

## Minutes

### Covent Garden Community Association

Planning Sub-Committee meeting held on Monday, 27 June 2016  
at 18:30 at the Hospital Club, 24 Endell Street WC2H 9HQ

www.CoventGarden.org.uk



TheCGCA



@TheCGCA

#### 1. Attendance

- 1.1 Present:** Elizabeth Bax (chair); Jo Weir; Shirley Gray; Selwyn Hardy; Gary Hayes; Christina Smith; Meredith Whitten
- 1.2 Apologies received:** Robert Bent; Richard Hills; Rhu Weir
- 1.3 Comments received:** David Bieda; Amanda Rigby; Rhu Weir

#### 2. Presentation: None

#### 3. Planning Applications & Appeals

	Address & Application No.	Proposal	Comments
<b>CAMDEN APPLICATIONS</b>			
3.1	24 Betterton Street WC2H 9BU 2016/3078/L <i>C3/Hill Mitchell Berry (agent)</i>	Submission of details of works to the staircase, as required by condition 4 e) of listed building consent 2015/0594/L (dated 22-10-15) for external and internal works including repairs to the external envelop of the building, internal alterations and reinstatement of original features.	No objection Comments by 30-06-16 Photo: <a href="https://goo.gl/FHZYb2">https://goo.gl/FHZYb2</a> Documents: <a href="http://goo.gl/Bu2tim">http://goo.gl/Bu2tim</a>
3.2	70 Africa House Kingsway WC2B 6AH 2016/2773/P & 2016/3148/L <i>B1/TMD Building Consultancy (agent)</i>	Installation of 2 x pole-mounted radio antenna at roof level.	No objection Comments by 08-07-16 Photo: <a href="https://goo.gl/9UiWf1">https://goo.gl/9UiWf1</a> Documents: <a href="http://goo.gl/oBkJAn">http://goo.gl/oBkJAn</a> Note: Grade II listed building
3.3	Flats A-D 44 Shorts Gardens and 1A-1D Nottingham Court WC2H 9AB 2016/2989/P <i>C3/Origin Housing Group; Brodie Plant Goddard (agent)</i>	Replacement of existing timber framed windows with aluminium framed double glazed windows.	Whilst the CGCA has no objection to the installation of double-glazed windows, we believe the new windows should be like-for-like, meaning that they should be wood, not aluminium, and should be painted brown. This would be more appropriate in the conservation area and comply with the Seven Dials Renaissance study. Comments by 08-07-16 Photo: <a href="https://goo.gl/wGnF3m">https://goo.gl/wGnF3m</a> Documents: <a href="http://goo.gl/H60y45">http://goo.gl/H60y45</a>
3.4	Albion House 55 New Oxford Street WC1A 1BS 2016/2859/P <i>B1/Flight Club Darts Ltd; Bidwells (agent)</i>	Change of use of part of the ground floor from Class B1 (office) to Class A4 (drinking establishment).	The CGCA does not object to the change of use needed to regularise the historic use, provided conditions are included that specify that no vertical drinking or queueing is to take place on the pavement outside the drinking establishment. The CGCA notes that the applicant has proposed hours until 2 a.m. in a licensing

			<p>application. These hours differ from the existing permission that extends until 6 a.m. M-SAT and 4 a.m. on SU. These hours still are likely to impact neighbouring residents if the conditions referenced above are not required.</p> <p>Comments by 08-07-16</p> <p>Photo: <a href="https://goo.gl/Q7915C">https://goo.gl/Q7915C</a></p> <p>Documents: <a href="http://goo.gl/DYaLvL">http://goo.gl/DYaLvL</a></p>
3.5	<p>Thomas Neal Centre 35 Earlham Street WC2H 9LD 2016/3153/P &amp; 2016/3471/L Mixed-use/<i>Shaftesbury; Rolfe Judd (agent)</i></p>	<p>Installation of x1 air conditioning unit at first floor roof level.</p>	<p>The CGCA has no objection, only if the officer is satisfied that the applicant's acoustic report meets the Council's minimum requirements, and any permission granted includes the following language to protect the amenity of neighbouring residents:</p> <p>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> <ol style="list-style-type: none"> <li>(1) restrict the amount of noise (measured in decibels) emitted from the units to within Camden's thresholds (DP28; CPG5 6.9);</li> <li>(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);</li> <li>(3) require the applicant to submit the results of annual maintenance checks to the Council;</li> <li>(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;</li> <li>(5) 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 (DP28.3), e.g., running 24 hours should not be permitted; and</li> <li>(6) 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. The timer equipment shall thereafter be permanently retained and maintained and retained in accordance</li> </ol>

