

Application N	Consultees Name	Recipient Address	Received	Comment	Response
2025/1650/P	Covent Garden Community Association (form completed by Amanda Rigby, Co-Chair)	42 Earlham Street Covent Garden London WC2H 9LA	30/05/2025 01:51:09	OBJNOT	<p>As the amenity society for the area, Covent Garden Community Association (CGCA) strongly objects to applications ref. 2025/1650/P and 2025/1053/L.</p> <p>Application ref. 2025/1650/P is for a Certificate of Lawfulness (CLUED) for installation of a kitchen extraction system and extractor flue to the rear elevation.</p> <p>We understand that application ref. 2025/1053/L is an application or retrospective listed building consent for these elements, and we will therefore also comment on heritage aspects.</p> <p>---</p> <p>REASONS FOR REFUSAL OF CLUED APPLICATION REF. 2025/1650/P.</p> <p>The physical elements of the application, judging from the drawings, comprise:</p> <ol style="list-style-type: none"> 1. The Kitchen Extract unit below the basement ceiling. This was installed in December 2024 and therefore requires a retrospective planning application and an application for listed building consent; it is not eligible to be considered for a CLUED. 2. The Ducting through the basement ceiling, up the wall and along the ceiling of the ground floor. This was installed in 2016-17, 8-9 years ago. 3. The Motor Unit and Filter at the foot of the Extract Chimney Duct or Flue. This is not properly marked on the drawing, but in any case was installed in 2023 and therefore requires a retrospective planning application and an application for listed building consent and is not eligible to be considered for a CLUED. 4. The Flue secured to the outside of the rear of the building. This was installed after 1986. Prior to the new lease in 1986 there was no kitchen in the basement, and we understand that the ground floor was used as an ice cream parlour. In the 1986 lease plan a 'new kitchen' is shown on the ground floor with its hood marked as extracted through the old lined chimney adjacent to it. Some time after this, the kitchen was relocated to the basement without Listed Building consent, and without Planning permission or any involvement with Building Control. The Flue was then installed. <p>Application ref. 2025/1650/P should therefore be refused because parts of the application are for elements installed much more recently than the required 4 year minimum.</p> <p>---</p> <p>REQUEST FOR ENFORCEMENT IN RELATION TO ELEMENTS INCLUDED IN APPLICATION REF. 2025/1650/P.</p>

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In view of the situation described above, please open a Planning Enforcement case against the items listed in points numbered 1 to 4.

None of the equipment has been insulated against the risk of fire, nor is there any sound insulation. We therefore ask that a Building Control case be opened as well as a Planning Enforcement case.

The equipment also appears not to have been maintained. We are particularly concerned about the motor and filter unit at the foot of the Flue, which is noisy and seems to be held together with tape. We therefore ask that an Environmental Health case be opened as well as a Planning Enforcement case and Building Control case.

REQUEST FOR ENFORCEMENT IN RELATION TO OTHER ELEMENTS SHOWN IN APPLICATION DRAWINGS.

Please note that other equipment is shown on the drawing but is not part of this application, as follows:

5. Two Mitsubishi air conditioning units on the ground floor roof beneath the first floor patio decking. These were installed in December 2024 and are shown in Drawing 2 on the 'Proposed floor plan'. They are not in the position shown in the 'Existing floor plan'. The current side view can, however, be seen on the Existing rear elevation.
6. A Mitsubishi unit in the suspended ground floor ceiling of the restaurant, shown in Drawing 3.
7. Air conditioning cassettes on the ground floor. These were also installed in December 2024.

Please open a Planning Enforcement case against all the pieces of air conditioning equipment listed in points numbered 5 to 7 above.

We are particularly concerned about units beneath the patio decking, which are noisy, vibrate through the wall, and reach high temperatures that make the decking hot. We therefore ask that a Building Control case and Environmental Health case be opened as well as a Planning Enforcement case.

REQUEST FOR ENFORCEMENT IN RELATION TO ELEMENTS NOT SHOWN.

Please note that further equipment was installed in December 2024 which is not shown on any of the drawings, and which does not benefit from Planning permission or Listed Building consent,

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notably:

8. Air intake, freshly cut into the ground floor frontage of the restaurant above the roller grille shutter box (the latter also being unconsented).

9. Ducting fixed to the ground floor ceiling, incorporating a fan unit which vibrates the living room floor of the flat above.

10. Refrigeration units cut into the wall between the restaurant and the passageway to the flat above, leaving only one c.12mm layer of plasterboard between the restaurant and the residential unit. The sound of the units, and even of people talking, is clearly audible in the residential property.

Again, none of the equipment has been insulated against the risk of fire, nor is there any sound insulation. We therefore ask that Planning Enforcement, Environmental Health and Building Control cases be opened with respect to all this work listed in points numbered 8 to 10 above.

REASONS FOR REFUSAL OF LISTED BUILDING CONSENT.

Finally, none of the work described in points 1 to 10 above has benefited from Listed Building consent. It was all carried out illegally, and after the building was listed.

Heritage considerations are particularly relevant to the work described in number 4 (the Flue secured to the outside of the rear of the building) and number 8 (the air intake hole and roller shutter grille with box on the ground floor frontage of the restaurant).

The Flue is of immediate concern because it is included in 2025/1650/P and 2025/1053/L.

We object to the Flue due to its unsympathetic appearance, which harms the character and appearance of the listed building. The list entry for 63-69 Endell Street describes them as 4 terraced houses with later shops from the 18th Century. A metal Chimney would not have been a feature of either houses or shops at that time.

We also object to other unconsented additions to the frontage, such as the hole recently cut for air intake and the unsightly roller shutter grille with box.

SUGGESTED SOLUTION TO PLANNING AND LISTED BUILDING ISSUES RELATED TO EXTRACTION SYSTEM AND FLUE.

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					<p>The clear solution for this entire mess in relation to the equipment covered in 2025/1650/P is to replace it with an internal air recirculation system such as the ones that have recently been installed in restaurants at 181 Drury Lane and 4 Mercer Walk in Covent Garden.</p> <p>This would have none of the heritage impact of the current unconsented equipment, and avoid most of the other issues that we have listed above. The problematic elements could then be removed with no detriment to the restaurant's business.</p> <p>---</p> <p>We hope that you find our comments helpful. We look forward to engaging with the council, and we hope with the applicant, in relation to this complex and regrettable situation.</p>
