

Minutes

Covent Garden Community Association

Planning Sub-Committee meeting held on Monday, 10 July 2017
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); Selwyn Hardy; Shirley Gray; Brian Tiernan

1.2 **Apologies received:** David Bieda, Jane French, Gary Hayes; Richard Hills; David Kaner; Jo Weir; Rhu Weir; Meredith Whitten

1.3 **Comments received:** Gary Hayes; David Kaner; Rhu Weir; Meredith Whitten

2. Presentations: None

3. Planning Applications & Appeals

	Address & Application No.	Proposal	Comments
CAMDEN APPLICATIONS			
3.1	8-10 Stukeley Street WC2B 5LQ 2017/3390/P <i>B1/Benprop Drury Limited; Krause Architects (agent)</i>	Detailed design and construction method statements required by condition 12 (construction method statement Crossrail) of planning permission 2015/7028/P (31/01/2017).	No comment Comments by 14-07-17 No photo Documents: https://goo.gl/RzqiK7
3.2	o/s 96 Charing Cross Road WC2H 0JG 2017/3153/P <i>Public highway/British Telecom PLC; Primesight Limited (agent)</i>	Erection of freestanding BT panel providing phone and Wi-Fi facilities with 2 x internally illuminated digital advertisements.	The CGCA objects to the use of internal illumination with the freestanding panel, 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 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). Comments by 19-07-17 Photo: https://goo.gl/eccAed (applicant rendering) Documents: https://goo.gl/1mQKWG
3.3	o/s Victory House 30-34 Kingsway WC2B 6EX 2017/3160/P <i>Public highway/British Telecom PLC; Primesight Limited (agent)</i>	Erection of freestanding BT panel providing phone and Wi-Fi facilities with 2 x internally illuminated digital advertisements.	The CGCA objects to the use of internal illumination with the freestanding panel, 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 forth in the Department of Communities & Local Government's "Outdoor advertisements and signs: a guide for advertisers," clearly states

			<p>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).</p> <p>Comments by 20-07-17</p> <p>Photo: https://goo.gl/9yUDmq (applicant rendering)</p> <p>Documents: https://goo.gl/srFoC6</p>
3.4	<p>41 Earlham Street WC2H 9LX</p> <p>2017/3473/P & 2017/3654/L</p> <p>A3 (Bone Daddies)/<i>Bone Daddies; Firstplan (agent)</i></p>	<p>Alterations to shopfront.</p>	<p>No objection, provided there is no internal illumination in any signage, as this method of illumination is inappropriate and unsympathetic in a conservation area, including on a Grade II listed building such as this one, and conflicts with Camden planning policy (see CGP1, 8.11-8.15; & DP25).</p> <p>Additionally, any permission granted should include a condition that ensures the door and windows are kept closed rather than left open if music is being played, and that no noise emanates to disturb people in the area.</p> <p>Currently doors are kept open during opening hours and music is played within the entrance area, which is audible on the street and causes a nuisance.</p> <p>Comments by 20-07-17</p> <p>Photo: https://goo.gl/dF9gHe (applicant photos)</p> <p>Documents: https://goo.gl/oHT3xF</p> <p>Note: Grade II listed building</p>
3.5	<p>193-197 High Holborn WC1V 7BD</p> <p>2017/3317/L</p> <p>B1/<i>Stewart Watson (agent)</i></p>	<p>Front elevation stone cleaning and repairs.</p>	<p>No objection</p> <p>Comments by 20-07-17</p> <p>Photo: https://goo.gl/qv5eDz (D&A)</p> <p>Documents: https://goo.gl/gRTCfj</p> <p>Note: Grade II listed building</p>
3.6	<p>43 Monmouth Street WC2H 9EW</p> <p>2017/3312/P & 2017/3607/L</p> <p>The Crown/<i>CTIL and Telefonica Ltd.; Daly International (agent)</i></p>	<p>Installation of 2 antennas mounted on support poles; installation of 3 equipment cabinets on new steel grillage base, installation of 1 meter pillar; plus ancillary apparatus.</p>	<p>Objection. Proposals to install two antennas, three equipment cabinets, a pillar and associated equipment on the roof of this Grade II, high-profile building in the heart of the Seven Dials Conservation Area are wholly inappropriate.</p> <p>These proposals fail to preserve or enhance the historic nature and unique character of the conservation area (CS5, CS9, CS14) and are particularly out of character at the proposed location on the Dials itself, due to the visual impact on the conservation area. 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.”</p> <p>Additionally, the proposed development would</p>

