

Minutes

Covent Garden Community Association

Planning Sub-Committee meeting held on Tuesday, 26 August 2014
at 17:00 at Dragon Hall, 17 Stukeley Street WC2B 5LT

www.CoventGarden.org.uk



1. Attendance

1.1 Apologies received: David Bieda, Gary Hayes, David Kaner, Rhu Weir

1.2 Present: Jo Weir, Elizabeth Bax, Shirley Gray, Selwyn Hardy, Christina Smith, Meredith Whitten

2. Presentation: Bow Street Hotel re: changes and amendments

3. Planning Applications & Appeals

	Address & Application No.	Proposal	Comments
CAMDEN APPLICATIONS			
3.1	9A Denmark St WC2H 8LS 2014/4967/P & 2014/5307/L <i>La Giaconda/Flat Iron; Gauld Architecture (agent)</i>	Rendering of walls surrounding the shop frontage.	No objection, provided the rendering is in keeping with the character of this listed building. Photo: http://tiny.cc/mu4wkx Documents: http://tiny.cc/tmuqkx Note: Listed building
3.2	19-21 Great Queen Street WC2B 5BE 2014/4958/P <i>A1&B1/Stability Investment Ltd & Royal Masonic Benevolent Institution; Peter Brett Associates LLP (agent)</i>	Partial demolition and re-build involving the erection of a single storey roof extension; and a four-storey rear extension for mixed-use development comprising retention of retail at basement and ground floors and change of use of upper floors (1 st -5 th) from offices (Class B1(a)) to 5 residential units (Class C3) residential units.	No objection, provided the applicant has provided proof that they have not been able to let the B1 office space. The CGCA is concerned about the loss of small office space throughout Covent Garden. Should the change of use be permitted, a condition should be included that specifically prohibits short lets, which violates Camden's planning policy, particularly DP2. Photo: http://tiny.cc/jw4wkx Documents: http://tiny.cc/4r7vkx
3.3	2 Neal's Yard WC2H 9DP 2014/4804/P <i>Neal's Yard Kitchen/ Shaftesbury; Rolfe Judd (agent)</i>	Variation of condition 2 of planning permission ref: 8401150 approved on appeal 27-11-1985 (for change of use from retail to shop for the sale of hot food) namely to allow extension of approved hours from 0700 to 2300 hours daily.	Objection. The CGCA would like to remind the Council that Neal's Yard is a residential area. The existing operations in the Yard already cause harm to residential amenity in the surrounding buildings. This includes from noise nuisance and food smells. Adding more morning or late evening operations cannot only add to this harm. Allowing a closing time of 23:00 means noise will actually continue until 23:30, as staff must clean after customers leave. Similarly, allowing an opening time of 07:00 means that noise will begin before that, as staff must set up before opening. The existing hours are appropriate for these operations. Photos: http://tiny.cc/bl5wkx & http://tiny.cc/1l5wkx Documents: http://tiny.cc/p07vkx Note: Current hours: 09:00-21:00.

