

[REDACTED]

From: [REDACTED]
Sent: 18 July 2017 14:55
To: Gentet, Matthias; Planning
Subject: Planning Application reference 2017/3702/P (46, Birchington Road, London NW6 4LJ)

Planning Application reference 2017/3702/P 46, Birchington Road, London NW6 4LJ

As an owner of one of the nearby residential properties I strongly object to the proposed development on the following grounds:-

The proposed lower terrace comprising of a low brick wall and piers with metal railings has a harmful effect upon the character and appearance of the property and the surrounding area. No such terrace existed prior to the development since the property had an open frontage providing continuity with the adjacent Lloyds Bank building and forecourt on the corner of Birchington Road and Kilburn High Road.

The use of the premises as a restaurant is already detrimental to the character of the local area and the amenities of the neighbouring residential properties by virtue of its size and proximity to neighbours and has created excessive noise and disturbance. When planning permission was granted for the change in the use of the premises from a shop to a restaurant it was not envisaged that there would be any outdoor use. The terrace was erected in breach of planning control and is the subject of an enforcement notice for its removal. There has been "use creep" in that the unauthorised terrace is giving the perception that outdoor use is acceptable which it is not. The same comment applies to the unacceptable illuminated signage

The proposed development would have an adverse impact upon the residents in Birchington Road which planning conditions imposed upon the use of the terrace as an outdoor seating area would not alleviate. The restaurant has a history of not adhering to conditions already imposed upon it by means of the planning permission for its use. We have no confidence in any planning conditions and restrictions to stem noise disturbance from the use related to the comings and goings of customers. However appropriately drafted any restrictions upon use of the premises, upon the playing of live or amplified music on the terrace and upon any illuminated lighting scheme will be breached by the applicant and there is ample past evidence to substantiate our misgivings.

Yours faithfully,

Mark Tucker
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