

Statement of case against the application for 57 Warren Street

I have been asked to speak at the panel on behalf of the Charlotte Street Association, Barbara Romito, Victoria Swift, and the family at 57A Warren Street.

The application site

The premises is located on the ground floor and basement of a converted late 18th century building within a terrace. On the floors above are residents in social housing managed by one of Camden Council's registered housing providers, Clarion Housing.

In the small studio flat immediately above the premises is a family with a young child. This flat has the same floor area as the ground floor of the application site. These flats are poorly sound insulated and rely on the front windows for ventilation. They are typical of many street properties in the area.

Surrounding the premises in the immediate vicinity are around 70 homes. At least half of these are social housing tenants from the Camden list. They are housed in similar accommodation to the first floor studio flat.

The application premises has never before had a premises licence. It has been for a long time in retail use and open during usual daytime hours.

Pre-application discussions with the freeholder of the building

Prior to the application being submitted I and others had discussions with the freeholder (The Fitzrovia Trust) about potential uses of the premises. We strongly objected to any potential business tenants who wanted to use the premises for the sale of alcohol.

We argued that due to the close proximity of residents above and neighbouring the premises the location was wholly unsuitable for the sale of alcohol. In addition, Warren Street already has between 10 and 15 licensed premises.

The application

The application is for a wine shop (off-sales) wine bar (on sales) and a wine-tasting school (also on-sales).

The applicant wants to have an off-licence on the ground floor rear of the premises; and seating to serve wine to drink on the premises at the front on the ground floor and on the forecourt outside. The applicant wants to use the basement for both on-sales and for wine-tasting courses.

The proposal that is of greatest concern is the wine bar aspect where up to 27 people will be using the premises to consume wine at tables indoors and outdoors. We also consider the opening hours proposed to be unreasonable at this location.

Discussion with applicant about the application

I met with the applicant to talk about the concerns expressed in the representations about the proposed licensable activities. I was pleased that the applicant put forward a number of suggestions and slightly reduced the opening hours. He later sent me an email with suggested conditions for my consideration.

During our discussions I said I was less concerned about the wine shop (off-sales) and wine tasting part of the business, but we were unable to agree on sale by retail for consumption of alcohol on the premises. Therefore I find the application unacceptable and will be maintaining my objection.

I also stated to the applicant that the premises is use-class E in planning terms. It would probably not be lawful to use the premises as a wine bar which would be sui generis "drinking establishment".

I am asking the licensing panel to:

- 1 - Reject the on-sales part of the application (where it relates to the wine bar aspect);
- 2 - Set the terminal hours of the premises to 7pm Monday to Saturday, with no trading at all on Sunday or Public Holidays.

In addition to the conditions offered by the applicant I would like the following conditions:

- a) "The premises shall operate as an off-licence selling premium wine, spirits, artisan beers, ales, and as a wine-tasting school."
- b) "Any on-sales are for the purposes of the wine-tasting classes only."
- c) "The wine-tasting courses are only to take place in the basement of the premises."
- d) "No participants in the wine tasting are permitted to take their drinks outside."

Concluding remarks

I believe the above is proportionate to balance the interests of expected business activity with the right of nearby residents to the quiet enjoyment of their homes.

This would allow the premises to operate as an off-licence as described in the application and for wine-tasting classes to take place in the basement as requested by the applicant.

But it would protect the amenity of nearby residents – particularly those above the premises – from the inevitable noise nuisance associated with customers drinking alcohol on the premises and on the premises forecourt.

Linus Rees, 13 June 2023