

Minutes

Covent Garden Community Association

Planning Sub-Committee meeting held on Monday, 13 October 2014
at 17:00 at Covent Garden Community Centre (Shelton Room), 42 Earlham Street WC2H 9LA

www.CoventGarden.org.uk



TheCGCA



@TheCGCA

1. Attendance

1.1 Apologies received: Selwyn Hardy, Rhu Weir

1.2 Present: Elizabeth Bax, Jo Weir, Robert Bent, Shirley Gray, Richard Hills, Christina Smith, Meredith Whitten

2. Presentation: Royal Opera House

3. Planning Applications & Appeals

	Address & Application No.	Proposal	Comments
CAMDEN APPLICATIONS			
3.1	24 Cambridge Circus WC2H 8AA 2014/5157/P Formerly Leon de Bruxelles/McDonald's Restaurants Ltd.; Planware Ltd.	Variation of hours of operation in relation to condition 3 of 2014/3237/P for; change of use of basement and ground floors from restaurant to mixed use restaurant and takeaway.	<i>Comments pending further information.</i> Photo: http://tiny.cc/jyrfnx Documents: http://tiny.cc/bzl9mx Note: Applicant granted A3/A5 in May 2014. See 26-05-14 agenda. Proposed hours: 05:00-01:00 M-SA; 08:00-00:00 SU.
3.2	1 Earlham Street WC2H 9LL 2014/5368/P A1/Shaftebury; Rolfe Judd (agent)	Change of use from retail (A1) to retail (A1) or restaurant (A3) at basement & ground floor and installation of associated extract duct.	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. Granting the applicant permission to change use at some point in the future between A1 and A3 without the need to apply for planning permission or consult with neighbouring residents at that time effectively removes this premise from planning control. For example, A1 and A3 affect neighbouring residents in different ways, and the planning system is set up to give local people the opportunity to voice their concerns before a change of use is granted. The CGCA also objects to A3 use, as this part of Covent Garden is saturated with restaurants. As set out in DP12, the Council will consider "the cumulative impact of food, drink and entertainment uses taking into account the number and distribution of existing uses and non-implemented planning permissions, and any record of harm caused by such uses," as well as "the impact of the development on nearby residential uses and amenity, and any prejudice to future residential development." The CGCA is greatly concerned about the negative impact on residential amenity. This location is surrounded by residential units, which is acknowledged in the supporting documents, particularly the noise report. Further, the noise report states that the plant will operate day and night. It is unnecessary for a restaurant or a retail unit to run plant equipment

			<p>beyond opening hours and particularly overnight. More concerning, the noise report states that “The assessment indicates that the proposed exceeds the requirements of the Local Authority at the nearest noise sensitive residential window.”</p> <p>Given the negative impact on local residents as well as the oversaturation of A3 in the area, permission for A3 should be refused.</p> <p>Photo: http://tiny.cc/aesfnx</p> <p>Documents: http://tiny.cc/t5l9mx</p>
WESTMINSTER APPLICATIONS			
3.3	<p>9 Henrietta Street WC2E 8PX 14/08913/FULL Fred Perry/<i>Fred Perry Ltd.</i>; <i>Buckley Gray Yeoman</i> (agent)</p>	<p>Installation of new shopfront.</p>	<p>The CGCA has no objection to the proposals for a new shopfront. We do object to any use of internal illumination for the signage, which is inappropriate on a listed building such as this one and in a conservation area (as stated in Westminster's Planning Guidance “Shopfronts, Blinds & Signs” and “Advertisement Design”).</p> <p>Photo: http://tiny.cc/rhsfnx (note that site is currently behind scaffolding)</p> <p>Documents: http://tiny.cc/93bbnx</p> <p>Note: Listed building. Planning consent to install new shop fronts with internal alterations to 9 & 10 granted on 10-01-2014 (see 13/11114/FULL and 13/11115/LBC – 09-12-13 agenda). This planning application is based on those approved plans.</p>
3.4	<p>1 Goodwin's Court WC2N 4LL 14/07801/FULL B1/<i>The Weathercock</i>; 4D <i>Planning Consultants LTD.</i> (agent)</p>	<p>Use of the building as a single family dwelling (C3). Minor external alterations and associated internal alterations.</p>	<p>No objection to returning this building to its residential use. However, the CGCA notes that a place of worship is located next door and shares walls with the applicant's building. Noise breakthrough from the building to the place of worship, where silent meetings are held, is already a problem. Thus, the CGCA strongly urges a condition requiring an appropriate amount of insulation is included in the walls during construction.</p> <p>Photo: http://tiny.cc/vniinx</p> <p>Documents: http://tiny.cc/k8bbnx</p> <p>Note: Listed building</p>
3.5	<p>116 Long Acre WC2E 9PA 14/07107/FULL Reiss/<i>draw ltd.</i> (agent)</p>	<p>Alterations to existing shopfront on the Long Acre and Langley Street elevation.</p>	<p>Objection. The CGCA objects to the proposals to install sliding doors. Experience has shown that the doors will be fixed open, as other shops in Long Acre and throughout Covent Garden regularly do. In addition to significantly wasting energy in an environmentally unsustainable manner, keeping the doors open essentially creates an open shopfront, which Westminster planning policy expressly opposes (see the Council's planning guidance, “Shopfronts, Blinds and Signs”). Inevitably, this also leads to installation of a fan heater that blows strongly at the shop's entrance.</p> <p>Photo: http://tiny.cc/cqsfnx</p> <p>Documents: http://tiny.cc/8icbnx</p>
3.6	<p>31 James Street WC2E 8PA 14/08356/FULL</p>	<p>Installation one external air conditioning unit at rear second floor level and acoustic screen to</p>	<p>No objection, provided conditions are included that require the air-conditioning unit to be turned off every night after the shop closes (no later than 8 p.m.) and</p>

