

Emrah Kus



20/11/2024

Ex Business Owner

Development Management Regeneration and Planning
London Borough of Camden Town
Hall Judd Street
London
WC1H 9JE
Date: 20/11/2024

Dear Leela Muthoorra

My brother, Yunus Emre Kus, runs a business at 151 Fortress Road, and I am employed under his company at the same address. I managed the business for 5 years before stepping down and transferring it to him, as the business has been a family-run operation for over 15 years. My brother has already expressed his concerns regarding the rent and other related issues via email.

We would be very grateful for any assistance you can provide, as we have deep ties to this location. I was just a child when my father first took over this place, and over the years, we have spent countless hours working here. The business has been part of our lives for more than 16 years, and we have become a significant part of the Camden Town community. We know nearly everyone in the area, and we've witnessed the growth of local children, many of whom used to visit with their families, and now return with their own children. Our long history in this neighbourhood is very important to us, and we hope to continue contributing to the local community.

From the planning application for 153 Fortress Road, I understand that there is a proposal to install an extractor fan on the outside of the building. However, it seems that the initial application was rejected, and now a new planning application is under review, with a decision expected in 3 days. I would like to clarify that this is not a direct comment on the planning application itself, but rather a reminder that this property has been serving hot food for over 10 years or more. The nature of the business has been established for a long time, and any concerns or developments regarding this application should consider the longstanding history of the business at this location.

I have been paying very high rent for my restaurant, which is registered under A3 use, but recently, many businesses in the area have shifted to E use. To continue serving hot food under the new E use category, businesses need to apply for planning permission or get approval from the landlord to make changes. Over the last 15 years, I have always complied with the required processes and permissions.

However, it is concerning that my neighbour at 153 Fortress Road has been operating a hot food business without the necessary planning applications or permission, including before they even submitted their application for an extractor fan. Their menu includes grilled salmon, and other items like what I offer, yet they have not followed the proper procedures. This is a clear violation of their lease and planning regulations.

Despite my ongoing issues, my landlord has not been supportive in helping me resolve my concerns. The situation with my neighbour not only breaches lease agreements but also undermines my business and creates an unfair competitive environment. I feel that whoever is responsible for allowing this is jeopardizing my business and playing with people's livelihoods, including my own.

In this area, all the businesses, including mine, are under the same landlord and share equally in the responsibility to pay rent and maintain the street. Our lease agreements are in place to ensure fairness, and we all have a right to equal treatment under these agreements. If my neighbour at 153 Fortress Road does not have the required extractor fan, I question how they could have achieved a 5-star food hygiene rating. Furthermore, if this property has been equipped with insulation fans, as mentioned, this would indicate that the premises may have already breached planning regulations before even submitting the application.

Immediate action is needed, as the continued sale of hot food at this location, without the proper permissions, is beginning to negatively impact my family business. The longer this continues, the greater the risk to our livelihoods. The planning application and all associated regulations need to be reviewed and enforced promptly to protect our business and the fairness of the area.

I am seeking to address the unfair competition that has been ongoing for the past five years, both for myself and my father, who ran the business before me. Operating my A3 restaurant with high costs for cooking hot food and maintaining the business has been incredibly challenging, especially when my neighbour at 153 Fortress Road has been selling the same food items at much lower prices. The items on their menu, including grilled food, are similar to what I offer, and this unfair pricing has severely impacted my business.

According to their lease agreement, they are only permitted to sell hot drinks and sandwiches, but they have been selling a wide variety of my items, including falafel, chips, prawns, and more, in direct competition with my business. This is a clear breach of their lease terms. What confuses me is how Camden Town has issued a 5-star food hygiene rating to this premises, which mentions cooking, but I've never seen an extractor fan installed in the 15 years the premises have been in operation. In fact, I recall this location originally being a free bookshop, where I used to take books home.

There have been multiple inspections of this property, both before and during the current ownership, yet despite these violations, the business has continued operating. Camden has now started an application for this premises to operate as a sandwich bar, even though it has been operating as a restaurant and café, with cooking involved, for quite some time. The 5-star rating, combined with their cooking operations, seems to contradict the lease agreement and the lack of proper planning permissions.