			<p>with the manufacturer's recommendations. (Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and DP26 and DP28.) (For precedent, see 2015/5148/P, condition 4, &amp; 2014/6130/P, condition 3.)</p> <p>Further, the CGCA notes that the proposal statement, as well as the applicant's D&amp;A statement, refer to the works on first-floor roof level, when actually the works are on the fifth floor. The officer must ensure that the applicant's supporting documents are correctly labelled and the proposals are correctly identified.</p> <p>Comments by 12-07-16  Photo: <a href="https://goo.gl/IXFNw9">https://goo.gl/IXFNw9</a>  Documents: <a href="http://goo.gl/0PXhJD">http://goo.gl/0PXhJD</a>  Note: Grade II listed building</p>
3.6	Parker House, 25 Parker Street London WC2B 5PA 2016/2601/P <i>C3/Parker Street No.1 Limited;</i> <i>DP9 (agent)</i>	Addition of a condition relating to construction contract timings and amendment to wording of conditions 34 & 35 (energy and sustainability details) to bring methodology in line with current policy of permission 2012/6132/P dated 30-08-13.	No objection, provided the CGCA is consulted on the new design proposals and the intent of the conditions regarding energy and sustainability details (conditions 34 & 35) are upheld in revised consent. The CGCA notes that, since 2016, new builds must include 100 percent zero carbon. See the Mayor's <i>Housing Supplementary Planning Guidance</i> (March 2016), section 2.3.56, pp. 90-91). Comments by 12-07-16 Photo: <a href="https://goo.gl/puQumo">https://goo.gl/puQumo</a> Documents: <a href="http://goo.gl/4sxBmc">http://goo.gl/4sxBmc</a>
<b>WESTMINSTER APPLICATIONS</b>			
3.7	Basement & Ground Floor, 63 Long Acre WC2E 9SX 16/04976/FULL Benugo/WYG ( <i>agent</i> )	Use of ground floor and basement levels as mixed sandwich bar and cafe use (Class A1/A3) ( <i>sui generis</i> ).	No objection, provided a condition is included that specifies that the class of use returns to A1 should the applicant no longer operate at this location. Comments by 29-06-16 Photo: <a href="https://goo.gl/2lppmx">https://goo.gl/2lppmx</a> Documents: <a href="http://goo.gl/NH1WIW">http://goo.gl/NH1WIW</a>
3.8	25 Floral Street, WC2E 9DS SNN16/00042 N/A/ <i>Capco</i>	Naming a new thoroughfare and courtyard between King Street and Floral Street as KINGS COURT.	No objection Comments by 07-07-16 Photo: N/A Documents: N/A
3.9	Basement & Ground Floor, 55- 56 Long Acre WC2E 9JL 16/04627/FULL Honey Birdette (A1)/ <i>Savills</i> ( <i>agent</i> )	Alterations to existing shopfront.	Objection. The proposed shopfront is out of keeping with the conservation area. The applicant has missed an opportunity to install a more appropriate, traditional shopfront at this highly visible location. Further, the CGCA objects to any