			<p>result in harm to the special interest of the listed building (DP25). In addition to Council policies (see CS5, CS9, CS14, DP25, CPG1), the Council has a statutory obligation to preserve or enhance the borough's listed buildings.</p> <p>The CGCA notes that the Council has recently refused other harmful proposals to this building (see 2016/6241/L) because of the harm to the special interest of the listed building.</p> <p>In the Heritage Statement, the applicant cites NPPF para 131 as justification for permitting this development. However, the CGCA argues that the proposed development fails to satisfy any of the criteria under this paragraph of the NPPF and, thus, should be refused.</p> <p>Indeed, the Crown is currently viable without this additional development. The proposed development is not consistent with the building's conservation or that of the wider area. The proposed development would detract from the positive contribution made by The Crown and this development would make a negative contribution to local character and distinctiveness.</p> <p>Citing "lack of interest of local landlords in accommodating a base-station on their property" (Heritage Statement, p. 4) is not sufficient justification for causing harm to this listed building and the wider conservation area. The applicant should withdraw its proposals and find an alternative location that is more sensitive to the conservation area and its heritage assets.</p> <p>Comments by 20-07-17 Photo: https://goo.gl/EHUuYK Documents: https://goo.gl/N11r4e</p>
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WESTMINSTER APPLICATIONS

3.7	3-7 Neal Street WC2H 9PU 17/05311/FULL <i>A1/Mercers; DP9 (agent)</i>	External and internal alterations associated with division of retail unit to create three separate retail units, involving provision of a new shopfront.	<p>Whilst the CGCA has no objection to dividing the unit into three separate retail units, the alterations must not cause any harm to this Grade II-listed building and, as such, should be reversible.</p> <p>The CGCA objects to the proposed shopfronts, which have a contemporary design that is not in keeping with the building, other shopfronts on Neal Street or the wider conservation area. The applicant has missed the opportunity to propose a more traditional shopfront that enhances the character of the conservation area (see S25, S28, DES9, para 10.108-10.128). The applicant should explore the possibility of a central doorway one side of the column in each unit which would split the window into two parts.</p> <p>Comments by 18-07-17</p>
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			<p>Photo: https://goo.gl/LTzcMS</p> <p>Documents: https://goo.gl/4FXAP8</p> <p>Note: Grade II listed building</p>
3.8	<p>23 Rose Street WC2E 9EA 17/05219/FULL A1 (Way Out)/Lijuan; S2studio (agent)</p>	<p>Replacement shopfront.</p>	<p>The CGCA strongly objects to the proposed shopfront due to loss of character. The proposed shopfront 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.</p> <p>The replacement shopfront, including the loss of transoms and mullions, is too modern and is out of keeping with adjacent shopfronts on this narrow, short pedestrianised court in the conservation area. The CGCA notes that the Council's "Shopfronts, blinds and signs" guidance states, "The Council encourages the retention or reinstatement of mullions, transoms and other traditional details on old shopfronts" (see section 5).</p> <p>Comments by 19-07-17</p> <p>Photos: https://goo.gl/4zkng2 & https://goo.gl/SoXuAW</p> <p>Documents: https://goo.gl/f81gNh</p>
3.9	<p>19 Slingsby Place WC2E 9AB 17/05260/FULL Currently A1/Rolfe Judd (agent)</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 rather than the three originally permitted due to a balance with other uses. The ability of an A3 unit to produce a higher income than an A1 retail unit should not be justification for adding to the negative impact of a clustering of A3 uses in St. Martin's Courtyard.</p> <p>We also object on the basis that the additional A3 use will add significantly 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>We note that the DSP proposes that up to eight deliveries per day will take place within</p>

