

Application No:	Consultees Name:	Consultees Addr:	Received:	Comment:	Response:
2016/5068/P	Jenny Stevinson	Flat 2 39 Lamb's Conduit Street London WC1N 3NG	22/11/2016 15:28:41	OBJ	<p>Re Planning Application 2016/5068/P Ground Floor and Basement, 39, Lamb's Conduit Street, London WC1N 3NG</p> <ol style="list-style-type: none"> 1. My name is Jenny Stevinson and I am the owner and private resident of Flat 2, 39 Lamb's Conduit Street i.e. the premises above the applicant premises. I am also co-freeholder of the whole building including the applicant premises. 2. I also own the garden of the building. The applicant's rear windows therefore open into my garden. 3. The applicant did not consult me or the other flat owner and co-freeholder of the building about the proposed development of the premises. 4. The applicant premises are currently being used as a café with light cooking facilities between the opening hours of 8am to 6pm under a temporary planning permission. 5. The applicant is applying to change the use of the applicant premises from retail use (A1) to restaurant use (A3), including installation of recirculation kitchen canopy and mechanical fresh air system. There are therefore effectively two applications: (1) change of use and (2) installation of recirculation kitchen canopy and mechanical fresh air system. 6. The accompanying plans show that the mechanical fresh air system vents through a basement window directly into my garden. 7. No impact statement has been provided in relation to the neighbourhood generally or immediate neighbours.

Objections

I object to the proposal on the grounds of:

1. The impact of the proposal on the character of the street and neighbourhood;
2. Noise from the new uses;
3. Loss of privacy to my premises; and
4. Impact of noise from plant equipment.

1. Impact of the proposal on the character of the neighbourhood

Lamb's Conduit Street is set in a unique neighbourhood which retains a distinctly local community flavour, with a wide mix of permanent residents and local shops and businesses in an urban, Central London setting. In fact, Lamb's Conduit Street is quite famous for this character.

The street consists of shops, small businesses (such as an undertaker and a dentist), cafes and restaurants at ground level and quite small residential flats above. It is a narrow street and the majority of buildings pre-date the twentieth century which means that any activity in the street and ground floor premises has a strong impact on the residents' enjoyment of their homes. They accept that living in these surroundings requires some acceptance of central city noise and bustle, but the street is not a main shopping thoroughfare and has a quiet ambience especially in the evenings.

It is very important therefore that planning applications for change of use of premises take into account

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this local character and retain the mix of residential, retail, small business and café/restaurants. Once the balance is destroyed the character will change forever. There are currently 8 restaurants, cafes and pubs in the central restricted access part of the street alone as well as many more in surrounding streets.

2. Noise from the new use

The premises currently open between 8am – 6pm. However, deliveries start from 6 am. It is understood that once a full restaurant A3 use is allowed it would be quite simple for the premises to be allowed to extend their opening hours. They could also apply for a liquor licence. Presumably music could be played during those longer hours, as it is at present all day long. The tables in the street would be occupied into the night with people eating, drinking and smoking; discarded cigarette butts already accumulate in our front entrance. There would be late night clean-ups and deposit of rubbish and bottles in the street outside the restaurant. This will have an obvious impact on the noise in the street, which could extend from 6am to the early hours of the morning. This would affect all the residents in the street to a degree but more particularly the residents of 39, Lamb's Conduit Street. A precedent for this is shown at La Gourmandina, 57 Lamb's Conduit Street, which opens until at least 10pm and has a liquor licence for consumption on the premises, having previously been a daytime delicatessen and snack bar with a take-away liquor licence: I understand it too operates under a temporary A3 licence.

Flats 1 and 2, 39 Lamb's Conduit Street have bedroom and sitting-room windows immediately over the front and back windows and doors of the applicant premises. In these small premises the distance from the applicant front windows and the street tables to the bedroom windows above is approx. 4m and 10m and the distance between the applicant premises front door and the front door of the premises is about 30cm. The increased nuisance from noise would be very significant.

As the owner of the garden to the rear of 39, Lamb's Conduit Street, I would particularly suffer if the applicant premises become a full restaurant. Currently, the premises operate between the hours of 8am to 6pm. We do get some noise in the garden between these hours. However, if the premises were to become a full scale restaurant, the noise would increase and could go on all evening until late at night making use of the garden on summer evenings quite unpleasant.

3. Loss of Privacy

We already live in close proximity to the applicant premises. For example, customers of the premises quite often obstruct our front door, which is only about 30cm from the premises' front door. However, this stops in the evening and the street becomes quite quiet in the central section. If the premises were to operate as a full restaurant in the evenings, perhaps with a liquor licence, this would be very different. There would probably be people outside our front door well into the night and people at the street tables eating, drinking and smoking.

There would equally be an increased loss of privacy to my rear garden from the window at the back of the premises. It looks out over the whole of my garden and the owner has taken no steps to shield or frost the window from the inside, despite being asked to.

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4. Impact of noise from plant equipment

The Noise Assessment contained at p.10 of the document attached to the Application entitled Kitchen Specification - Coffee Blooms appears to have been made at the front of the building.

According to the plans submitted with the application, the mechanical fresh air system vents onto my garden through the basement window at the back of the applicant premises. The applicant has not consulted with me about this or sought my permission. On request by me for clarification of the impact, the applicant has provided me with a revised plan but this does not appear to have been submitted as part of the planning application. Neither original nor revised plan as far as I can see shows where the motor of the fan is or how close it is to the garden window. The revised plan shows a '3D silencer to reduce external noise'. As the plan hasn't been included in the application, we cannot be sure this silencer will be included but it shows that the applicant accepts there will be noise which even the silencer would not eliminate. No noise assessment is provided as to the level of the noise immediately outside the window, in the garden or in the rooms in the flats above with or without the silencer. Therefore, I do not know the precise impact of the vent. However, it seems clear that the system will make a noise in my garden, which will substantially detract from my enjoyment of my garden. As this noise will be in a private garden in which I and my family and friends would expect to spend time sitting, the level of acceptable noise would be much lower than the noise level acceptable on a street where people would simply be passing by.

It is not entirely clear whether there will be any cooking smells from this system.

The applicant should be required to clarify the plans for the mechanical fresh air system, including the location of the motor and details of any silencer, and provide an impact statement as to the impact on the residents of 39, Lamb's Conduit Street, including a noise assessment at the back of the building. They should not be permitted to install a system which has an open vent into, and causes noise in, my private garden or the flats above.

Conditions to be attached to any planning permission

Preferably no planning permission would be granted because (1) once it is granted it would be a step down the path of changing the character of the street and could within a short time lead to unrestricted restaurant use, and (2) the mechanical fresh air system will cause a noise nuisance. However, if any planning permission were to be granted I would request that conditions to the following effect are attached to it to ensure there is no change to the current use:

- The number of meals served per day: 30-40.
- The methods of preparation and cooking: Light cooking (no flames or deep-frying).
- The types of meals served: Café products, cooked breakfast and pastries.
- Proposed hours of operation 07:00 - 18:00 .

[Please note that the above are taken from the document entitled Kitchen Specification - Coffee

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Blooms, p.6 and should therefore be taken as part of the application and as conditions of its being granted.]

- Proposed opening hours 08:00 – 18:00.
- The level of external noise to be the same as at present, and incorporating conditions as to the location of the motor of the mechanical fresh air system and use of a silencer to reduce external noise.

For these reasons, I object to the grant of the planning application. If any permission is granted, I request that conditions are attached as described.

Please notify me of the committee date
