

Minutes

Covent Garden Community Association

Planning Sub-Committee meeting held on Monday, 11 May 2015
at 17:30 at Covent Garden Community Centre (Shelton Room), 42 Earlham Street WC2H 9LA

www.CoventGarden.org.uk



TheCGCA



@TheCGCA

1. Attendance

1.1 Apologies received: Gary Hayes; Richard Hills; Rhu Weir

1.2 Present: Elizabeth Bax, Jo Weir, Robert Bent, Shirley Gray, Selwyn Hardy, Kester Robinson, Christina Smith, Meredith Whitten

2. Presentation: ROH re: Deloitte Ignite Festival (5:30 p.m.)

3. Planning Applications & Appeals

	Address & Application No.	Proposal	Comments
CAMDEN APPLICATIONS			
3.1	60 Great Queen Street WC2B 5AZ 2015/2309/L Freemasons Hall/ <i>United Grand Lodge of England</i> ; <i>Tuffin Ferraby Taylor</i> (agent)	Internal alterations and refurbishment to form enhanced first floor toilet accommodation.	No objection Photo: https://goo.gl/kuaU7Q Documents: http://goo.gl/Fr6fXi Note: Listed building
3.2	22 Tower Street WC2H 9NS 2015/2429/P <i>C3/English Rose Estates (Tower St) Ltd.</i> ; <i>Leith Planning Ltd.</i> (agent)	S106BA application to modify or discharge affordable housing requirements of the Section 106 agreement signed November 2014 which consolidated application 2014/3425/P dated 26/11/2014. The proposed modification is to vary the planning agreement signed in November 2014 to provide an off-site contribution in the form of a payment in lieu. The payment in lieu would substitute the agreed contribution of 4 on-site affordable housing units.	The CGCA strongly objects to any reduction in the agreed-upon policy-compliant scheme. In the process of developing the proposals and gathering supporting documentation, the applicant had to consider the financial viability of the proposals, particularly in arriving at the proposed mix of units. The CGCA's comments regarding the original application were dependent on affordable units being provided on-site. Providing affordable housing units on-site is an important policy aim for the local authority and for the CGCA, as providing a mix of housing units for a diverse range of residents – and not simply wealthy residents – is critical to the vibrant and equitable community that has historically existed in Covent Garden. Photo: http://goo.gl/4kiaA3 Documents: http://goo.gl/viJ0M9 Note: Listed building
3.3	31 Neal Street WC2H 9PR 2015/1934/P <i>A3/Shaftesbury</i> ; <i>Rolfe Judd</i> (agent)	Change of use for the flexible use of the existing basement and ground floors at for either continued restaurant use (Class A3) or retail use (Class A1).	Objection. The CGCA objects to permission for dual use, and we have previously provided Camden with legal advice to support our position that dual use is unlawful. The supporting documents do not demonstrate that the Council would have permitted A1 at the same time as A3, as indicated in the application. In particular, the GPDO section cited in the supporting documents means that if, at the time A3 permission was

			<p>granted, the A3 use class would also have allowed A1, then planning permission for dual use is not needed. However, that is not the case here. The applicant has A3, but wants to add A1.</p> <p>Granting the applicant permission to potentially change use at some point in the future without the need to apply for planning permission or consult with neighbouring residents at that time effectively removes this premise from planning control. A1 and A3 use can vary significantly and, as such, the impacts on residential amenity can vary significantly as well. A3 use has a much wider impact than A1 and, in this case, A3 permission is via a CLEUD and has no restrictions on hours of use whatsoever.</p> <p>The CGCA questions how affected residents can raise their concerns and be consulted on such changes if there is no planning application on which to consult. Similarly, how can Camden enforce its policies or respond to a complaint when an applicant has such wide leeway in regards to the type of development permitted at any time?</p> <p>The applicant also refers to recently acquired permission for A3 through a certificate of lawfulness. The CGCA has queried how this permission was granted before the advertised deadline for public comments. Thus, this should not factor into the decision on this application.</p> <p>Finally, in neither this application nor the above-referenced application for a certificate of lawfulness does the applicant give any indication as to the type, size, number of covers or operation of a restaurant. Without sufficient information, the CGCA and affected residents cannot comment. Thus, the applicant should be required to provide more details before a decision is made. At the time a decision is made, hours of operation should be limited to 12.00-20.30 Monday to Saturday and 12.00-17.30 on Sundays to minimise potential for disturbance, as set out in 2015/1512/P.</p> <p>Photo: http://goo.gl/w40zuZ</p> <p>Documents: http://goo.gl/atQDg4</p> <p>Note: Listed building. Currently Food for Thought</p>
3.4	25 Macklin Street WC2B 5NN 2015/1898/L B1/ <i>Roundtable Films Ltd.</i>	Strip out of existing partitions and mineral fibre suspended ceilings, dumb waiter and main toilets to be replaced with new drywall partitions, new ceiling works, lighting modifications to electrics, minor modifications to windows to make them openable for ventilation, floor finishes, decorations to kitchenettes and upgrade	No objection. The CGCA welcomes the refurbishment and upkeep of this Grade II listed building. We do note that the applicant has not indicated how those in wheelchairs or in need of disabled access will access the WC at the ground level, given the step access to the entrance.

