Minutes

Covent Garden Community Association

Planning Sub-Committee meeting held on Monday, 8 May 2017 at 6:30 p.m. at the Hospital Club, 24 Endell Street WC2H 9HQ



1. **Attendance**

- 1.1 Present: Elizabeth Bax (chair); Shirley Gray, Selwyn Hardy, Gary Hayes, David Kaner, Kester Robinson, Amanda Rigby, Christina Smith, Brian Tienan, Jo Weir, Meredith Whitten
- Apologies received: David Bieda, Jane French 1.2
- Comments received: Rhu Weir 1.3
- 2. Presentations/Discussions: Neil McDonald (South Area manager), Camden Council (6:30 p.m.)
- 3. **Planning Applications & Appeals**

	Address & Application No.	Proposal	Comments
CAMI	DEN APPLICATIONS		
3.1	21-31 New Oxford Street WC1A 1BA 2017/1106/P B1/Gerald Eve (agent)	Details pursuant to Condition 3, parts (a), (d), (e), (g) and (h) (materials and external lighting) of planning permission reference 2014/5946/P (30/03/2015) for Remodelling, refurbishment and extension of existing former postal sorting office (Sui-generis use), including formation of a new public roof terrace, private terraces, wintergardens, roof top plant and new entrances in connection with the change of use of the building to offices (Class B1), retail/restaurant/doctors' surgery uses (Classes A1/A3/D1) and 21 affordable housing units (Class C3), along with associated highway, landscaping, and public realm improvement works.	No comment Comments by 10-05-17 No photo Documents: https://goo.gl/cfv8qF
3.2	12 Earlham Street WC2H 9LN 2017/1816/P C3/Johanna Molineus Architects (agent)	Variation of condition 3 (approved plans) of planning application 2016/5744/P (10/01/2017) for replacement of ground floor shopfront and fascia, infill of rear courtyard with timber roof and glass panels and replacement of all windows; changes to include alterations to the shopfront and forward projection of the front elevation, to residential property (Class C3).	No objection Comments by 16-05-17 Photo: https://goo.gl/cVrcYT Documents: https://goo.gl/aU1boH Note: On 14-11-16 agenda. CGCA had no objection.
3.3	Enterprise House 190 High Holborn WC1V 7BH 2017/2102/A B1 & D1/Pearson Education Limited; Turley (agent)	Display of an internally illuminated wrap-around fascia sign to the existing canopy [retrospective], an internally illumination round logo sign to front elevation between 1st & 2nd floors, and a non-	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 Camden planning policy (see CGP1, 8.11-8.15; & DP25). Additionally, national guidance, as set

		illuminated wrap-around to existing planters above the canopy at 1st-floor level.	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). Further, Camden's Seven Dials (Covent Garden) Conservation Area Statement states that "signage should be non-illuminated or externally illuminated" (see SD19, p. 28-29). The CGCA also objects to the proposed colour scheme, which is out of keeping with the character of the conservation area. Although these proposals fall outside the conservation area, the development would be visible from within the conservation area and, thus, would have a negative impact on the Seven Dials (Covent Garden) Conservation Area, which goes against Camden's planning policy. DP25.9 specifies that "The Council will therefore not permit development in locations outside conservation areas that it considers would cause harm to the character, appearance or setting of such an area." 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
3.4	Central St Giles Piazza St Giles High Street WC2H 8AG 2017/1938/P Sui Generis (public space) /Legal & General; Gerald Eve (agent)	Temporary erection of a structure incorporating LED screen (for advertising purposes) between 19th June 2017 and 15th August 2017 within Central St Giles Piazza.	development must contribute positively to this. Comments by 16-05-17 Photo: https://goo.gl/Vim8al Documents: https://goo.gl/hlZ6Xf The CGCA objects due to the impact on residential amenity and on local businesses. As the photos in the applicant's supporting documents illustrate, the oversized LED screen is placed directly under residential terraces and windows, resulting in overlooking and a loss of privacy, as well as severe disturbance from noise, particularly during the proposed time period, when residents are more likely to have their windows open in the warmer months. There are numerous local businesses, such as pubs, where residents and visitors can watch sport and news. The Council should be supporting these local businesses, not taking business away from them. Comments by 17-05-17 Photo: See documents
			Documents: https://goo.gl/JECWtx

