the applicant's proposed seating layout. For example, the layout shows 1.58m from the furniture to the lamp post, yet elsewhere on the drawing a 2.3m width is shown, thus implying the distance from the lamp post to the kerb is 0.8m. This is unrealistic.</p> <p>Further, the proposed hours would result in significant harm to residential amenity. Residents surround this location and the number of customers seated (and, likely, standing as well) outside would result in noise and disturbance, particularly given the existing quiet conditions. Thus, in addition to the street furniture being inappropriate at this location, the proposed hours are out of keeping with the character of this area in the conservation area and would disturb local and long-time residents. The CGCA notes that permission for tables and chairs elsewhere, such as nearer to Great Queen Street, are not permitted beyond 21:00. We note that these other permissions are in a more commercial area, as well.</p> <p>Comments by 07-06-18</p> <p>Photo: <a href="http://bit.ly/2wYQLtR">http://bit.ly/2wYQLtR</a></p> <p>Documents: <a href="http://bit.ly/2GE2sFz">http://bit.ly/2GE2sFz</a></p> <p>Note: New application. Proposed hours: M-SA 10:00-23:00; SU 10:00-22:00.</p>
4.4	<p>28-32 St Martin's Court WC2N 4AL 18/03399/TCH</p> <p>J Sheekey/Caprice Holdings Ltd.; Jon Dingle Ltd. (agent)</p>	<p>Use of an area of public highway measuring 2.1m x 32.19m for the placing of 23 tables and 46 chairs, 9 barriers, 3 waiter stations, 15 moveable planters, 1 crustacean display and 2 bus trays and shelf racks and 2 portable heaters or 25 tables and 50 chairs, 9 barriers, 3 waiter stations, 15 moveable planters, 1 crustacean display and 2 bus trays and shelf racks.</p>	<p>The CGCA is concerned about the excessive amount of tables, chairs and other street furniture at this location. St. Martin's Court is a busy pedestrianised courtyard, with high footfall due, in part, to several adjacent West End theatres. The applicant has essentially commandeered half of the pavement with such an increase in street clutter (we note that the applicant historically had permission for 13 tables, 26 chairs, 10 planters, eight barriers and two barrels).</p> <p>We are also concerned about noise and disturbance, as sound echoes throughout the courtyard with a canyon-like effect. There are residents in the upper floors all along ST. Martin's Court.</p> <p>Any permission granted should include strict conditions that ensure residential amenity is protected from noise and disturbance and that require the applicant to adequately manage the tables and chairs at all times or else risk revocation of permission. Permission should also specify that the permission is specific to the applicant and not to</p>

			any subsequent applicants. Comments by 08-06-18 Photo: <a href="http://bit.ly/2IAR3ML">http://bit.ly/2IAR3ML</a> Documents: <a href="http://bit.ly/2ICDDMI">http://bit.ly/2ICDDMI</a> Note: New application. Proposed hours: M-SU 10:00-23:00. On 11-04-16 agenda.
--	--	--	---

**5. Other business**

**6. Next meetings & future presentations**

6.1 11 June

6.2 25 June

6.3 9 July

6.4 23 July