		of existing toilets affecting a Grade II Listed Building.	Photo: https://goo.gl/2oHLpt Documents: http://goo.gl/wRhfXe Note: Listed building
WESTMINSTER APPLICATIONS			
3.5	5-6 Henrietta Street WC2E 8PS 14/12662/FULL Henry's (A4) at basement & ground; B1 at upper floors/TCG Bars Ltd.; DHA Planning (agent)	Relocation of two air-conditioning units from rear elevation onto first floor flat roof area.	The CGCA is concerned about the time period during which acoustic readings were taken. This time period should have included some weekdays and weekday evenings, as this is often a quieter period and, thus, adjacent residents are more likely to be disturbed by noise from the air-conditioning units. Any permission granted should include the condition that the AC units are limited to operation between 10:00 and 21:00, as specified in the supporting documents. Additionally, any permission granted should require the applicant to have at least annual maintenance performed on all equipment, including ducting, to ensure it is running effectively and is not causing disturbance to nearby residents or exceeding 10 decibels below background. Photo: https://goo.gl/ST9YPd Documents: http://goo.gl/Fqa32S Note: Retrospective application. Listed building.
3.6	33 James Street WC2E 8PA 15/03103/FULL Public pay phones/Euronet Worldwide; Des Ager Design and Planning Consultant (agent)	Use of two BT Public Pay Phones as an ATM with associated alterations including relocation and replacement of the existing pay phone to the side of the phone booth and replacement of glazing with 2mm thick mirrored stainless steel panels.	The CGCA strongly objects to the inappropriate use of these phone boxes and we note that English Heritage has listed more than 2,000 telephone boxes. Proposals to use phone boxes in Covent Garden for other purposes, such as vending machines, have been denied repeatedly across Central London. Additionally, as the applicant states, the phone boxes are located in a pedestrianised area that experiences exceptionally high footfall, as James Street is consistently busy with local residents and tourists coming and going between Covent Garden station and the Piazza. The phone boxes also are in the middle of where crowds gather around street performers. Converting the phone boxes to ATMs would also cause additional congestion as a result of queues forming. The CGCA also is concerned about further crime activity in this area, where criminals such as pickpockets already operate frequently. The phone boxes are not sturdy, as an ATM in the side of a building is, and thus there is the potential for crime and vandalism of the units, particularly at night. We also point out recent news stories that ATMs are being targeted for crime, including blowing up the machines. Red phone boxes are listed structures and

			<p>turning them into a cash machine is not in keeping with their special architectural and historic interest or with the character and appearance of the conservation area. In addition to objecting to this particular proposal, we are also opposed to the precedent that any approval would set. While we recognise that these British landmarks no longer serve their original purpose, these proposals are not an appropriate use.</p> <p>Photo: https://goo.gl/wzjdg4</p> <p>Documents: http://goo.gl/DQsPJi</p>
3.7	<p>12-14 Long Acre WC2E 9LP 15/03096/FULL A1, B1 & C3/<i>Picton UK Real Estate Trust (Property) No.2 Ltd.; Turley (agent)</i></p>	<p>Use of the second, third, fourth and an extended fifth floor for residential purposes (C3) to provide 6 flats (4x2 bed, 2x3 bed). Installation of plant, acoustic screen and solar panels at main roof level and creation of external terraces at fourth floor level.</p>	<p>No objection</p> <p>Photo: https://goo.gl/Yp7Z3q</p> <p>Documents: http://goo.gl/xcbxFH</p> <p>Note: Listed building</p>

