

From: Gemma Shaw

Sent: 28 April 2021 10:44

To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>

Subject: Oppose

To whom this may concern.

As a tenant at the neighbouring housing to the empty shop, having a bar playing music day and night isn't really an option for some of us whom work nights and sleep in the day, not only is it below our bedrooms. It's also a menace with potential drunks. I'm all for a rejuvenated Macclesfield but just not at the expense of our homes, 6 flats will oppose Many thanks Gemma shaw Apartment 6 chestergate

Sent from my iPhone

From: Aimee Howard

Sent: 26 April 2021 17:42

To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>

Subject: License Objection

Hi,

I am writing to you in regards to the application for 8 Chestergate, Macclesfield, Cheshire, SK11 6BA.

I would like to object to this going ahead as there are 6 residential flats directly above where they are proposing to play music every day from 12 until 11. Most residents in the flats work full time hours and it would be unfair to have music playing directly below us all and in the courtyard where all of our bedrooms back onto. This would have a detrimental effect on our standard of living and would have a negative impact on all of our work lives. Also, as there are 6 flats it means that we weekly put out 6 wheelie bins in front of where this bar would be. I can't imagine them being happy with that. The flats are rented to us all from Onward Housing Association.

We understand that we live in the town centre and bars are around us but when we all moved into these flats there were no plans to do anything with the shop directly below us. The thought of all of the noise and people walking literally outside our bedroom window while I try and sleep for work is making me anxious already and impacting on my mental health. There are also people in the building who have children and grandchildren staying with them. It's not fair on the child to have live music and probably loud people outside their bedroom window. I feel we would have to move to a different house if this application went ahead.

I don't want to be a party proper and I wish this business good luck but I don't feel this building is the right location for it.

Regards

Aimee Ainsworth

From: Aimee Howard <aimee_howard4@hotmail.com>

Sent: 28 April 2021 18:53

To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>

Subject: Objection

Hello

I would like to object to the license application for number 8 Chestergate, Macclesfield, Cheshire, SK11 6BA as I believe it will be a public nuisance.

The main issue will be noise. The premises is below and around 6 residential properties which will be badly effected by the noise and the general noise of people coming and going will be harmful to the quality of life of the residents who need to rest after work rather than listen to the music which this application puts forward.

I live at Apartment , Macclesfield, Cheshire and my flat also goes over number Chestergate.

Regards

Aimee Ainsworth

From: nicoletta cavriani

Sent: 27 April 2021 18:35

To: LICENSING (Cheshire East) <Licensing_CE@cheshireeast.gov.uk>

Cc:; Onward Customer Service <>; Gill Dignan <

Subject: Licence request 8, Chestergate Macclesfield SK11 6BA

Dear Licensing department,

I am a tenant of the Housing Association Onward Homes and I live in the apartment in , Chestergate - Macclesfield SK11 6BA.

I have seen a notice in the empty space next door to our building that James King has applied to Cheshire East Council in respect of the premises 8, Chestergate Macclesfield SK11 6BA for the provision of recorded music indoors and outdoors Monday to Friday from 09:00 to 23:00 indoors and outdoors (alcohol supply).

I found appalling that Cheshire East is considering licensing a such type of premise next door to 6 apartments. I am completely against it and I will do all it is in my power to oppose it.

I am a specialist tutor and a CBT psychotherapist and I work remotely from home. I guess that having banging music all day long it would not be good for both my health and work life. I had an open-heart surgery in 2019 and I might need to work from home indefinite.

How can it be acceptable to have music and alcohol serving from 09:00 to 23:00 both indoors and outdoors?

I am surprise that both the owners of the building and the housing association think it is acceptable for tenants to live next door to such business.

I will seek legal advice.

I hope you will reconsider the provision of that license and I look forward to hearing from you

Nicoletta Cavriani MSc

Macclesfield, 28th April 2021



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

Application for premises license by Proper Sound, 8 Chestergate, Macclesfield, Cheshire
SK116BA

I am writing to you to make a formal objection to the application made by Proper Sound for premises licence in 8, Chestergate.