3.5	65 Kingsway WC2B 6TD 2017/2090/L A1/Soho Coffee Co.; SF Planning Limited (agent)	External and internal alterations to include new signage, shop fit out, addition of partition to create toilet facilities, washing facilities.	No objection Comments by 17-05-17 Photo: https://goo.gl/akkrbe Documents: https://goo.gl/okWVtH
3.6	118-122 Charing Cross Road WC2H 0JR 2017/2130/P N/A/Vodafone Limited; Mono Consultants Ltd. (agent)	Installation of one radio equipment cabinet on roof.	No objection Comments by 17-05-17 Photo: See documents Documents: https://goo.gl/G1H7Bv
3.7	Unit 4 Centre Point Link 101- 103 New Oxford Street WC1A 1DD 2017/2402/L A3/Rhubarb Food Design Ltd.; Gerald Eve (agent)	Internal alterations and installation of fixtures, fittings and signage associated with fit out to Unit 4 (Class A3) at ground and first floor levels.	No objection Comments by 18-05-17 Photo: See documents Documents: https://goo.gl/eaW9aY Note: Grade II listed building
3.8	60-70 Shorts Gardens & 14- 16 Betterton Street WC2H 2017/2204/P Mixed/Shorts Gardens LLP; Lichfields (agent)	The refurbishment, extension and alteration of 60-70 Short Gardens and 14-16 Betterton Street to provide a two-storey roof extension to both properties and introduce new mezzanine areas and bring the vacant basement back into use in Shorts Gardens, to provide a mix of B1/A1/A3/D1/D2/C3 uses, with associated refuse provision, cycle storage and plant and a substation on the ground floor of Shorts Gardens.	The CGCA objects to the proposed increase in height beyond that permitted, as it is inappropriate in the conservation area. Both Betterton Street and Shorts Gardens are narrow streets and, as proposed, the increased height would contribute to a closed-in feeling that alter the character of the area. Ultimately, these proposals fail to preserve or enhance the historic nature and unique character of the Seven Dials (Covent Garden) Conservation Area (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. 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. The CGCA also is concerned about the vague proposals related to the entertainment uses. Use classes such as A1, A3, D1 and D2 can have a negative impact on residential amenity due to noise and disturbance in particular. The proposals do not include sufficient detail for the CGCA, local residents or officers to ascertain what the potential impact on residents and the conservation area overall would be. Given this, any permission granted must be contingent on further details being provided (and consulted on). Further, no more than 25 percent of the total number of units in the frontage should be in food, drink and entertainment uses; no more than two food, drink and entertainment uses should be permitted consecutively; and food, drink and

entertainment uses greater than 100sq m. of the total square footage should be permitted to be for A3 use (see CPG5). This is necessary to protect residential amenity and ensure the area is not oversaturated with A3 use. CPG5, para. 4.45 states that the Council "will avoid clusters of food, drink and entertainment uses that cause harm to the amenity of the area and to the residential population."

Regarding servicing and deliveries, the CGCA notes that the loading bay will revert to a resident bay after designated times (outside of 08:30-18:30. The CGCA has reminded Camden of an active application, submitted by the adjacent Hospital Club (24 Endell Street WC2H 9HQ) for variation of their service road. The Hospital Club's application would have an impact on the proposals in this application.

To protect residential amenity (see CS5), any permission granted must include conditions must be included that require the applicant to comply with the servicing guidelines specified in CPG7 4.9.

Further, as noted in DP20, servicing and delivery timings can have a significant influence on residential amenity from deliveries made out of working hours. To protect residential amenity, a condition that limits the hours of servicing and deliveries to no earlier than 08:00 and no later than 20:00 must be included. No servicing or deliveries should be permitted outside of these hours. These hours differ from those in the applicant's supporting documents, which are 07:00 to 19:00. A start time of 07:00 is too early for a residential area and does not comply with Camden's Noise From Deliveries" online guidance.

To minimise impact from odours, fumes and pollution (DP26), a condition must be included that requires the use of quiet and low-pollution vehicles such as electric vehicles (DP20.17) and that all carts used must have rubber wheels to further minimise noise and disturbance.