4. Tables and Chairs

CAMDEN APPLICATIONS			
4.1	<p>45-47 Endell Street WC2H 9AJ 2015/2421/TC Rock and Sole Plaice/<i>Mr Ali Ziyaeddin</i></p>	<p>7 picnic tables, 4 heaters and 3 umbrellas</p>	<p>The CGCA objects to the serving trolley, which the applicant has been asked to remove in the past, but has never done so. Because the picnic tables and benches extend to the edge of the pavement, pedestrians can only pass along the pavement between the picnic tables and the shop frontage. This space is already narrow, but the serving trolley and large trash bin create impediments to pedestrians' ability to safely pass. This is further exacerbated when staff is in the public highway while servicing customers seated at the tables. See attached photos.</p> <p>Photos: https://goo.gl/sZbwYC, https://goo.gl/EI5ZLK & https://goo.gl/MDXfmq</p> <p>Documents: http://goo.gl/dvCPRP</p> <p>Note: Renewal. No change in use or hours. M-SU 11:00-22:30. Jo Weir abstained from commenting.</p>
WESTMINSTER APPLICATIONS			
4.2	<p>351 Strand WC2R OHS 15/02894/FULL Wellington/<i>Mitchells & Butlers Leisure Retail Ltd.; Blake Morgan LLP (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.</p>	<p>The CGCA objects to the excessive number of tables and chairs at this high-traffic location with excessive footfall. As illustrated on the attached photos, the applicant is using a large menu board between two barriers on the Strand frontage. This is not shown on the proposed or existing layout and, thus, the applicant is not complying with current permission. By using this menu board, the applicant essentially has moved the eastern boundary of the tables and chairs further into the public highway. This creates a significant safety hazard, as a designated cycle highway that is heavily used is next to the tables and chairs. (The applicant has omitted the cycle highway on the proposed layout.)</p> <p>This leaves very little room, resulting in a dangerous assault course for pedestrians. 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. This is compounded nightly, when a wall of pedicabs</p>

			<p>forms at the bottom of Wellington Street, adjacent to the tables and chairs. Although the general standard for tables and chairs is to allow for 2m on the public highway, Westminster's policy regarding tables and chairs has built in flexibility and requires planners to consider the volume of footfall. The heavier the volume, the more space is required on the public highway. There are few locations in Covent Garden that have heavier footfall than this site at Strand and Wellington Street.</p> <p>Finally, the CGCA notes that the applicant also is using large A-boards without permission. These result in a further impediment on the public highway.</p> <p>See attached photos.</p> <p>Photos: https://goo.gl/tQu37J & https://goo.gl/pQuPOP</p> <p>Documents: http://goo.gl/cpu4LL</p> <p>Note: Renewal. No change in use or hours. M-SU 08:00-23:00.</p>
4.3	<p>35-36 Bow Street 15/02875/TCH Wildwood/Tasty PLC; Design Command (agent)</p>	<p>Use of the public highway for the placing of four tables and eight chairs in an area measuring 1.05m x 8.2m.</p>	<p>The CGCA objects to the proposed to the number of tables and chairs. We note that the applicant is not complying with current or proposed permission. In the supporting documents provided by the applicant, the tables and chairs are positioned at an angle, yet both the approved and proposed layout show the tables and chairs flush with the shop frontage. The layout is misleading, as the chairs are shown pushed under the table, however when a customer is seated, the chairs will inevitably be pushed further out. Given that the footpath is quite narrow and that this part of Bow Street near the Piazza has consistently high footfall, we believe two tables and four chairs are more appropriate, and these should be positioned flush with the shop frontage. See attached photo.</p> <p>Photos: https://goo.gl/SkvzJC & https://goo.gl/h2pHyE</p> <p>Documents: http://goo.gl/Kl4zY4</p> <p>Note: Renewal. No change in use. No proposed hours listed. Current hours: M-SU 11:00-23:00.</p>

5. Other business

6. Next meetings & future presentations

- 6.1 25 May 2015 – Because this next meeting falls on a Bank Holiday, the sub-committee voted to handle those applications with comment deadlines before the following meeting (8 June) via email. Thus, there will be no in-person meeting on the 25th.
- 6.2 8 June 2015