I formally object to all the licensable activities applied for

- The Provision of Live Music – Indoors and Outdoors Monday to Sunday 12.00 to 23.00 Each day
- The Provision of Recorded Music - Indoors Monday to Sunday 09.00 to 23.00 Each day
- The Supply of Alcohol – For Consumption both On and Off the Premises Monday to Sunday 10.00 to 23.00 Each day

This empty space is part of our building where 6 apartments with 6 families are living. Also, the storage of that empty space is in the last floor of our same building. So, this premise and our building will have access to communal stairs and communal part of the building. The empty space is just underneath of the apartments on the first floor. This empty space is located between our building main entrance and the emergency door.

The following picture shows where our main entrance is, the fire door exits and the above apartments (highlighted in red). The empty space is circled in orange.



Our building has been refurbished (used to be the County Chamber) and transformed in 6 apartments managed by Onward Homes (former Countour Homes) for a regeneration project in Macclesfield Town Centre. The owners of the building and of the empty space adjacent our building are private.

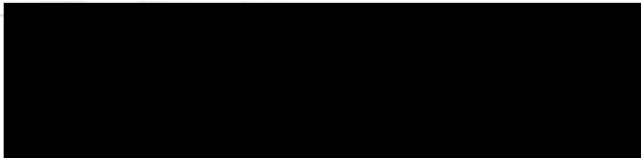
If the licence application were to be approved, I believe the noise pollution would be continuous both indoors and outdoors from 09:00 to 23:00 every day causing unbearable for us to live there. I think that this will cause litter problems, strong language, noise pollution from customers in and around the premise and therefore in our building.

I had an open-heart surgery in May 2019 and since then I have been working from home. This premise will be a detriment to myself and will reduce my quality of life in my own flat and my right to peace and quiet. In addition to that the constant noise will cause issues for myself to continue to work. I will also find very intimidating to go through crowd of people to access the building and my flat.

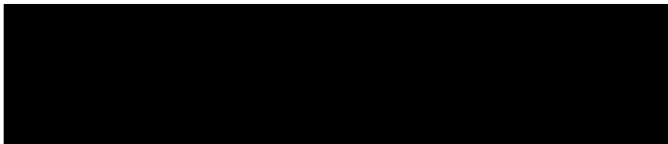
I tend to believe that since there is a residential building just adjacent to the premise no music license should be given.

Among the four main objectives of the Licensing Act 2003 are the prevention of crime and disorder, public safety and the **prevention of public nuisance**, therefore I implore you to reject the license application.

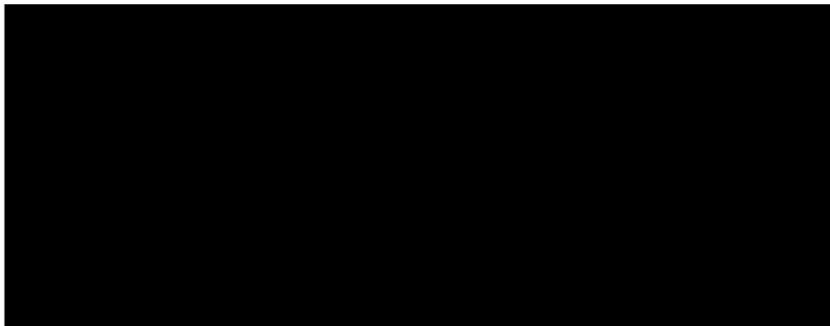
Regards



Nicoletta Cavriani Flat ■- 6, Chestergate - Macclesfield SK11 6BA



CC:



Representation (objection) to the Application for a Premises license submitted by Proper Sound 8 Chestergate Macclesfield SK11 6BA

From: Cllr Liz Braithwaite CEC councillor for Macclesfield Central Ward 10th May 2021

