

Minutes

Covent Garden Community Association

Planning Sub-Committee meeting held on Monday, 23 November 2015
at 17:30 at Covent Garden Community Centre, 42 Earlham Street WC2H 9LA

www.CoventGarden.org.uk



1. Attendance

1.1 Present: Elizabeth Bax, Jo Weir, Robert Bent, Shirley Gray, Selwyn Hardy, David Kaner, Christina Smith, Meredith Whitten

1.2 Apologies received: David Bieda, Richard Hills, Kester Robinson, Rhu Weir

1.3 Comments received: Rhu Weir

2. Presentation: Almacantar Ltd. re: Centrepont (5:30 p.m.)

3. Planning Applications & Appeals

	Address & Application No.	Proposal	Comments
CAMDEN APPLICATIONS			
3.1	210 Shaftesbury Avenue WC2H 8DP 2015/6374/P Shaftesbury Theatre/ <i>The Theatre of Comedy Company</i> ; <i>Bennetts Associates Architects (agent)</i>	Details of new facing materials required by condition 4b and external lighting required by condition 5 of permission 2014/7868/P dated 18-08-2015 (for variation of condition 3 and partial discharge of condition 4 (a)) of permission (2012/2366/P) dated 14-06-2013.	The CGCA is concerned about the area of flood for the fitting on the far right-hand side of the drawing called "Grape Street Elevation." As shown on the drawing, the light appears to spill over and shine directly into windows of King Edward Mansions. We note that the drawing says "This fitting at different angle in plan," but it is unclear what this different angle is. The applicant should be required to demonstrate that neither this fitting nor any other fitting will in any way have an impact on or disturb nearby residents due to light spillage. Provided the applicant can satisfactorily demonstrate this, the CGCA has no objection. Comments by 08-12-15 Photo: https://goo.gl/fzpFNs Documents: http://goo.gl/skV3yl Note: Grade II listed building
3.2	76 Neal Street WC2H 9PL 2015/5354/P B1/ <i>Ahmed Warren Associates (agent)</i>	Change of use from office (B1) to 1x bedroom flat (C3) at 1st floor level.	No objection Comments by 08-12-15 Photo: https://goo.gl/V7n7KW Documents: http://goo.gl/NOvHpg Note: Grade II listed building
3.3	60-72 Shorts Gardens & 14-16 Betterton Street WC2H 9AU 2015/6009/P Mixed use (A1, A2, B1, D1, D2)/ <i>Method Architects Ltd. (agent)</i>	Variation of condition 8 (sample panels of the facing brickwork showing the brick type, face bond, and pointing for all relevant new and altered brickwork facades) granted under 2012/1533/P dated 25-02-2013 to replace /extend the time limits for implementation of planning permission 2008/1401/P.	No objection, provided the officer is satisfied that the proposed materials address any concerns expressed by the Council. Comments by 09-12-15 Photo: https://goo.gl/IIAMHi Documents: http://goo.gl/hooUBG
WESTMINSTER APPLICATIONS			

3.4	7 Langley Street WC2H 9JA 15/09934/FULL Pineapple (D2)/The Mercers Company; DP9 Limited (agent)	Replacement of three existing timber windows with steel single-glazed windows to original hoist bays on front elevation.	No objection Comments by 07-12-15 Photo: https://goo.gl/TWZmdB Documents: http://goo.gl/Uqk6bc Note: Grade II listed building
3.5	1 Exchange Court WC2R OPQ 15/09349/FULL C3/LK Design Services (agent)	Single-storey extension to front elevation at ground floor level.	<p>Objection. The proposals to build a kitchen extension into the existing bin store in the highly visible front elevation are in conflict with Westminster's planning policies regarding urban design and conservation.</p> <p>The proposals are for an extension to the front elevation. Policy DES5 states that alterations and extensions will be granted permission "where it is confined to the rear of the existing building" and "where it does not visually dominate the existing building." Further, the policy states that, "Extensions at the front of buildings are very rarely acceptable because of their damaging impact on the appearance of buildings, the streetscape and the area generally."</p> <p>Further, policy DES1 states that development should "improve the quality of adjacent spaces around or between buildings, showing careful attention to definition, scale, use and surface treatment" and should maintain "the character, urban grain, scale and hierarchy of existing buildings and the spaces between them, and the character, scale and pattern of historic squares, streets, lanes, mews and passageways."</p> <p>Exchange Court is a narrow passageway in the heart of Covent Garden that typifies the historic and unique alleyways that contribute to the character of the Conservation Area.</p> <p>The passageway already suffers from an increasing hemmed-in feeling due to recent development and the small space that exists in front of 1 Exchange Court provides the only remaining respite from this. Extending the front elevation would impinge on this, creating a claustrophobic experience in a high-walled stretch of more than 50m for residents and pedestrians.</p> <p>Significantly, this fails to maintain or improve (preserve or enhance) the character and appearance of the Conservation Area (see UDP, chapter 10 DES9), which the Council has been diligent about protecting.</p> <p>Permitting this development also sets a dangerous precedent for further extensions at this location.</p> <p>Comments by 09-12-15 Photos: https://goo.gl/CyT2PH & https://goo.gl/1qZeEt Documents: http://goo.gl/kBPEjJ</p>