	A1 at ground; B1 at upper/ <i>Househam Henderson Architects (agent)</i>	rear flat roof.	that remains off overnight. This is to protect the amenity of the adjacent residents in James Street, Floral Street and King Street. Additionally, conditions should be included that require the applicant to comply with the mitigation measures recommended in the noise report, namely in-line duct attenuators fitted to the fresh-air inlet and exhaust air ducts of the air-handling unit, and high-performance acoustic louvres used in the acoustic screening. Photo: http://tiny.cc/wz3gnx Documents: http://tiny.cc/bycbnx
3.7	Flat 23, 19 Broad Court WC2B 5QN 14/08948/FULL B1/Rolfe Judd (<i>agent</i>)	Dual/alternative use of Flat 23 at second floor level for either continued office (B1a) or residential use (1 x 2 bed unit)(C3). Associated internal alterations.	Objection. The CGCA objects to permission for dual use, and we have previously provided planning officers with legal advice to support our position that dual use is unlawful. Granting the applicant permission to change use at some point in the future between B1 and C3 without the need to apply for planning permission or consult with neighbouring residents at that time effectively removes this premise from planning control. This affects planning policies such as those requiring open space be provided for residential units. Additionally, different uses affect neighbouring residents in different ways, and the planning system is set up to give local people the opportunity to voice their concerns before a change of use is granted. The CGCA does not object to the internal works. Photo: http://tiny.cc/bw3gnx Documents: http://tiny.cc/k4cbnx Note: Listed building
3.8	409-410 Strand WC2R ONS 14/08208/FULL D1 language school/ <i>enstar Capital (London) Ltd.; PEEK ARCHITECTURE Ltd. (agent)</i>	Installation of an aerial and satellite dish to chimney stack at roof level.	No objection Photo: http://tiny.cc/awsfnx (note that photo is old – shopfront has changed) Documents: http://tiny.cc/ebdbnx Note: Listed building
3.9	63-66 St Martin's Lane WC2N 4JS 14/09097/FULL <i>Murkami/Mistyglenn Ltd.; Thomas & Thomas Partners LLP (agent)</i>	Installation of new shopfront.	No objection. The CGCA welcomes the removal of the openable shopfront, which is contrary to Westminster's planning policy expressly (see the Council's planning guidance, "Shopfronts, Blinds and Signs"). The CGCA suggests that the applicant move the doors in the propose shopfront up to be flush with the rest of the shopfront. This would eliminate the presence of rough sleepers and antisocial behaviour that occurs in the existing doorway when the restaurant is closed. See attached photo. Photo: http://tiny.cc/bu2gnx Documents: http://tiny.cc/ilebnx Note: Application to replace openable shopfront with glazed windows was on 26-08-14 agenda. CGCA had no objection.
3.10	23 Garrick Street WC2E 9AX	Dual/alterantive use of the basement and ground floors for	Objection. The CGCA strongly objects to permission for dual use, and we have previously provided

	<p>14/09287/FULL Sesame (previously Snappy Snaps)/<i>Ottolenghi; Rolfe Judd (agent)</i></p>	<p>either retail (A1) or retail/restaurant/take away use (sui generis). Installation of a new shopfront and external alterations at rear basement and ground floor level. Installation of a full height extract duct to the rear of the site.</p>	<p>planning officers with legal advice to support our position that dual use is unlawful. Granting the applicant permission to change use at some point in the future between A1 and sui generis use (particularly restaurant and takeaway uses) without the need to apply for planning permission or consult with neighbouring residents at that time effectively removes this premise from planning control. For example, A1 and A3 and A5 affect neighbouring residents in different ways, and the planning system is set up to give residents the opportunity to voice their concerns before a change of use is granted.</p> <p>In particular, the CGCA objects to A3 restaurant and A5 takeaway use because of the negative impact on residential amenity. These uses create great noise nuisance and other disturbance, such as antisocial behaviour and strong odours and fumes, for local residents, especially at night. The CGCA points out that this location is surrounded by residential units, including behind the premise and adjacent to it, as well as nearby, such as the residences above the Garrick Club.</p> <p>The CGCA observes that this area is already saturated with restaurants and takeaways and their cumulative effect has a negative impact on local residents.</p> <p>Photo: http://tiny.cc/9z2gnx (note that site is currently behind scaffolding)</p> <p>Documents: http://tiny.cc/mduenx</p>
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4. Tables and Chairs

