

Gordon Mansions Residents Association

Please reply to: Clive Henderson, Chair, Gordon Mansions Residents Association,
5 Gordon Mansions, Torrington Place, London WC1E 7HE.

email: [REDACTED]
mobile: [REDACTED]

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

23rd May 2014

For the attention of Seonaid Carr, Planning Officer.

Sent by email to: planning@camden.gov.uk

Dear Ms. Carr,

Re: Bar At TCR, 183 Tottenham Court Road, London W1T 7PE:

Installation of raised decked area and retractable canopy at rear ground floor level, and timber decking at rear basement level and the installation of timber decking to the wider basement level to provide outdoor area to existing drinking establishment (Class A4) (Retrospective).

Planning Application ref: 2014/2120/P

Having discussed this application at our recent May Committee Meeting, I am writing on behalf of Gordon Mansions Residents Association (GMRA). We wish to strongly object.

Gordon Mansions and the local residential community:

Gordon Mansions consists of two blocks of flats (77 in total) that are located at the junction of Torrington Place and Huntley Street.

There is a long established residential community here in Gordon Mansions, which very much reflects the cross-section of the diverse population of Fitzrovia, having as it does a mix of different income, cultural and ethnic groups, including families with young children, and elderly people. A good proportion of the residents are from the Bangladesh community, and a further proportion from other ethnic minority communities including from the Somali community. The blocks of flats are owned by Camden. The community here is a stable one with many residents living here for 20, 30 and 40 years. Thus, it is important that planning developments are assessed in protecting the residential amenity of the local community.

Together with the other blocks of flats and residential terraces, the north-south zone between Tottenham Court Road and Gower Street is reckoned to contain more than 50% of the residential population of Fitzrovia.

Objections:

- (a). We wish to strongly object to this retrospective planning application for the timber decking over the whole rear external area, so as to provide an outdoor area for the existing Bar, due to the unacceptable detrimental impact (in terms of noise and disturbance, especially in the evenings) that is still occurring on the residential amenity of residents living here in Gordon Mansions; (flats on Staircase 2, and the flats on Staircase 3).
- (b). Our previous objections as set out in our letter of December 2012 (concerning the initial retrospective planning application: 2012/4422/P) still stand - unfortunately, there has been no improvement for those residents in those flats in Gordon Mansions that are affected, since the "one year" permission.

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The current Permission, granted for one year, in December 2012:

- (1). In view of our complaints over several years, we were very disappointed that this application was granted last year. But we were particularly surprised and shocked that the permission was extended to the much larger area (rough ground/car park area) at Basement level, in addition to the smaller Existing (unauthorised) rear Ground Floor decking.
- (2). This Basement level is made up of earth and concrete. Although this Basement area now is being used by customers (many chairs/benches and tables have been set out), there is no decking at this level.

Current Planning Application, 2014:

- (1). With reference to the applicant's drawing 12149-A100-BF, the "Updated Existing Basement Plan" shows the Basement level as decking. This decking has not yet been built, but this whole area, including under the Ground Floor decking is currently being used by customers, with many chairs/benches and tables set out.
- (2). On the same drawing, the "Updated Existing Ground Floor Plan" refers to Car Park, (which conflicts with the Plan drawing referred to above). This Car Park area is in fact the Basement level. The 2012 application similarly showed this area as Car Park. We think that this involves a change of use at the external Basement level, and that such a change of use to outside terrace/drinking area should not be allowed due to the sheer intensification of use and the inevitable continuing noise and disturbance to residents in Gordon Mansions.

(3). Capacity of the rear external area:

The area of the rear external Basement level (including under the raised Ground Floor terrace) is more than 3½ times the area of the raised Ground Floor terrace; and thus adds greatly to the intensification of use of the rear areas.

On a recent visit to this rear area, we reckoned that the capacity of the area to be:

- (a). At the rear external Basement area, including under the seating (chair/benches) and tables allowed for at least 50 people if not more.
- (b). The Ground Floor raised decking appeared to have tables & chairs for 20 to 30 people. This means that there can be up to at least 80 people in this rear external area. Thus, it is no surprise that there is noise disturbance due to this large number of people talking with raised voices, especially in the evenings when the ambient noise level in the Gordon Mansions area is low.