As a result of this situation, I feel that my business has been unfairly impacted. My family has invested significant time and money into running our restaurant, and it is not fair for our competitor next door to disregard planning regulations and operate outside of their lease terms, while still being able to undercut my prices. Given the circumstances, I believe it is only fair to seek compensation for the financial losses we have incurred over the past five years because of these unfair practices.

For the past years, I have invested significant time and money maintaining my restaurant's operations to ensure compliance with regulations. I maintain my extractor fan yearly, have it cleaned professionally every six months, and clean it every three days. This upkeep comes with a significant cost and time commitment. However, my neighbour at 153 Fortress Road does not appear to have any external fan, despite selling similar hot food items. This gives them an unfair advantage, allowing them to sell the same items at a much lower price, which has been detrimental to my business.

Additionally, other well-established coffee shops in the area, such as Bear and Wolf and Little Bear, have been operating for many years and attract many customers. These businesses benefit from advantages I cannot access due to the unfair competition created

by my neighbour's operations. This is incredibly frustrating because they are not held accountable for their violations, while I face much higher operational costs.

The unfair competition has significantly impacted my ability to sell in the mornings, as more and more customers are drawn to the lower prices at the neighbouring business, which operates outside of the proper regulations. This has been an ongoing issue that has affected my sales and my ability to maintain a steady customer base.

It is deeply disappointing that no action has been taken to address these issues, despite the clear violation of lease agreements and planning regulations. I believe it is crucial to find out who is responsible for allowing this to continue and to hold them accountable for the losses my family business has incurred.

This situation has caused significant hardship for my family, and it is essential that action is taken to ensure fairness for all businesses in the area. For the past 5-6 years, we have operated our business during the same hours as my neighbour, but it has been impossible to attract customers when they have been breaching their lease agreement and planning permissions for over 10 years.

It is incomprehensible that they have been allowed to operate without proper planning permissions, especially when they have been violating these regulations from the very beginning, yet no one has taken any action. Why would they even bother to apply for a planning application now when they have been breaching the rules for such a long period? The situation is even more frustrating when it seems no one is addressing these violations.

The landlord is benefiting from the highest rent paid by 153 Fortress Road, and the business owner is making money while operating illegally. Meanwhile, my business, which has always complied with the rules, is being negatively affected. It feels as though the system is designed to reward the wrongdoers while punishing those of us trying to run a business fairly.

At this point, we are left with no choice but to prepare to leave the premises soon. The ongoing unfair competition and lack of support have made it unsustainable for us to continue. We are simply unable to compete under these circumstances, and it is deeply disheartening to see how this situation has been allowed to persist.

15:29



Contact Camden

application reference no. APP\PREMISES-NEW\122484

the evening to houses further down the street. It's also just around the corner from Acland Burghley school and we have lots of school children in the street during the day. The current owners are not considerate of their neighbours - which is already a problem because they put tables outside and their customers loiter in front of our door or leave buggies/bicycles/scooters outside which resulted in me getting hurt on more than one occasion when leaving the house. When I complained to the owner about this, he got very aggressive and attacked me claiming he can do whatever he wants. This makes me feel they would

The comment made by the lady raises some very serious concerns, and whether the situation is true, we are genuinely scared for our safety. If any harm or further issues arise after these emails, we all know the potential reasons behind it. This has created a sense of unease, and we are worried about the consequences of standing up for what is right.

The evidence shows that the premises at 153 Fortress Road is engaged in cooking, re-heating, and cooling food. Given this, it should be classified under A3 use, which is part of the E class uses. However, for businesses operating in this category, planning permission is required, along with proof of proper installations, including a fan and ventilation system. The person responsible for the inspection needs to clarify the installation system, as the fan used in the premises should be compared against the planning application and requirements.

We have documentation showing that an inspection took place on June 21, prior to the submission of the planning application. This raises significant questions. Could someone from the Camden team please explain how this works? We need further clarification on how the inspection process is being handled, and we are asking for more help regarding this inspection.

If the premises have been operating without the necessary installation of a fan, then those who are responsible for assessing this property should be held accountable. Allowing the business to continue selling food without the required installations is a serious violation, and those responsible for this should be held accountable for enabling this operation to continue unlawfully.

