

## Minutes

### Covent Garden Community Association

Planning Sub-Committee meeting held on Monday, 26 September 2016  
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:** Selwyn Hardy (chair), Robert Bent, Jane French, Amanda Rigby, Christina Smith, Brian Tiernan Meredith Whitten
- 1.2 **Apologies received:** Elizabeth Bax, Shirley Gray, Gary Hayes, Richard Hills, Jo Weir, Rhu Weir
- 1.3 **Comments received:** Elizabeth Bax, Shirley Gray, Gary Hayes, Amanda Rigby, Rhu Weir

2. **Presentation:** Gerald Eve (Walter House and 50 Bedford Street), 6:30 p.m.

#### 3. Planning Applications & Appeals

	Address & Application No.	Proposal	Comments
<b>CAMDEN APPLICATIONS</b>			
3.1	103 New Oxford Street WC1A 1DD 2016/4920/P Centre Point (mixed-use)/ <i>Almacantar; Gerald Eve (agent)</i>	Provision of shop front details in respect of Centre Point Link and confirmation of cladding details to Centre Point House to complete the discharge of conditions 3a and 3c of planning permission (2013/1957/P) dated 01/04/2014.	The CGCA is concerned that the applicant appears to no longer be planning to reclad Centre Point House and is requesting discharge of condition 3c (which requires the applicant to provide samples of the external cladding panels). The original planning permission (2013/1957/P) included recladding the building and as the officer's report and decision notice indicate, the Council's decision was based on this proposal. The CGCA opposes any recessed doorways in the proposed shopfront (condition 3a). We note that DES1-7.12 states that "New recesses in shopfronts will be strongly discouraged due to their potential for attracting anti-social behaviour." Comments by 04-10-16 No photo Documents: <a href="https://goo.gl/U5FAor">https://goo.gl/U5FAor</a> Note: Grade II listed building
3.2	25 Parker Street WC2B 5PA 2016/4849/P Parker House (C3)/ <i>Parker Street No.1 Limited; DP9 (agent)</i>	Details of energy efficiency, renewable energy and sustainability plan required by conditions 34 and 35 of permission reference 2012/6132/P as amended by permission reference 2016/2601/P dated 10/08/2016.	Whilst the CGCA has no objection, we suggest the applicant seek a BREEAM outstanding rating to include water conservation or other opportunities, aspiring to lower carbon on retrofits. Comments by 04-10-16 Photo: <a href="http://goo.gl/0cL9pl">http://goo.gl/0cL9pl</a> Documents: <a href="https://goo.gl/HXww13">https://goo.gl/HXww13</a>
3.3	43 Monmouth Street WC2H 9DD 2016/5013/L The Crown (A4)/ <i>Greene King Pub Co.; Ashleigh Signs</i>	Replacement of existing signage, lanterns and chalkboards.	Whilst the CGCA welcomes upgrades to this prominent building in Seven Dials, including the rationalisation of the pub signage, we object to the use of an internally illuminated fascia, as this internal illumination is inappropriate and unsympathetic in a

	<p><i>Limited (agent)</i></p>		<p>conservation area – particularly such a prominent location on Seven Dials – and conflicts with Camden planning policy (see CGP1, 8.11-8.15; &amp; DP25). Additionally, national guidance, as set forth in the Department of Communities &amp; 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).</p> <p>The CGCA also believes that the proposed font used on the new signage is inappropriate in the Seven Dials Conservation Area, as it has no historical relevance. The existing typeface is more in keeping with the conservation area’s character.</p> <p>Comments by 06-10-16 Photo: See documents Documents: <a href="https://goo.gl/Onf0ji">https://goo.gl/Onf0ji</a> Note: Grade II listed building</p>
3.4	<p>43 Monmouth Street WC2H 9DD 2016/5012/A The Crown (A4)/Greene King Pub Co.; Ashleigh Signs Limited (agent)</p>	<p>Display of 3 x externally illuminated fascia and 2 x externally illuminated projecting signs.</p>	<p>Whilst the CGCA welcomes upgrades to this prominent building in Seven Dials, including the rationalisation of the pub signage, we object to the use of an internally illuminated fascia, as this internal illumination is inappropriate and unsympathetic in a conservation area – particularly such a prominent location on Seven Dials – and conflicts with Camden planning policy (see CGP1, 8.11-8.15; &amp; DP25). Additionally, national guidance, as set forth in the Department of Communities &amp; 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).</p> <p>The CGCA also believes that the proposed font used on the new signage is inappropriate in the Seven Dials Conservation Area, as it has no historical relevance. The existing typeface is more in keeping with the conservation area’s character.</p> <p>Comments by 06-10-16 Photo: See documents</p>

