



Cheshire East
Application for a premises licence
Licensing Act 2003

For help contact
licensing@cheshireeast.gov.uk
 Telephone: 0300 123 5015

* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☐ Yes ☒ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ Applying as a business or organisation, including as a sole trader

☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

* Is your business registered in the UK with Companies House? ☒ Yes ☐ No

* Registration number

* Business name

* VAT number

* Legal status

If your business is registered, use its registered name.

Put "none" if you are not registered for VAT.

Continued from previous page...

* Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☒ An individual or individuals
- ☐ A limited company
- ☐ A partnership
- ☐ An unincorporated association
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales
- ☐ Other (for example a statutory corporation)

Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 19

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

☒ Yes ☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

☒ Yes ☐ No

Continued from previous page...

Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="82"/>
Street	<input type="text" value="Harley Road"/>
District	<input type="text"/>
City or town	<input type="text" value="Sale"/>
County or administrative area	<input type="text" value="Greater Manchester"/>
Postcode	<input type="text" value="M33 7FP"/>
Country	<input type="text" value="United Kingdom"/>

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="[REDACTED]"/>
Telephone number	<input type="text" value="[REDACTED]"/>
Other telephone number	<input type="text" value="[REDACTED]"/>

Second Applicant Name

Is the name the same as (or similar to) the details given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name	<input type="text" value="Kevin Derek"/>
Family name	<input type="text" value="Choudhary"/>

Is the applicant 18 years of age or older?

☒ Yes

☐ No

Continued from previous page...

Second Applicant Postal Address

Is the address the same as (or similar to) the address given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="82"/>
Street	<input type="text" value="Harley Road"/>
District	<input type="text"/>
City or town	<input type="text" value="Sale"/>
County or administrative area	<input type="text" value="Greater Manchester"/>
Postcode	<input type="text" value="M33 7FP"/>
Country	<input type="text" value="United Kingdom"/>

Second Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

☒ Yes

☐ No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text" value="[REDACTED]@k"/>
Telephone number	<input type="text" value="[REDACTED]"/>
Other telephone number	<input type="text" value="[REDACTED]"/>
<input type="button" value="Remove this applicant"/>	

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start?

<input type="text" value="01"/>	/	<input type="text" value="11"/>	/	<input type="text" value="2015"/>
dd		mm		yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end

<input type="text"/>	/	<input type="text"/>	/	<input type="text"/>
dd		mm		yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

The premises would be operated as an upper ground floor restaurant, one one level, seating approximately 40 - 50 people in total including a small bar area. We only intend to serve alcohol on the premises, the premises will operate as a local, owner operated British neighborhood bistro serving produce sourced predominately from Britain, incorporating a bar

Continued from previous page...

specialising in both British gin and also small producer soft beverages, along with the more usual wine / beer / spirits. We previously operated a gastro pub in Altrincham for about 9 years.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

☐ Yes ☒ No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

☐ Yes ☒ No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

☐ Yes ☒ No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

We would possibly have occasional (4 times a year) live traditional jazz evenings / Sunday lunches, as we have run these successfully before, the hours would either be 12 noon until 3.30 pm or 7.00 pm until 10.00 pm.

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Continued from previous page...

☒ Yes

☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other
structure tick as appropriate. Indoors may
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Music will be background music which will be played through a built in sound system.

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve until 01:30

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

☐ Yes ☒ No

Section 13 of 19

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

☐ Yes ☒ No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

FRIDAY

Start 23:00

End 24:00

Start

End

SATURDAY

Start 23:00

End 24:00

Start

End

SUNDAY

Start 23:00

End 23:30

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

To allow for the service of coffee and dessert if requested when the customer has already dined on the premises. No additional entry would be allowed to the premises.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes

☐ No

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- ☒ On the premises ☐ Off the premises ☐ Both

If the sale of alcohol is for consumption on
the premises select on, if the sale of alcohol
is for consumption away from the premises
select off. If the sale of alcohol is for
consumption on the premises and away
from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New Years Eve until 01:30

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Rachel

Family name

Choudhary

Enter the contact's address

Building number or name

82

Street

Harley Road

District

City or town

Sale

County or administrative area

Greater Manchester

Postcode

M33 7FP

Country

United Kingdom

Personal Licence number
(if known)

Issuing licensing authority
(if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent
form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Continued from previous page...

