

Minutes

Covent Garden Community Association

Planning Sub-Committee meeting held on Monday, 8 January 2018
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, Amanda Rigby, Kester Robinson, Christina Smith, Brian Tienan, Meredith Whitten

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

1.3 **Comments received:** Gary Hayes, Rhu Weir

2. **Presentations:** Capco (6:30 p.m.); LabTech re: Selkirk House (7 p.m.)

3. Planning Applications & Appeals

	Address & Application No.	Proposal	Comments
CAMDEN APPLICATIONS			
3.1	Centre Point Tower, Centre Point Link and Centre Point House 101-103 New Oxford Street and 5-24 St Giles High Street WC1A 1DD 2017/6957/P <i>A1/Rhubarb Food Design Ltd.; Gerald Eve (agent)</i>	Extract ventilation details for Retail Unit 04 at Centre Point House to partially discharge condition 17 of planning permission 2017/0994/P dated 30/06/2017.	The CGCA is concerned that the cumulative impact of all plant and equipment at this location is not being considered, given the condition is being discharged in stages. Provided the officer is convinced the cumulative noise levels of the plant and equipment installed – including that in 2017/6980/P – will comply with Council standards and will not harm residential amenity, the CGCA has no objection. Comments by 10-01-18 No photo Documents: https://goo.gl/VUNeiW
3.2	Centre Point Tower, Centre Point Link and Centre Point House 101-103 New Oxford Street and 5-24 St Giles High Street WC1A 1DD 2017/6980/P <i>A1 & A3/Almacantar (Centre Point) Limited; Rolfe Judd (agent)</i>	Details of the landlord installed extract ventilation to partially discharge condition 17 of planning permission 2017/0994/P dated 30/06/2017.	The CGCA is concerned that the cumulative impact of all plant and equipment at this location is not being considered, given the condition is being discharged in stages. Provided the officer is convinced the cumulative noise levels of the plant and equipment installed – including that in 2017/6980/P – will comply with Council standards and will not harm residential amenity, the CGCA has no objection. Comments by 10-01-18 No photo Documents: https://goo.gl/7PM895 Note: Changes to configuration of plant equipment at roof level including design of attenuators; positioning of fans; changing of extract system & additional smoke extracts.
3.3	25 Shelton Street WC2H 9HW 2017/6997/P <i>A1/Rolfe Judd (agent)</i>	Replacement of existing shopfront and associated external works.	Whilst the CGCA has no objection, we encourage the applicant to revise the design to remove the recessed doorways. The existing recessed doorways are the site of frequent antisocial behaviour, including drug use. Removing the recessed doorways also adheres to spirit of DES1-