			Documents: <a href="https://goo.gl/eYntHf">https://goo.gl/eYntHf</a>
3.5	21-31 New Oxford Street WC1A 1BA 2016/4692/P B1/ <i>New Oxford Street Limited; Gerald Eve (agent)</i>	Details pursuant to Condition 4 (samples) of planning permission 2014/5946/P, dated 30/03/2015.	No comment Comments by 06-10-16 No photo Documents: <a href="https://goo.gl/Ldpl5S">https://goo.gl/Ldpl5S</a>
<b>WESTMINSTER APPLICATIONS</b>			
3.6	2 Upper St Martin's Lane WC2H 9NY 16/05221/FULL POD/POD; <i>Integrated Developments Ltd. (agent)</i>	Alterations to existing shopfront.	<p>The CGCA has the following objections to this retrospective application.</p> <p>(1) The CGCA objects to an openable shopfront at this, and any, premises. Westminster planning policy opposes folding and openable shopfronts. See ENV6-9.108; DES5(c); and "Shopfronts, Blinds and Signs" supplementary planning guidance, which specifies that "this type of shopfront will be discouraged."</p> <p>Folding and openable shopfronts detract from the character of the street and the Conservation Area, as well as the architectural integrity of the building. When open, they erode the appearance of the shopfront, creating a visual void, and can have a negative impact on local amenity, for example in terms of noise and disturbance.</p> <p>The CGCA also notes that Westminster has consistently refused permission for similar requests (for example, see 14/07107/FULL; 15/03108/FULL; 15/07688/FULL; among others).</p> <p>(2) The CGCA 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 &amp; Signs" SPG; "Advertisement Design Guidelines" SPG; and DES8). DES8-10.98 states that "Shop signs 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 &amp; 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>(3) The applicant indicates six tables and 12 chairs on the proposed drawings (and has already placed this street furniture on the public highway). However, the drawings provide no measurements or other details on which the Council can make a decision. Tables and chairs, as well as heaters and</p>

			<p>banquets, should be proposed in a separate application.</p> <p>Regardless, the CGCA objects to the proposed number of tables and chairs. A more appropriate amount is three tables and six chairs, placed flush along the shopfront, which is what the applicant currently has placed (without permission) on the pavement.</p> <p>The applicant also must apply for permission to place the large A board on the public highway.</p> <p>See attached photo.</p> <p>Comments by 05-10-16</p> <p>Photos: <a href="https://goo.gl/nsIFKp">https://goo.gl/nsIFKp</a> &amp; <a href="https://goo.gl/EUekaU">https://goo.gl/EUekaU</a></p> <p>Documents: <a href="https://goo.gl/ZGHFTw">https://goo.gl/ZGHFTw</a></p> <p>Note: Application includes T&amp;CH.</p>
3.7	<p>38 King Street WC2E 8JS 16/08343/FULL <i>A1/Mariage Freres Royaume-Uni Limited; Gerald Eve (agent)</i></p>	<p>Use of the building as a tea shop, tea room and associated functions (sui generis).</p>	<p>Whilst the CGCA has no objection to the proposed change of use, we question what “associated functions” involves and whether this needs to be clarified in the proposals.</p> <p>Comments by 06-10-16</p> <p>Photo: <a href="https://goo.gl/HWH28W">https://goo.gl/HWH28W</a></p> <p>Documents: <a href="https://goo.gl/km75k2">https://goo.gl/km75k2</a></p>
3.8	<p>43 Drury Lane WC2B 5AJ 16/08373/FULL <i>Barrafina /Barrafina Ltd.; GL Hearn (agent)</i></p>	<p>Installation of two awnings on the Broad Court elevation at ground floor level. (Linked application: 16/08374/LBC).</p>	<p>Objection. The proposed awnings would 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. Westminster’s planning policy is clear that the Council expects development to retain the distinctive characters of the conservation area and new development must contribute positively to this. S25 specifies that “the built environment must be respected and refurbished sensitively in a manner appropriate to its significance. Any change should not detract from the existing qualities of the environment.”</p> <p>The building to which the awnings would be attached, as well as the neighbouring buildings in Broad Court, are Grade II listed buildings. We note that two previous applications for these proposals have been refused.</p> <p>In the supporting documents, the applicant says that the Councils’ Core Strategy has been revoked and, thus, concludes that the proposals must now be permitted. However,</p>

