

Minutes

Covent Garden Community Association

Planning Sub-Committee meeting held on Monday, 24 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); Shirley Gray; Christina Smith; Meredith Whitten

1.2 **Apologies received:** David Bieda, Jane French, Selwyn Hardy, Gary Hayes, Richard Hills, Kester Robinson, Jo Weir, Rhu Weir

1.3 **Comments received:** Kester Robinson, Rhu Weir

2. **Presentations:** 6:30 p.m. (Capco); 7:15 p.m. (Shaftesbury re: 41-45 Neal Street)

3. Planning Applications & Appeals

	Address & Application No.	Proposal	Comments
CAMDEN APPLICATIONS			
3.1	25 Shelton Street WC2H 9HW 2017/3487/P A1/Sui Generis/ <i>Shaftesbury</i> ; <i>Rolfe Jud (agent)</i>	Use of basement and ground floor for an flexible use, as either retail (A1) or health and beauty spa (sui generis), or a combination of the two.	<i>DK & AR to write comments</i> Comments by 01-08-17 Photo: https://goo.gl/fpraVG Documents: https://goo.gl/CV4NdW Note: Renewal of permission.
3.2	Pavement outside 10 Great Queen Street WC2B 5DG 2017/3556/P <i>N/A/Euro Payphone Ltd.</i>	Installation of 1 x telephone kiosk on the pavement.	(1) The CGCA objects to the installation of a public call box at this location adjacent to the conservation area. This would be a new structure on the public highway, e.g. it is not replacing an existing phone box. Research and data contradict the need for increasing the number of call boxes. According to Ofcom, the money that BT received from phone boxes went down by nearly half between 2000 and 2006. Further, Ofcom's 2016 Communications Market Report found that 93 percent of UK adults own or use a mobile phone in the UK; 71 percent of adults own a smartphone. Research in 2013 also found that only 3 percent of UK residents made a call from a public phone box in the previous month. The evidence strongly supports that the number of public call boxes should be reduced, not increased. (2) Further, the proposed telephone box would result in visual street clutter that goes against Camden's aim of reducing visual street clutter (see Streetscape Design Manual, Chapter 4). Such street clutter has a significantly adverse effect on the appearance of the streetscape and the amenity of the area. CS17.5 also specifies that the design of streets, public areas, and the spaces between buildings needs to be uncluttered. The location selected has a number of public art "stones," on which pedestrians sit

			<p>(see photo).</p> <p>The proposed telephone box would further contribute to visual clutter as its primary function would be to serve as an advertising presence. CPG1 para 8.9 says advertisements in conservation areas and on or near listed buildings require detailed consideration given the sensitivity and historic nature of these areas or buildings. Any advertisements on or near a listed building or in a conservation area must not harm their character and appearance.</p> <p>(3) Great Queen Street experiences excessively high footfall, as it is a primary route between Holborn station and Covent Garden, notably the Piazza. Indeed, Transport for London advertises that people who want to visit Covent Garden should alight at Holborn station (and not Covent Garden station, which is often closed due to overcrowding and at times is even exit only). Further, as the attached photo shows, the footfall is so high that pedestrians are regularly seen walking in the road. Adding more clutter to the pavement will only exacerbate this safety concern.</p> <p>(4) The CGCA notes that part of Great Queen Street lies in the Seven Dials (Covent Garden) Conservation Area and part of the road falls in the Kingsway Conservation Area. Only a small part of the street – three shopfronts in width – falls outside the boundaries of both conservation area. Yet, although these proposals fall outside the conservation area, the development would be visible from within both conservation areas and, thus, would have a negative impact on the setting and character of both, particularly the Seven Dials (Covent Garden) Conservation Area. This 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.”</p> <p>Comments by 03-08-17 Photo: https://goo.gl/8rVovS Documents: https://goo.gl/9CqZjG</p>
3.3	66 Great Queen Street WC2B 5BX 2017/3247/P Kingsway Hall Hotel/ <i>Kingsway Hall Hotel</i> ; <i>Ray Hole Architects</i> (agent)	Replacement and installation of additional plant at second and eighth floor level with associated screening and alterations to access for existing flat roofs at 4th and 6th floor levels to hotel building.	<p>The proposed balconies/roof terraces at 4th and 6th levels could cause harm to the amenity of neighbours. See CPG1 5.23, CPG6 7.4 re: privacy.)</p> <p>Should the Council grant permission, a condition should be included that limits the hours of use of the balcony/terrace to standard business hours (no earlier than 08:00 and no later than 21:00 Monday through Friday, and not at all on weekends and Bank Holidays). This condition is needed to protect residential amenity from noise and disturbance. For precedent, see</p>