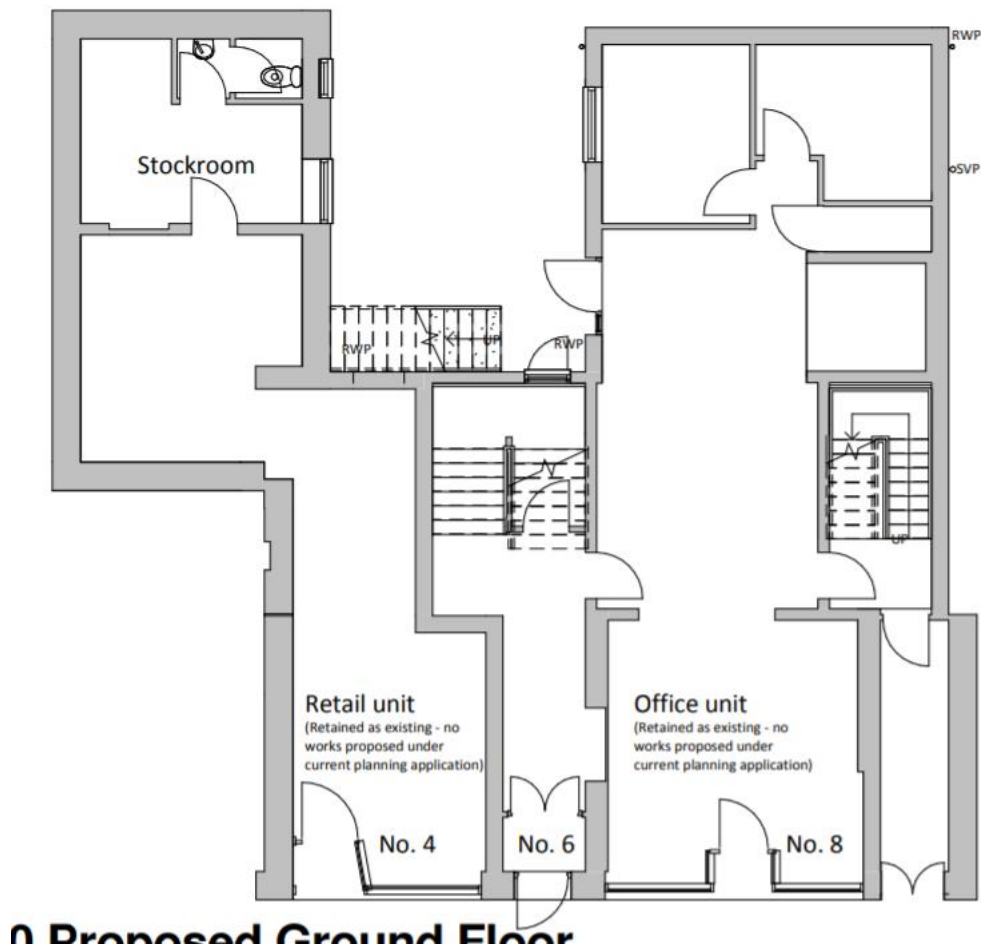
Please note that Section 5 of the licensing application states that the premises is a 'ground floor shop/eatery surrounded by other shops and cafes'. The reason for this objection is that there are also 6 apartments immediately above the premises, as shown in the illustration below which is taken from a planning application document (15/4077M). The applicant's premises are underlined in green. The illustration provided by the applicant shows a rear courtyard area, it should be noted that this is the bin storage area for the apartments. The applicant's premises are currently empty, to the best of my knowledge it has no history of hospitality use.

For background information, nos. 4 – 8 Chestergate comprise a Grade II listed building, and the 1st, 2nd and 3rd floors have been converted to residential accommodation of 3 x 2-bedroom apartments and 3 x 1-bedroomed apartments. All are occupied. On the ground floor Number 4 is a nail bar, Number 6 is the address for the 6 apartments (accessed by the large door in the middle), and the applicants premises Number 8 is currently empty (see photo below taken on 8th May 2021). When permission was granted for the apartment conversion it was noted that the ground floor would remain as A1 retail. I'm not aware of any application for change of use to a bar/eatery. I know that planning use is not a licensing consideration, but as stated earlier the shop is empty and is not currently in use.