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Later on New Years Eve - Until 01:30

Section 18 of 19

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

We will implement strong management, and effective staff training so that all employees are aware of the premises licence and the requirements to meet the four licensing objectives with particular attention to:

No selling of alcohol to underage people

No drunk and disorderly behavior on the premises area

Vigilance in preventing the use and sale of illegal drugs at the retail area

No violent and anti-social behaviour

No harm to children

A clear Operating Schedule providing the hours of operation and licensable activities during those hours.

A designated premises supervisor will be in day-to-day control of the premises and will provide good training for staff to make or authorize each sale.

A clear "Challenge 25" system will be used to prevent the supply of alcohol to under-age drinkers.

As a licensed premises we know that it is necessary to operate our businesses within a structure which promotes these objectives. We will support these objectives throughout our business and will take any measures we can to ensure that the business conforms to these standards (including staff training and qualifications, policies, and strategic partnerships with other agencies).

b) The prevention of crime and disorder

A clear and legible notice will be displayed in the premises indicating the normal business hours under the terms of the premises licence during which licensable activities are permitted.

We will not sell alcohol to drunk or intoxicated customers, and all staff will be trained to politely refuse service in these circumstances.

Continued from previous page...

We will show vigilance and awareness to prevent illegal drug use anywhere on the premises.

All staff will be well trained in asking customers to use the premises in an orderly and respectful manner.

All staff will be well trained in asking customers to leave the premises in an orderly and considerate manner

c) Public safety

Internal and external lighting will always be sufficient to maintain public safety.

Staff will be well trained in food safety and environmental health requirements.

Staff will be well trained in the implementation of underage ID checks.

All parts of the premises and all fixtures and fittings and apparatus therein, fire extinguishers, kitchen equipment, door fastenings and notices, lighting, heating, electrical, air conditioning and other installations, will be maintained at all times in good order and in a safe condition.

d) The prevention of public nuisance

Prominent, clear and legible notices will be displayed at the exit requesting the public to respect the needs of nearby residents and to leave the premises and the area quietly.

Deliveries of goods necessary for the operation of the business will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

The Licensee will ensure that staff who depart late at night after the business has ceased trading conduct themselves in such a manner to avoid causing disturbance to nearby residents.

Customers will be asked not to stand around loudly talking in the street outside the premises.

Customers will not be admitted to premises beyond the opening hours.

The movement of bins and rubbish outside the premises will be kept to a minimum at night.

e) The protection of children from harm

Staff will be well trained in the "Challenge 25" system, including the acceptable requirements for a persons' identification and age establishment.

Staff will be well trained to ensure that any children are always accompanied by an appropriate adult whilst on the premises.

No gambling machines will be on the premises.

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Continued from previous page...

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

☒ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

Rachel Choudhary

* Capacity

Director / DPS

* Date

17 / 09 / 2015
dd mm yyyy

Full name

Kevin Derek Choudhary

Capacity

Director

* Date

17 / 09 / 2015
dd mm yyyy

Remove this signatory

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/cheshire-east/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