			<p>2014/4870/P, condition 10, and 2015/3681/P, condition 5.</p> <p>Further, to protect the amenity of nearby residents (CS5) and to ensure that the units do not cause undue noise and disturbance, 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); and</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.</p> <p>Provided all of these conditions are included, the CGCA has no objection.</p> <p>Comments by 03-08-17</p> <p>Photo: https://goo.gl/mS8uFj</p> <p>Documents: https://goo.gl/8zKmdQ</p>
3.4	23 Macklin Street WC2B 5NN 2017/3986/P & 2017/3982/L C3/Lees Associates (agent)	Minor external changes, internal rearrangement of floors, enlarging of exterior balcony at first floor and conversion of adjoining flat and main house into one single residence.	<p>No objection</p> <p>Comments by 09-08-17</p> <p>Photo: https://goo.gl/AXi7E8</p> <p>Documents: https://goo.gl/ZUKtc5</p> <p>Note: Grade II listed building. Proposals are to vary the plans of approved permission.</p>
WESTMINSTER APPLICATIONS			
3.5	43 Bedford Street WC2E 9HA 17/05738/CLEUD A1/Mail Boxes Etc.	Repaint the shopfront black. Repair step in entrance.	<p>No objection</p> <p>Comments by 31-07-17</p> <p>Photo: https://goo.gl/AcLD7A</p> <p>Documents: https://goo.gl/wJgNXE</p>
3.6	24 Bedfordbury WC2N 4BN 17/05436/FULL C3/Planning & Development Associates Ltd. (agent)	Replace all windows with new timber frames sashes and box frames, replace roof terrace railings and roof access hatch.	<p>The CGCA questions the applicant's claims regarding some of the features to be replaced, particularly the windows. The applicant claims that these date only to the 1950s and, thus, have no heritage value. For example, the applicant says the mansard, including windows and dormers, was added between 1951-1961. However, the listing description specifically mentions the dormered mansard as part of the building's heritage value.</p> <p>Permission should not be granted until these discrepancies are investigated. Any original features, or features with heritage value, such as original sashes, must be maintained in keeping with the heritage of this listed building. See attached photos of windows.</p> <p>Comments by 03-08-17</p>