			<p>7.12, which says that recesses in shopfronts “will be strongly discouraged due to their potential for attracting anti-social behaviour.”</p> <p>Comments by 11-01-18</p> <p>Photo: https://goo.gl/8irDxQ</p> <p>Documents: https://goo.gl/n9JHnU</p>
3.4	<p>43-47 Shelton Street and 15-17 Endell Street WC2H 9HJ</p> <p>2017/6734/P</p> <p>A1/C3/Shafesbury; Rolfe Judd (agent)</p>	<p>Installation of replacement shopfronts.</p>	<p>The CGCA wants to ensure that the flattening off of the residential first-floor balcony (Shelton Street elevation; see drawing 303) will not harm this residential amenity space.</p> <p>Comments by 11-01-18</p> <p>Photo: https://goo.gl/zv8q87, https://goo.gl/mDkWDq & https://goo.gl/DL1zBu</p> <p>Documents: https://goo.gl/AEqs35</p>
3.5	<p>43-47 Shelton Street and 15-17 Endell Street WC2H 9HJ</p> <p>2017/6735/P</p> <p>A1/C3/Shafesbury; Rolfe Judd (agent)</p>	<p>Infilling of the existing rear courtyard and installation of a fixed roof-light.</p>	<p>The applicant does not refer to local residents who live adjacent to the site. Conditions should be included that limit the hours of use, noise and light spillage from the enlarged space.</p> <p>Comments by 11-01-18</p> <p>Photo: See 3.4.</p> <p>Documents: https://goo.gl/HXxQaA</p>
3.6	<p>6 Denmark Street WC2H 8LP</p> <p>2017/6912/L</p> <p>Sui Generis/Iceni Projects (agent)</p>	<p>Internal alterations including structural repair works, installation of services, and works of repairs and reinstatement of period features.</p>	<p>No objection, provided the works in no way impact upon the C19 outbuilding, originally a workshop, used in the mid-1970s by the then newly-formed Sex Pistols and that retains related graffiti. Historic England cites this building and graffiti as vital cultural heritage: “The graffiti of John Lydon in the outbuilding to the rear is a rare example of the cultural phenomenon of Punk Rock, captured in the physical fabric of a building; it is also a wider testament to Denmark Street's C20 history at the heart of British popular music production during one of its most creative and influential periods” (list entry number 1271976).</p> <p>Any cutting out of brickwork and old mortar must be done carefully by suitable hand held tools to minimise vibration and therefore no harm to the internal plaster/wall facings and art.</p> <p>Comments by 19-01-18</p> <p>Photo: https://goo.gl/3As3NK</p> <p>Documents: https://goo.gl/LNly8J</p> <p>Note: Grade II*-listed building</p>
3.7	<p>6 Denmark Street WC2H 8LP</p> <p>2017/6818/L</p> <p>Sui Generis/Iceni Projects (agent)</p>	<p>Works of repair to the rear wall.</p>	<p>No objection, provided the works in no way impact upon the C19 outbuilding, originally a workshop, used in the mid-1970s by the then newly-formed Sex Pistols and that retains related graffiti. Historic England cites this building and graffiti as vital cultural heritage: “The graffiti of John Lydon in the outbuilding to the rear is a rare example of the cultural phenomenon of Punk Rock, captured in the physical fabric of a building; it is also a wider testament to Denmark Street's C20 history at the heart of British popular music production during one</p>

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3.8	<p>7 Denmark Street WC2H 8LZ 2017/6913/L Sui Generis/<i>Iceni Projects</i> (agent)</p>	<p>Internal alterations including structural repair works, installation of services, and works of repairs and reinstatement of period features.</p>	<p>No objection</p> <p>Comments by 19-01-18</p> <p>Photo: https://goo.gl/3As3NK</p> <p>Documents: https://goo.gl/93beyQ</p> <p>Note: Grade II*-listed building</p>
3.9	<p>Basement, 234 Shaftesbury Avenue WC2H 8EG 2017/6711/P Sui Generis/<i>Harkalm; Square Feet Architects</i> (agent)</p>	<p>Change of use from minicab booking office (sui generis use class) to retail (A1 use class),</p>	<p>No objection</p> <p>Comments by 19-01-18</p> <p>Photo: See D&A Statement</p> <p>Documents: https://goo.gl/cg6EiE</p>
3.10	<p>43-49 Parker Street WC2B 5PS 2017/6934/P Parker Tower (C3)/<i>Parker Tower Ltd. Paul Straupmanis; Moxley Architects Ltd.</i> (agent)</p>	<p>Details of PV panels and bird & bat boxes as required by condition 2 of 2014/0176/P granted 18-12-2014 and amended under 2015/2988/P, 2015/7249/P & 2016/6606/P.</p>	<p>No objection</p> <p>Comments by 23-01-18</p> <p>Photo: https://goo.gl/RiVFyY</p> <p>Documents: https://goo.gl/xhe7LU</p>
3.11	<p>182-184 High Holborn WC1V 7AP 2017/6815/P A1, A3 & B1/<i>Covent Garden Investments; Gerald Eve</i> (agent)</p>	<p>Details pursuant to condition 9 (details of mechanical ventilation) of planning permission (2016/5141/P) granted on 22-03-2017.</p>	<p>Plant and mechanical equipment is a main source of noise and vibration in the borough (see CPG6 4.3). Equipment can disturb the amenity and quality of life of residents and workers through noise and vibration, odour, and visual impact of 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).</p> <p>To protect the amenity of nearby residents and neighbouring properties (CS5), 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) 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</p>

			<p>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 (CS5, CS7, DP12, DP26, DP28); 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 (CS5, DP12, 26 & 28).</p> <p>Comments by 23-01-18 Photo: https://goo.gl/RikSTm Documents: None available</p>
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WESTMINSTER APPLICATIONS