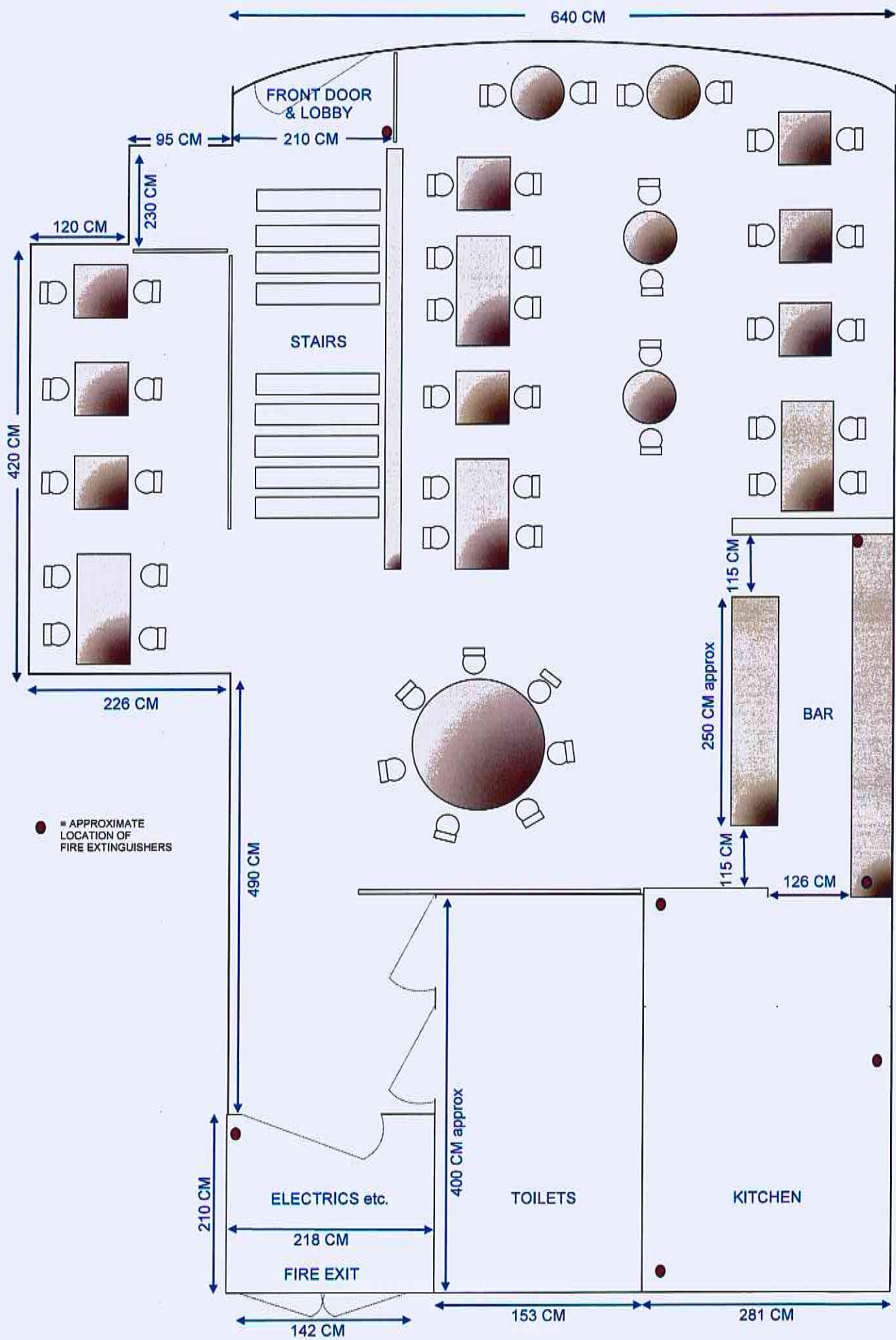
Continued from previous page...

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

OFFICE USE ONLY

Applicant reference number	<input type="text" value="Knutsford01"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) Next >



From: ROSCOE, Hamish
Sent: 13 October 2015 13:04
To: LICENSING (Cheshire East)

Subject: RE: (F039295) Application for a Premises Licence - 17 Regent Street, Knutsford

Dear Licensing

Thank you for the opportunity to review and comment on this application.

These comments have been copied to the applicant for completeness.

This department has been in contact with Mr Choudhary the applicant in relation to the lack of planning permission for this use at this premises and the noise issues. We have spoken a number of times in a bid to resolve the various issues. He and the building owners appear to be considering additional acoustic advice and possible construction measures to improve the apparent acoustic weakness. However a scheme is not expected to be available in the time frame of this licence determination

Given the issues and the time scales we do not believe that the matters of concern can be addressed fully.

Thus we have no option but to object to the application on the grounds of public nuisance and the lack of information.

This is based on the complaint history relating to the use of the previous occupiers. The intrinsic nature of the structure is the issue rather than the previous operational activities.

The premises has un-associated dwelling sharing a party wall and another un-associated dwelling above. The fabric of the building has been shown to be acoustically weak with kitchen and other activities clearly audible through the party wall. Music and entertainment noise has also been witnessed and complained about (TENS)

There is also a complaint history of odours from cooking activities, partly due to the lack of abatement technology and the low level extract point being below the dwelling and balcony above.

