




Dear Elaine,

Please find below the comments which I submitted to the online portal on November 15th, which according to Janet Langdon have not been successfully received by the application portal system.

To reiterate, I would kindly ask that you do not publish my name, telephone number, e-mail address and house number when you post my comments online. Also, it would be good if you could give me a quick call if you are able to discuss my comments or my thoughts on this application further, as I do have some concerns which I did not include in my letter and would prefer to discuss in confidence. Many thanks for your assistance in this matter.



I am writing regarding the planning application 2019/4826/P filed on behalf of Chabad Lubavitch of West Hampstead requesting a change of use from A1 to D1 at 35-37 Fairfax Road. Whilst I do not object to their application in principle, I have a number of concerns regarding how the application will affect local residents in general, and particularly residents of the upper part of Fairfax Place located behind the premises for which the application is being made.

The first concern is that I would like to echo the comments made in a previous response that the applicants' claim made in section 2.2 of the planning statement that the proposed venue will 'serve the needs of the entire Jewish community' in the area is fundamentally untrue. They belong to a particular sect within Judaism that involves certain beliefs that are heterodox to mainstream Jewish practice and do not represent the majority of British Jews' beliefs and practices, e.g. veneration of the Lubavitch Rebbe and their proselytising activities directed at the Jewish community. I would ask that a condition to the application be put in place preventing them from engaging in door-to-door proselytising or other 'outreach' activities that are likely to cause a nuisance or disturbance to local residents.

I am also concerned that the space will be used for other functions beyond the 'religious and educational teaching' stated in the planning statement. Such uses would include large parties and religious events such as wedding receptions or bar/bat mitzvahs that would likely cause disturbance to the neighbourhood. For this reason, a clear condition should also be put into place in that they are not allowed to rent out or otherwise allow the use of the space to any third parties. Furthermore, the applicants have stated several sets of proposed opening hours in their application and their interim report. There is also a large discrepancy between what they claim are the 'typical opening hours' they plan to keep and the opening hours they are in fact requesting. I believe the opening hours they are currently requesting are excessively early and late on all days except Sundays, and are likely to cause disturbance to local residents.

Reasonable opening hours must be agreed between the applicants, the council and residents that balance the applicants' right to use the proposed space for the purposes they have stated with avoiding causing disturbance or nuisance to local residents.

Another area of concern is that groups will be likely to congregate outside the back of the premises in the service road parallel to the upper part of Fairfax Place to smoke, drink or engage in otherwise noisy behaviour likely to disturb local residents. For this reason a condition should be in place that the back entrance should be kept locked after 6pm on weekdays and all day and night on weekends.

Also, their plan to install a piano on the premises seems to directly contradict the claim made in section 7.3.8 of the planning statement that 'the day to day use is not expected to feature audible music.' Therefore their request to install a piano requires serious consideration and should be disallowed if there is not a satisfactory reason for having it and no limits are placed on its use.

Finally, I have concerns about the disposal of rubbish, especially food waste from the kitchenette, based on residents' recent experience with the applicants' leaving overflowing rubbish in the service road behind their current premises at 47 Fairfax Road. To this end, conditions should be put in place regarding waste disposal that are agreed between the applicants, the council and the local residents to minimise nuisance, health hazards and the possibility of vermin infestation affecting the properties on Fairfax Road and Fairfax Place, as well as inviting illegal fly tipping. If the applicants do wish to dispose of their rubbish in the service road in the back of the premises, a condition should be stipulated that they store all rubbish entirely within locked commercial rubbish bins that are not allowed to overflow, with a regular collection regime in place.