			<p>the Core Strategy was replaced with Westminster's City Plan. Additionally, UDP policies and SPD/SPG policies exist. Thus, there is plenty of policy basis for continuing to refuse these proposals.</p> <p>The CGCA also refutes the applicant's statement that the Council's recent permission for tables and chairs (in Broad Court), after years of refusing such permission, amounts to "setting a strong precedent for development in this location" (see applicant's cover letter). The applicant was granted permission for tables and chairs in Broad Court despite strong objections from the CGCA and local residents, including those whose bedroom windows are a mere 8 metres from this site.</p> <p>Indeed, the CGCA cites Westminster's City Plan, section 2.42 (page 23): "The quality of the residential environment, relationship between residential and commercial activity and local characteristics of Westminster's neighbourhoods will continue to be a defining consideration for development proposals."</p> <p>Further the applicant cites other businesses in the area that have awnings. However, this argument is spurious, as each location must be considered in its context. None of the examples cited has the same setting (itself a listed building, adjacent to other listed buildings, location in a quiet pedestrianised court and proximity of 8 metres from noise-sensitive windows).</p> <p>Comments by 10-10-16  Photos: <a href="https://goo.gl/xLFcGR">https://goo.gl/xLFcGR</a> &amp; <a href="https://goo.gl/gSzkE8">https://goo.gl/gSzkE8</a>  Documents: <a href="https://goo.gl/LelNPF">https://goo.gl/LelNPF</a>  Note: Grade II listed building</p>
3.9	27-29 Catherine Street WC2B 5JS 16/08432/FULL A3/A4/Rolfe Judd (agent)	Use of second and third floors of No. 29 for residential use (Class C3) and construction of fourth floor roof extension and roof terrace to create two residential flats (1x 1 bed and 1 x 2 bed flats). Construction of rear extension at No.29 at first floor for Class A4 use and associated external alterations, including installation of two replacement air conditioning units and an air intake duct at second floor level and replacement extract duct to rear elevation from second floor to roof level. ( <i>Revised description and revised site address</i> ).	<p>The CGCA supports the Environmental Health officer's objection, based on an insufficient acoustic report. The applicant should be required to submit a revised acoustic report that will then enable the CGCA to provide comments.</p> <p>Comments by 12-10-16  Photo: <a href="https://goo.gl/VdEpmg">https://goo.gl/VdEpmg</a>  Documents: <a href="https://goo.gl/lnl2xm">https://goo.gl/lnl2xm</a>  Note: On 27-06-16 agenda for:  Use of second and third floors for residential use (C3) and construction of fourth-floor roof extension and roof terrace for residential use. Construction of rear extension at first floor for A4 (Public House) use and associated external alterations. CGCA had no objection.</p>
3.10	28 Maiden Lane WC2E 7JS	Installation of openable shopfront.	The CGCA objects to an openable shopfront

