

APPENDIX E



PJ Corp Stores Ltd
11 Northfield Drive
Northfield
Milton Keynes
MK15 0DQ

City Development
9th Floor East
Merrion House
110 Merrion House
Leeds LS2 8BB

Contact: Chris Sanderson

Tel: [REDACTED]

1 December 2023

Dear Sir/Madam,

Subject: APPLICATION FOR PREMISES LICENCE

Thank you for submitting your application for licensed activities at:

Name of venue:- Papa Johns

Address:- 54 Austhorpe Road, Cross Gates, Leeds, Leeds 15.

We write to inform you we shall be objecting to your application and a copy of this letter will be sent to the Licensing Authority.

The premises were granted planning permission for the change of use and alterations of ground floor restaurant (use class A3) to take away hot food shop (use class A5) in September 2015 subject to a condition restricting the hours of use of the premises.

In 2017 and despite having a licence for longer opening hours, planning permission (17/08029/FU) was refused which sought for the premises to open until midnight Sunday to Thursday and 2am on Friday and Saturday. It was refused for the following reason:

The Local Planning Authority considers that the proposed variation of condition 4 (opening hours) of planning permission 15/04497/FU is likely to result in noise and disturbance to nearby residential occupiers by virtue of the prolonged operation of the takeaway use late into the night/early morning. The comings and goings from the premises, noise associated with the arrival and departure of vehicles and the potential congregating of customers in close proximity to existing residential properties would have an adverse impact on the living conditions of neighbouring occupiers. Accordingly, the proposed development is therefore considered to be contrary to saved Unitary Development Plan (Review, 2006) policy GP5 and the amenity guidance as contained within the NPPF.

This decision was not appealed by the applicant.'

The proposed hours of use set out in your premises license application exceed those allowed by the planning permission. The Development Department objects to the granting of a Premises License in the terms as applied for due to noise and disturbance being caused to nearby residential occupiers as a result of the comings and goings of customers and their motor vehicles, from customers congregating on the street in the vicinity of the building and from activities within the building. It is considered that the opening hours applied for at these premises would conflict with the Licensing objective of preventing public nuisance.

The City Development Department considers that the extended opening hours proposed are unlikely to be acceptable and that a Premises Licence should not be granted outside the hours specified in the existing planning permission unless and until an express planning permission or a Certificate of Lawful Development is obtained by the operator of the premises to extend those operating hours, which given the planning history above is considered to be unlikely.

Yours faithfully

Chris Sanderson
Team Leader (Enforcement)