

27-09-21

The rear addition accessible through the side, the side return itself and rear garden of the premises do not have planning permission and the grant of a licence for this area would be inconsistent with the Council's licensing policy relating to the need for consistency between planning and licensing. The side return which would facilitate the use of the rear premises as a restaurant, is unlawful as no planning permission for this has been submitted to, or granted by, the Council. It is noted that the plan accompanying the licence application does not include, within the red edging, the rear garden and I assume that this means that the rear garden does not form part of the application. The use of the enclosed unauthorised side return, rear room and rear garden of the premises in connection with the restaurant within the building, including the consumption and sale of the alcohol and the provision of entertainment (if, indeed, that is what is proposed), would be unacceptable due to the probable nuisance, noise, smell, smoke pollution and general disturbance caused to adjacent residential properties, including 56 and 60 College Road, and 131 and 131A Clifford Gardens, and rear flat at 54 College Road. In view of the very close proximity of residential properties/premises, any use of the rear garden of 58 College Road as a restaurant would be contrary to the licensing objective of preventing public nuisance (see sections 4(2)(c) and 4(6)(a) of the Licensing Act 2003). My objection should be regarded as relevant representations and I trust that the Council will hold a hearing to consider my concerns as required by section 18(3) of the Licensing Act 2008. I would wish to speak at that hearing.