			<p>Photo: https://goo.gl/WPLMyQ (D&A statement)</p> <p>Documents: https://goo.gl/3g2mcs</p> <p>Note: Grade II listed building</p>
3.7	<p>80-81 St Martin's Lane WC2N 4AA</p> <p>17/05686/FULL</p> <p>A3 (Pizza Express)/<i>PizzaExpress (Restaurants) Ltd.; Butler Associates (agent)</i></p>	<p>Replacement of extract ductwork at rear elevation.</p>	<p>No objection, provided the following conditions are included, to ensure that the equipment does not cause undue nuisance and disturbance to nearby residential properties:</p> <p>(1) 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>(2) restrict the amount of noise (measured in decibels) emitted to within Westminster's thresholds (S32, ENV7);</p> <p>(3) 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)); and</p> <p>(4) 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> <p>Comments by 03-08-17</p> <p>Photo: https://goo.gl/2e7EHa</p> <p>Documents: https://goo.gl/QbSyuo</p>
3.8	<p>26-27 Southampton Street</p> <p>17/06015/FULL</p> <p>C3/<i>Capco; Gerald Eve (agent)</i></p>	<p>Variation of Condition 1 of planning permission dated 27-05-2015 (14/11523/FULL), namely, to include updated/new drawings reflecting design amendments.</p>	<p>No objection</p> <p>Comments by 08-08-17</p> <p>Photo: https://goo.gl/M5au8M</p> <p>Documents: https://goo.gl/UKFnzi</p> <p>Note: Grade II listed building</p>
3.9	<p>415 Strand WC2R 0JT</p> <p>17/04977/FULL</p> <p>Nationwide Bank/<i>Nationwide Building Society; Four Architecture & Design LLP (agent)</i></p>	<p>Alterations to the shop front including the replacement of the existing granite for Portland stone and replacement of the entrance door.</p>	<p>(1) The left side of the shopfront, which is currently curved inwards, is out of keeping with the rest of the shopfront and with the building as a whole. This part of the shopfront should be brought forward to be flush with the pavement, which would be in line with the rest of the shopfront and more befitting of the character of the conservation area. It also would reduce antisocial behaviour in the area. We note that Westminster's UDP Policy DES1, para 10.22, says that recessed areas should be avoided.</p> <p>(2) 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</p>

			<p>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 08-08-17</p> <p>Photo: https://goo.gl/BDLMyQ (D&A statement)</p> <p>Documents: https://goo.gl/FTyUfQ</p>
3.10	<p>Walter House 418-422 Strand WC2R 0PT 17/06182/FULL C1 (The Nadler)/<i>The Nadler Covent Garden Ltd.</i>; <i>Gerald Eve (agent)</i></p>	<p>Variation of conditions 1,4,12,16 of planning permission dated 13-12-2016 (16/09925/FULL), namely, to vary drawings and other documents in relation to facing materials, waste storage and programme of archaeological work.</p>	<p>No objection, provided conditions in original permission (16/09925/FULL) meant to protect the amenity of residents, notably those in Exchange Court, are retained.</p> <p>Comments by 10-08-17</p> <p>Photo: See documents</p> <p>Documents: https://goo.gl/PKbQcp</p> <p>Note: On 07-11-16 agenda.</p>
3.11	<p>11 Floral Street WC2E 9DH 17/06012/FULL A1 & B1/<i>Capco</i>; <i>Gerald Eve (agent)</i></p>	<p>Installation of gantry and access ladder to rear rooflight and associated works.</p>	<p>No objection</p> <p>Comments by 10-08-17</p> <p>Photo: See documents</p> <p>Documents: https://goo.gl/nFU4r2</p>
3.12	<p>Unit 21 The Market Covent Garden WC2E 8RF 17/06028/FULL A3/A4/ <i>Sound of Vyta Limited c/o PKF Littlejohn</i>; <i>FIMA Architecture and Planning (agent)</i></p>	<p>Installation of air conditioning units at first floor roof level external area. Linked to 17/04989/LBC</p>	<p>Given the prominent position of Unit 21 in the Piazza, the air-conditioning units should not be visible from ground level.</p> <p>Further, to protect the amenity of nearby residents from noise and vibration (S29 & S32) and to ensure that the units do not cause undue noise and disturbance, any permission granted must include conditions that:</p> <p>(1) 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; ENV6-9.78);</p> <p>(2) restrict the amount of noise (measured in decibels) emitted from the units to within Westminster’s thresholds (S32; ENV6; ENV7);</p> <p>(3) 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);</p> <p>(4) 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 (ENV6); 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 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>Provided the units are not visible and these noise-related conditions are included, the CGCA has no objection.</p> <p>Comments by 11-08-17</p> <p>Photo: https://goo.gl/p3sm6H</p> <p>Documents: https://goo.gl/ka5hWk</p> <p>Note: Grade II* listed building</p>
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4. Tables and Chairs