3.6	38 St Martin's Lane WC2N 4ER 15/09666/FULL B1 & C3/Shaftesbury; Rolfe Judd (agent)	Installation of new shopfront.	No objection. The CGCA welcomes the revised application. The revised design and materials proposed are more in keeping with the character of this Unlisted Building of Merit, adjacent shopfronts and buildings, and the conservation area. Comments by 11-12-15 Photos: https://goo.gl/nruVG3 & https://goo.gl/XczmS7 Documents: http://goo.gl/AtDCvJ Note: Unlisted Building of Merit in Trafalgar Square Conservation Area.
3.7	33 Southampton Street WC2E 7HE 15/10014/FULL A3/Honest Burgers; First Plan (agent)	Removal of existing plant and installation of 2 air conditioning condensers, new extract riser and new supply air intake fan and duct on the rear elevation.	No objection, provided conditions are included to ensure that the plant and air-conditioning units do not cause noise and disturbance to residential amenity. These conditions must: (1) 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, including ducting, throughout the life of the development (CMP S32); (2) require the applicant to submit the results of annual maintenance checks to the Council for approval; (3) restrict the amount of noise (measured in decibels) emitted from the units to within Westminster's thresholds (CMP S32); (4) limit the hours of use to 09:00-23:30, which will reduce the impact of noise and vibration on residential amenity during evening, late-night and weekend hours; and (5) require automatic time clocks to be fitted to the equipment/ machinery hereby approved, prior to commencement of the use of the units, to ensure that the plant/equipment does not operate at any time other than 09:00-23:30. The timer equipment shall thereafter be permanently retained and maintained and retained in accordance with the manufacturer's recommendations. Comments by 14-12-15 Photo: https://goo.gl/xzf2Vl Documents: http://goo.gl/Jwlza6

4. Tables and Chairs

CAMDEN APPLICATIONS			
4.1	13 Neal's Yard WC2H 9DP 2015/6284/TC Homeslice/Rupert Morgan	3 tables and 6 chairs	Whilst the CGCA does not object to the use of tables and chairs at this location, we do object to the hours for the following policy-based reasons. We also have a concern about the number and size of tables and chairs in use, as discussed below. 1. First, as Camden's policy and planning guidance for tables and chairs state, hours for tables and chairs usage should not extend beyond 21:00. Neal's Yard is not a "predominantly commercial street in the Central London

