

Charlotte Street Association

39 Tottenham Street
London W1T 4RX
email: csafitzrovia@yahoo.co.uk

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

22nd August 2015

For the attention of Tony Young, Planning Officer.

Dear Tony Young,

Re: ref. 2014/3833/P: 40 Goodge Street, W1T 2QP

Replacement of external rear extract flue and installation of 2 air-conditioning condensers and 2 refrigeration condensers at rear ground floor level & wall (**all retrospective**), and proposed alterations to extend flue stack, in connection with existing restaurant use.

We wish to strongly object to this planning application for the reasons set out below, and particularly because of the current serious detrimental effect on the residential amenity **which is already being experienced by those living in the nearby and next door residential flats due to this unauthorised extract duct and associated equipment.**

Drawings submitted:

Although we are very experienced at looking at planning drawings, it needs to be said that drawing no. 60756-02 is confusing and disorientating:

- initially, it is not obvious which is the main building in relation to the roof of the rear extension.
- what is particularly disorientating is that the "North" sign is pointing in completely the wrong direction; it is pointing in a South-East direction !
- the drawings (both in terms of Plan and Rear Elevation) do not show the relationship to the next door properties (at nos. 38 and 42), both of which contain residential flats above ground floor level. This relationship is crucial because this retrospective application for the recently installed extract duct and associated a/c equipment came about as a result of a planning enforcement request by residents:
 - no. 38 has residential flats at 1st, 2nd 3rd and 4th floor levels;
 - no. 42 has residential flats at 1st, 2nd and 3rd floor levels.

Objections:

The current extract duct and the associated air-conditioning condensers and refrigeration condensers have all been installed without planning permission. This unauthorised equipment is causing serious nuisance both in terms of cooking smells and high levels of noise, day and evening for every day of the week including weekends, to the adjoining residential flats, and particularly to those living next door at No. 38.

Continued to page 2

Objections - continued:**(a). Noise of equipment:**

In the circumstances, we think that the whole proposal needs to be re-assessed, rationalised and re-designed, instead of tinkering with the current unauthorised installation.

The amount of equipment on the rear ground floor roof needs to be cut down. The noise both from the equipment and the unauthorised duct needs to be greatly reduced, to noise levels even lower than in the acoustic report, so that it is acceptable to the residential.

It needs to be appreciated that there are residential flats on both sides of No. 40 (as well as in much of this Goodge Street terrace above Ground Floor level). In addition, the whole of the terrace in the parallel street of Scala Street is residential and faces the rear of 40 Goodge Street.

(b). Rear extract duct:

The previous duct went up to and over the main roof of No. 40. The newly installed duct stops at 3rd floor level, which is why the neighbouring flats are now experiencing cooking smells, which they did not previously.

For this reason we strongly object to the proposed Option 2 of this Application (duct increased in height but discharges “vertically”. We do not think that this will solve the problem. The wind is still likely to waft cooking smells to the next door flats of No. 38 especially at 3rd and 4th Floor levels, (which is higher than the building at No. 40).

The extract duct needs to be taken up and over the main roof of No. 40, as the previous duct did.

The applicant’s “Planning Statement” refers to the new duct as “...*“like-for-like” as possible ...*”. This is not so. The new duct is very large in cross-section (width and depth on plan) and almost twice the size in cross-section; thus it is visually very intrusive and prominent both in size and material (shiny metal)

The proposal is contrary to Camden’s Planning Guidance CPG1: Design:

- In paras 11.6 and 11.7 of CPG1, plant and machinery in refurbished development should be accommodated within the building or screened to minimise its impact.
- In para 11.12, particular consideration should be given to installation of plant in conservation areas; this is in the Charlotte Street Conservation Area.
- In paras 11.8 to 11.10 (under Amenity), ducting on the outside of the building must not obscure access to day light and sunlight, or provide any nuisance for occupants in adjacent buildings.
- In para 11.10 refers to the requirement to remove odour omissions and the release point must be located above the roofline of the building and the adjacent building. In this instance, because No. 38 is higher, it is crucial that the extract duct goes up to and over (i.e. horizontal terminus) the main roof at No. 40 (as the previous duct did), so that the adjoining residents are not subjected to cooking smell odours at all.

(c). Fitzrovia Area Action Plan:

These proposals also are contrary to Principle 9 under “Residential Amenity” of the Fitzrovia AAP, which draws the Council’s attention to the particular impacts on

Continued to page 3

(c). Fitzrovia Area Action Plan - continued:

residential amenity in the dense mix of land uses in Fitzrovia; and the need to prevent cumulative harm to residential amenity from noise and mechanical ventilation.

It also draws particular attention to:

"There are food, drink uses located beneath and adjacent to homes in a number of Fitzrovia Street These uses can cause harm to residential amenity by generating noise and cooking odours."

It states that the Plan's (FAAP's) objectives include supporting residential communities by protecting residential amenity.

(d). Planning Conditions:

In addition to all the above, even with any reduced noise levels, there needs to be hours limitations on all the mechanical equipment and extract duct.

We would ask that these are the same as the operating hours of the restaurant set out in the applicant's Planning Statement, so that all the mechanical equipment and the extract duct do not operate outside the following hours:

Monday to Friday: 8.00am to 10.30pm;

Saturday: 10.00am to 10.30pm;

But for Sundays and Bank/Public Holiday days, we think that the start time should be later to give relief to residents:

Sunday and Bank/Public Holiday days: midday to 10.30pm.

Yours sincerely,

Clive Henderson,
Committee Member,
On behalf of Charlotte Street Association.

Copy: CSA Committee.
Cllr Rishi Madhani, local Ward Councillor.