WESTMINSTER APPLICATIONS

3.4	<p>28 Bow Street London WC2E 7AW 14/06785/FULL Bow Street Magistrate's Court /Bow Street Hotel Limited; Montagu Evans LLP (agent)</p>	<p>Variation of conditions 1 & 15 of permission dated 04-02-13 (12/12735) namely, alterations to treatment of the rear of building (host building and extensions); installation of ramped access, draught lobby and canopy to main entrance and canopy to museum entrance; additional hotel bedroom at lower ground; and alterations to front lightwell and vaults including new glass canopy.</p>	<p>The CGCA is very distressed and disappointed that the heritage aspects – particularly of the main courtroom – will be altered in order to provide a restaurant. These are vital parts of the history of Covent Garden for which the CGCA fought hard to preserve.</p> <p>The CGCA requests a copy of the inventory of heritage items that the applicant is required to provide.</p> <p>Additionally, we have concerns about the proposals for the bar area proposed at the corner of Bow Street and Broad Court. This bar must be used only in conjunction with and ancillary to the use of the building as a hotel and not for any independent purpose. An independent bar open to the public would constitute a material change of use that would have implication for the character of the area as well as for the amenity of residents, who are located directly adjacent to the hotel in Broad Court and Crown Court.</p> <p>The CGCA has no objection to the rest of the proposed changes.</p> <p>Photo: http://tiny.cc/5m26jx Documents: http://tiny.cc/kmtdkx Note: Listed building</p>
3.5	<p>23 Tavistock Street WC2E 7NX 14/06882/FULL C3/Zionstone; Rolfe Judd (agent)</p>	<p>Installation of replacement windows; installation of rooflights; alterations to roof including creation of opening rooflights & creation of new terraces on Catherine Street frontage at fourth- and fifth-floor levels, behind existing façade; alterations to first-floor roof & parapet in connection with relocation of plant at second floor; infilling of rear windows; erection of rear extension at second and third floor level.</p>	<p>No objection</p> <p>Photo: http://tiny.cc/rh7wkx Documents: http://tiny.cc/lutqkx Note: Includes 2-3 Catherine Street.</p> <p>All in association with change of use of first to fifth floors to four residential flats (C3).</p>
3.6	<p>8 Mercer Street (Estil House) WC2H 9QB 14/06729/LBC C3/The Mercers Company; DP9 Ltd. (agent)</p>	<p>Dismantling and rebuilding of two chimneys with associated repairs to the parapet wall.</p>	<p>No objection</p> <p>Photo: http://tiny.cc/xo6wkx Documents: http://tiny.cc/6xtqkx Note: Listed building</p>
3.7	<p>406 Strand WC2R ONE 14/06828/FULL Santander/Santander</p>	<p>Works to shopfront comprising of replacement entrance doors and installation of an additional ATM.</p>	<p>No objection</p> <p>Photo: http://tiny.cc/5r4wkx Documents: http://tiny.cc/3guqkx</p>
3.8	<p>9 Henrietta Street WC2E 8PX 14/07422/FULL Fred Perry/Fred Perry Ltd.; Buckley Gray Yeoman (agent)</p>	<p>Installation of 2no. air-conditioning units in rear courtyard at ground floor level.</p>	<p>The applicant's noise report says that the nearest residential window is in Maiden Lane, and thus the acoustic measurements are based on commercial, not residential use. However, the CGCA notes that there are residents in the south side of Henrietta Street adjacent to these premises.</p> <p>Before any permission is granted, the</p>

			<p>applicant should provide evidence that satisfies planning officers that residential amenity will not be harmed due to noise nuisance from the air-conditioning units.</p> <p>Additionally, any permission should include conditions requiring the units to be turned off overnight, that the stated design rating levels are achieved and that equipment should be installed on anti-vibration mounts.</p> <p>Photo: http://tiny.cc/cq4wkx</p> <p>Documents: http://tiny.cc/z3tqkx</p>
3.9	<p>409-410 Strand WC2R ONS 14/06825/FULL C3/<i>Enstar Capital (London) Ltd.; Peek Architecture Ltd. (agent)</i></p>	<p>Variation of Condition 1 of planning permission dated 15-11-2013 (13/09427) namely, revisions to rooflights, green wall to rear lightwell and internal alterations.</p>	<p>No objection</p> <p>Photo: http://tiny.cc/du3wkx</p> <p>Documents: http://tiny.cc/w5tqkx</p> <p>Note: Listed building</p>
3.10	<p>63-66 St Martin's Lane (Garrick House) WC2N 4JS 14/07195/FULL A3 (vacant)/<i>Misty Glen Ltd.; Design LSM (agent)</i></p>	<p>Replacement of shopfront windows with glazed windows.</p>	<p>No objection. The CGCA welcomes the removal of the bifold, openable doors in the shopfront, as the Council's planning guidance opposes openable shopfronts ("Shopfronts, Blinds and Signs").</p> <p>Photo: http://tiny.cc/dy3wkx</p> <p>Documents: http://tiny.cc/47tqkx</p> <p>Note: Replacing bifold windows with fully glazed windows.</p>
3.11	<p>20 Bedfordbury WC2N 4BL 14/07036/FULL C3/<i>Bedfordbury (Covent Garden) LLP; Savills (agent)</i></p>	<p>Provision of five domestic microwave antennas at fourth-floor roof level consisting of 2 x 900mm diameter satellite dishes, 1 x UHF digital aerial, 1 x DAB aerial and 1 x FM aerial.</p>	<p>No objection</p> <p>Photo: http://tiny.cc/e03wkx</p> <p>Documents: http://tiny.cc/39tqkx</p> <p>Note: Being converted to C3.</p>
3.12	<p>17-19 Bedford Street WC2E 9HE 14/06731/FULL <i>Vacant/17-19 Bedford Street Limited; Savills (agent)</i></p>	<p>Use of existing building at ground and basement levels to provide a (Class A3) restaurant and separate unit at basement level for a flexible use of either (Class A1) retail, (Class B1[a]) offices or (Class D1) non-residential institution. Installation of extract flue to roof level.</p>	<p>The CGCA has the following comments on this application:</p> <p>Scale of proposals within the West End Stress Area</p> <p>The CGCA has reservations about the size of this proposed restaurant, which is a concern we consistently raise with any proposal for a large restaurant or other entertainment use in Covent Garden and in the West End Stress Area. These concerns are captured by Westminster's policy TACE 10. According to TACE10, a new restaurant of this size, with 250 covers, would only be permitted in the stress area in "exceptional circumstances."</p> <p>The applicant is aware that the site falls within the West End Stress Area and, thus, it is down to the applicant to justify why a restaurant of this size is acceptable in this instance.</p> <p>Based on the CGCA's previous experience with large and very large entertainment uses in Covent Garden as well as research into the potential impact of these proposals in particular, the CGCA believes that the proposed restaurant is likely to negatively affect the many neighbouring residents,</p>

