

Dear Gideon,

This is a letter of objection to the planning application referenced 2018/0483/P for change of use from A1 to A3 on the ground floor premises located at [100-102 Judd Street](#), WC1. This objection is written in our capacity as owners of Flat 40 Jessel House which is situated in the mansion block above the premises referred to above.

We object on the basis that the design of the extraction solution that the applicant has put forward is completely inadequate and unsuitable for 2 reasons:

- 1) The proposed location of the extract will disrupt the existing Edwardian elevation
- 2) The proposed location of the extract will blow cooking smells directly into our bedroom window.

This unit is not suitable for A3 use, despite the fact that the existing occupier has unlawfully traded an A3 use in this unit for some time. This had led to numerous noise and odour related issues in our property and has been the subject of many complaints from other residents in the building.

Yours Sincerely,

Marie and Alan Rowson
Residents of 40 Jessel House, Judd Street

Planning Application - 2018/0483/P - 100-102 JUDD STREET—Objection

Further to objections already submitted by the Jessel House Residents Association and the Bloomsbury Residents Action Group, neighbours are now realizing the potential negative impact of this application and have asked for the following to be considered. The application should be refused for the following additional reasons:

Overall suitability

The application fails to provide any description of the means of introducing air from outside to balance the air removed by the proposed extract system.

The proposal appears to have no limitation on the intensity and volume of cooking in the future which is to the detriment of the adjoining residents. The proposed exhaust outlet is about 1.5 metres below the nearest windows of the flat above. The proposed extract system would not be adequate in terms of fumes, noise and heat for future use if A3 use were permitted.

The prevailing wind direction is from west to east and the discharge directly below the west facing windows of the living rooms of the dual aspect residential properties above is likely to cause pollution and odours to be blown back into the residential properties above. The strong draft from west to east will also push the exhaust back into the kitchen and / or close any back-draft shutters in the system preventing the system from working.

The application does not appear to have the consent of the freeholder nor the head lessee of the premises.

The premises may not have a mains water supply. During recent cleaning and disinfection of the communal water tanks on the roof of Jessel House the premises in question was observed to have no water supply. A lack of mains water would make the premises unsuitable for restaurant use.

The increased primary cooking in the ground floor and basement of a large residential building (Jessel House contains 80 dwellings including some elderly and infirm residents some of whom are virtually housebound) may cause an unreasonable increase in fire risk, particularly in view of recent concerns with fire safety in multi storey buildings. There does not appear to be provision in the proposal for a sprinkler system in the kitchen nor for an enhanced fire detection system.

There is a problem with the drainage of waste from the premises into the communal drains at the rear of Jessel House. Recently on a regular inspection of the drains a build up of solid food waste has been found at the drain from the premises (pictured). The unreasonable increase in intensity of use proposed would lead to an increase in drainage waste from the premises and associated food waste blockages.

The application states that "All waste and recycling is currently stored on site and a waste contractor collects any waste and recycling produced." Unfortunately the storage of waste, including food waste on the pavement outside the premises has long been a cause of complaint. Waste is not "stored on site" but is simply left on the pavement as it is generated throughout the day, every day, 7 days per week and is collected the following morning. At 2pm on 17 April 2018, after the lunchtime rush, the bag(s) of waste blew around in the wind and eventually on to the road. The same on 18 April 2018 (attached)

Inadequate noise impact assessment

The noise impact assessment states that noise measurements were taken thus:

"The microphone was mounted on a tripod at street level at the front of the building. The position was considered to be free-field according to guidance found in BS4142:2014, and a correction for reflections has therefore not been applied."

However, the attached photographs show the microphone was taped to a tree some distance from the premises and not "mounted on a tripod" .

At the time of sound monitoring, 01 March 2018 the worst snow storm in a decade was in full force with a good blanket of snow on the ground and many businesses were shut down making this unsuitable for a representative measurement of background noise.

BS4142:2014 states that someone monitoring sound should :

"6.4 Weather conditions Record the weather conditions that could affect measurements. Monitor wind speed at the measurement location, using an anemometer, and record the wind speed together with the wind direction. Exercise caution when making measurements in poor weather conditions such as wind speeds greater than 5 m/s-1. "

The weather report for Heathrow (the nearest I could find) pictured below suggests blizzard conditions with winds gusting to 54 Km per hour. No wind reading appears to have been taken at the site during the sound assessment, contrary to BS4142:2014.

The noise impact assessment states that "Manned measurements were undertaken for the duration of the survey between 1st March 2018 from 11:10 – 12:55." However, myself and another neighbour noticed that the microphone was taped onto the tree and left alone, there was no person (man or otherwise) with the microphone, we did not observe any "manned measurements". A copy of my neighbours email is attached and also time stamped photographs.

The noise impact assessment makes no mention of the construction of the residential properties being peculiarly transparent to noise having no Building Regs Part E compliance as the building was built in 1914. The installation of a fan motor housing directly beneath the living rooms of residential properties to operate 7 days per week is unsuitable in this location. I understand from neighbours who have been here longer than myself that the fan motor housing at the Indian restaurant "Humaira" at 110 Judd Street was specifically placed on the exterior of the building and placed on brackets away from the structure to mitigate noise and vibration travelling through the building.