In addition, at our visit, there was the break out of noise of music from the actual premises, due to the Ground Floor rear door not being closed. (On subsequent visits, the rear doors at both Ground Floor and Basement level are often left open, and thus allowing break-out noise/music).

On a recent visit in April one evening, I saw at least 50 customers in this rear external area. Inevitably, it was incredibly noisy, with the noise carrying across the Open Yard (low ambient level in the evenings) to the Gordon Mansions flats.

(4). Hours restriction Condition:

We appreciate that Condition 4 of the current Planning Permission restricts the hours of use of the rear external areas to:

- 11.00am to 10.30pm Monday to Saturday
- 11.00am to 10.00pm Sunday and Bank Holidays.

We are not convinced that these hours have always been adhered to.

Sandra Wheen, our current Joint-Secretary of the Residents Association, is a long term

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resident who lives in one of the affected flats on Staircase 2, with rooms overlooking the Open Yard, (the other side of which is Bar At TCR on Tottenham Court Road). She has kept a "noise" diary during the last nine months, monitoring, on behalf of residents, the disturbance from the Bar, which she has included with her recent objections to yourselves:

- (a). It would seem clear from her noise diary that, due to raised voices etc being heard, the rear external areas are being used late in the evenings after the above terminal hours.
- (b). Where music is being heard, this is probably due to the rear doors (at Ground and Basement levels) not being closed, as mentioned above; as well as the venue not being properly sound-insulated. These are both issues that we have consistently raised at Licensing Applications since 2005 (and since the venue changed from traditional Pub to Bar)

Thus, we are not also convinced that the venue is ensuring that these doors are kept closed.

It should be said that residents have become weary of having to keep monitoring the situation, especially as they have done this in previous years, including visits to flats by Environmental Health in late evenings to confirm the noise disturbance from the Bar.

At our recent Committee Meeting, one of our other committee members with a young family also living in a flat on Staircase 2, described the regular noise disturbance of raised voices and music in late evenings.

(5). Fitzrovia Area Action Plan:

Our Residents Association actively participated in the consultation and inquiry on the Fitzrovia AAP (which the Council has now adopted), one of the reasons being to ensure protection of the character of our area, as well as protection of our residential amenity in the mixed use area of Fitzrovia.

Principle 9 "Residential Amenity" of the FAAP particularly draws attention to protection of residential amenity in the mixed-use area.

(6). Application Form and Design & Access Statement:

- (a). In their application form (part 5), the applicant refers to "smokers not having to gather (at the front) on the main road and cause disturbance to pedestrians".

Unfortunately, the use of the rear external area is disturbing residents.

We think that the front area onto Tottenham Court Road is a more appropriate area, especially in the evenings when pedestrian use of the pavement is not high; and there is no nearby residential to be disturbed.

The Bar does have a front "private forecourt area" which is used by customers.

- (b). In their Design and Access Statement, the applicant similarly refers to causing nuisance to pedestrians etc, but without acknowledging the disturbance caused at the back to the residential community.

Conclusions:

You will appreciate that we strongly object to this retrospective application for the reasons given above.

But, if a permission is going to be granted then we would particularly ask that consideration is given to:

1. Only granting permission for the existing Ground Floor raised deck area; (and that the numbers of customers/smokers is restricted).
2. That permission is NOT granted to the Basement level area for use as terrace/outside drinking area; (i.e. not change of use from car park). The decking has not been constructed yet at the Basement level; thus refusal would have no cost implications.

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3. Hours restrictions are currently but to consider terminal hour at 9.00pm (as for Camden's Chairs & Tables licensing on public pavement), in order to give respite to residents earlier in the evening.
4. That a "noise" lobby be constructed for the rear Ground Floor (and Basement) doors, to prevent noise break-out when customers use the door.

Report to Development Control Committee, or to Members Briefing Panel:

I would be grateful if we could be notified of this application does go to the Development Control Committee.

Alternatively, if this application is recommended for approval, and is submitted to the Members Briefing Panel, I would be similarly grateful if I could be notified in order to be able to read the Report.

If you do you any queries on our above submission of objection, I can always be contacted on mobile ([REDACTED])

Yours sincerely,

Clive Henderson,
Chair,

On behalf of Gordon Mansions Residents Association.

Copy: GMRA Joint-Secretaries: Sandra Wheen, and Mary McAuley
GMRA Committee.
Local Ward Councillor: Cllr Adam Harrison.