			<p>including the residents of Davey's Court (Sheltered Housing), Duvall Court, Bedford Court and Bedford Street, and that these negative impacts outweigh any benefits that would justify a restaurant of this size at this site.</p> <p>Impact on residential amenity</p> <p>Restaurants of a much smaller size and a greater distance from residents cause disturbing negative amenity to nearby residents. Given the scale of the proposals, the CGCA feels that it is unlikely that the applicant can mitigate against the impacts that would likely result for local residents.</p> <p>Noise</p> <ul style="list-style-type: none"> Likely impacts include noise, particularly late-night noise from customers arriving at and leaving the restaurant, as well as from servicing and deliveries (see below). With 250 covers it is highly unlikely that a doorman can ensure that customers, including smokers, do not congregate outside the building, including in the narrow passageway of Bedford Court and in the rear of the building, or that customers leave quietly without disturbing nearby residents. Further noise is likely to come from taxis arriving in Bedford Court behind the building. Residents in other areas have long complained about the incredible disruption caused by taxis picking up and dropping of passengers, as well as idling while waiting. Bedford Court is a narrow cul-de-sac that leads to a pedestrian passageway. It is surrounded by residential, including residents of 17-19 Bedford Street whose flats overlook Bedford Court. <p>Smells</p> <ul style="list-style-type: none"> The CGCA is concerned about cooking and food odours emanating from the extract flue, which is located near residential windows. In particular, the CGCA has concerns about smells from the proposed wood-burning oven. <p>Servicing and deliveries</p> <p>As noted in Westminster's CS41, servicing and deliveries can have adverse effects on local residents. Covent Garden residents consistently complain about the negative impacts of late-night and early-morning servicing and deliveries. While the CGCA recognises that access during normal business hours is quite limited because of the large crowds typically in Covent Garden, servicing and deliveries are highly disruptive. This would be exacerbated given the narrow cul-de-sac the applicant proposes to use for</p>
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		<p>servicing and deliveries.</p> <p>The proposals call for servicing through a loading bay in Bedford Court. The site has a drive-in internal bay that the applicant told CGCA would be used by delivery vehicles, which would back in through Bedford Court, then drive forward upon exiting. All deliveries would, thus, take place internally and behind the closed door. However, the bay appears too shallow for delivery vans to be completely behind closed doors. Bedford Court is already used extensively, as it includes parking bays for Westminster residents and garages to Davey's Court, Duvall Court and 9 Bedford Court. Introducing additional vehicles, including the aforementioned taxis, could result in noise and disturbance for residents.</p> <p>Bedford Street, at the front of the building, is also already a busy road, with traffic, including taxis, using it as a thoroughfare between Strand and Leicester Square, as well as a route near the Piazza. Thus, it is not a viable alternative.</p> <p>Plant and air-conditioning equipment</p> <p>As noted in Westminster's City Management Plan, noise should not affect individuals' right to a quiet and peaceful enjoyment of their property. Air conditioning and plant equipment generates noise that can be intrusive and disturbing to local residents (CMP3.4.22 & 3.6.14). Because this site is surrounded by residential, plant, air-conditioning and other equipment will have an impact on residential amenity because of noise and disturbance. With the restaurant open late, the equipment will also operate into late-night hours, affecting residents, many of whom have bedroom windows that face the site.</p> <p>Consultation and communication</p> <p>Additionally, the CGCA notes that it appears that there has not been sufficient consultation between the applicant and local residents. Given the scale of the proposals and the potential impacts, the CGCA maintains that a thorough consultation should be conducted.</p> <p>Should the Council determine that the applicant has sufficiently justified the need for a restaurant in the stress area and grants permission, the CGCA believes that the conditions below are critical for minimising the impact on nearby residents, including those in Davey's Court, Duvall Court, Bedford Court and Bedford Street.</p> <p>1. All servicing and collections must be done inside the loading bay behind closed doors and not before 08:00 or after 22:00. Under no circumstances should there be late-night or early-morning deliveries.</p>
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			CGCA on 23-06-14.
3.13	10 Bedford Street WC2E 9HE 14/05324/FULL B1/Area Sq	Installation of one satellite dish (70cm x 78cm) at fourth floor roof level.	No objection Photo: http://tiny.cc/I07wkx Documents: http://tiny.cc/gguqkx
3.14	9 Russell Street WC2B 5HZ 14/07490/FULL Belushi's/Capco; Gerald Eve (agent)	Installation of a replacement shopfront; installation of No. 6 air conditioning units at roof level and associated external works in connection with refurbishment of the property.	<i>Comments postponed pending additional information</i> Photo: http://tiny.cc/683wkx Documents: http://tiny.cc/1khsxk
3.15	Slingsby Place 14/06925/FULL Various/Longmartin Properties Ltd./Rolfe Judd (agent)	Installation of 12 wall brackets and lights, 13 brackets and planters, 3 planter 'Bridges', 2 brackets and signs, 3 directory signs, and glazed tiled walls on the buildings within the pedestrian thoroughfares of Slingsby Place and at the entrance to St Martins Court Yard off Upper St Martins Lane and Long Acre, and enhancements to the undercroft of the walkway from Mercer Street into the Courtyard.	Objection. The proposed brackets, lights and planters (including planter bridges) are an unnecessary addition to what is already a fairly cluttered space, and are inappropriate in a conservation area. These proposals add little to the buildings and would be more appropriate for a warehouse setting (we note that many of the buildings in the photos used as examples – particularly for the lights – are warehouses). The lamps in particular are too low and out of proportion with the buildings. This proposed low level also creates a hazard for fire vehicles. Photo: See documents Documents: http://tiny.cc/947vkx

