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**Sent:** 16 April 2014 17:51  
**To:** Nelson, Olivier  
**Cc:** Planning

**Categories:** Orange Category

Dear Oliver

As this bar Monte Cristo is asking planning permission for everything that they have already got and been using for the last few months I attach my comments again.

I understand that this bar had guaranteed that they would not have anybody using the outside after 9pm. Well that is absolute rot because they are open every single night of the week well past midnight. Apart from that the people-mostly men by the way-have now taken to parking outside on both sides of the road. That means traffic jams as the buses try to get down the road and the cars have to wait to let them through. If they cant park outside the bar then they use the Greeks and as I live in Agamemnon I see them all the time.

This is not the right place for this Shisha bar-the noise they make is appalling and must be worse for the flats upstairs and Burrard and Achilles but for all of us it is unpleasant and the men that visit there are quite intimidating and aggressive when asked to move their cars. It is very unpleasant to work up Fortune Green Road on their side of the road now as many remarks are made if women alone walk past. I now cross the road and try and not look at any of them but it is really scary now.

This should be dealt with immediately not left to destroy the neighbourhood.

Regards

Jane Kerner

**Jane Lehrer**

**Jane Lehrer Associates**





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**Sent:** 18 April 2014 12:20  
**To:** Planning  
**Subject:** Application ref: 2014/2409/P

Dear Mr Nelson

Ref: 2014/2409/P

Further to your letter dated 14 April, I wish to raise the following objections to the proposed planning application above:

1/ Fortune Green road is already a heavily congested area with traffic being a major concern. The addition of another cafe will no doubt increase this congestion, bringing even more cars into the area and with no adequate parking facilities available.

Currently, users of the cafe are parking dangerously on both sides of the road, causing poor visibility to road users and damaging the pavements in the process.

2/ The addition of an outside shisha cafe is not something that the residents of West Hampstead want. It is an additional pollutant both in terms of the substance smoked and in terms of bringing additional outside noise to the area.

I do hope you will consider the above objections seriously.

Sincerely

Mrs V Stein

Sent from my iPad

[REDACTED]

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**From:** Planning  
**Sent:** 21 April 2014 15:20  
**To:** Planning  
**Subject:** Comments on 2014/2409/P - Case Officer Olivier Nelson - Received from JC at Fortune Green Road, London

I would like to object to the planning permission (Existing and proposed) for the Shisha bar 'Monte Cristo'.

Throughout the planning application documentation provided, there are references to the 'Existing' and to the 'Proposed' planning application, I object to both.

The 'wet' signatures from parties mentioned within planning documentation submitted are absent.

The planning application document mentions that only a very small proportion of customers take Shisha smoking only. It seems from the use of the Monte Cristo premises so far, customers are primarily intensively smoking Shisha as opposed to the currently understood A1/A3 mixed usage within the application.

The applications document states: 'The Applicants consider that so far around 75% of customers come from within a mile of the premises'. This seems like an overestimate based on the number of vehicles used by customers, it appears to be a far smaller proportion coming from the local area.

The physical limits of the Monte Cristo premises are inaccurate (in existing and proposed). This includes: the practical usage of the stove / bbq apparatus on Burrard Road and the unsecured plastic sheeting on Fortune Green Road plus the corner limits displayed on the drawing of 'location map' and on the proposed site plans provided.

There is an increase in disruption, noise and pollution from customers, who predominantly drive to the Shisha bar. The cars are parking on both sides of the road on double yellow lines on a regular basis causing congestion. Also, the police have made visits to the premises on a number of occasions. Hours of Opening have not been stated within the planning application and closing time is currently beyond 23:00 (notably 00:30 on a nightly basis). These late closing times have been accompanied by loud music.

The intensive use of the Shisha apparatus (Shisha pipes, Shisha stove/ bbq etc.), generates huge amounts of smoke and unwanted smell onto the surrounding streets (Fortune Green Road, Burrard Road, Hillfield Road and beyond). This is not appropriate in a residential area.

Comments made by JC [REDACTED]

Comment Type is Objection

**From:** Planning  
**Sent:** 22 April 2014 15:56  
**To:** Planning  
**Subject:** Comments on 2014/2409/P - Case Officer Olivier Nelson - Received from J W Lawrence at

I am writing to object to the belated planning application filed by the owners of the Monte Cristo shisha bar. I am a resident on Agamemnon Road, just the other side of the small Fortune Green Park where Monte Cristo is located.

The planning application (design and access filings) makes several assertions which I believe give a misimpression of the actual use and local area.

First, the application goes to great lengths to note that the primary business carried on is as a sandwich bar/café, and further asserts that the shisha smoking is "ancillary and incidental" to the mixed use proposed. It will be plain to any inspector that the actual situation is in fact exactly the opposite, and that the sale of shisha for consumption is the primary business, with any food and beverage incidental. If the shisha use is in fact "not the primary or dominant use," then the authorities should grant A3 use without specific permission for shisha use.