17:40

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Address

153 Fortress Road
London
NW5 2HR

Business type

Restaurant/Cafe/Canteen

Date of inspection

21 June 2023

 [Show map](#)



Standards found at the time of inspection

Area inspected by food safety officer	Standards found
Hygienic food handling Hygienic handling of food including preparation, cooking, re-heating, cooling and storage	Good

AA

ratings.food.gov.uk



17:40



Date of inspection

21 June 2023



Show map



Standards found at the time of inspection

Area inspected by food safety officer	Standards found
Hygienic food handling Hygienic handling of food including preparation, cooking, re-heating, cooling and storage	Good
Cleanliness and condition of facilities and building Cleanliness and condition of facilities and building (including having appropriate layout, ventilation, hand washing facilities and pest control) to enable good food hygiene	Good
Management of food safety System or checks in place to ensure that food sold or served is	Good

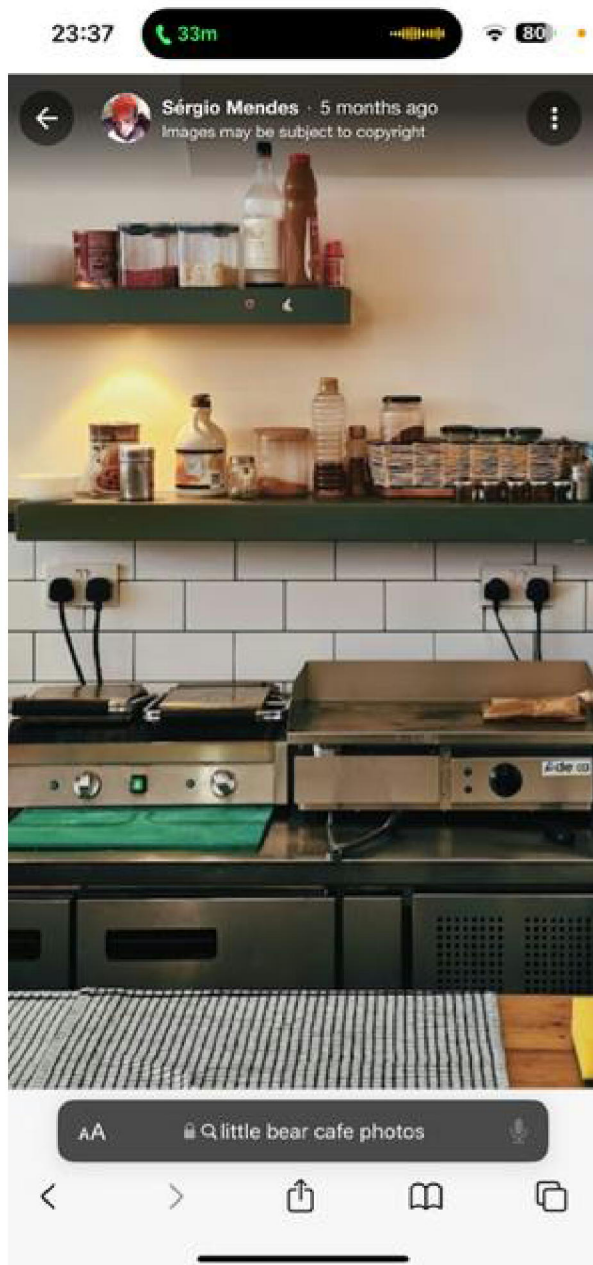
ratings.food.gov.uk — Private

The evidence provided below has been taken from Google reviews of Bear and Wolf, trading under the first owner. It clearly shows that they have been cooking without the proper installation of a fan or ventilation system on top. Despite this, the inspection team has granted them a 5-star food hygiene rating.

As someone with Level 3 food safety training, I find it difficult to understand how this could have happened. If the person who carried out the inspection awarded the 5-star rating without considering the proper installations, they should be held accountable for this oversight. The fact that a business can receive such a high rating while clearly operating without the required safety measures raises serious questions about the inspection process and whether the rating system is being applied fairly.



This picture is taken place on 5months ago, so inspection has taken place again but normal action again taken electric grill and toast machines but no installation of fan to keep the smoke away, they have children's playground at the back.