4. Tables and Chairs

CAMDEN APPLICATIONS			
None			
WESTMINSTER APPLICATIONS			
4.1	28 Wellington Street WC2E 7BD 14/06462/FULL Bella Italia/Tragus Limited; Berwin Leighton Paisner (agent)	Variation of Conditions 1, 2, 3 and 6 of planning permission dated 19-11-13 (13/08050), namely, to include three planters and one menu board and to amend the start time from 10.00 to 09.00 daily.	No objection to the use of tables and chairs or to the proposed hours. The CGCA does object to the menu board and the planters, all of which contribute to street clutter that goes against Westminster's "minimalist" approach as well as detracts from the character of the Covent Garden Conservation Area (see para 211, Westminster Way Public Realm Strategy). Additionally, the proposed menu board is internally illuminated and, according to the Council's planning guidance, "Advertisement Design Guidelines" and "Shopfronts, Blinds and Signs - A Guide to their Design," internal illumination is inappropriate in a conservation area. Photo: http://tiny.cc/i76wkx & http://tiny.cc/ea7wkx (Note that these photos are from the previous year; updated photos will be available at the meeting.) Documents: http://tiny.cc/8ptqkx Note: Renewal. No change in use of T&CH. Change in hours. Current hours: M-SU 10:00-23:00. Proposed hours: M-SU 09:00-23:00.
4.2	70 St Martin's Lane WC2N 4JS 14/06464/FULL Bella Italia/Tragus	Variation of Conditions 1, 2, 5 and 6 of planning permission dated 06-08-2012 (12/05641) namely, to include two planters within the area of public highway and amend	No objection to the use of tables and chairs or to the proposed hours. The CGCA does object to the planters, which contribute to street clutter that goes against Westminster's "minimalist" approach as well as detracts from the character of the Covent Garden Conservation