The previous planning (we now believed to have expired as it was a personal permission) and licensing terminal hours (22.00) were the maximum that was deemed to be acceptable. The planning concerns directly reflect the same concerns within the licensing regime.

1 the premises does not have planning permission for the licencing activities requested
(I understand that this is not strictly a licensing matter but we feel we need to be open and fair to the applicant and that the usability would be dependant on getting planning permission)(Parma had a personal permission)

2 the activity use and hours requested are excessive given what we know about the nature of the building being acoustically weak (public nuisance)

3 there are potential odour issues from the cooking activities (public nuisance) given the scale of the covers proposed (40 to 50) and the current restriction as to the outlet point being below the dwelling above. It is not certain if there is the legal ability to attach a high level kitchen extract flue to the upper areas of the building as this may be outside the control of the applicant.

Thus at present we feel that this application should be refused on the grounds that there is insufficient information with that application to enable us to comment further.

We have significant and relevant complaint history about the previous use, that was not user specific ie it wasn't necessarily based on unreasonable use or activity but just the activity of a restaurant (odours and noise) and the acoustic weakness of the structure and proximity of sensitive dwellings.

Hamish Roscoe
BSc(HONS), MCIEH, AMIOA
Senior Enforcement Officer

postal communication to:-

Cheshire East Council
Hamish Roscoe
Regulatory Services and Health
(Macclesfield Town Hall)

C/O Municipal Buildings
Earle Street
CREWE
CW1 2BJ

27.09.2015

[REDACTED]
[REDACTED]
[REDACTED]

To
The Licensing Section
Municipal Buildings
Earle Street
Crewe
CW1 2BJ



We would like to know to you our objection to the application for a Premises License for Regent Street 17, Knutsford, WA16 6GR.

The premises in question used to be Italian restaurant Parma / Via Via and there are historical noise issues concerning this premises.

Regent Street is a quiet pedestrian street with lots of apartments on top of the retail premises. All the other retail shops are open during the normal office hours and will be closed by 6pm. Retail premises in this street were never intend to be restaurants because that kind of business is considered to cause too much noise disturbance to the people who live here.

Based on previous experience we believe it is not acceptable to grant Premises License for 17 Regent Street. It has been clear that it is not profitable to run a restaurant in this premises and it will cause lot of noise disturbance for the residents, both from the music played as well as from the customers leaving the restaurant, especially at the closing time middle of the night. Excluding this restaurant, there has been several different restaurants on top of the street (latest 'Turka') as well as on Silk Mill Street ('Folly') in the past 5 years and all of them have caused noise complaints and eventually none of them have succeeded, showing clearly that this is not the right area for a restaurant.

When these premises in question were Parma restaurant, they applied the change from A1/A3 use to the A3 use and later applied extension for their opening hours (Application No 13/392M and 14/1350M).

Cheshire East Council stated that in case of changing these premises from combined A1/A3 use to the A3

"The restaurant shall not be open outside of the hours of 07.30- 22.00 Monday to Sunday.

Reason: In the interests of neighbouring amenity in accordance with Macclesfield Borough Local Plan policies DC3, DC13 and the National Planning Policy Framework.

No music or amplified sound shall be played outside the hours of 07.30- 22.00 Monday to Sunday.

Reason: In the interests of neighbouring amenity in accordance with Macclesfield Borough Local Plan policies DC3, DC13 and the National Planning Policy Framework."

Cheshire East Council also refused the extension for the opening hours for the following reasons:

“The variation of condition 6 on application 13/3292M to allow the premises to operate between 07.30- 23.00 on Fridays and Saturdays would result in extending noise levels for an unacceptable period of time in this location, to the detriment of the amenities of the occupiers of nearby residential property.

The approval of the development would therefore be contrary to Macclesfield Borough Local Plan policies DC3, DC13 and the National Planning Policy Framework, thereby causing harm to the objectives of those policies.”

Cheshire East Council Environmental Health also commented as their opinion that:

“No music or other amplified sound generated at the A3 premises shall be audible at the boundary of any adjacent residential premises.