To protect the amenity of nearby residents (CS5) and to ensure that the plant and machinery do not cause undue noise and disturbance, any permission granted must include conditions that:

- (1) restrict the amount of noise (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 throughout the life

			of the development (DP28.3);
			(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;
			(4) limit the hours of use of plant for anything other than Class C3 to business hours of the premises, to reduce the impact of noise and vibration on residential amenity during evening, late-night and weekend hours (DP28.3); and
			(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. (Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and DP26 and DP28.) (For precedent, see 2015/5148/P, condition 4, & 2014/6130/P, condition 3.) Comments by 18-05-17 Photo: https://goo.gl/B1p8nR & see documents Documents: https://goo.gl/DflJeg Note: Applicant presented at 27-03-17
3.9	15 Stukeley Street WC2B 5LT 2017/1885/P B1/GMS Estates Ltd.; Emrys Architects (agent)	Alterations to the Stukeley Street facade including replacement glazed frontage to office entrance, new windows and doors to bicycle storage/refuse storage and fire escape and painting of ground-floor plinth.	meeting. No objection Comments by 24-05-17 Photo: https://goo.gl/wPpoUB Documents: https://goo.gl/xP5GNx
WEST	TMINSTER APPLICATIONS		
3.10	14 James Street WC2E 8BU 17/03060/FULL A1/B1/Capco; Gerald Eve (agent)	Installation of a green living wall to the north and west facades above ground floor level and associated external alterations, including lighting.	The CGCA welcomes the opportunity to provide much-needed urban greening in Covent Garden. However, a condition or formative should be included that specifies that the Performance Specification and Maintenance Agreement (see D&A Statement, p. 28) must be in place before works can begin and the maintenance contract must include maintenance performance criteria that ensures 95% of plants will be alive at all times (see D&A Statement, p. 30). Additionally, a condition should be included to require the flood lighting to be turned off by
		Covent Garden Community Association, Plann	23:00. The CGCA brought this up to the applicant, who was receptive to this, as it will protect residential amenity and fits with other lighting schemes around the Covent Garden

			at a distribute O 21 to 1911
			piazza that the Council has permitted.
			Comments by 15-05-17
			Photo: https://goo.gl/Bc3LF5
			Documents: https://goo.gl/wxDaNW
			Note: Applicant presented at 24-04-17 meeting.
3.11	14 James Street WC2E 8BU	Replacement of the existing office	No objection
	17/03074/FULL	entrance at ground floor and associated works.	Comments by 23-05-17
	B1/Capco; Gerald Eve		Photo: https://goo.gl/Bc3LF5
	(agent)		Documents: https://goo.gl/iNvj2j
3.12	•	Demolition of existing fifth floor mansard and construction of new mansard roof; installation of air conditioning units in rear yard at rear ground floor level; replacement windows and entrance screens and doors to create new ground floor entrance; all in connection with continued office use (B1).	
			equipment shall thereafter be permanently retained and maintained and retained in accordance with the manufacturer's
			recommendations. (\$32; ENV6; ENV7).
			The CGCA has no objection to the replacement mansard, provided the officer is
		I Covent Garden Community Association, Plann	

			satisfied that the rear elevation of the new mansard will not have an impact on adjacent residents
			Comments by 23-05-17
			Photo: https://goo.gl/lb9B3s
			Documents: https://goo.gl/7SsdmY
3.13	10-11 Great Newport Street WC2H 7JA 17/03109/FULL PFChangs (A3)/Zebra Projects (agent)	Use of ground and basement as a restaurant (Class A3) and associated alterations including new shopfront and mechanical plant at main roof level.	The CGCA objects to the expansion of the mechanical plant's footprint and the intensification of the use of plant at this site adjacent to residents. The Council has already permitted all of the plant that the applicant said was necessary for A3 operation. Further, the applicant assured local residents that the currently permitted plant was all that was needed. Further, the applicant's acoustic report says
			that the plant will run 24 hours a day, which
			would greatly affect residential amenity. The CGCA also 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."
			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 Area" (p. 17).
			Comments by 18-05-17
			Photo: https://goo.gl/6X9SCZ
			Documents: https://goo.gl/p0Ljr8
3.14	40-42 William Iv Street WC2N 4DD 17/03241/FULL A3/Harnbury Holdings; Carroll Design (agent)	Installation of a new shopfront including two gas torch at front entrance.	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."
			Additionally, national guidance, as set forth in the Department of Communities & Local Government's "Outdoor advertisements and
			signs: a guide for advertisers," clearly states
		Covent Garden Community Association, Plann	ung Committee

that Class 4 (illuminated advertisements) "does not extend to any premises in a Conservation Area" (p. 17).
The CGCA also objects to the two gas- powered flame torches t the columns, which are inappropriate and out of keeping with the character of the conservation area. They amount to visual clutter on the front of this building.
Comments by 31-05-17
Photo: https://goo.gl/GBpxBW
Documents: https://goo.gl/4HxTW5