	<i>Limited; Berwin Leighton Paisner (agent)</i>	start time from 10.00 to 09.00 daily.	Area (see para 211, Westminster Way Public Realm Strategy). We note that this location is at the junction of six streets and near Leicester Square station and, thus, the pavement is consistently crowded. Photos: http://tiny.cc/7w5wkx , http://tiny.cc/7x5wkx & http://tiny.cc/oy5wkx Documents: http://tiny.cc/sstqkx Note: Renewal. No change in use of T&CH. Applicant is asking for a change of hours to 09:00-21:00, but currently has permission for 09:00-23:00.
4.3	30 Henrietta Street WC2E 8NA 14/06476/FULL Bella Italia/Tragus Limited; Berwin Leighton Paisner (agent)	Variation to Conditions 2, 3 and 6 of planning permission dated 30-09-2013 (13/08053) namely to amend the start time from 11.00 to 08.00 and to include two planters.	No objection to the use of tables and chairs. The CGCA does not object to the proposed hours provided the Council can ensure that the earlier start time (08:00) will not result in earlier deliveries. As noted in Westminster's CS41, servicing and deliveries can have adverse effects on local residents. To protect the amenity of nearby residents, servicing and deliveries should not occur earlier than 08:00. The CGCA does object to the planters, which contribute to street clutter that goes against Westminster's "minimalist" approach as well as detracts from the character of the Covent Garden Conservation Area (see para 211, Westminster Way Public Realm Strategy). Photo: http://tiny.cc/fb5wkx Documents: http://tiny.cc/ewtqkx Note: Renewal. No change in use of T&CH. Change in hours. Current hours: M-SU 11:00-23:00. Proposed hours: M-SU 08:00-23:00.
4.4	55 Aldwych WC2B 4BB 14/06869/TCH The Delaunay Counter/ Corben & King Ltd.; BLP (agent)	Use of two areas of the public highway measuring 1.1m x 3m and 1.75 x 11.3m for the placing of 13 tables, 17 chairs and 5 banquettes in connection with the restaurant.	No objection to the use of tables and chairs on Sundays and Bank Holidays. No objection to renewal of tables and chairs permission, provided the applicant adheres to the permitted layout. Photos: http://tiny.cc/Oi6wkx , http://tiny.cc/jj6wkx , http://tiny.cc/Oj6wkx & http://tiny.cc/kk6wkx Documents: http://tiny.cc/d0tqkx Note: Renewal. Change in hours. Current hours: M-F 07:00-23:00; SA 11:00-23:00; none on SU and BH. Proposed hours: M-SA 07:00-23:00; SU/BH 11:00-21:30.
4.5	376-379 Strand (Manfield House) 14/02029/TCH Eat/Eat Ltd.; BA Law (agent)	Use of two areas of the public highway measuring 8.3m x 1.8m for the placing of five tables, 14 chairs and two barriers on the Southampton Street frontage and an area measuring 6.5m x 0.9m for the placing of five tables, 10 chairs and two barriers on the Strand frontage.	No objection to the use of tables and chairs and barriers, as designated in drawing 3437-110, or to the proposed hours. The CGCA suggests that the applicant is required to use barriers on the Southampton Street frontage as well, as this would ensure the number of tables and chairs and their position adhere to the permitted layout and do not creep further into the pavement as they are doing in the attached photo. The CGCA objects to the A-board and to the take-away trolley that is regularly positioned in front of the café (see attached photo). Photos: http://tiny.cc/Oy6wkx & http://tiny.cc/gy6wkx Documents: http://tiny.cc/ieuqkx Note: Renewal. No change in use or hours: M-SU 07:00-21:00.

5. Other Business

6. Next meetings & future presentations

6.1 8 September 2014

6.2 22 September 2014