			<p>internal illumination, which is inappropriate in the conservation area, as specified in Westminster's planning guidance, "Shopfronts, Blinds &amp; Signs" and "Advertisement Design."</p> <p>Comments by 11-07-16</p> <p>Photo: <a href="https://goo.gl/G8dr07">https://goo.gl/G8dr07</a></p> <p>Documents: <a href="http://goo.gl/TMbJqX">http://goo.gl/TMbJqX</a></p>
3.10	<p>100-101 St Martin's Lane WC2N 4AZ</p> <p>16/04490/FULL</p> <p>B1/Bishopsgate Long-Term Property Fund; Bilfinger GVA (agent)</p>	Erection of front entrance canopy and surround.	<p>No objection, provided the two planters are moved or made substantially smaller, as the current planters frequently obstruct the pavement, particularly for pedestrians frequenting the adjacent theatre. Any planters approved must not be an obstruction on the public highway.</p> <p>Comments by 12-07-16</p> <p>Photo: <a href="https://goo.gl/bwt1XA">https://goo.gl/bwt1XA</a></p> <p>Documents: <a href="http://goo.gl/Jr8ZcC">http://goo.gl/Jr8ZcC</a></p>
3.11	<p>13-15 Broad Court WC2B 5QN</p> <p>16/05361/FULL</p> <p>B1/Carlson-Stenner Ltd. (agent)</p>	Change of use of Suite 4 from offices to residential and amalgamation with second floor flat to form two bedroom residential unit (Class C3).	<p>No objection</p> <p>Comments by 14-07-16</p> <p>Photo: <a href="https://goo.gl/x6bw8F">https://goo.gl/x6bw8F</a></p> <p>Documents: <a href="http://goo.gl/t1Osek">http://goo.gl/t1Osek</a></p> <p>Note: Grade II listed building</p>
3.12	<p>Dudley House 36-38 Southampton Street WC2E 7H</p> <p>16/05363/FULL</p> <p>C3/Stonehaven Group; DP9 Ltd. (agent)</p>	Variation of Condition 1 and removal of Conditions 9 & 25 of 15/06499/FULL, namely to vary the approved drawings to allow increase of roof height by 0.8m, changes of materials to rear elevation, installation of CHP system instead of air source-heat pump, change from secondary glazing to double glazing and increase in floor space of apartment 4.3 by 33 sqm. To remove condition 9 as government has withdrawn the code for sustainable homes. To remove condition 25 for the installation of photovoltaic panels.	<p>The CGCA objects to the removal of condition 25 for the installation of photovoltaic panels. Doing so contradicts the intent of the conditions related to environmental sustainability features in design, which are required by both Westminster and Greater London Authority policies related to residential development. See CS39 and CS27. The CGCA notes that in the decision notice that specified this condition (12/08067/FULL), the Council specified that "you must not remove any of these features." This speaks to the seriousness the Council attributes to such sustainability requirements.</p> <p>Comments by 14-07-16</p> <p>Photo: <a href="https://goo.gl/LZXyfZ">https://goo.gl/LZXyfZ</a></p> <p>Documents: <a href="http://goo.gl/P7YN5n">http://goo.gl/P7YN5n</a></p>
3.13	<p>32-33 Long Acre WC2E 9LA</p> <p>16/05443/FULL</p> <p>A1 (Reebok)/Adidas Group; Brown Studio (agent)</p>	Removal and replacement of three main shop front windows.	<p>Whilst the CGCA has no objection to bringing the shopfront forward, we do object to the loss of the stall risers, which are an important part of traditional shopfronts in the conservation area, and which are protected by Westminster planning policy.</p> <p>Comments by 18-07-16</p> <p>Photo: <a href="https://goo.gl/M1FkBB">https://goo.gl/M1FkBB</a></p> <p>Documents: <a href="http://goo.gl/b3oxDK">http://goo.gl/b3oxDK</a></p>
3.14	<p>27 Catherine Street WC2B 5JS</p>	Use of second and third floors for	No objection, provided a condition is

	16/05579/FULL A3 & A4/Rolfe Judd (agent)	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.	included that limits hours of use of any terraces for A4 use to 23:00. This is to protect the amenity of neighbouring residents, particularly relating to noise and disturbance. Comments by 19-07-16 Photo: <a href="https://goo.gl/9s5OWV">https://goo.gl/9s5OWV</a> Documents: <a href="http://goo.gl/6DMb86">http://goo.gl/6DMb86</a>
3.15	366-368 Strand WC2R 0JF 16/04902/FULL Barclay's/Realys (agent)	Installation of 2 air conditioning units at basement and ground level along with installation of duct to basement and ground floor, installation of a new fire escape door to side elevation. Relocation of existing ATM, replacement of existing mirror glass with new glazing and replacement of existing glass louvers with new aluminium louvers.	No objection, provided the following conditions are included to protect the amenity of nearby residents and to ensure that the units do not cause undue noise and disturbance, any permission granted must include conditions that: (1) restrict the amount of noise (measured in decibels) emitted from the units to within Westminster's thresholds; (2) require the applicant to ensure that equipment is kept working efficiently and is not causing disturbance to nearby residents and hotel guests, as verified through annual maintenance checks performed on all equipment throughout the life of the development; (3) require the applicant to submit the results of annual maintenance checks to the Council; (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; (5) 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. Additionally, the applicant should be required to use carbon filters on the outflow vents. Comments by 19-07-16 Photo: See documents Documents: <a href="http://goo.gl/0hSyks">http://goo.gl/0hSyks</a>

