

Minutes

Covent Garden Community Association

Planning Sub-Committee meeting held on Tuesday, 27th August 2013
 at 17:00 at Covent Garden Community Centre (Shelton Room), 42 Earlham Street WC2H 9LA
 www.CoventGarden.org.uk Facebook: TheCGCA Twitter: @TheCGCA

1. Attendance

1.1 Apologies received: Sam Kung, Rhu Weir

1.2 Present: Mike Leeson, Jo Weir, Elizabeth Bax, Robert Bent, Shirley Gray, Christina Smith, Meredith Whitten. In addition, Allison and Darren from Odham's Walk attended the beginning of the meeting.

2. Presentation – None

3. Planning Applications & Appeals

	Address & Application No.	Proposal	Comments
CAMDEN APPLICATIONS			
3.1	3 Neal's Yard WC2H 9DP 2013/4863/P C3 residential/ <i>Shaftesbury</i> ; <i>Rolfe Judd (agent)</i>	Use of first floor for dual/alternative uses for either continued use for residential (Class C3) or for retail (Class A1).	<p>Objection. The CGCA objects to permission for dual/alternative use. Please note that we have legal advice to the effect that the granting of dual use would be unlawful and we will provide further information in due course. The applicant is not requesting permission for two uses at once, but rather permission to potentially change use at some point in the future without the need to apply for planning permission at that time. The CGCA believes that allowing dual/alternative use effectively removes the premise from planning control.</p> <p>The CGCA also notes that the applicant inconsistently argues for dual use across this and other similar applications. In this application, the applicant wants the option for A1 at the first floor in an area that is predominantly C3 at this level. However, in the current application for 13 Shorts Garden (2013/4642/P), the applicant argues for permission to convert A1 to C3 at first-floor level by saying that nearby premises at that level are C3. The applicant cites Camden policies that encourage the provision of additional residential accommodation and that seek to retain and protect retail, choosing the argument that best fits the applicant's current need (see cover letters for the applications).</p> <p>Dual use not only makes it difficult for the Council to know which policies to enforce (C3 or A1) at any given time, but it also means that neighbouring residents, as well as the CGCA, would not be able to comment on changes of use back and forth.</p> <p>Finally, the applicant had permission for 10 years and did not change to A1. The CGCA feels that a decade is a sufficient time period to prove that the premises is sufficiently able to be let as C3, as there has not been a need to convert to A1 in the past 10 years.</p> <p>No photo</p> <p>Documents: http://tiny.cc/12m41w</p>

3.2	<p>Unit 5 Central St Giles Piazza 1 St Giles High Street WC2H 2013/4914/P Vacant/<i>Central Saint Giles Limited Partnership; Gerald Eve (agent)</i></p>	<p>Change of use from retail (Class A1) to mixed cafe/bar/Sui Generis use.</p>	<p>Objection. Without documents, which have not been provided online, the CGCA cannot comment on the detail of the application. However, on principle the CGCA objects to another bar in this area, which is already saturated with bars and this negatively affects the amenity of local residents.</p> <p>While the CGCA recognises that food, drink and entertainment uses can contribute to the vibrancy of the area, they can also have harmful effects, such as noise and disturbance to residents, litter, anti-social behaviour, parking and traffic impacts, as noted in Camden Planning Guidance 5 (see 5.1). CPG5 also says that “A suitable location is not in itself enough to secure planning permission for a new or expanded food, drink or entertainment use. For all applications for such uses the Council will assess the potential impacts of the proposal on local amenity, the character and function of the area and its overall mix of uses.”</p> <p>The CGCA points out that the location of the proposed application is surrounded by residential units, with more housing planned for the area. Thus, the impact of yet another bar or café should be weighed against the impact on residential amenity. The saturation of bars and cafes in the area goes against CS7, which states that Camden will ensure that “food, drink and entertainment uses do not have a harmful impact on residents and the local area.”</p> <p>Further, DP12 states that “The Council will ensure that the development of shopping, services, food, drink, entertainment and other town centre uses does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours.”</p> <p>DP12 goes on to say that Camden will consider “the impact of the development on nearby residential uses and amenity, and any prejudice to future residential development;” and “noise and vibration generated either inside or outside of the site;” and “the potential for crime and anti-social behaviour, including littering.”</p> <p>Photo: http://tiny.cc/rpu61w No online documents</p>
3.3	<p>37a Neal Street & 22 Shorts Gardens WC2H 9PR 2013/4048/L <i>Size?/Shaftesbury; Rolfe Judd (agent)</i></p>	<p>Internal and external alterations comprising creation of a new entrance door on Shorts Gardens elevation.</p>	<p>No objection Photo: http://tiny.cc/c5u61w Documents: http://tiny.cc/uwu61w Note: Listed building. 2013/3942/P was on 08-07-13 agenda; CGCA had no objection.</p>
3.4	<p>13 Shorts Gardens WC2H 9AT 2013/4642/P <i>Berghaus/Shaftesbury; Rolfe Judd (agent)</i></p>	<p>Change of use from retail (Class A1) to Dual/alternative use for retail (A1) and residential (C3) comprising 2x 1-bedroom flats and alteration to rear 2x windows at the first floor level.</p>	<p>Objection. The CGCA objects to permission for dual/alternative use. Please note that we have legal advice to the effect that the granting of dual use would be unlawful and we will provide further information in due course. The applicant is not requesting permission for two uses at once, but rather permission to potentially change use at</p>