	16/08408/FULL <i>A3/Cinnamon Bazaar; Design LSM (agent)</i>		<p>at this, and any, premises. Westminster planning policy opposes folding and openable shopfronts. See ENV6-9.108; DES5(c); and “Shopfronts, Blinds and Signs” supplementary planning guidance, which specifies that “this type of shopfront will be discouraged.”</p> <p>Folding and openable shopfronts detract from the character of the street and the Conservation Area, as well as the architectural integrity of the building. When open, they erode the appearance of the shopfront, creating a visual void, and can have a negative impact on local amenity, for example in terms of noise and disturbance.</p> <p>The CGCA also notes that Westminster has consistently refused permission for similar requests (for example, see 14/07107/FULL; 15/03108/FULL; 15/07688/FULL; among others).</p> <p>Residents live above, next to and across from this premise and their amenity would be greatly disturbed by the noise emanating from an openable shopfront.</p> <p>Comments by 14-10-16 Photos: <a href="https://goo.gl/lRe2QS">https://goo.gl/lRe2QS</a> &amp; <a href="https://goo.gl/w9LB1B">https://goo.gl/w9LB1B</a> Documents: <a href="https://goo.gl/ML8Wcq">https://goo.gl/ML8Wcq</a></p>
3.11	Royal Opera House 16/08733/FULL <i>ROH/Capco; Gerald Eve (agent)</i>	Installation of an external lighting scheme to the Royal Opera House Arcade and the facades of the ROH facing the Piazza, alterations to the part of the stone cladding on Russell Street to create an accessible panel for intermittent broadcast use and associated works.	<p>No objection, provided the lighting scheme is turned off no later than midnight.</p> <p>Comments by 17-10-16 See documents Documents: <a href="https://goo.gl/gkmDzN">https://goo.gl/gkmDzN</a> Note: Grade I listed building</p>
3.12	14 Odhams Walk WC2H 9SA 16/05957/FULL <i>A1/EE Limited; Savills (UK) Limited (agent)</i>	Retention of 2no air conditioning units at roof level with associated screening. Installation of 2no air conditioning units at roof level with associated screening.	<p>The CGCA objects to this retrospective application. The applicant has installed two large air-conditioning units onto a residential bedroom wall, directly adjacent to a noise-sensitive window, without planning permission. The area is not part of the applicant’s demise, yet has had a significant impact on residents’ amenity.</p> <p>Westminster’s City Plan: Strategic Policies (S29 and S32) observe that noise can lead to annoyance and have a negative impact on sleep, learning and communication, and health and well-being (5.33). Further, the City Plan states that “reducing average noise levels in the city continues to be an important objective” (5.34).</p> <p>Additionally, the noise report is misleading, as the measurements were conducted over noisy times of the day and night. The</p>

			<p>measured minimum background dBs for night is 5 dBs too high (50dBs).</p> <p>The AC units themselves, as well as the proposed enclosure will have a negative impact on visual amenity, for both the residents and pedestrians in the conservation area. DES6 10.70 states that structures such as plant can create clutter on the street frontage, and damage visual and other amenity, and DES7 10.79 says the Council will resist such visual clutter.</p> <p>Comments by 17-10-16</p> <p>No photo</p> <p>Documents: <a href="https://goo.gl/dEV5fb">https://goo.gl/dEV5fb</a></p> <p>Note: Retrospective application</p>
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#### 4. Tables and Chairs

CAMDEN APPLICATIONS			
4.1	<p>84-86 Charing Cross Road WC2H 0JA</p> <p>2016/5036/TC</p> <p>McDonald's/<i>Capital Arches Group Limited T/A McDonalds Restaurants; Shoosmiths LLP</i></p>	<p>5 Tables, 10 Chairs and 13 Barriers</p>	<p>No objection, provided the hours do not extend beyond the currently permitted 09:00-20:00. Local residents have complained to the CGCA about noise, disturbance, litter and antisocial behaviour at this restaurant within the existing hours. Thus, an extension of these hours must not be permitted.</p> <p>The CGCA questions whether the use of the large, unsightly rubbish bins (see attached photo) are appropriate in the conservation area. These have not been permitted as part of any application for street furniture on the public highway.</p> <p>Comments by 12-10-16</p> <p>Photos: <a href="https://goo.gl/z9OYKR">https://goo.gl/z9OYKR</a> &amp; <a href="https://goo.gl/2UsSTt">https://goo.gl/2UsSTt</a></p> <p>Documents: <a href="https://goo.gl/1uznUs">https://goo.gl/1uznUs</a></p> <p>Note: Renewal. No change in use. Change in hours. Proposed: M-SU 09:00-24:00 (existing: M-SU 09:00-20:00). On 08-06-15 agenda.</p>
4.2	<p>51 New Oxford Street WC1A 1BL</p> <p>2016/5034/TC</p> <p>The Crown/<i>Samuel Smith (Southern) Ltd.; Andrews + Boyd Consultants Limited (agent)</i></p>	<p>9 Tables, 45 Chairs and 9 Barriers</p>	<p>No objection</p> <p>Comments by 12-10-16</p> <p>Photo: <a href="https://goo.gl/MqLQZ8">https://goo.gl/MqLQZ8</a></p> <p>Documents: <a href="https://goo.gl/DHwEsx">https://goo.gl/DHwEsx</a></p> <p>Note: Renewal. No change in use or hours. M-SA 11:00-23:00; SU 11:00-22:30. On 13-07-15 agenda. CGCA had no objection.</p>
WESTMINSTER APPLICATIONS			
4.3	<p>43 Drury Lane WC2B 5AJ</p> <p>16/08301/TCH</p> <p><i>Barrafina /Barrafina Ltd.; GL Hearn (agent)</i></p>	<p>Use of an area of the public highway measuring 7.5m by 2.5m for the placing of 8 tables, 16 chairs, 3 parasols and 10 planters.</p>	<p>The CGCA strongly objects to the proposed doubling of tables and chairs at this sensitive location at a Grade II listed building in the conservation area. After consistently refusing applications for tables and chairs at this location in Broad Court, the Council in 2015 granted permission for four tables, eight chairs, two parasols and four planters, despite strong objections from the CGCA and local residents. Since this permission was granted, local residents have suffered noise and disturbance, with the applicant disregarding the conditions that were set in place to protect residential amenity. This particularly applies to noise and disturbance,</p>

