

Application No:	Consultees Name:	Received:	Comment:	Response:
2024/4434/P	Emrah kus	22/11/2024 00:00:30	COMMNT	<p>I do not want this to happen because we have a fan next door, as before there was test done with noise control but we haven't had any idea of this planning application has been taken, we are 16 years in this road, many shops and retails change to coffe shops and restaurants in this area, also I am the manager of the et house Turkish restaurant and old business owner, everyday we have police coming in to ask for camera videos of the street to find out the crimes that is happening near the pubs and also everyday Sainsbury's having issues in the area, I don't know how this place has the alcohol linceses when we already having a lot issues with the crimes and police being in the street doesn't give good impression to our customers. Two restaurant that is running each others going to cause a lot more noise and this is going to make my neibours upstairs unhappy. I could show the emails of the police officer that asks evidence from me, we always try help as much as we can to drop the crime level in this area but unfortunately opening late night and same times with us it's going to also effects us in financial way, also more complains, we use to have this issue with the old owner aswel because he was playing late night music at the back so our neighbours used to think is us but we have show them our restaurant that it is not us so they went and complain to the Camden in the past for 153 fortess road as you could see from the comments that has made to first application.</p>

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2024/4434/P	YUNUS EMRE KUS	21/11/2024 22:19:24	OBJ	<p>.Residents' Concerns:</p> <ol style="list-style-type: none"> 1. Noise Disturbance: Residents reported that noise from the garden area, particularly in the evenings, was audible in their flats. The sound carried heavily, and they feared that extending the opening hours would exacerbate the issue. Noise assessments were questioned due to discrepancies in where the measurements were taken. The residents felt their flats were not adequately considered in the report. 2. Safety Concerns were raised about potential safety issues, particularly for women living in the flats above, with the late-night operation of the venue potentially leading to intoxicated behaviour. 3. Pavement Congestion The narrow pavement in front of the venue, near a tree and streetlamp, was also a concern. If customers lingered outside the venue, it would make it difficult for residents to pass, particularly near the tube station. In response to the panel's decision, it can be argued that the ruling may not have fully considered the competitive dynamics between the new business and the existing establishment next door. This aspect is crucial for understanding the potential negative impact on the established business, which already serves Turkish beer, mezze, and similar dishes. <p>Topics not covered in the meeting held.</p> <ol style="list-style-type: none"> 1. Impact of Direct Competition on Existing Business: Overlapping Offerings: The existing business, already serving Turkish beer, mezze, and similar dishes, could face significant competition from the new venue offering the same or similar products. The introduction of another restaurant with similar offerings in the same area could potentially draw customers away, especially as both establishments are targeting the same demographic (those interested in Turkish cuisine and alcohol). Market Saturation: The area may already be saturated with businesses offering comparable food and drink, making it difficult for the existing business to maintain or grow its customer base. This could lead to a negative economic impact, especially if the new restaurant is allowed to operate late into the evening, potentially drawing away customers during peak hours when both businesses are likely to compete for patrons. 2. Noise and Customer Behaviour: Compounding Noise Disturbance: The panel focused primarily on noise emanating from the garden area of the new premises, but it did not address how the operation of two restaurants with similar offerings in such proximity might amplify the noise and potential disturbances in the area. With two businesses playing amplified music or hosting customers in outdoor seating areas late into the evening, noise levels could compound, making the situation worse for residents, especially those with single-glazed windows. Customer Conflicts and Alcohol Consumption: The panel did not sufficiently address the potential for conflicts arising between customers of the two businesses, especially regarding alcohol consumption. If both establishments serve alcohol and have outdoor seating areas, the possibility of customers lingering or causing disruptions on the narrow pavement or in the garden increases. The presence of alcohol at both venues could lead to higher instances of rowdy behaviour, particularly in the evening, affecting the quality of life for residents. 3. Unfair Competitive Advantage: Impact on Business Viability: By granting a licence to the new café/restaurant, the panel may have

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inadvertently placed the existing business at a competitive disadvantage. The new establishment would be allowed to operate later, serve alcohol, and potentially offer the same cuisine, while the existing business, which has likely built up a local customer base over time, may now struggle to retain its patrons. This situation could affect the viability of the established business, potentially pushing it to close or reduce its hours, even though it was already operating within the parameters of its existing licence.

Lack of Consideration for Established Businesses: The decision seems to overlook the fact that the existing business has already made substantial investments in the area, providing a stable service to the local community. Introducing a direct competitor with similar offerings and extended hours could undermine the efforts of the current business, which had likely already taken local noise and community dynamics into consideration when designing its operations.

4. Need for a Holistic Approach:

Consultation with All Affected Parties: It would have been fairer for the panel to consult with both the applicant and the existing business owners to better understand how the new establishment could impact the community dynamics. The existing business's perspective, particularly on potential noise and competition, should have been weighed equally to ensure a balanced approach.

Holistic Assessment of the Area's Business Landscape: The panel should have considered the broader business landscape and potential market effects on the existing business when evaluating the application. This would include assessing how the operation of two similar businesses in proximity could lead to market saturation, conflicts over space (e.g., customers lingering on the narrow pavement), and noise disturbances affecting both residential properties and local businesses.

Conclusion:

The decision to grant the licence for the new restaurant may not have adequately considered the potential adverse effects on the existing business next door. The overlap in offerings, potential for compounded noise disturbance, and the risk of customer conflicts over alcohol consumption were not sufficiently addressed in the panel's deliberations. These factors could harm the viability of the established business, making the decision seem unfair. A more thorough review of the competitive and community impacts, including consultation with the existing business, could have led to a more balanced and equitable decision for all parties involved.

Given the refusal of the extract duct planning application, changes to the premises' floor plan, and the introduction of new equipment such as the ESP system, a new premises license application should be submitted. This application should include updated drawings, a new noise survey based on the revised premises design, and an accurate assessment of the potential impacts on the local community. The previous licensing decision was based on incorrect and outdated information, and as such, it is not valid in its current form. A fresh application will ensure transparency, fairness, and proper consideration of all factors affecting the local area. The noise and disturbance risks could be significantly different than initially assessed, especially if the ESP system operates differently or generates different levels of noise or vibration compared to the previously planned extract duct. The noise survey referenced in the application was conducted on 23/07/2024, yet the new application (which includes the new ESP system) was not submitted until 23/10/2024. This discrepancy raises questions about the relevance of the noise survey, as it is based on outdated premises plans and equipment assumptions. The delay in submitting the new application and the difference in equipment proposed (from extract duct to ESP) could significantly alter the noise dynamics, requiring a new survey to accurately assess the potential impacts.

Proposed use would be likely to detrimental to the residential amenity in the area by reason noise, fumes,

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refuse and traffic generation, vitality and the viability of the shopping area, the impact on neighbours and the parking highway implications.
Further planning requests will be required for associated building works as such shown in the floor planning.
Extra light pollution will be generated to the neighbouring by additional late-night restaurant.

This change directly competes with my business in terms of both the type of services offered and the clientele attracted. The proximity of two similar restaurants will significantly affect my restaurant's foot traffic and sales. I have made my business decisions based on my neighbouring business being a coffee shop, limited hot food, not able to sell alcohol and trading hours restricted.

Lastly, location of the ESP allocated in the drawings will significantly cause vibration to my commercial business,distract my customers dining experience.