			<p>some point in the future without the need to apply for planning permission at that time. Allowing dual/alternative use effectively removes the premise from planning control.</p> <p>In this case, the CGCA's objection is not to conversion to C3, but about permitting dual use. The CGCA also notes that the applicant inconsistently argues for dual use across this and other similar applications. In this application, the applicant argues for the option for C3 use by saying the entire first floor at Seven Dials Court (the location of this application) is C3. However, in the current application for 3 Neal's Yard nearby (2013/4863/P), the applicant argues for permission to convert C3 to A1 at first-floor level despite surrounding premises being C3. The applicant cites Camden policies that encourage the provision of additional residential accommodation and that seek to retain and protect retail, choosing the argument that best fits the applicant's current need (see cover letters for the applications).</p> <p>Dual use not only makes it difficult for the Council to know which policies to enforce (C3 or A1) at any given time, but it also means that neighbouring residents, as well as the CGCA, would not be able to comment on changes of use back and forth.</p> <p>Photo: http://tiny.cc/kgu61w Documents: http://tiny.cc/a9m41w</p>
3.5	<p>3 Shorts Gardens WC2H 9AT 2013/4861/P N/A/Shaftesbury; Rolfe Judd (agent)</p>	<p>Construction of infill development to comprise of 1 x 1 bed flat (Class C3), a new residential entrance to Seven Dials Court and new shop frontage (Class A3) to Shorts Gardens.</p>	<p>Objection. The CGCA objects for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposed infill dwelling would seriously damage the character of Shorts Gardens. We note that (a) the existing steps are appealing and (b) and the gap before the spectacle shop is a valuable feature in the street scene. 2. The dwelling would dominate and overshadow 1 Seven Dials Court. 3. There is not enough storage space available in Seven Dials Court for an additional dwelling to be served by it. 4. We suspect there is no serious intention to build the dwelling, as such permission was granted some years ago and not implemented. Granting permission is instead likely to result in driving out the current, tolerable tenant with increased rents. 5. The proposed development would have been much more visually attractive and in keeping with the area if it was taller and in line with the existing buildings, subject to satisfactory daylight and sunlight measurements for existing residences. 6. Finally, the drug problem which might have helped persuade the council to grant permission previously has abated sufficiently for this not to be a justification in present circumstances. <p>Photo: http://tiny.cc/4nu61w Documents: http://tiny.cc/9km41w</p>