CAMDEN APPLICATIONS			
4.1	57-59 Endell Street WC2H 9AJ 2017/3836/TC Café Mode	5 tables and 15 chairs	<p>(1) Whilst the CGCA does not object to the use of tables and chairs at this location, we maintain that permission should be granted for four tables and eight chairs, all flush with the shopfront.</p> <p>As stated in CPG5 6.10 and 6.14, tables and chairs create problems for pedestrians, particularly those with disabilities, because of obstruction of the public highway. This is particularly the case when chairs are placed in such a configuration that they back 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.</p> <p>Given this, the third chair at each table should not be permitted.</p> <p>In the past, the applicant has consistently flouted the conditions of permission for street furniture by placing the tables and chairs in a configuration that does not comply with the approved layout and which obstructs the pavement. Further, the Council, in refusing permission in Marcy 2017 (2016/6255/TC), noted that the applicant was using an extra table than permitted. Again, because the applicant places the street furniture in a position in the public highway – and not flush against the shopfront – this demonstrates that there is not enough space to put five tables and 15 chairs against the shopfront, particularly with customers seated in the chairs.</p> <p>(2) The CGCA also objects to the use of A-boards and, given that these have been constantly in use by the applicant over the years despite not having permission, any permission for tables and chairs granted must be explicit in noting that no A-boards are permitted.</p> <p>(3) Further, the CGCA also objects to the hours. As specified in Camden's guidance for tables and chairs, hours should not extend beyond 21:00. Endell 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. Permission for hours beyond this violates Camden's policy.</p> <p>Comments by 02-08-17</p> <p>Photos: https://goo.gl/DAAKFi & https://goo.gl/l4lhhg</p>

Documents: <https://goo.gl/AcnJak>

Note: Previous application (2016/6255/TC) was refused. Before that, permission was for 5T & 15CH, with hours M-SA 09:00-23:00; SU 09:00-22:30 (same as proposed). On 28-11-16 agenda.

WESTMINSTER APPLICATIONS

4.2	80-81 St Martin's Lane WC2N 4AA 17/05580/TCH Pizza Express/ Bidwells LLP (agent)	Use of an area of the public highway measuring 1.1m X 7.7m for the placing of 2 tables, 4 chairs and with A board.	<p>(1) The CGCA continues to object to the use of street furniture, including the proposed A-board, at this location. The pedestrian traffic at this location is one of the busiest in Covent Garden. At certain times, such as when the several nearby theatres let out, the high footfall often causes pedestrians to walk in the road, creating a health and safety concern.</p> <p>(2) Permitting tables and chairs at this location on St. Martin's Lane would significantly impede pedestrian flow. As stated in "Guidelines for the placing of tables and chairs on the highway," the Council "will always require sufficient space on the pavement to allow pedestrians, wheel chair users, disabled people, the elderly and those with prams and buggies to pass along safely and easily." "The Westminster Way" also lays out a policy prohibiting tables and chairs in such busy, high-pedestrian locations.</p> <p>The CGCA emphasises that the Council's 2m clearance is a minimum; in cases that warrant more clearance, the Council can refuse permission.</p> <p>(3) Only one other business, at 79 St Martin's Lane, has permission for street furniture. In the officer's report for the original permission, the officer was clear that the decision for that application could not be used as a precedent for other premises applying for tables and chairs (see 14/03591/TCH officer's report).</p> <p>The Salisbury public house, at 90 St. Martin's Lane, recently had an application for street furniture on the St. Martin's Lane elevation refused because the tables and chairs would block the flow of pedestrians (see 16/09319/TCH).</p> <p>(4) Further, as the attached photo shows, the applicant already is using a large A-board on the public highway. However, the Council has refused permission for an A-board at the restaurant directly next to the applicant's, citing visual clutter and harm to the conservation area (see 14/04534/ADV). A condition should be included specifying that the A-board is not permitted.</p> <p>(5) The measurements do not fit with the measurements given in an application for tables and chairs next door at 79 St. Martin's Lane (see 17/05974/TCH). That application shows the pavement as 3.7m wide without tables and chairs, while this application shows 3.1m. The pavement does not narrow at this location.</p> <p>(6) Finally, the applicant has not included proposed hours with the application.</p> <p>Comments by 03-08-17 Photo: https://goo.gl/ZcMgkk Documents: https://goo.gl/ov2o97 Note: New application. No proposed hours listed.</p>
4.3	7 Garrick Street WC2E 9AR 17/04966/TCH Amorino/H2C Gelati Ltd.	Use of one area of public highway measuring 3.2m x 0.9m for the placing of two tables and four chairs.	<p>The CGCA objects to the proposed tables and chairs at this location because they will create an obstruction on the public highway. Whilst the applicant's layout shows that exactly 2 metres will be left on the pavement, the Council's policies and planning guidance specify that 2m is a minimum; in cases such as this, where there is particularly high footfall, that warrant more clearance, the Council can refuse permission (see "Westminster Way public realm strategy" SPG, para 46, p. 25; also see "Guidelines for the placing of tables and chairs on the highway"</p>