4. Tables and Chairs

CA	CAMDEN APPLICATIONS				
4.1	2 Neal's Yard WC2H 9DP 2017/2235/TC Saladpride	1 tables and 8 chairs	The proposed large picnic table obstructs pedestrian flow, as it routinely is positioned so as to leave less than 1.8m. Indeed, the applicant's measurement of 1.95m clearance is unrealistic once customers are seated.		
	Calaaphac		The CGCA also objects to the proposed hours. The currently permitted hours were established to protect residential amenity. Given the oversaturation of tables and chairs used in Neal's Yard, staggered closing times ensure that customers do not all exit at once and is essential to maintaining a liveable environment for the many Neal's Yard residents. The fact that there have been few complaints does not justify extending the hours, but rather supports the idea that the existing hours are appropriate.		
			The CGCA reminds the Council that Neal's Yard is a highly residential area, thus, Camden's policy requires that residents as well as visitors have adequate space to pass. This problem becomes particularly acute in warmer months and during peak times. This causes great disturbance to local residents, who must deal with excessive noise from customers as well as the extra rubbish they generate. The cumulative impact of the excessive number of tables and chairs in Neal's Yard, and the subsequent negative impact on residential amenity, must be considered.		
			Comments by 18-05-17		
			Photo: https://goo.gl/uPXdMq		
			Documents: https://goo.gl/iQjQxE Note: Renewal. No change in use. Change in hours. Current hours M-SU 09:00-21:00. Proposed hours: 10:00-21:00.		
			2016/1459/TC on 11-04-16 agenda for 4T & 8CH. CGCA's objection:		
4.2	34 Great Queen Street WC2B 5AA 2017/2230/TC The Black Penny	4 tables, 8 chairs and 2 heaters	The CGCA objects to the number of tables and chairs, given the depth of the pavement, the positioning of the tables and chairs, and the high pedestrian volume at this site, which is the primary route between Holborn station and Covent Garden. As stated in CPG5.14, tables and chairs create problems for pedestrians because of obstruction of the public highway, particularly when chairs are positioned to back into the pavement and then pushed into the flow of pedestrian traffic. Once seated, customers push the chairs further into the pavement, leaving less than the required minimum clear width of 1.8 metres and creating an impediment for pedestrians and those in wheelchairs and pushing prams. The CGCA also objects to the proposed starting time for tables and chairs. This area has many		

			residents, with more being added with consented office-to-residential
			applications. The start time for tables and chairs use should be limited to Camden's framework hours, which begin at 09:00.
			Comments by 18-05-17
			Photo: https://goo.gl/62Hlbr
			Documents: https://goo.gl/WSNkXG
			Note: Renewal. No change in use or hours (M-F 08:00-18:00; SA-SU 09:00-17:00). 2016/2757/TC on 23-05-16 agenda.
4.3	236 Shaftesbury Avenue WC2H 8EG 2017/2421/TC Bloomsbury Tavern / Shepherd Neame Ltd.	4 tables, 16 chairs, 2 umbrellas and 7 barriers	The current/proposed hours do not comply with Camden's tables and chairs guidance, which specify that hours will not be allowed past 9 p.m., unless the site is located in a predominantly commercial street, which Shaftesbury Avenue is not. Permitting the applicant to have hours beyond this enables other premises and applicants in the area to use this public house's hours as a precedent when applying for their own tables and chairs hours.
			Comments by 26-05-17
			Photo: https://goo.gl/Cb8nwU
			Documents: https://goo.gl/eLZ2NT
			Note: Renewal. No change in use. Change in hours: M-SA 11:00-23:00; SU 12:00-20:00 (previously no Sunday hours). 2016/2732/TC on 23-05-16 agenda.
WE	STMINSTER APPLIC	CATIONS	
4.4	Basement Part & Ground Floor Imperial House 15-19 Kingsway WC2B 6UN 17/03005/TCH Wasabi/Wasabi Co. Ltd.; Iceni Projects (agent)	Use of an area of the public highway, measuring 1.43m x 4.87m, for the placing of 4 tables and 12 chairs.	Whilst the CGCA does not object to tables and chairs at this location, we do object to the proposed number of chairs. As proposed, each table has four chairs, which means multiple chairs will be positioned to back into the pedestrian flow at this high-pedestrian-traffic location along Kingsway. Other establishments along this section of Kingsway only have permission for two chairs per table, which are positioned flush with the shopfront (for example, see Pret a Manger next door). As the attached photo shows, the applicant is in practice using fewer tables and chairs than permitted (and proposed), indicating that the proposed amount of street furniture is not realistic for this location, given the heightened flow of pedestrians. Reducing the number of tables and chairs would have a positive impact on safety grounds. Thus, the CGCA recommends that permission be granted for four tables and eight chairs. The CGCA objects to any more chairs than this. Comments by 19-05-17 Photo: https://goo.gl/y6sig3 Documents: https://goo.gl/y6sig3 Documents: https://goo.gl/y6sig3 Documents: https://goo.gl/y1y6sig3 Documents: https://goo
4.5	396 Strand WC2R 0LT 17/03486/FULL The Diner/Good Life (The Strand) Limited; Keystone Law Ltd. (agent)	Use of an area of the public highway in area measuring 1.71m x 1.85m for the placing of 2 tables and 4 chairs.	Objection. The proposed tables and chairs are located in a high-traffic area where footways are very crowded, particularly given the presence of the Vaudeville Theatre. As such, the presence of tables and chairs is inappropriate for this location and create an obstruction on the pubic highway that would limit pedestrian flow. See "Westminster Way public realm strategy" SPG; also see "Guidelines for the placing of tables and chairs on the highway" SPG. Comments by 24-05-17 Photo: https://goo.gl/0yFrRU Documents: https://goo.gl/XdVyqH Note: New application. Proposed hours: M-SU 07:00-23:00.