3.12	<p>Slingsby Place WC2E 9AB 17/11006/FULL Entrance/<i>Longmartin Properties Ltd.</i>; <i>Rolfe Judd (agent)</i></p>	<p>Alterations to Upper St Martin's Lane entrance to St Martin's Courtyard including installation of an illuminated brass entrance canopy with painting of the adjacent ground floor facade.</p>	<p>The CGCA objects to the proposed alterations to the Upper St. Martin's Lane entrance. These proposals fail to maintain or improve (preserve or enhance) the character and appearance of the 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>Further, the proposals are not sympathetic to the listed buildings and structures in the Covent Garden Conservation Area/Seven Dials Conservation Area. They would detract from the heritage value of the iconic view of the Seven Dials sundial monument, as viewed from Upper St. Martin's Lane and Monmouth Street.</p> <p>Comments by 15-01-18 Photo: See documents Documents: https://goo.gl/2b49ng</p>
3.13	<p>19 Slingsby Place WC2E 9AB 17/11001/FULL A1/<i>Longmartin Properties Ltd.</i>; <i>Rolfe Judd (agent)</i></p>	<p>Use of units 19 and 21 Slingsby Place as a Class A3 restaurant and erection of kitchen extract duct at rear.</p>	<p>When the development of St. Martin's Courtyard was approved the fact that the development had an appropriate balance between retail and restaurant uses was used as a justification. Since then one unit (Dalla Terra) has already changed from A1 to A3 use and the proposals in this application would result in an additional increase in A3 use. As a result, the north of the site would have five A3 units</p>

			<p>rather than the three originally permitted due to a balance with other uses.</p> <p>We also object on the basis that the additional A3 use will add to the servicing load on the Courtyard and, therefore, make it more likely that servicing for this, and for other units, will take place from the streets in the surrounding area. It will also add to the already significant amount of waste generated. These will have a significant impact on the amenity of the many residents in the surrounding area.</p> <p>If the Council is minded to grant this change of use to A3 then we believe that they should require the applicant to install the proposed glass-crushing facility to service all of the A3 uses in the development within a noise enclosure in the basement of the premises. If properly designed and managed, this will reduce the noise impact from glass collection, the number of trips required to collect glass and the problems caused to residents in Shelton Street from glass being put into bins.</p> <p>To ensure that the kitchen extract duct and equipment does not 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 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; and</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 & 15/05983/FULL, among others).</p> <p>Comments by 15-01-18 Photo: See documents Documents: https://goo.gl/EAYdWB</p>
3.14	Slingsby Place 17/10999/FULL <i>A3/Longmartin Properties Ltd.; Rolfe Judd (agent)</i>	Alterations to St Martin's Courtyard elevations including installation of a 1st-floor terrace/balcony along the northern (south-facing) elevation for use as additional restaurant seating in association with existing restaurant use at first floor,	The CGCA objects to the proposed large open-air terrace on the first floor. Given its location and size it would have a negative impact on residential amenity. As it is, the existing outdoor seating cumulatively causes noise and disturbance, which is exacerbated by the canyon-like effect or echoing that occurs in the courtyard. Any terrace or balcony should have the ability to be