			<p>SPG).</p> <p>Further, the “Pedestrian Comfort Guidance for London,” published by the GLA, recommends total footway widths for different levels of pedestrian flow. For high-flow areas (greater than 1,200 people per hour), the recommended width is 5.3m; for active flow areas (600 to 1,200 people per hour), the recommended width is 4.2m.</p> <p>The CGCA notes that the applicant is already placing tables and chairs in the public highway, without permission, and is not complying with the proposed layout. As the attached photo shows, customers have pulled chairs from one table and placed them further into the public highway, causing a severe obstruction.</p> <p>The applicant has placed one table to the left of the shopfront door, directly in front of the parking sign (shown on the applicant’s layout and in the attached photo). This sign frequently has a cycle attached to it (again, see photo).</p> <p>Comments by 07-08-17 Photo: https://goo.gl/ahZUig Documents: https://goo.gl/aPCEzN Note: New application. Proposed hours: M-SU 12:00-23:00. Previous permission was in 2013 (13/02613/TCH) for 2T & 4CH and M-SU 11:00-23:00.</p>
4.4	<p>25 Slingsby Place WC2E 9AB 17/05694/FULL Della Terra/Della Terra Wine Bar Ltd; Monmouth Planning Ltd. (agent)</p>	<p>Use of an area of land in front of the premises measuring 3.5m x 11m for the placing of 4 tables and 16 chairs.</p>	<p>The CGCA does not object to the use of tables and chairs, however, we do object to the hours. Hours must be limited to 21:30 to protect the amenity of residents, of which there are many in Slingsby Place, including directly adjacent to this location. T&CH have a negative impact on residents because of noise from outside diners and drinkers. Noise from tables and chairs is particularly amplified at this location because of the cavernous, echo effect. Thus, the hours must be restricted to 21:30.</p> <p>Additionally, the CGCA continues to object to the two large A-boards the applicant uses without permission. This additional street furniture further obstructs the pavement and contributes to clutter in this residential area.</p> <p>Comments by 08-08-17 Photo: https://goo.gl/WmhlVB Documents: https://goo.gl/My6iP2 Note: Renewal. No change in use or hours: M-SU 07:30-23:00. 15/05149/FULL on 10-08-15 agenda.</p>
4.5	<p>55 Aldwych WC2B 4BB 17/06039/TCH The Delaunay/ Berwin Leighton Paisner (agent)</p>	<p>Use of three areas of the public highway measuring 1.1m x 3m, 1.1m x 1.5m and 1.75 x 9.8m for the placing of 13 tables, 17 chairs, 5 banquettes, 4 canvas barriers and an external waiter station.</p>	<p>(1) Whilst the CGCA does not object to tables and chairs at this location, we do object to the number as well as the placement of some of the street furniture.</p> <p>(2) We also point out that the applicant still is not complying with the existing or proposed layouts. For example, to the left of the premise’s entrance, the applicant should have two tables and four chairs, flush with the shopfront. However, the applicant continues to place an excessive amount of street furniture in this area (see attached photos). Indeed, there are several chairs and tables and a banquette.</p> <p>(3) This location has a consistently high level of footfall throughout the day, particularly with Aldwych Theatre directly adjacent and a bus stop that is constantly in use by seven frequent bus routes. Additional bus stops, which generate heavy footfall, are located nearby in front of Aldwych Theatre, as are several hotels and a bus stop for sightseeing buses, which results in even more footfall. Thus, the only space for pedestrians to pass is between the bus shelter and the tables and chairs.</p> <p>Due to the excessive amount of street furniture and the applicant not</p>