4.6	26-27 St Martin's Court WC2N 4AL
	17/03464/TCH
	Round Table/TLT LLP (agent)

Use of an area of public highway for the placing of six tables and 20 chairs in an area measuring 2.3m x 6.4m. Objection. The applicant should not be permitted to expand the number of tables and chairs, as doing so requires the applicant to position the additional street furniture too far into St. Martin's Court.

Until the previous permission, the Council had consistently refused permission for the expansion of tables and chairs at this location. For example, in 13/01468/TCH Westminster's reason for refusal was because the tables and chairs would block the flow of pedestrians along the footpath and make it unsafe, as well as make it difficult to clean the footpath.

St. Martin's Court is used by residents and visitors, particularly those visiting Wyndham's Theatre, to go between Charing Cross Road and St. Martin's Lane. Also, there are a large number of residential units (Charing Cross Mansions) above and all alongside this side of St. Martin's Court. Expanding the number of permitted tables and chairs would cause further noise and disturbance to their amenity. Wyndham's Theatre has several doors that open into St. Martin's Court, directly in front of the proposed location for tables and chairs, as well.

Additionally, the CGCA has observed that customers move the tables and chairs beyond the permitted area on the public highway, causing this passageway to appear unruly. This is exacerbated by vertical drinkers. In the latest permission, Westminster included an informative to remind applicant to keep furniture within permitted areas and configuration due to noncompliance. Also in the previous permission, the officer noted that "a number of aspects are undesirable." Given this, permission for such a large number of tables and chairs should not be continued. The applicant should be permitted the previously permitted four tables and 16 chairs.

The CGCA also objects to the proposed hours, as 23:00 is too late given the residential character of this pedestrianised court. Permitting these late hours has a negative impact on residential amenity due to noise and disturbance from customers and from staff breaking down the street furniture late at night.

Comments by 26-05-17
Photo: https://goo.gl/vRQhQA
Documents: https://goo.gl/RLD8TE

Note: Renewal. No change in use or hours: M-SU 11:00-23:00. (2015

permission was for 4T & 16CH.) On 23-05-16 agenda.

5. Other business

Neil McDonald, head of Camden's South Area Planning Team and Planning Solutions Manager, offered suggestions regarding what to include in comments on planning applications. He said to concentrate on material planning issues and to describe how the proposed development will affect local residents or the conservation area. He said our comments do not need to be overly long, as long as they cover the relevant planning issues. We need not always repeat their policy details (but conceded there was no reason why we shouldn't if we got some satisfaction for showing the reasoning behind our decisions).

When planning proposals are vague or broad, it is better for us to specify what we don't want to see, e.g. no more than X percent of A3 should be permitted. We should mention how severe the effect of the proposals will be.

Although planning officers are divided by area, there is one borough-wide enforcement team.

Conservation area advisory committees (CAACs) meet annually. A discussion about whether it was appropriate for CGCA to attend these followed.

He mentioned "clustering" - which is "a combination of lots of the same uses" and how Camden has policies to prevent this. He said service management plans could be written into the consent.

6. Next meetings & future presentations

- 6.1 22 May 2017
- 6.2 12 June 2017
- 6.3 26 June 2017
- 6.4 10 July 2017
- 6.5 24 July 2017