I note that if shisha use is incidental, one might question why so much of the application is dedicated to arguing the points about allowing shisha on site. The logic in clause 5.4—stating that customers nearly always take drinks and snacks when smoking, and that therefore smoking is ancillary to the catering use—is a good example of the tortured logic used to try and distract the planning authorities from the real use. Also, I personally find offensive the numerous intimations in the application that anybody who objects to the planning application or shisha use in general is being insensitive to the cultural needs of people who choose to smoke shisha.

One element of the shisha use which is not discussed except in the appended management plan, is how the charcoal is heated prior to being placed in the shisha pipe. Currently charcoal is being kept ablaze in a small charcoal bbq positioned at the end of the decking (installed without approval). The charcoal is often left burning without supervision, and is a danger especially to children in the area. I suspect there are also fire risks to this approach.

Second, the application suggests that the use and the external decking is in keeping with the local area. I disagree. There are no other similar decked areas where guests are encouraged to sit outside and smoke and or eat/drink. In 1.11(i) of the Design Access statement the owners note that the decking could be readily removed, and I would encourage the council to make this a requirement of any A3 permission.

Third, the application asserts that people in the local area should expect some impact from the local retail and commercial uses. This is no doubt true, in general, but the application overstates the amount of commercial activity in the area. Most of the shops operate during daytime hours only; the few food offerings in the area are primarily delivery businesses that do not impact on the local area.

In contrast, since the opening of Monte Cristo without the requisite planning approvals, there has been a substantial increase in noise from departing patrons, disruptions caused by patrons parked illegally and on the pavement, etc. Contrary to the assertion that management will put in a plan to cope with this going forward (clause 9.16), I can say that to date no visible effort has been made to insure that their guests leave the local area quietly. In several instances the owners assert that their offering is not as disruptive as an establishment selling alcohol (e.g. clause 8.3), but this assertion is not born out by the facts: we have been woken up several times by guests shouting to each other as they leave, honking, and revving the engines of their cars.

The shisha use should be denied entirely, but in the alternative if it is deemed acceptable then the hours during which guests may use the outside area should end at 9:00 p.m. to avoid disturbing area families.

The application largely ignores the transport issues since the opening of Monte Cristo. Since the opening, traffic problems in the area have boomed, largely because guests of Monte Cristo park with impunity on pavements, driveways, and other areas on a narrow bend in a major artery. I trust that the council will make its own investigation, and dismiss out of hand the repeated assertions that 75% of the guests live within one mile. In the absence of firm evidence this is a silly claim to make in an application that otherwise ignores the serious transport toll this use is causing in the area. In fact, contrary to Camden policy, the A3 use has increased the number of car journeys within the borough. The relative absence of local parking restrictions means that guests are often parking on the quiet entirely residential streets fanning out from the Monte Cristo location, and that a substantial part of the noise pollution is the result of these guests going to and from their cars at all hours of the night.

For the above reasons, I strongly object to the application for a change of use. The late hours and outside use (for shisha smoking) requested are very disruptive in the predominantly residential area and should not be allowed.

Comments made by J W Lawrence

Comment Type is Comment Made

[REDACTED]

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**From:** Planning  
**Sent:** 23 April 2014 13:08  
**To:** Planning  
**Subject:** Comments on 2014/2409/P - Case Officer Olivier Nelson - Received from K Williams at Burrard Rd

This business has been operating for some weeks and causing considerable problems, mainly noise and traffic congestion (as customers all seem to arrive in cars). The operators seem to have little respect for their neighbours - for example, an unprotected and unsupervised domestic barbecue burns at the side of the pavement creating a serious health and safety issue.

Comments made by K Williams [REDACTED]

Comment Type is Comment

[REDACTED]

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**From:** Planning  
**Sent:** 23 April 2014 19:47  
**To:** Planning  
**Subject:** Comments on 2014/2409/P - Case Officer Olivier Nelson - Received from A Hodgson at Burrard Road

I object to the change of use to the commercial change of use to a premises which is open during the evening as a restaurant/cafe/bar because:

- 1) It is at a dangerous corner opposite an existing restaurant (Nautilus). Cars park on the double and single yellow lines in the evening obstructing the entrance to Burrard Road from Fortune Green Road and causing a bottleneck on a blind corner for vehicles proceeding down Fortune Green Road.
- 2) The purpose of the change of use is to make it a smoking place which is supposed to be illegal in an enclosed public space. Since the premises opened earlier this year the plastic roof and sides at the front of the property have been closed most of the time apart from a small opening in the middle. This is surely an enclosed space whenever it is cold or raining and I don't think Camden Council should encourage illegal activity.
- 3) It is a health and safety hazard because there is a charcoal barbecue perched on the deck in a confined space immediately next to the pavement on Burrard Road. One day a passer-by might get burnt by this.
- 4) We have enough cafe's, bars, take-aways, restaurants and pubs in West Hampstead already - about 70 on West End Lane and Fortune Green Green Road alone. We don't need another one, which is already proving to generate a significant amount of extra car traffic adding to the already considerable traffic congestion and residents parking stress.
- 5) Its existing commercial use needs to be retained because to remain a thriving community for residents and visitors alike this area needs to retain a balance of different classes of use with ordinary shops as well as restaurants etc.