			<p>complying with the permitted or proposed layout, the distance between the bus shelter and where the street furniture is actually placed, the clear zone is not wide enough to adequately allow for pedestrian flow. Indeed, only one person can pass, indicating how narrow the clearance is between the bus shelter and the applicant's street furniture. The measurements appear to be overly generous on the proposed drawing. See attached photos.</p> <p>Given that this pinchpoint continues to cause a problem and two-way pedestrian traffic cannot pass, this is a wholly inappropriate place for a waiter station.</p> <p>As stated in the "Westminster Way public realm strategy" SPG and "Guidelines for the placing of tables and chairs on the highway" SPG, tables and chairs create problems for pedestrians, particularly those with disabilities, because of obstruction of the public highway. This is particularly the case when chairs are placed in such a configuration that they back into the public highway, which reduces the clearance available for pedestrians, and particularly prams and wheelchairs, to safely pass.</p> <p>The tables and chairs that are in reality placed in line with the bus shelter should not be permitted. Additionally, in the previous permission (16/06943/TCH), the Council included informative 3, which specified that the applicant must keep the tables and chairs within the area shown at all times and condition 2, which required the applicant to only place the street furniture in the position on the permitted layout. The applicant has failed to do this.</p> <p>In the previous permission, the officer's report noted that "the Highway Planning Manager states the layout remains undesirable." Further, the officer's report says that "whilst the boundary is drawn tightly around the tables and chairs, there would be space for staff." However, the CGCA maintains that there is not space for pedestrians, particularly at the pinchpoints, and when it comes to using the public highway for placing street furniture, allowing adequate space for pedestrians is more important than ensuring space for staff.</p> <p>The extra tables, chairs and banquettes should be removed and the table and two chairs directly to the right of the shopfront door (those closest to the bus shelter) should not be permitted.</p> <p>Comments by 10-08-17 Photos: https://goo.gl/Dc246b & https://goo.gl/Atrshs Documents: https://goo.gl/urwSCH Note: Renewal. No change in use or hours: M-SA 07:00-23:00; SU 11:00-21:30. On 09-08-16 agenda.</p>
4.6	4A Upper St Martin's Lane WC2H 9NY 17/05198/FULL Tredwell's	Raise existing terrace enclosure to a total height of 180cm to surround existing outdoor seating area.	<p>(1) The CGCA questions whether the applicant has permission for any tables, chairs and other street furniture. The proposed tables and chairs were removed from the previous application (see 14/03600/FULL and note officer's report, which clearly states that, after objections were raised, "<u>the provision of tables and chairs has now been omitted from the scheme.</u>"</p> <p>(2) The CGCA objects to raising the height of the barriers around the tables and chairs. The applicant has essentially privatised the public highway by extending their restaurant onto the pavement permanently. The CGCA maintains that whilst the applicant is permitted to have street furniture on the public highway, the public highway remains just that – public.</p> <p>Whilst we appreciate the applicant's desire to separate the outdoor dining area from the busy street, the tables and chairs are located on an excessively busy road – for both vehicles and pedestrians – and this needs to be accepted.</p>