#### 4. Tables and Chairs

CAMDEN APPLICATIONS			
4.1	32-34 Monmouth Street WC2H 9HB 2016/3283/TC Balans Restaurants Ltd.	5 tables and 10 chairs	Objection. The CGCA objects to the proposed hours, which do not comply with Camden's policies regarding new applications for tables and chairs. In particular, the proposed hours do not comply with Camden's tables and chairs guidance or the Council's Statement of

		<p>Licensing Policy (2011), which specify that hours will not be allowed past 9 p.m., unless the site is located in “predominantly commercial street in the Central London Area,” which Monmouth Street is not. (See Appendix 2 of Camden’s “Tables &amp; Chairs Guidance.)</p> <p>Permission for hours beyond this not only violates Camden’s policy, but also is highly inappropriate in a residential area. Further, because the Council has received objections regarding this application, the hours should be restricted to 9 a.m. to 6 p.m.</p> <p>The CGCA has attempted to negotiate with the applicant to agree upon hours that would not harm residential amenity, but no agreement has been reached. The CGCA and local residents had an agreement with the previous tenant that Sunday hours would not begin until at least 10 a.m.</p> <p><b>Given this, any permission granted should include hours that do not fall outside of Monday-Saturday 9 a.m. to 9 p.m. and Sunday 10 a.m. to 9 p.m.</b></p> <p>Further, as proposed, the number and configuration of tables and chairs will interrupt the area of footway for pedestrian movement, which is against Camden policy (see CPG5 6.10-6.11).</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>The CGCA regularly received complaints from residents regarding the tables and chairs of the previous tenant, who had permission for less street furniture (3T &amp; 10CH) than the current applicant has applied for. Pedestrians are consistently forced into Monmouth Street, which experiences high volumes of vehicular and cycle traffic, because the tables and chairs have obstructed the pavement.</p> <p>The CGCA also challenges the applicant’s measurements. As the attached photo shows, the pavement is much narrower than indicated. Further, the Council’s own staff has recently measured this location and found that the Council policy of a minimum clearance of 1.8m is not met. (See reason for refusal for 2015/6477/TC, which found that the pavement had only 1.5m clearance.) The CGCA stresses that the 1.8m clearance is a minimum requirement, not a suggestion.</p> <p><b>The CGCA recommends that permission should be granted for no more than 3T and 6CH flush with the shopfront (e.g., not backing into the public highway).Comments by 12-07-16</b></p> <p>Photo: <a href="https://goo.gl/o8silv">https://goo.gl/o8silv</a></p>
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			Documents: <a href="http://goo.gl/SbVwv1">http://goo.gl/SbVwv1</a> Note: New application. Proposed hours: M-SA 09:00-23:00; SU 08:00-22:30.
4.2	16 & 18 Endell Street WC2H 9BD 2016/3289/TC The 10 Cases	10 chairs only on public highway (total 10 tables and 20 chairs on private forecourt)	<p>Object. The applicant has identified an area of the public highway as private forecourt, but the CGCA challenges this designation. Camden has maintained this part of the public highway for more than 20 years, thus by policy it is not considered private forecourt.</p> <p>Given this, the proposed number of tables and chairs is inappropriate in the conservation area and given the limited clearance on the pavement. As proposed, half of the chairs will back into the public highway, resulting in a dangerous obstruction for pedestrians.</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>Further, The proposed hours do not comply with Camden's tables and chairs guidance or the Council's Statement of Licensing Policy (2011), which specify that hours will not be allowed past 9 p.m., unless the site is located in "predominantly commercial street in the Central London Area," which Endell is not. (See Appendix 2 of Camden's "Tables &amp; Chairs Guidance.") Permission for hours beyond this not only violates Camden's policy, but also is highly inappropriate in a residential area.</p> <p><b>The CGCA recommends that permission should be granted for no more than 6T and 12CH, with the chairs pushed against the shopfront (e.g., not backing into the public highway).</b></p> <p>Comments by 12-07-16 Photo: <a href="https://goo.gl/LeKwvj">https://goo.gl/LeKwvj</a> Documents: <a href="http://goo.gl/N24Jzi">http://goo.gl/N24Jzi</a> Note: New application. Proposed hours: M-SA 08:00-23:00; SU 08:00-22:30.</p>