as noise-sensitive windows (e.g. bedroom windows) are a mere 8m from this development.

As the attached photo shows, the applicant consistently has the wide service door in Broad Court open, including well past 21:00, when the use of tables and chairs is prohibited. Loud noise from within the restaurant seeps out into Broad Court and causes great disturbance to residents. The reasons that Westminster does not permit openable shopfronts apply in this case, in that noise from inside the premises can be heard outside (ENV6-9.108).

The current proposals do not refer to hours. Existing hours are limited to 12:00-21:00, due to the residential nature of the location. In 15/09908/FULL, the Council granted the applicant permission to keep the street furniture in Broad Court, but not in use, until 23:00 because the applicant does not have sufficient storage space inside. The CGCA and residents expressed concern that the breaking down of the furniture after 23:00 would cause late-night disturbance. The applicant suggested a number of mitigation efforts to minimise this, but in reality has not followed through, even though the Council's decision was based on this information. Permitting the applicant to double the amount of street furniture, thus means that residents will be subjected to even more noise and disturbance, as twice as much furniture will be dragged around after 23:00.

Leaving the street furniture on the public highway also has implications for the Council's street cleansing activities.

In the Design and Access Statement, the applicant cites other businesses in the area that have permission for tables and chairs. However, the applicant fails to mention that the location of these tables and chairs is Great Queen Street, which is not a quiet, pedestrianised court surrounded by listing buildings as the applicant's location is.

In particular, the applicant cites Philomena's, at 40 Great Queen Street in the borough of Camden, as an example. This location has a history of disregarding the conditions of their permission for street furniture, namely that they adhere to the approved layout and that they control noise. For example, a photo of the pub's tables and chairs blocking the pavement is below.

The applicant also cites the Prince of Wales pub, which sits at the corner of Drury Lane and Great Queen Street. This pub has long had permission for tables and chairs on the Great Queen Street frontage, but has been refused permission on the Drury Lane frontage. Again, the location of these tables and chairs is not in a quiet enclave within the conservation area and there are not bedroom windows 8 metres from the tables and chairs.

The mention of the Sun pub, on Long Acre, also does not support the applicant's argument. The Sun does not have tables and chairs and has no frontage to Broad Court, only to Long Acre, which is a busy roadway. References to premises in Fitzrovia and Pimlico are not comparable, as Westminster is clear that each conservation area is unique and the Council has made it a priority to protect this.

In another application that the applicant currently has active with the Council (16/08373/FULL), the applicant states that