			<p>(3) Further, the proposed development would result in visual street clutter that detracts from the character of the conservation area and that goes against Westminster's aim of reducing visual street clutter through a "less is more" and minimalist approach (see DES1-10.21; DES7-10.79; Westminster Way Public Realm Strategy, para 211). Such street clutter has a significantly adverse effect on the appearance of the streetscape and the amenity of the area.</p> <p>As such, 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).</p> <p>(4) A small section of Upper St. Martin's Lane falls just outside the conservation area, with Monmouth Street just to the north and Long Acre to the south falling within the Covent Garden Conservation Area (Monmouth Street is in the London Borough of Camden).</p> <p>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 Covent Garden Conservation Area, which goes against Westminster's planning policy. DES9 states: "Development will not be permitted which, although not wholly or partly located within a designated conservation area, might nevertheless have a visibly adverse effect upon the area's recognised special character or appearance, including intrusiveness with respect to any recognised and recorded familiar local views into, out of, within or across the area."</p> <p>Further, 10.121 says: "Development outside but adjacent to conservation areas can have a significant impact on the setting of conservation areas. New development in such areas should take into account and respect the character and appearance of neighbouring conservation areas in order to safeguard their setting."</p> <p>Comments by 10-08-17 Photo: https://goo.gl/C2MjVn (applicant's photo) Documents: https://goo.gl/uPmcD5</p>
4.7	43 Drury Lane WC2B 5AJ 17/05927/FULL A3/Barrafina Ltd.; GL Hearn (agent)	Variation of Condition 2 of planning permission dated 22-06-2017 (17/02390/FULL), namely, to allow the tables and chairs to be put out in any layout within the designated area between the hours of 12:00 and 21:00.	<p>(1) The CGCA strongly objects to these proposals to alter what has been consistent and standard conditions used by the Council for tables-and-chairs applications throughout the borough. The CGCA notes that other local planning authorities, including the London Borough of Camden, which also has jurisdiction over part of Covent Garden, use similar language and conditions in their planning permissions.</p> <p>Westminster and other local councils use such language to ensure that applicants do not have the ability to place street furniture in a configuration that could cause harm and disturbance to local residents and pedestrians. Additionally, the Council consults the public on specific plans submitted by applicants and the comments considered by the Council when deliberating on a decision are based on a specific layout. Permitting applicants to subsequently alter the configuration of street furniture renders this public consultation process irrelevant.</p> <p>(2) This is highly relevant in this particular application, as the street furniture is located at a sensitive location in Broad Court, just metres from residents' bedroom windows. The applicant received permission for street furniture after years of refusal by the Council because of the disturbance and impact on residents. Since securing permission, the applicant has attempted to expand the footprint of outdoor seating and has caused disturbance in other ways, such as by leaving the service door in Broad Court open all day, causing disturbance to the many residents in this pedestrianised courtyard. The existing permission has resulted after significant input from the CGCA and local residents. Given the proximity of the street furniture to residents' noise-sensitive windows, altering the layout from that which the Council has approved could result</p>