			<p>Area” as defined in the guidance and, thus, the hours must conform to Camden’s policy hours, which are Monday to Sunday, 08:00-21:00. Permission for hours beyond this violates Camden’s policy. Thus, allowing hours until 22:00 should not be permitted. Neal’s Yard is a highly residential area, despite some local businesses not being mindful of this. Extending hours until 22:00, particularly on a Sunday as proposed, is highly offensive to residential amenity. To protect residential amenity from noise and disturbance (see CPG5 6.14), the hours of use for the T&CH should be limited to Camden’s core hours (end time of 21:00), as outlined in the Tables & Chairs policy (Statement of Licensing Policy, 2011).</p> <p>The CGCA stresses that this means the tables and chairs are no longer in use and are put away by 21:00, and this should be spelled out either by condition or by informative in any permission granted. Currently, the street furniture is often not put away until well after the end time for tables and chairs, which causes noise disturbance to the residents of Neal’s Yard. The Council’s policy justification for having tables-and-chairs hours end at 21:00 is to protect nearby residents from such disturbance.</p> <p>2. Second, the applicant has demonstrated an inability to control noise, disturbance and antisocial behaviour, including excessive littering coming from the restaurant’s customers. The restaurant is consistently noisy, as customers queue outside the restaurant (see attached photo). This further blocks the public highway, as part of the public highway is already filled with tables and chairs. Customers also congregate outside after 22:00 (the currently permitted end time for tables and chairs) to smoke and they consistently leave the premises in noisy groups.</p> <p>Customers also create significant noise and disturbance to residential amenity by ordering their meals from the restaurant as take-aways, which they then eat in the public part of Neal’s Yard. In addition to the excessive noise disturbance (particularly at night), this also causes rubbish issues that violate health-and-safety practices (see attached photo).</p> <p>3. The CGCA also notes that the applicant has placed a chair directly in front of the shopfront entrance (see attached photo). Once a customer is seated in the chair, it will be pushed further into the way of the entrance, creating an additional health and safety hazard. This indicates that the number and style of tables and chairs being used at this location is not appropriate.</p> <p>Because of the considerable noise and disturbance to residential amenity, the applicant’s inability to manage customers, and the health-and-safety violations in Neal’s Yard, the hours for tables and chairs should be limited to no later than those stated in Camden’s policy. An informative should also be included that clearly states that Camden will monitor this development and take enforcement action if planning permission is breached (e.g. the applicant and restaurant staff cannot adhere to the permitted use and hours).</p> <p>Comments by 09-12-15 Photos: https://goo.gl/yNGz38 & https://goo.gl/NrIYdA Documents: http://goo.gl/OBUVwV Note: Renewal. No change in use. Change in hours. Proposed hours: M-SU 12:00- 22:00. Current hours are 12:00-21:00 on SU. On 08-12-14 agenda.</p>
4.2	32-34 Monmouth Street WC2H 9HB 2015/6477/TC Kopapa/Adam Wills	3 tables and 10 chairs	<p>The CGCA objects to the proposed hours (which are the current hours) as they are in direct violation of Camden’s policy and planning guidance for tables and chairs, which state that hours for tables and chairs usage should not extend beyond 21:00. Monmouth Street is not a “predominantly commercial street in the Central London Area” as defined in the guidance and, thus, the hours must conform to Camden’s policy hours, which are Monday to Sunday, 08:00-21:00. In particular, the current and proposed ending hour of 23:00 M-SA greatly exceeds this. Monmouth Street and Seven Dials are highly residential. Indeed, the CGCA and local residents secured earlier hours because of the large number of residents in the area, including the residents who live directly above</p>

			<p>this premises. Camden has since extended these hours in direct violation of its own policy. Thus, to protect residential amenity from noise and disturbance (see CPG5 6.14), the hours of use for the T&CH should be limited to Camden's core hours (end time of 21:00), as outlined in the Tables & Chairs policy (Statement of Licensing Policy, 2011).</p> <p>Further, the applicant is not complying with the approved and proposed layout. The applicant is using a bench without permission and this extends the tables and chairs presence on the pavement. The bench should either be added to the proposals or removed. Additionally, the applicant's use of a large A-board jutting into the pavement significantly reduces the clearance on the public highway. Pedestrians are routinely observed passing to the outside of the tree in front of the restaurant and stepping into the roadway because of obstacles created by the applicant's street furniture and customers.</p> <p>As the attached photo shows, the applicant has placed the A-board in such a position that there clearly is not the minimum-required 1.8m between the A-board and the tree. We note that Camden's guidance requires applicants to factor in objects such as trees, lamp posts, etc., into measurements for tables and chairs. The measurements shown on the applicant's drawing do not include the A-board and, thus, are highly misleading.</p> <p>An informative should also be included in any permission granted that clearly states that Camden will monitor this development and take enforcement action if planning permission is breached (e.g. the applicant and restaurant staff cannot adhere to the permitted use and hours).</p> <p>Comments by 09-12-15</p> <p>Photos: https://goo.gl/wzmrOk & https://goo.gl/2V4SbR</p> <p>Documents: http://goo.gl/t76P3t</p> <p>Note: Renewal. No change in use or hours: M-F 08:30-23:00; SA 10:00-23:00; SU 10:00- 22:00. On 24-11-14 agenda.</p>
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WESTMINSTER APPLICATIONS

None

- 5. **Other business**
- 6. **Next meetings & future presentations**
 - 6.1 7 December 2015
 - 6.2 11 January 2016