WESTMINSTER APPLICATIONS

3.6	26 Wellington Street 13/04149/FULL A3 (currently Charles Dickens Coffee House and Café 26)/ <i>Shaftesbury; Rolfe Judd (agent)</i>	Alterations to existing shopfronts on 26 and 26A on the Wellington Street and Tavistock Street elevation to form a single shopfront and use of the basement and ground floor as a cafe (Class A1/A3). Internal alterations to remove existing partition between 26 and 26A at ground floor level in connections with the formation of a single unit at basement and ground floor level.	The CGCA does not object to the proposal for a single shopfront and we welcome updates that improve this listed building, which is on a popular, highly visible junction in Covent Garden. However, the CGCA does object to the sliding windows in the existing shopfront at 26 Wellington, as we strongly object to openable shopfronts at any site. We note that Westminster opposes openable shopfronts as stated in the Council's guidance, "Shopfronts, Blinds and Signs." We also note that Westminster consistently refuses permission for proposals for opening shopfronts. 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 increase disturbance for nearby residents, particularly in the case of food and drink premises such as this. Residential units are directly above and opposite this property. The CGCA suggests the proposal be revised to include removal of all openable shopfronts, rather than maintaining existing sliding windows with conditions that prohibit opening them. Photos: http://tiny.cc/d7rqxw & http://tiny.cc/27rqxw Documents: http://tiny.cc/jza11w Note: Listed building. Application was previously on 28-05-13 agenda. Applicant has amended proposal to include change of use of basement and ground floor to sui-generis (A1/A3).
3.7	12-13 Henrietta Street WC2E 8LH 13/06718/FULL B1 office/ <i>Royal London Asset Management Ltd.; Orbit Architecture (agent)</i>	Installation of replacement main entrance doors to front elevation.	The CGCA feels that the proposed design of the main entrance doors is not in keeping with the conservation area. Also, the proposed stainless-steel numbers to be used on the building exterior are too heavy. Photo: http://tiny.cc/h6t61w Documents: http://tiny.cc/1fb11w
3.8	17 Tavistock Street WC2E 7PA 13/06989/FULL Cote (A3) at ground; B1 at upper floors/ <i>Shaftesbury; Rolfe Judd (agent)</i>	Dual/ alternative use of the first, second, third and fourth floors as continued (Class B1) office or (Class C3) residential use (2x1 bed; 1x2 bed) and associated alterations including the enlargement of existing dormer window at rear roof level.	Objection. The CGCA objects to permission for dual/alternative use. Please note that we have legal advice to the effect that the granting of dual use would be unlawful and we will provide further information in due course. The CGCA is concerned about the loss of office space in Covent Garden, particularly given that the area is set to lose 7,000 sq.m. in B1 space with other large developments. The office space at this location is in use and the applicant has not shown any evidence of not being able to let the space for office use. Photo: http://tiny.cc/rlv61w Documents: http://tiny.cc/7lb11w
3.9	3A The Market WC2E 8RA 13/07101/FULL <i>Burberry/Burberry; Gerald</i>	Replacement of two existing windows at first floor level with louvered grilles to serve internal plant. (Site includes No. 38)	The CGCA understands that this application has been withdrawn. We welcome this move, as the CGCA would have objected to the proposals to replace existing windows with louvered grilles, as

	<i>Eve (agent)</i>		this would be completely inappropriate on this highly visible listed building. It also would set a dangerous precedent of allowing such grilles elsewhere in The Market and in the Piazza. No photo Documents: http://tiny.cc/ksb11w
3.10	4-6 Russell Street WC2B 5HZ 13/07423/FULL Balthazar/ <i>Balthazar, Savills (agent)</i>	Use of mezzanine level to create a private dining room (Class A3) in association with the existing restaurant at lower ground and ground floor levels.	No objection Photo: http://tiny.cc/usv61w Documents: http://tiny.cc/2xb11w
3.11	12 Henrietta Street WC2E 8PS 13/06363/FULL B1 office / <i>Royal London Asset Management Ltd.; Scott Brownrigg (agent)</i>	Removal of Condition 23 of permission dated 02-09-1999 (98/57778/FUL) for the redevelopment behind Henrietta Street façade for basement and ground floors for office and restaurant use, four upper storeys for office use and roof top plant enclosure (includes 31-32 Maiden Lane), namely to remove sub-divided spaces at first floor level to create an open plan layout at 12-13 Henrietta Street.	No objection Photo: http://tiny.cc/h6t61w Documents: http://tiny.cc/phc11w

