

Application reference no. ST/1573/10/FUL planning permission. Date of decision 13/06/2011

Proposed extended hours

Sunday to Thursday: from 23.00 hours to 24.00 midnight

Friday & Saturday: from 23.00 hours to 1.00am

It is considered that the impact on the area for proposed extended opening hours
Would be minimal and go unnoticed for following reason:

- 1- Westoe road is a busy commercial road where activity, road, and noise are generally higher than found in purely residential areas and resident will accept this as normal.
- 2- Those takeaways already operating in the immediate area are open until midnight with the hour between 23.00 and 24.00 being busy and critical from a commercial point of view.
- 3- There are several examples of takeaways within general area where opening times are unrestricted despite there being adjoining residential properties often closer than in the case of the subject property.
- 4- There are Takeaways in Fowler Street: i.e. (Charco grill & Donatellos) as well as Chichester i.e. (Mario & Cha chas etc) that are operating through early hours of the morning.
- 5- There are several public houses in the locality i.e. (the Britannia) 300 meter approx. north west where serving times will generally end midnight, and in the case of the "Chichester arms" located in Chichester at 1.00 am in the morning, however there are unlikely to be empty and close before midnight and produce both pedestrian and road traffic with associated noise and will provide a high proportion of the customers for takeaways food at those times.
- 6- Town hall Esso petrol filling station and shop located on Crossgate in a busy major local junction 350 meters approx. north west operates 24 hours a day 7 days a week serving snacks and will obviously add to noise and activity levels.
- 7- Town hall traffic junctions are major local junction and will produce significant road noise which will reflect not only local but also district levels of activity.
- 8- Limited objections were received by the planning authority to the initial application for the change of use and we have not received any negative response from local residents since the application was granted and works have been ongoing. No concern has been expressed by local residents regarding opening hours.

Conclusion

In reality there would be very minimal residential properties which could possibly be aware of the change in the opening hours.

Given that there are such uses operating in close proximity to the appeal site it is not considered that the appeal scheme would exacerbate levels of crime, disorder, anti-social behaviour in the local area.

I contend that in agreeing to the above variation to this condition that the amenities of the area will not be affected or suffer in any way.

The proposed extended hours are essential to the existence and financial viability of our business and to retain our staff employed. And that we will be able to trade at these times in the same manner as our competitors.