#### WESTMINSTER APPLICATIONS

4.3	38-40 Wellington Street WC2E 7BD 16/05236/TCH Boulevard Brasserie/ <i>Maxwell's Restaurants Ltd. (agent)</i>	Use of three areas of the public highway measuring 2.27m x 1.65m, 1.34m x 1.65m and 3.58m x 1.62m for placing of 6 tables, 19 chairs and two planters.	<p>As proposed, the tables and chairs do not leave a minimum clear width of 2 metres between the edge of the chairs and the kerb or other obstructions as required by Westminster's policy. According to the proposed layout, there is a clearance of only 1.9m.</p> <p>Further, the dramatic increase in the number of tables, chairs and other street furniture at this location will create a significant obstacle in the pavement and interrupt the pedestrian movement on what is already a high-volume public highway. This is against Westminster policy (see Guidelines for the placing of tables and chairs on the highway," as well as</p>
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			<p>“Westminster Way- Public realm strategy; Design principles and practice).</p> <p>As the attached photo shows, the pavement is not wide enough to accommodate the proposed number and configuration of tables and chairs, and the high footfall experienced at this location. In the photo, the applicant has the chairs pushed against the shopfront, with tables between the chairs also pushed against the shopfront. However, in the proposed layout, the tables will be positioned further into the public highway, along with a second chair at each table. This greatly reduces the space available for pedestrians to safely pass.</p> <p>In the supporting documents, the applicant claims that more tables and chairs should be permitted because the Council recently widened the pavement. However, the CGCA challenges this assertion. Instead, we argue that the Council widened the pavement as part of its strategy to improve public realm to facilitate the safe, unobstructed flow of pedestrians and to minimise health and safety risks from pedestrians being forced off the public highway and into the road due to street furniture.</p> <p>The CGCA notes that the Council specifies that 2m is a minimum and in some instances, particularly areas with high volumes of pedestrian and/or vehicular traffic, a wider clearance will be required. According to Westminster’s policy, 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>Wellington Street has consistently high footfall, as it is located near the Piazza and on the primary route from Covent Garden past Strand to Waterloo. Further, as this section of Wellington Street is near the Royal Opera House and the Lyceum Theatre. Wellington Street is a primary cycle route to and from Waterloo Bridge. Again, the reason the pavement was greatly widened was for pedestrian safety and accessibility. The applicant, however, wants to claim a larger portion of the public highway for private business use, which was not the purpose of this public-realm and health-and-safety improvement.</p> <p><b>The CGCA recommends that permission should be granted for no more than 6T and 12CH flush with the shopfront (e.g., not backing into the public highway).</b></p> <p>Comments by 08-07-16  Photo: <a href="https://goo.gl/FyYrg6">https://goo.gl/FyYrg6</a>  Documents: <a href="http://goo.gl/XT9eZq">http://goo.gl/XT9eZq</a>  Note: Renewal. Change in use. Previously 3T &amp; 6CH.  No proposed hours. Current hours: M-SU 09:00-23:00.</p>
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			Grade II listed building. On 12-10-15agenda. CGCA objected.
4.4	Basement & Ground Floor 25 Catherine Street WC2B 5JS 16/02567/TCH Bodeans/ <i>Stillsmokin Ltd.</i> ; <i>Recyco LLP (agent)</i>	Use of the public highway for the placing of two tables and four chairs in an area measuring 3.0m x 0.8m.	No objection Comments by 19-07-16 Photo: <a href="https://goo.gl/BztLuF">https://goo.gl/BztLuF</a> Documents: <a href="http://goo.gl/scDzd0">http://goo.gl/scDzd0</a> Note: New application. Proposed hours: M-SA 12:00-23:00; SU 12:00-22:30.

**5. Other business**

**6. Next meetings & future presentations**

6.1 11 July 2016

6.2 25 July 2016