CAMDEN APPLICATIONS			
4.1	<p>38 Kingsway London WC2B 6EX 2014/6249/TC <i>Pauls/Thomas + Thomas Partners LLP (agent)</i></p>	<p>6 tables, 12 chairs and 8 barriers</p>	<p>No objection Photo: http://tiny.cc/9h3gnx No documents Note: Renewal. No change in use or hours: M-SU 9:00-20:00.</p>
4.2	<p>48 Kingsway WC2B 6EP 2014/6152/TC <i>Viet Eat/Mr Hoang Lee</i></p>	<p>6 tables, 8 chairs and 4 barriers</p>	<p>The CGCA has no objection to the use of six tables and eight chairs, as stated in the proposal, provided the area of use of the public highway does not expand beyond what the applicant currently is using as marked off by the barriers.</p> <p>However, the CGCA notes that the layout submitted with the supporting documents shows six tables and 12 chairs, which is inconsistent with the stated proposal. If the number of tables and chairs (6T & 12CH) is the intended proposal, the CGCA would need to consider the application again, as our comments are based on the stated proposal of 6T and 8CH.</p> <p>The CGCA objects to the use of an A-board, which obstructs pedestrian flow on this crowded part of the pavement adjacent to Holborn station. Additionally, the applicant is using a menu stand without permission. Neither of these extra furniture on the public highway have permission. See attached photo.</p> <p>Photo: http://tiny.cc/3k3gnx</p>

			Documents: http://tiny.cc/cx19mx Note: Renewal. Change in use. Currently 5T & 5CH. Change in hours. Proposed hours: M-SA 11:00-23:00; current hours M-SU 12:00-22:00.
WESTMINSTER APPLICATIONS			
4.3	26 Wellington Street 14/02813/TCH Charles Dickens Coffee House/Mr Hassan Abdel Aziz (agent)	Use of the public highway for the placing of two tables and three chairs on Tavistock Street frontage and three tables and six chairs on Wellington Street frontage.	Objection. The CGCA objects to tables and chairs at this busy corner location near the Piazza in Covent Garden. The pavement on both Tavistock Street and Wellington Street are narrow. Placing tables and chairs in the public highway would impede pedestrian flow, which is consistently heavy as people, including many tourists and visitors to the area, walk between the Strand, the Piazza, the Royal Opera House and local theatres. As it stands, pedestrians frequently opt to walk in the street because of the crowded pavement. Adding street furniture at this location near a zebra crossing would only make this health and safety issue more of a concern. Additionally, the CGCA objects to the use of an A-board for the same reasons related to impeding pedestrian flow on this narrow pavement. Photos: http://tiny.cc/vs8gnx & http://tiny.cc/tu8gnx Documents: http://tiny.cc/14dbnx Note: New application. Had permission for 5T & 9CH in 2008.No hours proposed.
4.4	8-10 Charing Cross Road WC2H OHG 14/09384/TCH Garrick Arms/Greene King Plc.; DHA Planning (agent)	Use of an area of the public highway measuring 12.05m x 1m for the placing of five tables and 10 chairs.	Objection. The reasons that the applicant was refused permission previously have not changed. The pavement is still not wide enough and it is likely that footfall has increased at this location between Trafalgar Square and Leicester Square, as well as near several museums, theatres and churches. As shown in the attached photos, the applicant does not accurately portray the proximity of the phone box and the cycle rack, which must be considered when determining any measurements for areas of the public highway. The phone box and the cycle rack are much closer to the proposed location than the drawings indicate. There also is a zebra crossing directly in front of the site, so this location is in constant use by pedestrians. Additionally, the applicant currently is using four tables and 16 chairs, as well as two large A-boards, without permission, indicating an unlikeliness to comply with any permission, particularly for fewer tables and chairs, as proposed. Further, the CGCA is concerned about the impact on residential amenity. Local residents already have noise from the street and nearby Leicester Square to contend with. Permitting outside drinkers would only compound this negative impact on amenity. Photos: http://tiny.cc/i78gnx & http://tiny.cc/678gnx Documents: http://tiny.cc/2edbnx Note: New application. No proposed hours listed. Permission for 5T & 10CH refused in 2003 because pavement was not wide enough and impact on residential amenity.

5. Other Business

6. Next meetings & future presentations

- 6.1 27 October 2014
- 6.2 10 November 2014