Comments made by A Hodgson [REDACTED]

Comment Type is Objection

[REDACTED]

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**Sent:** 23 April 2014 20:10  
**To:** Planning  
**Cc:** Rea, Flick (Councillor)  
**Subject:** Re: Comments on 2014/2409/P have been received by the council.

Further to my objection, please see attached supporting evidence of parking and fire hazards.

Regards,

Tony Hodgson

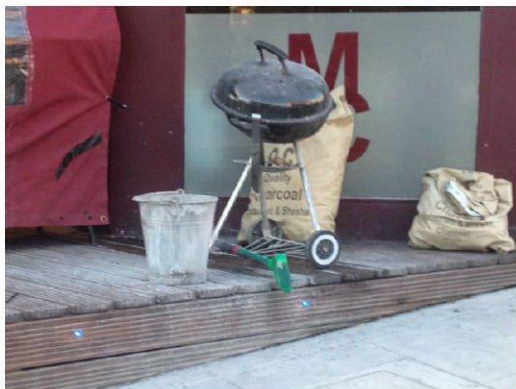
On 23 Apr 2014, at 19:47, env.devcon@camden.gov.uk wrote:

- > I object to the change of use to the commercial change of use to a premises which is open during the evening as a restaurant/cafe/bar because:
  - >
  - > 1) It is at a dangerous corner opposite an existing restaurant (Nautilus). Cars park on the double and single yellow lines in the evening obstructing the entrance to Burrard Road from Fortune Green Road and causing a bottleneck on a blind corner for vehicles proceeding down Fortune Green Road.
    - >
    - > 2) The purpose of the change of use is to make it a smoking place which is supposed to be illegal in an enclosed public space. Since the premises opened earlier this year the plastic roof and sides at the front of the property have been closed most of the time apart from a small opening in the middle. This is surely an enclosed space whenever it is cold or raining and I don't think Camden Council should encourage illegal activity.
      - >
      - > 3) It is a health and safety hazard because there is a charcoal barbecue perched on the deck in a confined space immediately next to the pavement on Burrard Road. One day a passer-by might get burnt by this.
        - >
        - > 4) We have enough cafe's, bars, take-aways, restaurants and pubs in West Hampstead already - about 70 on West End Lane and Fortune Green Green Road alone. We don't need another one, which is already proving to generate a significant amount of extra car traffic adding to the already considerable traffic congestion and residents parking stress.
          - >
          - > 5) Its existing commercial use needs to be retained because to remain a thriving community for residents and visitors alike this area needs to retain a balance of different classes of use with ordinary shops as well as restaurants etc.

> Comments made by A Hodgson [REDACTED]

> Comment Type is Objection





[REDACTED]

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**From:** Planning  
**Sent:** 24 April 2014 14:21  
**To:** Planning  
**Subject:** Comments on 2014/2409/P - Case Officer Olivier Nelson - Received from Ir at nw6 1DZ

i am very concerned about the outside parts of this establishment and it is completely out of keeping with the area. At night time it draws young people to the area who are rowdy when they walk back to their cars invariably parked in my street - Achilles Rd. it reduces the limited amount of parking which we already suffer from use by the 24 hr gym users. the Council advised that use of the terrace till their Planning was approved was limited to 9pm on the terrace, most nights i have walked past and found the terrace in use past 9pm, i even took a photo one evening at past midnight. Furthermore, they have a hot BBQ on their terrace - side to Burrard Rd burning coals for their Shisha pipes. There is no protection and i would imagine this is a real Health and Safety issue

Comments made by Ir [REDACTED]  
[REDACTED]

Comment Type is Object and Notify of Committee Date

## Young, Tony

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**From:** Planning  
**Sent:** 25 April 2014 10:03  
**To:** Planning  
**Subject:** Comments on 2014/2409/P - Case Officer Olivier Nelson - Received from Sophie Oxenham and Amir Ramezani at 17 Burrard Road, West Hampstead, London Nw6 1 da

We object to this application; a shisha restaurant is inappropriate given that Burrard Road is residential with many families of both young and teenage children. We are trying to raise teenagers to be aware of the health risks of smoking and feel the shisha bar presents an unwelcome model to them - they walk past it daily , the smell of shisha is potent half- way up our street (I am also concerned that the shisha cafe set up prior to applying for planning permission, which shows scant regard for the concerns of residents.) Furthermore, it puts additional strain on parking which is already over-stretched, impacting on residents. It also creates unwelcome late night noise with numbers of people walking past directly outside our bedroom window late at night. For all these reasons my family strongly object to this application.

Comments made by Sophie Oxenham and Amir Ramezani of 17 Burrard Road, West Hampstead, London Nw6 1 da Phone 07747651591 EMail soxenham@hotmail.co.uk Preferred Method of Contact is Email

Comment Type is Objection