

Charlotte Street Association

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

4th June 2023

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

Dear Elaine Quigley,

Re: ref. 2023/1172/P: 67 Whitfield Street, W1T:

Use of the Undercroft area as outdoor seating in association with the restaurant use at 67 Whitfield Street

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

Our Association wishes to strongly object to the proposed use of the Undercroft Area as outdoor seating in association with the restaurant use, for the reasons set out below. Although the address is given as Whitfield Street, the Undercroft Area itself lies alongside, and fronts onto, **Chitty Street**.

In summary, the main reason for our objection is because of the very likely detrimental affect that the presence of the outdoor seating, however well managed, will have in terms of noise on the existing residential amenity and the peacefulness of the many residential flats that are concentrated in the immediate vicinity, in Chitty Street, in this quiet part of Fitzrovia.

The quiet nature/character of Chitty Street; and the location of the residential uses:

There this is a concentration of residential flats in Chitty Street.

We reckon that there are some 73 flats in the immediate vicinity with 20 flats (1st Floor to 6th Floors) above No. 67 Whitfield Street itself;

- with 26 flats in Asta House (1st to 5th Floors) on the opposite corner (Chitty Street/Whitfield Street) to No. 67;
- a further 17 flats (Elisa Court) in Chitty Street, opposite;
- and a further 10 flats at No. 5 Chitty Street.

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It needs to be fully appreciated that Chitty Street itself (together with the immediate part of Whitfield Street) is a quiet area. Some residents have lived for many years in the existing flats in Chitty Street itself.

In addition, there are residential flats (some of which are “intermediate” flats/social housing flats) (a). above no. 67 Whitfield Street (corner of Chitty Street/Whitfield Street) and (b). on the opposite corner in Asta House.

The Undercroft area:

The proposal is to use this area for outdoor seating for use by the recent restaurant at no. 67 Whitfield Street, with 10 tables and 20 “covers”/chairs.

The Undercroft area is open to the street on one side, and is open to the adjacent pocket park/Poets Park on another side.

Thus, noise from this Undercroft area will easily escape into the street and to the residential flats opposite on Chitty Street.

Although the side which is open to the street has a full-height metal, sliding louvered screen, the screen consists of metal louvers which are fixed open; and thus this screen does not, and will not, prevent noise from the Undercroft Area into the street and to the residential flats opposite.

Also, the configuration of the Undercroft, with its hard surfaces of ceiling, back wall and floor is likely to act as an “echo chamber” and project the noise even more loudly out in to the street and to the residential flats.

In the covering letter from the applicant’s agent/DP9 dated 24th March 2023, it says that “..... *given the small area proposed for the seating area, the undercroft arrangements will reduce noise transfer, with the louvered screen serving as a means of containment ...*”

We completely disagree with this assessment that noise transfer will be reduced. As we describe above, the louvered screen will not reduce noise, and the configuration of the Undercroft with its hard surfaces is likely to act as an “echo chamber” and project noise outwards as well as increase the sense of noise.

In addition, the sliding glazed screen between the restaurant and the Undercroft area is likely to be open for much of the time so that staff can serve customers in the Undercroft area; and thus noise will also be coming out of the main restaurant into the street via the Undercroft area.

The Premises Licence:

The restaurant applied for a Premises Licence in early 2022. As a result of representations by residents, certain Conditions were attached to the Licence, which include the following Conditions:

(a). re. Condition no. 40:

This Condition says “*There shall be no tables and chairs for customer use on Chitty Street.*”

For the residents, this is a significant condition, in that it greatly helps to reduce possible

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Re: ref. 2023/1172/P: 67 Whitfield Street, W1T - *continued*:

(a). re. Condition no. 40 – *continued*:

noise disturbance from the restaurant use. (And it should be noted that the restaurant does not have opening windows, and thus noise is contained within its premises). Having tables and chairs in the Undercroft area will have a similar effect as having Chairs and Tables on the pavement/street, because (as we have described above) the Undercroft area is “open” and will easily transmit noise outwards. The concentration of the proposed 20 customers (20 “covers”) in the Undercroft area is likely to generate a great deal of noise, however well managed.

(b). re. Condition no. 43:

This Condition says “*The sliding doors that lead from the restaurant to the outdoor space referred to as the Undercroft must be closed, save for entry and egress to the premises*”.

The reason for this Condition is to prevent noise break out from the restaurant premises to the nearby residential flats.

The main entrance door for the restaurant is at the Whitfield Street/Chitty Street corner, and thus these sliding doors are probably not used customers; and more like occasionally by staff to access the bins storage in the Undercroft area.

Thus, these doors are generally closed, and prevent noise break-out.

If the Undercroft area is used for the proposed outdoor seating (10 Tables and 20 Chairs), then these sliding doors will be used constantly by:

- customers coming from the main restaurant space to the Undercroft;
- staff coming and going to serve customers in the Undercroft Area.

This will mean that the sliding doors will be constantly opened and closed, or just left open for convenience – and thus (in both cases) allowing noise break-out from the main restaurant premises; and thus affecting the residential amenity of the nearby flats.

Re: Fitzrovia Area Action Plan:

The Fitzrovia Area Action Plan, on Page 27 (under “Creating a high quality physical environment”) says that one of its objectives is:

*“protecting and enhancing the valued character of Fitzrovia, including **maintaining the quiet residential streets**, which sit alongside busy commercial thoroughfares”.*

[the emolding is mine]

Chitty Street is one such quiet residential street. It is important that this street is protected by not allowing the proposed use of the Undercroft area as outdoor seating in association with the restaurant – because we think the proposal will create noise disturbance to residents for the reasons described above. The importance of maintaining the quiet residential streets is to ensure that the **permanent** residential community is able to continue to live in Fitzrovia, the permanent residential community being one of the main characteristics of Fitzrovia.

Conclusion:

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

Yours sincerely,

Clive Henderson,

On behalf of Charlotte Street Association.