I submit that the application does not meet the following licensing objectives and ask that the application is refused:

- **Public safety**
The application mentions fire safety. Having a commercial kitchen may increase the risk of a fire occurring on the premises which would endanger the residents in the apartments above. The applicant's drawing also appears to be missing an internal door that leads to an alternate exit (see illustration below). This could compromise public safety in the event of a fire as the front door is quite narrow, drinking alcohol can impair judgment should the building need to be evacuated, and there is no indication of how many customers could be on the premises at any one time.



0 Proposed Ground Floor

- Prevention of public nuisance

The application does not meet this objective at all due to the proximity of the apartments above it and the adverse impact on residential amenity. No.10 Chestergate, next door to the premises, had conditions imposed when it opened as a café which protect the residential amenity of the apartments. Serving alcohol from morning until 23:00 7 days a week will generate noise from customers entering/leaving the premises, as well as from within the premises. It is highly likely that customers will gather outside in warmer weather, and to smoke. As well as generating noise this will make it unpleasant and even intimidating for residents accessing their homes.

Noise will be generated by the kitchen and bar accessing the bins in the courtyard, particularly bottle bins. Clarification is needed around the disposal of commercial waste as it's not clear what space is available or what arrangements would be in place for collection.

The playing of music inside and outside the premises, whether it be live, unamplified or amplified is not acceptable at any time with residents living immediately above. At least one resident works from home and would be severely impacted by noise levels. The adverse impact on residents must be paramount.

In addition to noise nuisance there is a high possibility of cooking odours impacting residential amenity, and possibly odours from commercial bins.

- Protection of children from harm

Any children living in the apartments would be particularly impacted by the issues mentioned above.

21st May 2021

The Licensing Section
Cheshire East Council
Municipal Building
Early Street
Crewe
CW1 2BJ

Heidi Jane de Botte – Tenant: Apartment SK11 6BA	Chestergate, Macclesfield, Cheshire,
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Dear Sir/Madam,

I wish to firmly object to the application from James King for a Premises Licence at the premises known as Proper Sound, 8 Chestergate, Macclesfield, Cheshire, SK11 6BA, for the following;

- The Provision of Live Music – Indoors and Outdoors
Monday to Sunday 12.00 to 23.00 Each day
- The Provision of Recorded Music – Indoors
Monday to Sunday 09.00 to 23.00 Each day
- The supply of alcohol both on and off the premises
Monday to Sunday 10.00 to 23.00 Each day

Please accept this letter as a formal objection with the strongest possible terms.

My objection is based on my concerns according to factors which come under the Licensing Act 2003, and include but are not limited to, Prevention of Public Nuisance, Prevention of Crime and Disorder, and Public Safety.

As a resident of the local town for thirty years, four and half of which I have resided in this building. I am inexplicably appalled at Cheshire East Councils' consideration, and dismissal in the welfare of its residents for this licensing application.

Please see below my objections to the application under the factors stated above:

Prevention of Public Nuisance

- Should the license be accepted, this would have a categorically detrimental effect to all residents including myself, due to the increased level of public nuisance with regards to both live and recorded music, and the sale of alcohol. The proposed license is to be used at the currently empty space

within the ground floor of our building, directly below the 6 dwellings, and the courtyard at the back of the property directly below all 6 bedrooms of the residents living here including myself.

The proposed license would allow for both live, and recorded music to be played 7 days a week, Monday to Sunday, directly below a residential development, not to mention within the same building. I would like to take the opportunity here to highlight what this would mean for us tenants.