			<p>the Council's recent permission for tables and chairs (in Broad Court), after years of refusing such permission, amounts to "setting a strong precedent for development in this location" (see applicant's cover letter). This indicates that the applicant is not concerned with the impact on long-established neighbouring residents, who have experienced noise and disturbance as a result of the introduction of tables and chairs into Broad Court.</p> <p>Indeed, the CGCA cites Westminster's City Plan, section 2.42 (page 23): "The quality of the residential environment, relationship between residential and commercial activity and local characteristics of Westminster's neighbourhoods will continue to be a defining consideration for development proposals."</p> <p>Finally, these proposals would 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). Like other areas in Westminster, Covent Garden has its own character and identity based largely on heritage (S25). Westminster's City Plan recognises the importance of this and focuses on making sure that growth is sustainable and properly takes into account the character of Westminster and the aspects of the borough that make it such an attractive and valued location for residents, businesses and visitors.</p> <p>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. Westminster's planning policy is clear that the Council expects development to retain the distinctive characters of the conservation area and new development must contribute positively to this.</p> <p>The existing permission for tables, chairs and other street furniture has proven to have a negative impact on local amenity, thus the CGCA objects to any proposals to increase the amount of furniture permitted.</p> <p>Comments by 06-10-16  Photo: <a href="https://goo.gl/8eq8Mt">https://goo.gl/8eq8Mt</a> (Broad Court frontage)  Documents: <a href="https://goo.gl/L5Yqry">https://goo.gl/L5Yqry</a>  Note: Renewal. No hours listed. Current hours: M-SU 12:00-21:00, with permission to keep T&amp;CH on public highway until 23:00 (but no customer use after 21:00). Grade II listed building. On 07-12-15 agenda. CGCA objected.</p>
4.4	43 Drury Lane WC2B 5AJ 16/08336/TCH Barrafina / <i>Barrafina Ltd.</i> ; <i>GL Hearn (agent)</i>	Use of an area of the public highway measuring 6500mm x 1200mm for the placing of four tables and eight chairs.	<p>The CGCA strongly objects to proposals for four tables and eight chairs on this narrow pavement at a Grade II listed building in the conservation area.</p> <p>The pavement is not wide enough to accommodate the proposed tables and chairs. Indeed, as the applicant's drawing (BF.D 200 P1) indicates, the proposals leave only 1.3m of clearance on the pavement. This is well below the 2m minimum required clearance stated in Westminster's policy and planning guidance (see "Westminster Way public realm strategy" SPG, para 46, p. 25; also see "Guidelines for the placing of tables and chairs on the highway" SPG). Clearances must require sufficient space on the pavement to</p>

allow pedestrians, wheelchair users, disabled people, the elderly and those with prams and buggies to pass along safely and easily, as well as take into account highway concerns and the space needed to use seating and tables, as well as not result in an impediment to street cleaning and rubbish collection. All equipment, displays, barriers and plants, menus etc., must be contained within the defined area that is effectively highway for the time being given up from pedestrian circulation (para. 253, p. 91).

The attached photo shows how narrow the pavement is, as well as unrealistic it is to cram four tables and eight chairs along the shopfront. In particular, the shopfront is not wide enough to accommodate the one table and two chairs to the left of the door.

Further, the CGCA notes that, after consistently refusing applications for tables and chairs for this premise in Broad Court, the Council in 2015 granted permission for four tables, eight chairs, two parasols and four planters, despite strong objections from the CGCA and local residents. Broad Court is much wider than Drury Lane, yet the applicant wants to place the same number of tables and chairs in a much narrower area.

Since the Council granted permission for street furniture in Broad Court, local residents have suffered noise and disturbance, with the applicant disregarding the conditions that were set in place to protect residential amenity.

The CGCA also strongly objects to the proposed hours, which would permit tables and chairs from 12:00 to 23:00. However, because of the proximity to noise-sensitive windows, permission for Broad Court is limited to 21:00 to protect residential amenity. There is no justification for proposing a later end time, particularly given that the tables and chairs in Broad Court and those proposed in this application are mere metres from each other (see photo). The CGCA also notes that the applicant has failed to comply with mitigation measures that seek to minimise the noise and disturbance from breaking down the furniture well past 23:00. (In 15/09908/FULL, the Council granted the applicant permission to keep the street furniture in Broad Court, but not in use, until 23:00 because the applicant does not have sufficient storage space inside. The tables and chairs can only be used until 21:00.)

In the Design and Access Statement, the applicant cites other businesses in Covent Garden that have permission for tables and chairs. However, these comparisons are spurious, as none is located in a quiet, pedestrian court, with little background noise. None are located 8 metres across from multiple noise-sensitive windows. In fact, some of the examples used have tables and chairs on busy roads.

The applicant also cites the Prince of Wales pub, which sits at the corner of Drury Lane and Great Queen Street. This pub has long had permission for tables and chairs on the Great Queen Street frontage, but has been refused permission on the Drury Lane frontage. Again, the location of these tables and chairs is not in a quiet enclave within the conservation area and there are not bedroom windows 8 metres from the tables and chairs.

