

APPENDIX 3

1.

[Representation of 13/10/2020 -18:08 From Susan & James Cockram

Ref application to vary hours of opening on the terrace.

We feel we must take this opportunity to object to this application. We live in Schoolhall Lane and hear the noise from the Terrace quite frequently. It is very disrupting in this quiet and peaceful area of Bury St Edmunds.

We understand and appreciate that with COVID regulations it is very difficult for restaurants to supply food after 9.30 as the area has to be cleared by 10.00pm. Will this happen if they get permission to remain open until 11.00pm. We would accept, with reluctance 10.00pm clearing from the Terrace. We feel the noise would increase as people would have two further hours to drink and then could become rowdy.

There is no indication of the size of the Marquee and would be grateful for clarification on this.

I am assuming if music is required special licence has to be applied for.

2.

[Representation of 13/10/2020-23:42 From Robert Todd

I have only just been made aware of this application by virtue of the Public Notice (attached) posted outside the Premises.

I have tried to contact you by telephone to discuss the notice but could only leave a message and contact details with the enquiry desk.

I cannot see from the notice what duration the variation has been applied for.

If it is a temporary variation to cover Covid-19 disruption and protect the Premises's business in these troubled times then I would have no objection.

However, if this is an application for a permanent variation then I must object on the grounds of Public Nuisance.

We are currently aware of noise from the terrace and my family is able to just about manage that noise up until 9pm but we certainly don't want to hear it while we're in bed and I assume that the extended drinking time will mean that at 11pm it will be louder than at 9pm because the customers would have been able to drink for an additional two hours.

I was under the impression that, following the rejection of the original planning application following comment from Public Health & Housing and others, it was a condition of the revised planning consent DC/15/1936/FUL, that the 9pm closing time on the terrace (as specified in the applicant's Operational Management Plan) was imposed to mitigate the nuisance to the surrounding residential properties who are, and more importantly have bedrooms, within earshot of the terrace. Please advise how the licence can be varied within the conditions of the planning application.

I stress that if it is a temporary variation solely to cover disruption during the period of restrictions under government Covid-19 policy and will protect the Premises's business in these troubled times then I would have no objection.

Please confirm receipt of this objection to the application and advise what further action you plan for the application.

3. Representation of 14/10/2020 – 11:03 From Peggy Moran West Suffolk Council Planning

Hi,

It is noted that on the Licensing Application the opening hours exceed that permitted by the current planning permission.

The property is in a highly populated residential area, a planning application would need to be submitted to vary the opening hours and be approved before these changes came into force. Please see attached decision notices DC/15/1936/FUL, DCON(A)/15/1936 and operational management plan relating to these conditions. Also, please advise the applicant that permission may be needed for the proposed siting of the tent/marquee.

Irrespective of any licensing provisions, a breach of planning control will result if the conditions of the planning permission are not complied with.

We recommend that advice is sought from the planning department, before commencement of these changes, to see if a planning consent is required for the proposals. Details of Planning Pre-application advice service can be found via https://www.westsuffolk.gov.uk/planning/planning_applications/preapplicationadvice.cfm

Kind regards

4.

Representation of 15/10/2020 – 10:11 From Judi Apichella

To whom it may concern. I object on the ground of public nuisance from noise and lightning.

I own - Northgate Street, the immediate neighbour of The Northgate. The original planning for The Northgate allowed the use of the terrace until 9pm so my family and neighbours wouldn't have to be disturbed after that point. This has been manageable so far.

During this Covid-19 pandemic I realise it's very difficult for businesses to survive so I suggest a time limit of 10 months and cut off to 10pm.

I would be glad to talk further.

5.

Representation of 15/10/2020 – 14:40 From Stephen Oliver

I wish to register my objection to the above proposal. Eating on the terrace, till later, with or without a marquee will necessarily create noise easily heard by a number of properties in the vicinity. The application to operate for a further hour in the evening will create a **public nuisance** from the sound of diners eating and drinking, and, at the end of the evening, from the shutting of car doors and noisy alcohol fuelled farewells. The surrounding area is primarily residential and will turn a quiet area of gardens in the central conservation area into one that that is polluted by

noise. Property owners have a right to expect the Council to protect them from this kind of development.