			<p>the courtyard in 60-minute slots between 07:30 and 11:30 Monday to Saturday (and not Sunday). This means that eight vehicles per day will take up two locations in the Courtyard. Four other similar uses will have, or could have, a similar number of deliveries. This means that there will need to be 10 vehicles making deliveries in the courtyard area at any one time. The applicant has made no attempt to show whether this is feasible. In fact, the “get out clause” that deliveries will take place from the Courtyard “wherever possible” has been included in the DSP.</p> <p>The applicant, as the landlord for all sites within the Courtyard, should be required to show there will be no increase in the number of trips or that all the trips required by all of the uses can be accommodated within the Courtyard within the times already permitted.</p> <p>The application states that the existing basement waste store will be used. The use of this store for glass already causes significant nuisance for residents in Shelton Street because it fails to contain the noise of glass being put into bins. In addition, the collection of glass, which takes place on Shelton Street in the early morning, disturbs people across a wide 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 a 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. Unless this can be done only in a way which prevents noise escape there should anyway be a condition which requires any glass waste generated by this use to be stored within the area of these ground floor premises between 21:00 and 09:00 on all days of the week and only to be moved to the waste storage area outside these times. In addition, all collection of glass from the development should take place between 08:00 to 20:00 Monday to Saturday and 10:00-20:00 on Sunday.</p> <p>Comments by 19-07-17 Photo: https://goo.gl/n8GN19 Documents: https://goo.gl/HwvsCj</p>
3.10	372 Strand WC2R 0JJ 17/04868/FULL Strand Palace Hotel/ <i>Joe Allen, Orso & Mustard</i>	Installation of new shopfront and awning (linked to 17/04869/ADV).	The CGCA objects to the use of internal illumination, as this method of illumination is inappropriate and unsympathetic in a conservation area, including on a Grade II

	<i>restaurants; CLM Planning (agent)</i>		<p>listed building such as this one, and conflicts with Camden planning policy (see CGP1, 8.11-8.15; & DP25). 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). 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). Comments by 20-07-17 Photo: https://goo.gl/1sWqV9 (applicant photos) Documents: https://goo.gl/LsGT7c</p>
3.11	43 Chandos Place WC2N 4HS 17/05649/FULL A3/Rolfe Judd (agent)	Installation of two air conditioning units within an acoustic enclosure and three rooflights on the flat roof of the mezzanine level and infill extension of existing light well at basement and ground floor at the rear of the property.	<p>Given that the applicant's acoustic report says the plant would exceed the Local Authority criteria without mitigation measures, the recommended mitigation must be required (see (2) below).</p> <p>Additionally, to protect the amenity of nearby residents from noise and vibration (S29 & S32) and to ensure that the air-conditioning units do not cause undue noise and disturbance, any permission granted must include conditions that:</p> <ol style="list-style-type: none"> (1) limit the hours of use to 08:00-23:00, to reduce the impact of noise – including the cumulative impact from other existing plant at this site –and vibration on residential amenity during evening, late-night and weekend hours (ENV6; ENV6-9.78). The CGCA notes that the air-conditioning unit is only needed when the office is occupied (the Council typically limits the operation of plant, air-conditioning and other machinery to normal business hours); (2) require the mitigation measures specified in the applicant's acoustic report, namely acoustic enclosure (see sec. 9.3 of acoustic report); (3) restrict the amount of noise (measured in decibels) emitted from the units to within Westminster's thresholds (S32; ENV6; ENV7); (4) 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 (S32; ENV6); (5) 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>(ENV6); 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 and to safeguard the amenity of the adjoining premises and the area generally. The timer equipment shall thereafter be permanently retained and maintained and retained in accordance with the manufacturer's recommendations. (S32; ENV6; ENV7).</p> <p>Comments by 26-07-17</p> <p>Photo: https://goo.gl/LLhmzH</p> <p>Documents: https://goo.gl/CeDWnJ</p>
3.12	<p>The Piazza 3 The Market WC2E 8RA 17/05550/LBC Tom Ford/<i>Estee Lauder Companies</i>; <i>JLL (agent)</i></p>	<p>Alterations to shopfront, internal alterations and display of two non-illuminated fascia signs measuring 200mm x 1400mm and non-illuminated hanging sign measuring 600mm x 600mm. Linked to 17/05549/ADV.</p>	<p>No objection</p> <p>Comments by 27-07-17</p> <p>Photo: https://goo.gl/cvh82D (applicant's heritage statement)</p> <p>Documents: https://goo.gl/Sr1nqL</p> <p>Note: Grade II* listed building</p>