Reason: In the interests of residential amenity and to prevent impact on health.”

They also advised that:

“The A3 use shall solely be granted to Parma and their business use and should Parma cease to trade at the premises then the use class will revert back to the current A1/A3 use. There shall be no other A3 use at the premise other than Parma, who operate an Italian restaurant.”

Based on this information and historical noise issues associated with these premises in question we believe it is not possible to grant Premises License for 17 Regent Street.



The Licensing Section
Cheshire East Council
Municipal Buildings
Earle Street
Crewe
CW1 2BJ

RECEIVED

15 OCT 2015

CEC LICENSING

**Ref: Application for a Premises Licence, 17 Regent Street, Knutsford,
WA16 6GR**

Dear Sir/Madam

Please find enclosed the following documents relating to the above application and the above property:

Decision Notice for Application No: 13/3292M
Decision Notice for Application No: 14/1350M
Sarah Allwood's Environmental Report

The property was originally an A1 property, then there was a change of use to A1/A3 and in January 2014 the Council granted permission for A3 use.

However, the operating hours of the restaurant were restricted from 7.30 to 22.00, as well as playing of music or amplified sound.

Furthermore, on 1st October the Council refused the application for change of operating hours to 23.00

According to Sarah Allwood's report dated 20th December 2013 the property should revert back to A1/A3 use should Parma cease to trade at the premises.

She also states: "There shall be no other A3 use at the premise other than Parma, who operate an Italian restaurant".

As a resident of Regent Street I strongly object the application.

The unique position of the premises, being sandwiched in between residential properties, makes it unsuitable for a bar/restaurant with the proposed operating hours as it would have a very negative impact on all residents of the neighbouring properties.

Yours Faithfully,

To: Cheshire East Planning[CEPlanning@cheshireeast.gov.uk];
Cc: FRAY, Ian[Ian.Fray@cheshireeast.gov.uk];
Subject: Revised Consultation Response 13/3292M
Sent: Fri 12/20/2013 2:50:41 PM
From: ALLWOOD, Sarah

To

Cheshire East Planning

Copy to

Ian Fray

From

Sarah Allwood

Tel. No.

[REDACTED]

Date

20 December 2013

Your ref

13/3292M

Our ref

EL7/027632

Subject

PLANNING CONSULTATION WITH ENVIRONMENTAL PROTECTION

Location: Parma, 17 Regent Street, Knutsford, WA16 6GR

Proposal: Change of use from A1/A3 to A3 for inside and outdoor
seating area
(Resubmission)

This Service has considered the above planning application and wishes to make the following comments / recommendations.

The following recommendations DO NOT constitute planning conditions, however are intended to provide sufficient information to guide planning officers to adequately word conditions which are enforceable, justified and proportionate, in line with their own guidelines.

Where a planning officer considers that the recommended condition should be substantially altered, or not included on any final decision notice it is strongly recommended contact is made with the relevant officer.

PUBLIC PROTECTION AND HEALTH COMMENTS

Sarah Allwood 

Please see our revised comments below, following the submission of additional information with the application.

NOISE MITIGATION SCHEME

-

The applicant has submitted a scheme of acoustic insulation as additional information. The scheme recommends mitigation designed to ensure that occupants of nearby properties are not

adversely affected by noise from the A3 use.

The mitigation recommended in this report, namely installing the Draper vibration absorber mat (model 30743) to separate the cooker hood from the tiled wall, shall be implemented within one month of the date of this permission.

Reason: In the interests of residential amenity and prevent impact on health

NOISE MITIGATION

No music or other amplified sound generated at the A3 premises shall be audible at the boundary of any adjacent residential premises.

Reason: In the interests of residential amenity and to prevent impact on health

The agreed scheme shall be implemented, and maintained throughout the use of the development.

Reason: In the interests of residential amenity and prevent impact on health

ODOUR CONTROL SCHEME SUBMITTED

Additional information has been submitted to include a scheme of odour abatement which is designed to ensure that odours associated with the A3 Parma use, do not cause a significant loss of residential amenity in the vicinity.

The odour abatement recommended in the additional information, consisting of an extract fan, bag filter and a carbon filter box, shall be implemented in full within one month of the date of this permission.