Conclusion

The above items would harm the amenity of any nearby residents. The items may also be hazardous to health and safety and have not been addressed in the Design Statement.

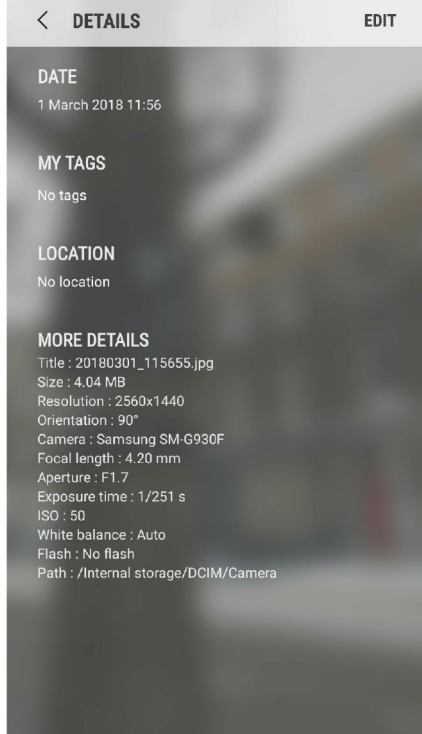
The noise impact statement appears to have been inadequately executed, is factually incorrect and is also misleading.

The application itself is factually incorrect and misleading and should be refused.

This application should be refused.



Microphone taped to tree, not "mounted on a tripod" as stated in noise impact assessment.



Timestamp of above photo



Hey Bob

A guy can about an hour ago and tape what looks a microphone to the tree and left it connected to the box below
I am guessing he could possibly be monitoring the noise level in the street so I am not sure if this is linked to the objection of the Tavistock saga or not

If they are monitoring now when there is hardly any traffic due to bad weather it's not a true comparison !

Anyway I thought you might want to know
if not maybe they are monitoring something else !

W



Email from neighbour— microphone not manned, not on tripod, not representative noise levels.



For absence of doubt, sound monitoring box showing owners details.

London, United Kingdom

 Heathrow

[Forecast](#) [History](#) [Calendar](#) [Rain / Snow](#) [Health](#)

Weather History for EGLL - March, 2018

Change the Weather History Date:

March 2018 [View](#)

Thursday, March 1, 2018

[« Previous Day](#)

[Next Day »](#)

Daily	Weekly	Monthly	Custom			
				Actual	Average	Record
Temperature						
Mean Temperature				-2 °C	-	
Max Temperature				0 °C	10 °C	13 °C (2012)
Min Temperature				-5 °C	3 °C	-5 °C (2018)
Degree Days						
Heating Degree Days				38		
Moisture						
Dew Point				-6 °C		
Average Humidity				78		
Maximum Humidity				93		
Minimum Humidity				58		
Precipitation						
Precipitation				0.0 mm	-	- ()
Sea Level Pressure						
Sea Level Pressure				1001.18 hPa		
Wind						
Wind Speed				25 km/h ()		
Max Wind Speed				33 km/h		
Max Gust Speed				54 km/h		
Visibility				6.6 kilometers		
Events				Snow		

Weather report for 01 March 2018, Blizzard conditions.



Extract motor at Humaira Restaurant 110 Judd Street, motor is mounted on outside of building and stood away from the wall to limit noise and vibration.



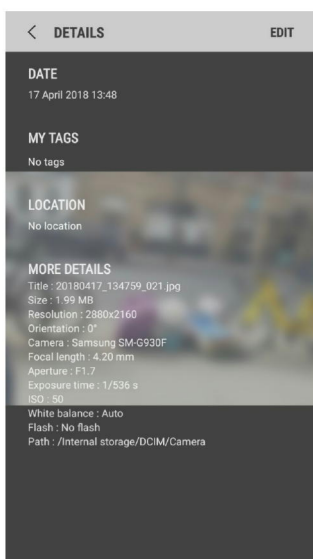
Extractor at Humaira Restaurant vented correctly above roof line, motor housing stood away from the building.



Build up of food waste at outlet from premises.



Waste, including food waste from premises placed on street 13.48 on 17.04.18 including some which has blown on to road. Waste is not stored on site as stated



Time stamp



Waste, including food waste from premises placed on street 16.26 on 18.04.18. Waste is not stored on site as stated

< **DETAILS** **EDIT**

DATE
18 April 2018 16:26

MY TAGS
No tags

LOCATION
No location

MORE DETAILS
Title : 20180418_162647.jpg
Size : 5.41 MB
Resolution : 4032x3024
Orientation : 0°
Camera : Samsung SM-G930F
Focal length : 4.20 mm
Aperture : F1.7
Exposure time : 1/384 s
ISO : 50
White balance : Auto
Flash : No flash
Path : /Internal storage/DCIM/Camera

Time stamp