			<p>in an increase in disturbance on residential amenity.</p> <p>(3) Whilst the CGCA appreciates the applicant wants the flexibility to move external seating to accommodate different-sized parties, the nature of external seating and the policies that govern their use limit this. For example, the Council has remarked on previous proposed layouts submitted by this applicant that the layouts would not leave adequate space for staff to service customers seated at the tables. Indeed, service staff would likely have to go outside the area designated for tables and chairs, resulting in a larger area of the public highway (Broad Court) being commandeered by the applicant – and causing even more disturbance to the noise-sensitive bedroom windows located 5m away.</p> <p>(4) Any alterations to standard language of the Council’s long-standing, usual conditions would set a dangerous precedent. Applicants and their agents – including those proposing the variations in this application – often quote other permissions granted by Westminster (particularly in Covent Garden and Soho) when submitting new proposals. Altering the conditions in this one case would then give them the ability to subsequently cite this permission in all future proposals to remove the condition requiring them to adhere to an approved layout. Although planning officers have noted that each application is decided on its own merits, officer’s reports also will cite similar permissions in the area. And, as this applicant has emphasised precedent in other applications relating to the street furniture at this restaurant, it is clear that, in fact, precedent does influence decisions.</p> <p>(5) Ultimately, the Council makes a decision after considering all factors, including the precise location of the tables and chairs and their proximity to and impact on local residents, pedestrians, the character of the conservation area and other factors. Allowing this applicant – and others that would follow – to move tables and chairs around at will could easily result in the type of obstruction and disturbance seen frequently when premises do not comply with their permission that has been granted to protect local amenity. For example, see the attached photo of tables and chairs at 7 Garrick Street. The street furniture as shown is not complying with the approved layout and, as a result, it is causing an obstruction on the public highway. Permitting an applicant to move furniture around at their whim would only result in more problems such as this.</p> <p>(6) Finally, the CGCA emphasises that Broad Court, where the tables and chairs are placed, is a residential, non-commercial pedestrianised court. It is one of the areas of respite that characterise Covent Garden and provide residents relief from the din of the more commercialised areas of Central London. It is not, as the applicant has previously called it, “the heart of London’s Core Central Activities Zone.” The character of the area, including the amenity of the many local residents, must be protected.</p> <p>Comments by 11-08-17 Photo: https://goo.gl/vk4fY6 Documents: https://goo.gl/Po8xbz Note: These proposals were on 10-04-17 agenda (see 17/02390/FULL). CGCA strongly objected. Applicant revised proposals to include only renewal of permission.</p>
4.8	79 St Martin's Lane WC2N 4AA 17/05974/TCH A3 (Angus Steak House)/ATFC Ltd.; Belsham	Use of an area of public highway measuring 3.72m x 0.8 for the placing of 2 tables and 4 chairs.	<p>(1) The CGCA continues to object to the use of street furniture at this location. The pedestrian traffic at this location is one of the busiest in Covent Garden. At certain times, such as when the several nearby theatres let out, the high footfall often causes pedestrians to walk in the road, creating a health and safety concern.</p> <p>Permitting tables and chairs at this location on St. Martin’s Lane would</p>

	<p><i>Associates (agent)</i></p>	<p>significantly impede pedestrian flow. As stated in “Guidelines for the placing of tables and chairs on the highway,” the Council “will always require sufficient space on the pavement to allow pedestrians, wheel chair users, disabled people, the elderly and those with prams and buggies to pass along safely and easily.” “The Westminster Way” also lays out a policy prohibiting tables and chairs in such busy, high-pedestrian locations.</p> <p>The CGCA emphasises that the Council’s 2m clearance is a minimum; in cases that warrant more clearance, the Council can refuse permission.</p> <p>(2) The measurements do not fit with the measurements given in an application for tables and chairs next door at 80-81 St. Martin’s Lane (see 17/05580/TCH). That application shows the pavement as 3.1m wide without tables and chairs, while this application shows 3.7m. The pavement does not narrow at this location.</p> <p>(3) No other businesses on this side of St. Martin’s Lane have permission for tables and chairs. In fact, the Salisbury public house, at 90 St. Martin’s Lane, recently had an application for street furniture on the St. Martin’s Lane elevation refused because the tables and chairs would block the flow of pedestrians (see 16/09319/TCH).</p> <p>Comments by 11-08-17 Photo: https://goo.gl/HGxFuL Documents: https://goo.gl/nZiIMMY Note: Renewal. No change in use or hours: M-SU 10:00-23:00. Previous permission (14/03591/TCH) on 26-05-14 agenda.</p>
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5. Other business

6. Next meetings & future presentations

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