4. Tables and Chairs

CAMDEN APPLICATIONS			
4.1	<p>77 Kingsway WC2B 6SR 2017/3708/TC <i>Café Rouge/Café Rouge; Casual Dining Services Ltd. (agent)</i></p>	<p>9 Tables, 36 Chairs and 10 Barriers</p>	<p>No objection</p> <p>Comments by 26-07-17</p> <p>Photo: https://goo.gl/bVUo7p</p> <p>Documents: https://goo.gl/Xs6abB</p> <p>Note: Renewal. No change in use or hours: M-TH 08:00-23:00; F-SA 08:00-23:30; SU 08:00-22:30. On 11-07-16 agenda.</p>
4.2	<p>32-34 Monmouth Street WC2H 9HB 2017/3707/TC <i>Balans/Balans Restaurant Ltd.; Monmouth Planning (agent)</i></p>	<p>3 Tables and 6 Chairs</p>	<p>Whilst the CGCA does not object to the continued usage of 3 tables and six chairs at this location, we do object to the proposed change in hours. The current 21:00 limit on tables and chairs, approved in 2016, is appropriate. The restaurant is on the ground floor of a residential block and the use of tables and chairs outside after 21:00 has a significant impact on residents, both from the noise generated by their use and from the process of setting them up and putting them away.</p> <p>Camden's Policy on Tables and Chairs requires them to be restricted to 21:00 except in certain areas listed in the Guidance Notes. Seven Dials is not one of these areas, thus 21:00 continues to be the latest hour allowed by the Council's policy.</p> <p>Comments by 27-07-17</p> <p>Photos: https://goo.gl/s899md & https://goo.gl/PykLs1</p> <p>Documents: https://goo.gl/hnMwbE</p> <p>Note: Renewal. No change in use. Change in hours. Proposed hours: M-SU 08:00- 22:30 (currently M-SU 08:00 - 21:00). On 27-06-16 agenda (new application).</p>
WESTMINSTER APPLICATIONS			