This would produce a combination of both live and recorded music being played on an average of **14 HOURS** per day, and **98 HOURS** of music to be played, and noise disturbance **PER WEEK**. In total the residents of this building, 6 families, including myself, would be subjected to an average of **424 HOURS** of noise disturbance **PER MONTH**, totalling an outrageous figure on average of **5096 HOURS** of Live and recorded music being played within our residential building **PER YEAR**.

When Covid 19 was not in existence and businesses ran as usual, I still experienced noise disturbance from other cafes/bars in the centre, but this was mainly an occasional occurrence, and although it greatly impacted my mental health and sleep on those days/nights, it was not on a consistent basis, therefore it did not become intolerable.

However, to have an establishment where live and recorded music would be allowed to be played for 11 hours each day 7 days a week, from morning until night, is of extreme concern to me. I moved into this apartment, knowingly and willingly accepting the fact it is as central to a town centre as it could possibly be. I did not move here naively, and thoroughly acknowledged that living on a town centre high street may not always be the most tranquil spot in town. However, I never once believed that a license of this nature would be considered in a residential building like our own, and this concept is truly harrowing.

- In conjunction with the live and recorded music, the license to supply alcohol both on and off the premises between the hours of 10.00 to 23.00 Each day, 7 days a week, will also cause an increase in the level of public nuisance, inevitably causing an even further negative impact on the residents here, again including myself.
- Due to the nature of the proposed establishment, the chances of public nuisance are extremely likely. I understand that this could be deemed as speculation, however, I would like to express in general terms, that upon consumption of alcohol, it has been scientifically proven that it can have a profound effect on an individuals brain, and therefore, their behaviour. This is an enormous concern of mine, especially as this will have a direct impact on not only my home, and my place of residence, but also my mental health. This will cause a disastrous effect on my life, and everybody else living in the building.

Prevention of Crime and Disorder

Leading on from my previous bullet point under the prevention of nuisance noise. I would now like to talk about how an establishment of this nature being allowed to go ahead would affect myself and the other residents in relation to the prevention of Crime and Disorder.

Over the last four and a half years I have lived in my apartment at Chestergate, I have personally experienced a number of instances where I have not felt the safest, primarily due to the location of the building being in the town centre. I've come across several pub/club brawls, where there have been public displays of alcohol related crime and disorder. I have experienced used and unfinished bottles of alcohol been fly tipped on the communal steps at the entrance to the building, by punters of the local town, and there has been occasions where bottles have been smashed outside of the property I live in. I've witnessed many disorderly events, including drunken fighting, which have taken place in the centre of the town. Due to occurrence of these incidents, it has not made living here intolerable, as they have happened few and far between in each given year.

However, again, to grant permission for a business to offer an alcohol license inside of a residential building no matter of the proposed hours for license to supply it, is of grave concern to me. I do not feel safe at this prospect at all, and I'm deeply concerned by it. After 4 and half years of living here, I do not want to feel unsafe when entering and leaving my home, especially as a single woman, when it is dark. I would feel very vulnerable living here, consistently worrying about the possibility of intoxicated people outside of my front door.

Public Safety / Prevention of Public Nuisance

It has been brought to my attention that the business owners, James King, and Lucie Wright, are going to be making use of the court yard within the building itself, which is located at the back of the property. The court yard is on the ground floor, and is an outside space, directly below my bedroom window, and my living room window. It is also below all of the living room windows for the 3 one bedroom apartments on the back, and ALL of the bedrooms within the building.

I am aware that the court yard is intended for public use, and will also be included under the application for live music outside, as you will see on the application they have applied for. This is of enormous concern to me, and I cannot express my constant distress over this prospect.

I personally suffer from poor mental health, which has become worse as of recent months. I currently spend a lot of my time at home, and I will be looking at taking on working position remotely in the future. My home will not only be my place of living and sleeping, it will also eventually become my place of work also.