Information: The submitted scheme takes into account the proposed use of the development and as such if the proposed use changes then it may be necessary to alter the odour abatement which may require additional planning consent,

Reason: To protect nearby residents from undue noise and disturbance (including fumes, odours and vibration) that would cause demonstrable harm to residential amenity and to preserve the quality of the local environment.

ODOUR CONTROL

There shall be no odours that could affect the amenity of local residents emanating from the proposed A3 use.

Reason: In the interests of residential amenity and to prevent impact on health

All odour control equipment shall be maintained in accordance with the manufacturers' recommendations.

Reason: To protect nearby residents from undue noise and disturbance (including fumes, odours and vibration) that would cause demonstrable harm to residential amenity and to preserve the quality of the local environment.

OUTDOOR SEATING AREA

Due to the potential for noise disturbance to local residents, the outside seating area shall be closed to customers, and all of the outside furniture removed and brought inside, by 21:00 hours each evening.

Reason: In the interests of residential amenity and to prevent impact on health

Due to the potential for noise disturbance to local residents, there shall be no music played in the outside area.

Reason: In the interests of residential amenity and to prevent impact on health

HOURS OF USE

Due to the potential for noise disturbance to local residents, the development should be subject to the following hours of operation restrictions;

Monday – Sunday 07:30hrs till 22:00hrs

Reason: In the interests of residential amenity and to prevent impact on health

USE

The A3 use shall solely be granted to Parma and their business use and should Parma cease to trade at the premises then the use class will revert back to the current A1/A3 use. There shall be no other A3 use at the premise other than Parma, who operate an Italian restaurant.

Reason: In the interests of residential amenity and to prevent impact on health

WASTE

Activities relating to the collection of refuse (including disposal and collection of bottles/glass) shall only take place between the hours of 08:00 and 18:00 Monday to Saturday and not at all on Sundays or Bank Holidays.

Reason: In the interests of residential amenity and to prevent impact on health

Mr Morten Lindholt,
PS (K) Ltd

[REDACTED]
[REDACTED]
[REDACTED]

Development Management
PO Box 606
Municipal Buildings
Earle Street
Crewe
CW1 9HP

email: planning@cheshireeast.gov.uk

DECISION NOTICE

Application No: **13/3292M**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Particulars of Development

**Change of use from A1/A3 to A3 for inside and outdoor seating area
(Resubmission)**

Location

17, REGENT STREET, KNUTSFORD, CHESHIRE, WA16 6GR

for **Mr M Dellapina, Trattoria Da Marco Ltd**

In pursuance of its powers under the above Act, the Council hereby GRANTS planning permission for the above development in accordance with the application and accompanying plans submitted by you subject to compliance with the conditions specified hereunder, for the reasons indicated:

1. The development hereby approved shall be retained in total accordance with the approved plans labelled 1:200, 1:50 EXISTING AND PROPOSED PLAN , 1:50 FRONT ELEVATION, 1:50 SIDE ELEVATION received by the Local Planning Authority on 8th August 2013.
Reason: For the avoidance of doubt and to specify the plans to which the permission/consent relates.
2. The noise mitigation scheme (as recommended in the correspondence labelled 'Draper vibration absorber mat model 30743' and 'Vent pipe from the pizza oven with a HVAC system for the filtration of air including an EU3/G3 filter' dated 20th November 2013), involving installing the Draper vibration absorber mat (model 30743) to seperate the cooker hood from the tiled wall, shall be implemented within one month of the date of this permission.

The above shall be retained at all times thereafter.

Reason: In the interests of neighbouring amenity in accordance with Macclesfield Borough Local Plan policies DC3, DC13 and the National Planning Policy Framework.

3. The odour abatement scheme (labelled 'Activated Carbon Filters- Can Filter' and 'BAG FILTER TO PROTECT CARBON' as detailed in the correspondence dated 10th December 2013), consisting of an extract fan, bag filter and carbon filter box, shall be implemented in full within one month of the date of this permission and shall be retained at all times thereafter.

Reason: To protect nearby residents from from undue noise and disturbance (including fumes, odours and vibration) that would cause demonstrable harm to residential amenity and to preserve the quality of the local environment, in accordance with Macclesfield Borough Local Plan policies DC3, DC13 and the National Planning Policy Framework.