4. Tables and Chairs

CAMDEN APPLICATIONS			
4.1	236 Shaftesbury Avenue WC2H 8EG 2013/5176/TC Bloomsbury Tavern/ <i>Shepherd Neame Ltd.</i>	4 tables, 16 chairs, 2 umbrellas and 7 barriers	No objection Photos: http://tiny.cc/fiu61w & http://tiny.cc/kku61w No online documents Note: Renewal application No change in use or hours. Current hours: M-SA 11:00-23:00. Pub currently is hidden by scaffolding, as shown in first photo. Second photo is older.
WESTMINSTER APPLICATIONS			
4.2	44 Wellington Street WC2E 7BD 13/06272/TCH Peyton and Byrne / <i>Peyton and Byrne Ltd.; Design LSM (agent)</i>	Use of an area of public highway measuring 4m x 1.775m for the placing of five tables and 10 chairs.	Objection. This site – and the proposed tables and chairs – is located on a very busy corner that has consistently heavy footfall. Given this, chairs should not back into the footfall as shown on the proposed layout. In addition, the drawing does not include measurements, making it difficult for the CGCA, as well as planning officers, to determine how much of a clear zone is left for pedestrians. While the phone box and cycle stand do not directly interfere with the tables and chairs, the tables and chairs add another obstacle for pedestrians. The people who live in the community will not welcome another impediment, particularly for those using wheelchairs and prams. As noted in Westminster’s “Guidelines for the placing of tables and chairs on the highway,” Westminster “will always require sufficient space on the pavement to allow pedestrians, wheelchair users, disabled people, the elderly, and those with prams and buggies to pass along safely and easily.” The applicant also has not indicated any hours. See attached photo. Photo: http://tiny.cc/67t61w Documents: http://tiny.cc/g2ja2w Note: New application. No hours proposed.

4.3	460 Strand WC2R ORG 13/05971/TCH Tortilla Mexican Grill/ Mexican Grill Ltd t/a Tortilla	Use of an area of the public highway measuring 1.35m x 6.95m for the placing of 3 tables and 8 chairs.	Objection. The drawings submitted by the applicant do not include measurements, making it difficult for the CGCA, as well as planning officers, to determine how much of a clear zone is left for pedestrians. The drawings also do not include the applicant's A-board, as well as the bus stop or the bins, which already create obstacles for pedestrians. This is particularly a concern at this location, which is not only adjacent to Trafalgar Square, but also Charing Cross station and the busy bus stop. See attached photo. Photos: http://tiny.cc/v9t61w & http://tiny.cc/jau61w Documents: http://tiny.cc/lbu61w Note: New application. Proposed hours: M-SA 12:00-23:00.
4.4	19-21 Tavistock Street WC2E 7PA 13/07857/TCH Cote/Cote Restaurants Ltd.; Bevas Kidwell LLP	Use of the public highway in two areas fronting Catherine Street (8.7m x 1.1m) and Tavistock Street (11m x 0.9m) for the placing of 13 tables and 28 chairs.	Objection. The CGCA notes that the tables and chairs are already in use and, as shown in the attached photo, are not managed properly, with at least one of the tables and its chairs as well as an A-board partially blocking the pavement. This is particularly a problem given that the pavement already is quite narrow and already has a post with cycles locked to it. This forces pedestrians into the street, which has a high volume of vehicular traffic, including taxis going to and from the nearby theatres. Photos: http://tiny.cc/gcw61w , http://tiny.cc/3cw61w & http://tiny.cc/pdw61w Documents: http://tiny.cc/dzv61w Note: New application. Proposed hours: M-SU 08:00-23:00. Tables and chairs are already in use.

5. Camden Advertising and Listed Building Applications – Note that Camden does not have to consult on these applications. They are provided for your information; the Planning Committee will not be discussing them.

CAMDEN APPLICATIONS	
None	

6. Other Business

7. Next meetings & future presentations

- 9.1 Monday, 9th September 2013, 17:00
- 9.2 Monday, 23rd September 2013, 17:00