

Charlotte Street Association

**Development Management,
Regeneration & Planning,**
London Borough of Camden,
Town Hall, Judd Street,
London WC1H 8ND.

17th January 2023

For the attention of Elaine Quigley, Planning Officer, Planning Solutions Team.

By email to: planning@camden.gov.uk and elaine.quigley@camden.gov.uk

Dear Elaine Quigley,

Re: ref. 2022/3904/P: 67 Charlotte Street, W1T 4DF:

Installation of 4 air-conditioning units on roof; and installation of new kitchen extract duct at low level to be connected to existing riser duct in association with commercial unit on Ground Floor

I am writing on behalf of the Charlotte Street Association, concerning the above planning application.

Our Association wishes to object to, and comment upon, both (a). the proposed new air-conditioning units, and (b). especially the proposals regarding the restaurant kitchen extract duct, for the reasons given below.

There are two aspects to this application:

- (a). Proposal to install 4 air-conditioning units on existing rear extension roof; and
- (b). Proposal for new kitchen extract duct, which is to be connected to existing external riser metal duct.

(a). Proposal to install 4 air-conditioning units on existing rear extension roof:

The proposal includes removing 3 existing air-conditioning units, and replacing them with more air-conditioning units – 4 a/c units.

These units will be on the low flat roof of the one-storey rear extension which is half-flight down from the Ground Floor; as are the existing a/c units. It needs to be appreciated that this rear area and thus the a/c units are overlooked on three sides by residential flats – flats in the terraced building of Charlotte Street itself, flats in the side street of Tottenham Street, and flats in the parallel street of Goodge Place at the back.

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Re: ref. 2022/3904/P: 67 Charlotte Street, W1T 4DF - *continued*:

The **aerial photograph** on page 5 in the applicant's "Noise Impact Study" (Max Fordham) shows well this situation of the a/c units being overlooked by the terraced buildings of Charlotte Street and the terraced buildings of Tottenham Street. The terraced buildings of Goodge Place (which is parallel to Charlotte Street) is just out of picture at the bottom left-hand side of the photograph.

We wish to object to the increase in the number of a/c units. We are particularly concerned about the residential flats being affected by noise from the new a/c units especially in the evenings and at weekends and on public/bank holiday days when residents expect relative quietness in Fitzrovia. As described above, this rear area is enclosed by buildings on three sides and thus noise from the units is likely to be reflected off the hard surfaces of the buildings and "bounced" around this rear area, and greatly affect the residential amenity of the flats. Furthermore, the a/c units are at low level on a low roof, and thus inevitably the a/c noise will rise to the flats, despite any mitigation, because sound-proofing enclosure of such units is usually to the sides only.

We have doubts that the background noise level is as high as 50dB, as on the Noise Impact Study because this part of Charlotte Street and Tottenham Street are relatively quiet. We are also concerned at the noise level being set for the a/c units because we think the level is too high. Although the Report appear to say that the a/c units will be used from 7am to 11pm, these hours are different from the hours in the restaurant's Premises Licence:

(a). We think that 7am is far too early in terms of the residential amenity of the nearby flats.

The restaurant's opening hours are: Mon to Sat 10am;

Sunday & Bank/Public Holidays: 12 Midday

(b). The a/c units are likely to be used until a much later hour, because the restaurant's closing times are: Mon to Sat: Midnight;

Sunday & Bank/Public Holidays: Half-past Midnight.

(b). Proposal for new kitchen extract duct, connected to existing external riser duct:

We wish to object to the proposals for the new kitchen extract duct:

(a). In Fitzrovia, over the years, extract ducts have been expected to be taken up to roof level and above the highest window.

(b). The proposal is to re-use the existing vertical duct – we do not think that this is appropriate because its location affects many neighbouring flats in Charlotte Street, Tottenham Street and Goodge Place. We understand from a resident that they and their neighbours experienced noise and odours/cooking smells, each time the existing duct was used by the previous restaurant at 76 Charlotte Street.

(c). Thus, we think that the new extract duct should be run up the rear elevation/wall of the main 67 Charlotte Street building to roof level. Also, the kitchen for the restaurant is in a new location (compared with the previous kitchen) and relates directly to the rear elevation.

(d). The application does not appear to mention any mitigation for odours/cooking smells, which is of serious concern with regard to the residential amenity of the many neighbouring flats.

(e). The new metal extract duct is proposed to run up the side of the existing old **free-standing** brick chimney stack – we have concerns about the structural stability of this free-standing brick chimney stack due to its age and free-standing very tall height

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Re: ref. 2022/3904/P: 67 Charlotte Street, W1T 4DF - *continued*:

The proposal consists of a new kitchen extract duct within the restaurant kitchen, to be then connected to the existing external metal extract/riser duct. This existing vertical metal duct is located in the rear area but away from the main building, in the similar location as for the a/c units. It is located at the change in level of the existing low flat roofs of the rear extensions.

It needs to be appreciated that this existing extract duct is “**free-standing**” and is located about 7 metres away from the rear elevation of the main building at No. 67. This existing **metal** extract duct rises up at the side of an existing brick chimney which is also **free-standing**. The free-standing chimney (and the metal duct) rises up 4.45 metres above the **lower** rear extension flat roof, and rises up 3.45 metres above the **higher** rear extension flat roof.

As described above for the a/c units, this existing vertical extract duct is also overlooked on three sides by the residential flats in the terraced buildings of Charlotte Street, Tottenham Street, and Goodge Place respectively. Again, the **aerial photograph** on page 5 in the applicant’s “Noise Impact Study” (Max Fordham) shows the situation, and in which the vertical metal duct together with the brick chimney can be seen as free-standing in the middle of this rear area; and surrounded by the terraced buildings.

We reckon that the at the top of the vertical extract duct is about half-metre below the top of the windows of the 2nd Floor storey. The neighbouring buildings in Charlotte Street and in Tottenham Street are generally 5 storeys including Ground Floor and Roof storey. Thus, the top of the extract duct is well below the windows the upper storeys of the residential flats; and also with the 15 metre radius of the duct’s location.

In **Camden’s Planning Guidance/CPG1: Design, section 11 Building Services Equipment**, (page 101) one of t.he “Key messages” says that “Building services equipment should not harm occupant or neighbour amenity.”

The **DEFRA Guidelines on commercial kitchen exhaust systems**/extract ducts says (para 4.7.8) says that inadequate height of of the discharge stack is one of the main reasons that the emissions from a kitchen gives rise to odour nuisance; and that stack design is paramount to achieving good dispersion.

In this instance, the duct is surrounded on three sides by terraces of residential accommodation. Thus, in addition, we are concerned about the prevailing wind and/or wind currents directing the odours toward the various residential flats.

One of its guidelines is that the top of an extract duct should be 1 metre above the ridge height of any building within 15 metres of the duct.

It is a pity that the applicant’s Existing and Proposed Plan drawings do not show the neighbouring buildings in Tottenham Street, so that the relationship can be seen between the location of the extract duct and the residential flats in the neighbouring buildings including those in Tottenham Street. But, we reckon that many of the neighbouring residential flats in Charlotte Street itself, in Tottenham Street and in Good Place are within this 15 metre radius.

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Re: ref. 2022/3904/P: 67 Charlotte Street, W1T 4DF - *continued*:

For the above reasons, we would ask that this application is refused.

Yours sincerely,

Clive Henderson,
On behalf of Charlotte Street Association.