		new cladding of 23 Slingsby Place and western elevation of 7-9 Mercer Street, new lighting and display of associated advertisements.	<p>completely enclosed, particularly after 9 p.m.</p> <p>Further, the increase in the entertainment use will add to the servicing load in the Courtyard and, therefore, make it more likely that servicing will take place from the streets in the surrounding area. It will also add to the already significant amount of waste generated, which will have a significant impact on the amenity of the many residents in the surrounding area. Any servicing must take place only within the permitted timeframe of 07:30-10:30.</p> <p>Whilst the CGCA is sympathetic to the applicant's desire to increase footfall for the commercial activities in the courtyard, the CGCA reminds the Council that St. Martin's Courtyard is also a residential area, with a number of residents living directly above, across and behind this proposed development.</p> <p>Comments by 15-01-18 Photo: See documents Documents: https://goo.gl/QfuZx1</p>
3.15	Slingsby Place 17/11004/FULL Entrance/Longmartin Properties Ltd.; Rolfe Judd (agent)	Alterations to the Long Acre entrance to St Martin's Courtyard including installation of an externally illuminated flower canopy.	<p>The CGCA is concerned about the impact of the illuminated canopy on adjacent residents. In particular, we are concerned about the maintenance and cleaning of the canopy, which will cause noise and disturbance. Given this, a condition should be included that specifies the servicing of the canopy must occur only during business hours. No servicing should occur in the evening or overnight, as currently happens with holiday decorations.</p> <p>As an example of precedent, the CGCA notes that the London Borough of Camden restricts installation of holiday lights and decorations in the residentially sensitive Seven Dials (which is near St. Martin's Courtyard) to daytime hours only. This is because of the noise and disturbance that occurs to residents when installation occurs at night.</p> <p>Additionally, the CGCA is concerned about the impact of light pollution on residents in St. Martin's Courtyard. A condition should be included in any permission granted that limits the hours of the lighting and requires the lights to be positioned so they do not shine directly or spill into residential windows, notably bedroom windows.</p> <p>Comments by 15-01-18 Photo: See documents Documents: https://goo.gl/LdXWF4</p>
3.16	Slingsby Place WC2E 9AB 17/11002/FULL Entrance/Longmartin Properties Ltd.; Rolfe Judd (agent)	Alterations to Mercer Street entrance to St Martins Courtyard including display of fascia signage, new bay window feature at first floor level, and lighting within undercroft of the Mercer	<p>No objection, provided the proposed lighting does not have an impact on the amenity of adjacent residents.</p> <p>Comments by 15-01-18 Photo: See documents Documents: https://goo.gl/SxoqT6</p>

		Street Entrance to St Martins Courtyard/Slingsby Place.	
3.17	67-68 Chandos Place WC2N 4HG 17/10785/FULL Nando's/Nando's; <i>Firstplan (agent)</i>	Alterations to shopfront. Linked to 17/10787/LBC and 17/10786/ADV.	<p>The proposed alterations to the shopfront are inappropriate for this Grade II-listed building in the Covent Garden Conservation Area. The raised bronze triangular panels, which are proposed to be LED backlit, coupled with the signage/ advertisements used in the windows amount to visual clutter and would result in harm to this listed building and the character of the conservation area (S25; S28; DES10; "Repairs & Alterations to Listed Buildings" SPG),</p> <p>Further, the CGCA objects to the use of internal illumination, as this method of illumination is inappropriate and unsympathetic in a conservation area, and conflicts with Westminster planning policy (see "Shopfronts, Blinds & Signs" SPG; "Advertisement Design Guidelines" SPG; and DES8). DES8-10.98 states that "Shop signs should be at fascia level and be externally illuminated. Internally illuminated box fascias and projecting signs are not normally appropriate in conservation areas."</p> <p>Additionally, national guidance, as set forth in the Department of Communities & Local Government's "Outdoor advertisements and signs: a guide for advertisers," clearly states that Class 4 (illuminated advertisements) "does not extend to any premises in a Conservation" (p. 17).</p> <p>Comments by 18-01-18 Photo: https://goo.gl/j2SQW6 Documents: https://goo.gl/fSoVd5 Note: Grade II-listed</p>
3.18	31-32 Bedford Street WC2E 9ED 17/10847/FULL Z Hotel/Z Hotels; <i>Planning Resolution Ltd. (agent)</i>	Installation of Smoke Outlet Panels and Pavement Lights. (Linked with 17/10848/LBC).	<p>No objection</p> <p>Comments by 19-01-18 Photo: https://goo.gl/2FpD96 Documents: https://goo.gl/VEz92J Note: Grade II-listed building</p>
3.19	Basement & Ground Floor 5 New Row WC2N 4LH 17/10736/FULL A1/SAY Architects (<i>agent</i>)	Alterations to front and rear facades and ground and basement levels including new mechanical services in connection with use as a Japanese Patisserie.	<p>No noise report was provided for the alterations proposed in Goodwin's Court, namely the replacement of the extract duct and fan.</p> <p>Additionally, the application refers to a D&A statement, however this was not provided on the Council's website.</p> <p>The CGCA is also concerned about external lighting's impact on residents, who live directly above and across from the building. A condition should be included with any permission granted that specifies the lights must be limited by hours of use and by brightness.</p> <p>Comments by 26-01-18 Photo: https://goo.gl/RyyURV Documents: https://goo.gl/th8jqA</p>