			<p>In another application that the applicant currently has active with the Council (16/08373/FULL), the applicant states that the Council's recent permission for tables and chairs (in Broad Court), after years of refusing such permission, amounts to "setting a strong precedent for development in this location" (see applicant's cover letter). This indicates that the applicant is not concerned with the impact on long-established neighbouring residents, but rather with tripling the number of tables and chairs (this application plus the proposals in 16/08301/TCH) used at this location, which just a few years ago was refused any street furniture because of the impact on residents.</p> <p>Indeed, the CGCA cites Westminster's City Plan, section 2.42 (page 23): "The quality of the residential environment, relationship between residential and commercial activity and local characteristics of Westminster's neighbourhoods will continue to be a defining consideration for development proposals."</p> <p>Finally, the CGCA maintains that these proposals would 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. Westminster's planning policy is clear that the Council expects development to retain the distinctive characters of the conservation area and new development must contribute positively to this.</p> <p>Comments by 12-10-16  Photos: <a href="https://goo.gl/jHgrRn">https://goo.gl/jHgrRn</a> &amp; <a href="https://goo.gl/Xw5SQW">https://goo.gl/Xw5SQW</a> (Drury Lane frontage)  Documents: <a href="https://goo.gl/n8CyZl">https://goo.gl/n8CyZl</a>  Note: New application. Proposed hours: M-SU 12:00-23:00. Grade II listed building.</p>
4.5	<p>Basement &amp; Ground Floor 5 William IV Street WC2N 4DW  16/08286/FULL  Terriors/William IV Street Restaurant LLP;  Monmouth Planning Ltd. (agent)</p>	<p>Use of an area of the public highway measuring 1m x 6.6m for the placing of three tables and six chairs.</p>	<p>Whilst the CGCA does not object to the proposed (or currently permitted) layout, we note that the applicant is not in compliance with this. As the attached photo shows, the applicant is using two tables and four chairs, a bench and two large barrels and four high stools.</p> <p>The CGCA does not object to the proposed three tables and six chairs placed flush along the shopfront. However, we do object to the barrels and stools, as well as the A-board, which create an obstacle for pedestrians. We note that this pavement can experience high pedestrian flow, as it is located by the entrance/exit to Charing Cross Tube station.</p> <p>A condition or informative should be included in any permission granted that specifies that the applicant adhere to the conditions which apply to any permission granted at all times and does not put additional items on the pavement or expand the area of use for tables and chairs. For precedent, see 15/05740/TCH, informative 5.</p> <p>Comments by 10-10-16  Photos: <a href="https://goo.gl/PsB8QS">https://goo.gl/PsB8QS</a>, <a href="https://goo.gl/vOjMs4">https://goo.gl/vOjMs4</a> &amp; <a href="https://goo.gl/L0yFxW">https://goo.gl/L0yFxW</a></p>

			Documents: <a href="https://goo.gl/DcClwX">https://goo.gl/DcClwX</a> Note: Renewal. No change in use or hours (M-SU 11:00-23:00). On 08-10-14 agenda. CGCA had no objection.
4.6	48 Charing Cross Road WC2H 0BS 16/04296/TCH The Porcupine/ <i>Mitchells &amp; Butlers PLC; Arc Design Associates (agent)</i>	Use of two areas of the public highway for the placing of 2 tables and 8 chairs with canvas barriers, menu stand and folding A board's in an area measuring 2.25m x 1.65m and 2.25m x 1.65m.	The CGCA is pleased to see that the applicant has revised this application to include barriers, which the CGCA recommended in our previous comments. However, barriers are only effective if they are managed properly. As the attached photo shows, this area experiences extremely high footfall, as it is located next to Leicester Square station. Thus, a condition should be included in any permission granted that specifies that any vertical drinkers must stay within the barriers and not spill out onto the public highway, thus obstructing pedestrian movement. Other than requesting this condition, the CGCA has no objection. Comments by 13-10-16 Photos: <a href="https://goo.gl/b6tsXN">https://goo.gl/b6tsXN</a> , <a href="https://goo.gl/RjIZ4I">https://goo.gl/RjIZ4I</a> & <a href="https://goo.gl/PVEHdc">https://goo.gl/PVEHdc</a> Documents: <a href="https://goo.gl/jHoKh5">https://goo.gl/jHoKh5</a> Note: Renewal. Change in use. No hours listed. Current hours: M-SU 10:00-23:00.

**5. Other business**

**6. Next meetings & future presentations**

- 6.1 10 October 2016
- 6.2 24 October 2016