Sign displayed incorrectly, as allocated in front of 149 rather than 153, away from the premises. Should be allocated correctly for neighbouring to make comments accordingly.



There is a significant concern regarding the menus of both Little Bear and Bear and Wolf, which can be easily checked online. Both businesses are clearly selling hot food, which goes against their lease agreements, as they are only meant to be selling hot drinks and sandwiches. If they are doing this with the knowledge and approval of the landlord, it is making it increasingly difficult for me to compete and pay my rent.

I ask that everyone take this matter very seriously. The situation has been ongoing for years, and it has directly affected my business. If these businesses have been operating without the proper lease terms, planning applications, or a proper ventilation system, it's not only unfair—it has caused me significant financial losses. I am requesting compensation for the impact this has had on my business.

LUNCH

Grilled Salmon	13.5
Grilled salmon served with seasoned potatoes & salad	
Penne Pomodoro (v)	11
Fresh tomato, virgin olive oil, garlic cloves, basil & parmesan cheese	
Macaroni Cheese (v)	9

ON MUFFIN

Egg Florentine (v)	12
2 poached eggs, sautéed spinach, English muffin & hollandaise sauce	
Egg Royal	12.5
2 poached eggs, smoked salmon, smashed avocado, English muffin & hollandaise sauce	
Egg Benedict	12.5
2 poached eggs, streaky bacon, English muffin & hollandaise sauce	

KIDS MENU

2 Pancakes with Nutella Banana (v)	6
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BREAKFAST - BRUNCH

2 Poached Eggs on Sourdough (v)	8.5
Add Salmon / Bacon / Avocado + (2.00)	
Scrambled Heaven (v) (Vegan)	12.5
Homemade sourdough topped with smoked salmon & scrambled eggs	
Medi Breakfast (v) (Vegan)	13.5
2 Poached eggs, grilled halloumi, tomatoes, feta & spinach, avocado, feta cheese, mixed olives, cherry tomato. Served with sourdough bread & jam	
Vegetarian Breakfast (v) (Vegan)	12.9
2 Poached eggs, grilled halloumi, Portobello mushrooms, grilled cherry tomatoes, sliced avocado with sourdough bread	
English Breakfast (Vegan)	11.5
Free range eggs as you like, streaky bacon, Cumberland pork sausage, grilled cherry tomatoes, beans. Served with sourdough	
Full Vegan Breakfast (v) (Vegan)	12.5
Smashed avocado, feta, & grilled cherry tomatoes, Portobello mushrooms, feta & spinach, vegan cheese, berry compote. Served with vegan bread	
Shakshuka (v)	11.5
2 Poached eggs slow cooked in a fiery tomato sauce with peppers, spices. Served with sourdough bread and Greek style organic yoghurt	
Granola (v)	9
Greek yoghurt, honey & summer fruits	
Daily Organic Soup (v)	7.5
Served with sourdough	

BREAKFAST - BRUNCH EXTRAS

Smashed Avocado	3.5	Cumberland Pork Sausage	2.5
Streaky Smoked Bacon (2)	1.5	2 Slice Sourdough Toast	1
Smoked Salmon	4	Grilled Cherry Tomato	2
Grilled Halloumi	2	Feta Cheese	2
Egg As You Like It	1.8	Gluten Free Bread	2
2 Poached Eggs (Cumberland)	2	Nutella	2
Portobello Mushroom	2	Maple Syrup	2
Olives	2.5	Jam	2
Baked Beans	2.5		

ON MUFFIN

Egg Florentine (v)	12
2 poached eggs, sautéed spinach, English muffin & hollandaise sauce	
Egg Royal	12.5
2 poached eggs, smoked salmon, smashed avocado, English muffin & hollandaise sauce	
Egg Benedict	12.5
2 poached eggs, streaky bacon, English muffin & hollandaise sauce	

SALADS

Halloumi & Avocado (v)	12
Halloumi cheese, sliced avocado, cherry tomato, mixed leaves & house dressing	
Grilled Salmon Salad	13
Grilled salmon mixed with mix salad, cherry tomato, cucumber & salad dressing	

LUNCH

Grilled Salmon	13.5
Grilled salmon served with seasoned potatoes & salad	
Penne Pomodoro (v)	11
Fresh tomato, virgin olive oil, garlic cloves, basil & parmesan cheese	
Macaroni Cheese (v)	9

TOASTED SANDWICHES

Slice of vegan cheese extra 70p.

