

# Appendix 1

Mr & Mrs O'Hagan  
22 Holland House Road  
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Tel: 07723729405

Date: 23rd May 2019

Mr C Sowerby  
Interim Assistant Planning Manager (Development Management)  
South Ribble Borough Council  
Civic Centre  
West Paddock  
Leyland  
PR25 1DH

Dear Mr Sowerby

**Re: Planning Application No 07/2019/2642/FUL**

At the moment we are uncertain if my wife and I can attend the Planning Committee meeting due to me currently recovering from a recent hip replacement operation and unable to drive.

We would however, like the opportunity to have our voice heard by the Planning Committee in response to your recommendation for refusal of our application in light of comments received by the Environmental Health Officer (EHO) and our neighbours at No 8 Chorley Road.

We would like to individually address a few issues raised and we would appreciate it if you could ensure that these are brought to the full attention of the Planning Committee members prior to any decision being made.

**EHO Response dated 1st May 2019:**

1. The EHO has highlighted his concerns over the potential increased noise in having an external decking area with tables and chairs. We are a little confused by the EHO raising these concerns again given that he gave his approval for us to use the external area up to 9pm in our Licence Application (Please see attached document Licence Consultation).
2. We are in total support of the restrictions of the Premises Licence only allowing outside use up to 9pm as we do not see the need for the outdoor facility any later other than for the smokers. We would like to just reaffirm that our new business adventure is primarily aimed at the more mature end of the market and we see the proposed outdoor decking area being

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used more during the day when the sunshines on this south facing elevation and disappears early afternoon. We feel the decking area is essential to our proposed business aim and overall feel and look of the establishment. We hope to sell more teas and coffees during the day with light lunches, cakes and snacks. We feel the EHO concerns do not match our intended use for the premises.

3. We fully intend that any noise created prior to the 9pm deadline will be limited and controlled in accordance with Licencing Objectives detailed in the attached Police Conditions list. We would also add that any noise generated by any of our customers will not be as loud as the constant traffic that passes all day even up to our deadline of 9pm. Prior to making any decision to refuse our application we would request and encourage members of the Planning Committee to make a site visit and listen to the noise generated by the traffic. It is extremely loud and constant.
4. As for the issue raised by the EHO of the close proximity of our neighbour's bedroom window, we feel that this discriminatory to our application when you see the number of similar drinking establishments with outside drinking areas close to bedrooms within the South Ribble area. We only went down the road to nearby Bamber Bridge to see pubs with outside drinking areas located closer to bedrooms than our decking is to our neighbours. We have attached some example photographs to show. We are sure if we were to search further in the South Ribble area we could find many more similar examples.
5. We would also like to draw to the attention of the members of the Planning Committee the support given in the email provided by the Lancashire Constabulary. We fully intend to continue working with the Lancashire Constabulary and the South Ribble Licencing Authority to ensure the premises does not cause any problems to the neighbours and becomes an establishment Walton-Le-Dale and South Ribble can be proud off.
6. With the Licencing Authority giving us the approval to use the outside area for drinking up to 9pm, the only remaining restrictions to our proposal is to have a decking with tables and chairs for our customers to sit on and to improve the appearance of our premises. At the moment we are led to believe that our customers can legally stand to drink and eat outside, but we cannot provide seating for them. We have to provide a covered smoking shelter as part of the Licencing regulations and to that we will need to provide a form of seating as a legal obligation for any smokers with disabilities.

## **Mrs Greaves Response dated 22nd April 2019:**

1. Although we can sympathise with Mrs Greaves concerns we feel they are unjustified and unnecessary. Mrs Greaves stated that she objected to an 8ft high fence outside her side window. This fence was a proposal put forward by members of a previous Planning Committee meeting when our original application was deferred. It was proposed to prevent our customers looking directly into No 8's side window and our neighbours having to view our customers drinking.
2. On the point of the height of the fence, this can be adjusted to whatever height the Planning Committee feel is suitable. We feel the distance away from the neighbours small side window does not prevent natural light into the room. Mrs Greaves already has a couple of

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trees directly in front of her front large living room window that would prevent more light entering that room than our fence ever would (Please see the attached Google image). As for the view, it is not the main focal window of that living room and we do not feel it is a window our neighbours use for a view given their use of a heavily netted curtain. We would also say that the view we are now providing our neighbours is far better than the previous view of a metal staircase and a delapidated run down building. We are spending a lot of our own money to improve Mrs Greaves view.

3. Mrs Greaves has also reiterated her objections to the granted licencing hours. We would like to point out to the members that one of the first things I ever did after we purchased the premises was to visit Mrs Greaves and express our willingness to listen to any concerns she may have and to work with her to minimise any impact our new proposed business may have on her. We have done everything to work with our neighbours, including allowing them to continue parking their car on our property throughout our refurbishment. They have never approached us directly with any of their concerns, the only time we got to know about their concerns was through their emails to the Planning Officer. Unfortunately, we think they must realise that our proposal will enevatibility lose them the privilege of parking their car on our property as this is set to be our loading bay and disabled parking area for our customers. However, we will always maintain our commitment to work with all our neighbours to reduce any disruption. As for Mrs Greaves suggestion of our hours being later than the previous establishment, our hours are granted in line with other similar premises near residential properties in the district and have nothing to do with the application to build a decking area and use it with tables and chairs up to 9pm. We can assure everyone that we will never be using the premises for private parties at 4am in the morning unlike the previous owners.

On behalf of the vast majority of the residents of Walton-Le-Dale we would also like to point out that we our soon to lose yet another drinking establishment and we would request any support the Local Authority can offer us to enable us to make this new business a success. If we fail Walton-Le-Dale will go down to just two pubs.

Finally, given our responses above to all the concerns, we urge the Planning Committee to approve our application to install a decking area and the use of tables and chairs externally up to 9pm for drinking and eating and smoking only after that hour.

Your sincerely



Sean O'Hagan