4. The outside seating area shall not be used for any purpose after 21.00 hours every day.

Reason: In the interests of neighbouring amenity in accordance with Macclesfield Borough Local Plan policies DC3, DC13 and the National Planning Policy Framework.

5. There shall be no music or amplified sound from, or transmitted to, the outdoor seating area at any time.

Reason: In the interests of neighbouring amenity in accordance with Macclesfield Borough Local Plan policies DC3, DC13 and the National Planning Policy Framework.

6. The restaurant shall not be open outside of the hours of 07.30- 22.00 Monday to Sunday.

Reason: In the interests of neighbouring amenity in accordance with Macclesfield Borough Local Plan policies DC3, DC13 and the National Planning Policy Framework.

7. No music or amplified sound shall be played outside the hours of 07.30- 22.00 Monday to Sunday.

Reason: In the interests of neighbouring amenity in accordance with

Macclesfield Borough Local Plan policies DC3, DC13 and the National Planning Policy Framework.

8. The approved use shall only be operated by the applicant and shall be only be operated as an Italian Restaurant/ Eatery and within the hours of 07.30-22.00 Monday to Sunday.

Reason: In the interests of neighbouring amenity in accordance with Macclesfield Borough Local Plan policies DC3, DC13 and the National Planning Policy Framework.

9. Bottles/ glass containers shall not be disposed of outside of the premises except between the hours of 08.00 and 18.00 Monday to Saturday.

Reason: In the interests of neighbouring amenity in accordance with Macclesfield Borough Local Plan policies DC3, DC13 and the National Planning Policy Framework.

The reason(s) for approving this application is/are:

INFORMATIVE: The policies and proposals in the Development Plan relevant to this decision are: Macclesfield Borough Local Plan;

BE1: Design Guidance
BE3: Conservation Area
DC1: New Build
DC2: Extensions and alterations
DC3: Amenity
DC6: Circulation and Access
DC13: Noise
DC38: Space, Light and Privacy
KTC1, KTC2: Knutsford Town Centre Conservation Area
KTC9: Knutsford Town Centre Shopping Area
KTC 10: Knutsford Town Centre Shopping Area

and the National Planning Policy Framework.

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. This has been demonstrated by providing advice to the

applicant/agent during the course of the application on potential problems and possible solutions.

Please Note: This decision notice does not convey any approval or consent which may be required under any enactment, bye-laws, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of conditions. Please see our Website for details.**

If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:

(a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.

(b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.

This permission is granted in strict accordance with the approved plans. It should be noted however that:

(a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.

(b) Variation to the approved plans will require the submission of a new planning application.

Dated: 22nd January 2014

Signed



**Authorised Officer for
Cheshire East Borough Council**

Morten Lindholt,
PS(K)Ltd

Development Management
PO Box 606
Municipal Buildings
Earle Street
Crewe
CW1 9HP

email: planning@cheshireeast.gov.uk

DECISION NOTICE

Application No: **14/1350M**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Particulars of Development

Variation of condition 6 (hours) attached to planning application 13/3292M

Location

17, REGENT STREET, KNUTSFORD, CHESHIRE, WA16 6GR

for **Marco Dellapina, Trattoria Da Marco**

In pursuance of its powers under the above Act, the Council hereby **REFUSES** to grant planning permission for the above development referred to in the application and accompanying plans submitted by you for the following reasons:

1. The variation of condition 6 on application 13/3292M to allow the premises to operate between 07.30- 23.00 on Fridays and Saturdays would result in extending noise levels for an unacceptable period of time in this location, to the detriment of the amenities of the occupiers of nearby residential property. The approval of the development would therefore be contrary to Macclesfield Borough Local Plan policies DC3, DC13 and the National Planning Policy Framework, thereby causing harm to the objectives of those policies.

INFORMATIVE

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. Despite advice a solution has not

been reached which overcomes the environmental harm identified in the reasons for refusal.

Dated: 1st October 2014

Signed



**Authorised Officer for
Cheshire East Borough Council**

Cheshire CC WebGIS



(c) Crown copyright and database rights 2015. Ordnance Survey 100049045, 100049046.