	Buget	Bruschetta	Parma
Sausage Roll	5.5		
Cumberland Pork Sausage			
Double Egg Roll	5.5		
Egg & Bacon Roll			
Streaky Ultimate Bacon	9.7		
Aussie, roasted tomato, avocado, beans & bacon			
Ultimate Halloumi	9.7		
Aussie, roasted tomato, avocado, beans & halloumi			
Ultimate Tofu	9.7		
Aussie, roasted tomato, avocado, beans & tofu			
Cream Cheese & Avocado (v)	6.5	8.5	
Tuna Melt	6.5	8.5	
Ham, Cheese & Mustard	6.5	8.5	

PANCAKES SO SWEET, SO DELICIOUS!

Add Nutella + 70p

Classic Pancake (v)	9.5
Pancake with butter & maple syrup	
Classic Berry (v)	12
Seasonal fruits, cream, homemade berry compote & baked almonds	
Bacoff Dream (v)	12
Strawberries and banana with Bacoff sauce & crumble	
American Style	12
Scrambled eggs, streaky bacon & maple syrup	

KIDS MENU

2 Pancakes with Nutella Banana (v)	6
Boiled Egg on Sourdough	5.5
Granola (v)	7
Greek yoghurt, strawberry or banana & honey	
Smashed Avocado & Egg on Sourdough	6
Cheese on One Toast	5
Macaroni Cheese (v)	6
Penne Pomodoro (v)	6
Fresh tomato, virgin olive oil, garlic cloves, basil & parmesan cheese	

(v) - Vegetarian (v) - Vegan Friendly

Allergies: Please inform a member of staff if you have any allergy requirements or dietary intolerances.
Please Note: Substituting ingredients on any dish, can prolong cooking time and may incur additional costs.

LITTLE BEAR

LUNCH

LUNCH	
Grilled Salmon	\$\$\$
Grilled salmon served with seasonal vegetables & rice	
Spicy Penne	\$\$
Fresh tomato, vegetable oil, garlic, cheese, basil & parmesan cheese	
Margherita Pizza	\$

PLATEAUX

ON MUFFIN	
Egg Phantasmie 12	12
1 powdered egg, 100ml. espresso, 100ml. cream, 100ml. milk & 100ml. sugar	
Egg Royal 11.5	11.5
1 powdered egg, 100ml. espresso, 100ml. cream, 100ml. milk & 100ml. sugar	
Egg Muesli 11.5	11.5
1 powdered egg, 100ml. espresso, 100ml. cream, 100ml. milk & 100ml. sugar	

BREAKFAST - BRUNCH EXTRAS

SALADS	
Mediterranean & Avocado 12	ET
Mediterranean chicken, avocado, tomatoes, cherry tomatoes, olives & lemon dressing	
Grilled Salmon Salad 11	ET
Grilled salmon, mixed with olive salad, cherry tomatoes, cucumber & lemon dressing	

ICE CREAM

Vanilla Cream	10
Cheerful Italy ice cream	
Mild Ice Cream	2

TEAS

Cup of Tea	2.5
Port of Tea	1

SMOOTHIES

Blue Blast	5.3
Peach, apple, pineapple, banana, lime & guava	
Green Review	5.5
Apple, banana, green, banana & mango	
Strawberry Delight	5.3
Strawberry, peach & apple	
Pineapple Sunset	5.3
Pineapple, banana & mango	
Raspberry Heaven	5.3
Raspberry, banana, mango & apple	

MILKSHAKES

Vanilla	8
Double Chocolate	9
Strawberry	9
Green Cookies	5.5
Black	

IMMUNITY BOOSTER DRINKS

Immunity Primer	6.5
Immunity primer 2 (includes 1st & 2nd)	
Immunity primer 3 (includes 1st, 2nd & 3rd)	
Immunity Primer	6.5
Immunity primer 2 (includes 1st & 2nd)	
Immunity primer 3 (includes 1st, 2nd & 3rd)	

LES

FRESH JUICES

Apple, Orange Or Carrot	9
For 100g Of	1.5