Note: Grade II-listed building

4. Tables and Chairs

CAMDEN APPLICATIONS			
4.1	38 Kingsway WC2B 6EX 2018/0009/TC Paul/Paul UK Ltd.; Monmouth Planning. (agent)	6 Tables, 12 Chairs and 5 Barriers	No objection Comments by 31-01-18 Photo: https://goo.gl/mDa1ec Documents: https://goo.gl/PszCPD Note: Renewal. Change in use (reduction of one barrier). Change in hours. Current hours: M-SU 09:00-20:00. Proposed hours: M-SU 09:00-22:00. On 09-01-17 agenda. CGCA had no objection.
WESTMINSTER APPLICATIONS			
4.2	35-36 Bow Street WC2E 7AU 17/10345/TCH Wildwood/Tasty PLC; Design Command (agent)	Use of the public highway for the placing of four tables and eight chairs in an area measuring 1.05m x 8.2m.	Whilst the CGCA has no objection to the use of tables and chairs at this location, we note that the applicant is not complying with current or proposed permission. In the photo provided by the applicant, the tables and chairs are shown configured at an angle, which is how the applicant typically has the furniture placed. Yet, the proposed and currently permitted layout shows the furniture flush with the shopfront. The CGCA objects to the placement of the furniture at an angle, as this causes the furniture to protrude into the public highway and obstruct pedestrian flow. Additionally, the applicant's layout does not show a pole that is directly in front of the shopfront, although the pole is visible in the applicant's photo. Because the applicant has not complied with the permitted layout for several years, any renewed permission should include a condition that specifies that failure to comply with permission will result in permission being revoked. Comments by 19-01-18 Photo: https://goo.gl/fNxCuq Documents: https://goo.gl/aWszQd Note: Renewal. No change in hours: M-SU 11:00-23:00. On 11-05-15 agenda.
4.3	20 Bow Street WC2E 7AW 17/11181/TCH Zizzi/Zizzi; Bidwells LLP (agent)	Use of an area of public highway measuring 1.86m x 22.9m for the placing of 18 tables, 36 chairs and barriers on the Broad Court frontage.	The CGCA continues to object to the brightly coloured tables and chairs that the applicant is placing on the public highway, and we note that these do not match the furniture that the applicant is proposing in this application or in the previous permission (16/08920/FULL). Instead, the permitted and proposed tables and chairs are black and aluminium. In conditions included in previous permission, the Council clearly states that only the specific street furniture approved can be placed on the public highway, which ensures that "the type and appearance of the tables and chairs (and where appropriate other furniture or equipment) is suitable." The applicant should cease using the brightly coloured tables and chairs and replace them with the furniture that is permitted and proposed. The colourful street furniture the applicant is using without permission is inappropriate in the conservation area and so close to a row of listed red phone boxes, the listed Royal Opera House and the iconic ballerina statue. Additionally, the CGCA continues to object to the proposed number of tables and chairs, which are too numerous given Broad Court (on which the tables and chairs are placed) is a quiet, heavily residential area, as is nearby Martlett Court, Crown Court and Drury Lane. Residents and guests of the nearby Fielding Hotel have complained about noise

			<p>nuisance and the obstruction to access on the public highway resulting from these tables and chairs. The width of the space taken up by the tables and chairs renders a large portion of Broad Court unusable for pedestrians. This site across from the Royal Opera House is meant to be a public space for local residents, workers and visitors to enjoy.</p> <p>Finally, the CGCA notes that no proposed hours are listed. These should remain the same, M-SU11:00-23:00.</p> <p>Comments by 30-01-18</p> <p>Photo: https://goo.gl/QdwNW9</p> <p>Documents: https://goo.gl/Z6PbMh</p> <p>Note: Renewal. Change in use: previously no barriers (although used in practice). No hours listed. Existing hours: M-SU 11:00-23:00. On 10-10-16 agenda. CGCA objected to brightly coloured T&CH, which don't match existing or proposed. Also objected to number of T&CH & hours.</p>
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5. Other business

6. Next meetings & future presentations

- 6.1 22 January
- 6.2 12 February
- 6.3 26 February
- 6.4 12 March
- 6.5 26 March