If this application for a license to allow both music and alcohol is granted, it will inevitably ruin my life, and the lives of everybody in this building. As mentioned

above, both my living room/kitchen, and my bedroom, is directly above the court yard space. To give permission for these people to use that area as public space is of utmost concern to me, and horrendously distressing.

This would allow them to use it publicly, where chairs and tables would be, a constant noise of people talking/shouting/laughing, live music to be played/recorded music, alcohol to be supplied outdoors and you will also see on the application applied for, and also, people would have the ability to smoke, as it is outdoor space.

I implore Cheshire East Council to PLEASE consider, and realise the extreme detriment this will have on myself, and all residents here at 6 Chestergate. I can only take this opportunity to ask you to put yourselves in my position, in our position as residents of this town, and members of a local community. This would ruin my life on every possible level. To live in my home, in which I have lived for 4 and a half years, where I have been a respectful tenant, and a respectful part of this wonderful town, where I have done my part to both look after and respect the environment, and area I live in, to have this peace and comfort, destroyed by business owners, who are aware of the building and its contents, and do not share the same respect at any slightest point.

I simply could not live here, with constant noise of people, smoke travelling up to my bedroom, living room and kitchen windows. To be consistently disturbed by these factors, alongside live music... it would truly have catastrophic consequences.

A home is to be enjoyed, to live in comfortably, and to be able to sleep well, and relax. Yes of course, there are going to be times on occasion where all is not peaceful, as with any place of residence, but these people are knowingly and willingly applying to destroy our lives 7 days a week, and have no care, thought, or consideration for the residents of the town centre.

I also object, to any use of chairs and tables outside of the shop, as I'm aware this is on the table. I do not wish to have to enter and leave my home, and my front door with people sat right outside of it. I find this deeply distressing and I will be adding this onto the planning objection once it is on the portal and registered.

Final Comments

The business owners, have made us aware that they will also be holding private parties, they will be extending their opening hours on events such as Treacle Market, the Christmas light switch on, and opening events. I firmly object to the license for music and alcohol to be granted for these events also.

I am all for welcoming new businesses to the town centre, the apartments I live in were created to generate more people to the centre, to bring revenue and money to the centre and bring working individuals closer into the local town. However, there is a very fine line when this becomes entwined with the wrong kind of business establishment, especially due to the fact of it being within the very same building the apartments were built in.

I would also like to add, that the same person/people who are applying for this alcohol and music license, have also carried out illegal building work/alterations to a

the same Grade II listed building in which they seek to start their business. The heavy duty and very intense and invasive building works were carried out without a planning application being submitted. They were visited on two occasions by planning enforcement officers and issued with cautions. They have still, to this date, continued to proceed with the building and renovation works. Their planning application has only been submitted last week, and is still not even registered on the portal as it has not been verified just yet. They have done this work, without letting myself or any of the tenants know that they were going to be doing so. Without the planning application, our rights to make comment or objection have been violated, and I have not had the chance to make my comments and objections known before the works were carried out, neither has any of the other tenants in the building.

As you can imagine, our whole building has been in disgust and outrage at their illegal activities, as they were even made aware that it is a criminal offence and they still continued to do so. The works began on Tuesday 11th of May, and have continued up until this date on the 21st of May, with the exception of Saturday and Sunday. With no notice, we have had competent and utter disruption to the building, it has been an extremely distressing and scary time for me. I suffer with severe anxiety, ocd and depression, and this has caused my mental health to deteriorate rapidly. I have been in constant fear for the structural safety of the building and my general well-being.

I understand that this issue is a separate matter in terms of objection, but I wanted to take the opportunity to make you aware, that this objection of mine comes very heavily deep rooted now, from the fact that if this license was granted, it would be granted to irresponsible and disrespectful individuals, and that is again, gravely concerning.

Finally, I object to all revisions should there be any, to the Licensing application for live and recorded music, and the supply of alcohol both on and off the premises.

Please accept this letter, as my formal objection, again, on the strongest possible terms.

Yours sincerely,

Heidi de Botte