

Application No:	Consultees Name:	Consultees Addr:	Received:	Comment:	Response:
2015/3428/L	Liz Roberts	Basement Flat 49 Marchmont Street London WC1N 1AP	13/07/2015 17:52:54	OBJNOT	<p>As the owner of the Basement Flat, 49 Marchmont Street, I currently object to the planning application(s), unless and until my three specific concerns and my general concerns outlined below are addressed to my satisfaction.</p> <p>I would envisage the owners of the Basement Flat at no. 45 sharing these concerns.</p> <p>Specific Concerns</p> <p>1. Noise</p> <p>I note that the intention is to create a new pizzeria in what is the basement of no. 47 Marchmont Street. This will be in addition to the existing ground floor American grill restaurant, "Burger & Shake".</p> <p>The pizzeria would be adjacent to my own basement flat and to the basement flat at no. 45. Both flats are used for residential purposes.</p> <p>The noise assessment report included with the planning application states (at paragraphs 2.6 and 3.10) that it was not possible to carry out noise measurements on the party walls as access to neighbouring residential properties was not provided. However, at no time was access to my basement flat requested. I would, of course, be willing to provide access to you or to PC Environmental, who produced the report, to enable the appropriate tests to be undertaken.</p> <p>In particular, I am concerned about the noise that will emanate from people (both customers and staff) in the restaurant and from the fridges and freezers used there, given that the restaurant and my flat will be divided only by a party wall.</p> <p>The noise could also be particularly loud if the windows at the rear of the pizzeria were left open.</p> <p>Furthermore, it appears to be the intention, in future (see paragraph 4.19 of the Design, Access and Heritage Statement (DAS)), for the pizzeria to have an external area at the rear, which (if allowed) would undoubtedly be particularly noisy for neighbouring residents, myself included.</p> <p>The Planning Report (at paragraph 6.33) and the DAS (at paragraph 4.25) maintain that there are residential units both above and either side of "Burger & Shake", which have not raised any concerns over its operations. However, that is not entirely correct as a hairdresser and a café (and not residential units) are either side of the existing restaurant, and I understand that it is the applicant himself who lives above the restaurant.</p> <p>In short, I do not consider that the issue of noise has been adequately addressed in the noise assessment report nor in the covering letter from Signet Planning dated 15 May 2015 or elsewhere in the supporting documents.</p> <p>2. Fire</p>

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I am concerned about the fire risk that could arise as a result of having both an American grill on the ground floor and a pizzeria in the basement flat of no. 47, as well as the 49 Café above my flat.

I note, in particular, that the proposal provides that a new oven will be installed in the basement of no. 47 for the purposes of the pizzeria.

This concern is all the greater given the limited means of exiting my flat.

This fire issue would also seem to be relevant to the restaurant itself in view of the limited access and egress which, I note as an aside, will prevent wheelchair users from eating there.

3. Loss of Light / Privacy

It is difficult to see from the plans on the website whether the proposed rear extensions and the two new windows will result in my losing light and privacy.

Would it perhaps be possible for me and / or my partner, Russell Hay, to meet with you to view a hard copy of the plans?

As you will appreciate, if there is any likely loss of light or privacy as a result of what is being proposed, my objections to the application will persist in the strongest terms.

General Comments

a) Over-abundance of food, drink and entertainment (fde) uses: When I bought my basement flat in April 2011 there was a quiet electrical shop on the ground floor of no. 49 Marchmont Street and a sandwich shop at no. 47.

Since then the 49 Café has replaced the electrical shop and an American grill has opened at no. 47 in place of the sandwich shop. It is now proposed that a pizzeria be opened in the basement of no. 47.

There is already an over-abundance of restaurants and other eating establishments in the area, without the addition of the proposed pizzeria.

As stated in the Planning Report in support of the application, the Camden Planning Guidance 5 (CPG 5) provides that there should be no more than two consecutive fde uses in the area.

The Report maintains that this target will be not be breached if the application is approved. However, this remark is disingenuous.

Although the 49 Café is classed as A1 for use purposes, the reality is that hot food is being cooked and served on the premises (English breakfasts and the like) such that, in practice, its use falls under class

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A3.

The café at no. 49, together with the American grill and the new pizzeria both at 47 Marchmont Street, would effectively result in the target of CDP 5 not being met.

Even if one were to discount the new pizzeria from the calculations on the basis that it would not be on the ground floor (which is illogical, particularly in view of the separate branded signage that will be required at ground level), the Report fails to mention the Chinese restaurant, China China, that is next to the 49 Café at 51 Marchmont Street, and Costa Café which is next to that.

In effect there are already four consecutive fde uses in Marchmont Street, without the addition of the pizzeria when there would be five!

If approved, the pizzeria would add to the preponderance of restaurants and other eating establishments in the area and increase the number of fde uses yet further beyond the intended cap of 25%.

In view of the above it is difficult to see how the Planning Report can legitimately maintain that the proposed pizzeria would represent "sustainable development" (paragraph 6.10), particularly given the added strain that yet another restaurant would place on waste and drainage in the area (in contrast to housing or office space).

b) Marchmont Association: I am aware that the applicant, Marc Abomnes, is on the committee of the Marchmont Association. In view of this conflict of interest I have not yet raised with the Association my concerns about the application but I am considering doing so.