4.3	14 Garrick Street London WC2E 9BJ 17/05245/FULL Lima/Monmouth Planning Ltd. (agent)	Use of the public highway for the placing of 6 tables, 12 chairs and 5 planters in an area measuring 9.3m x 2m on the Rose Street frontage.	No objection Comments by 24-07-17 Photos: https://goo.gl/KkxTwQ & https://goo.gl/LzJiY2 Documents: https://goo.gl/mK7N1u Note: Renewal. No change in use or hours: M-F 11:00-22:30; SA 09:00-22:30; SU 09:00-21:00. On 09-05-16 agenda (new application – 16/03624/TCH).
4.4	21 The Market WC2E 8RD 17/05216/CLEUD A3/A4/Capco; Gerald Eve (agent)	Use of the two areas of The Piazza adjacent to 21 The Market for the placing of external seating in connection with A3/A4 use of the unit.	COMMENTS TO COME Comments by 26-07-17 Photos: https://goo.gl/p3sm6H & https://goo.gl/bGFCE1 Documents: https://goo.gl/Emc9Pk Note: Number of tables, chairs and other street furniture not listed. Hours not listed.
4.5	351 Strand WC2R 0HS 17/05481/FULL The Wellington/ Mitchells & Butlers Leisure Retail Ltd.; Popleston Allen Solicitors (agent)	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.	Objection. 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 due to the presence of a heavily used designated cycle highway. The CGCA points out that a new road layout is in place since last year, with additional cycle lanes and other modifications. However, the applicant's layout is the same as submitted last year (see 16/06123/FULL). We note that the applicant has positioned high tables for vertical drinkers in the area immediately adjacent to the Lyceum theatre. These tables replace the permitted tables and chairs, although the applicant's layout does not reflect this change. Additionally, the premise is located next to the Lyceum Theatre, which has added extra security officers and has placed barriers along the edge of the pavement in front of the theatre entrances. This prevents any access to the public highway, forcing pedestrians to walk in the already-complicated road layout past these tables and chairs. In granting permission last year, the officer said, "The pedestrian area between the carriageways of Wellington Street and Strand is large and whilst there would be a pinch point other routes can be easily navigated. The cycle path is on the other side of Wellington Street" (see officer's report). However, given the reconfiguration of the roadway and public highway, this is no longer the case. The applicant should be required to submit an updated layout and the number of tables and chairs should be reduced to accommodate the multiple uses and related cycle and pedestrian traffic on the public highway. Comments by 27-07-17 Photo: https://goo.gl/fr1TjG Documents: https://goo.gl/6cA5XT Note: Renewal. No change in use or hours (M-SU 08:00-23:00). On 25-07-16 agenda (16/06123/FULL).
4.6	7 Kingsway WC2B 6XF 17/04707/TCH EAT/EAT Ltd.; BA Law (agent)	Use of an area of the public highway measuring 1.4m x 4.0m for the placing of three tables and 12 chairs.	No objection Comments by 28-07-17 Photo: https://goo.gl/RJnicN Documents: https://goo.gl/w5tHbv Note: Renewal. No change in use or hours: M-SU 07:00-22:00. On 11-07-16 agenda (16/05848/FULL). CGCA had no objection.

4.7	2A Garrick Street WC2E 9BH 17/05440/TCH Carluccio's/ <i>Charlotte Griffen</i>	Use of an area of the public highway measuring 17.14m X 0.8m for the placing of 10 tables and 20 chairs.	<p>The CGCA objects to the increase in tables and chairs at this high-traffic area. As the applicant's existing layout and the attached photos show, the current configuration of eight tables and 16 chairs is already packed tightly into the space available for street furniture. It is not feasible to add more street furniture within the same area. Indeed, in one of the photos, the applicant has turned the chairs to face the pavement so there is adequate room once a customer is seated; otherwise, the tables and chairs are packed in too closely.</p> <p>Additionally, even with the current configuration, a third chair is regularly placed at some tables (see attached photos), backing into the public highway, which reduces the clearance available for pedestrians, and particularly prams and wheelchairs, to safely pass. This can result in a health and safety issue if, in particular, pedestrians are forced to walk in the road, which experiences high traffic right in front of the restaurant and at the adjacent zebra crossing. Should the increase in tables and chairs be permitted, this is likely to happen all the more, given that there is no room for the additional street furniture.</p> <p>Regarding the change in hours, the CGCA objects to the proposed earlier start time on Monday-Saturday. We also object to a proposed end time of 23:00 on Sundays. The currently permitted end time of 22:00 is in keeping with hours for other premises in the area.</p> <p>Comments by 28-07-17 Photo: https://goo.gl/s8WS75 Documents: https://goo.gl/tB632E</p> <p>Note: Renewal. Change in use (previously 8T & 16CH). Change in hours. Proposed: M-SA 08:00-23:00; SU 09:00-23:00 (currently M-SA 09:00-23:00; SU 09:00-22:00). On 11-07-16 agenda.</p>
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5. Other business

6. Next meetings & future presentations

- 6.1 24 July 2017
- 6.2 14 August 2017
- 6.3 28 August 2017 (Bank Holiday – will need to reschedule)
- 6.4 11 September 2017
- 6.5 25 September 2017