

Public Document Pack

SUPPLEMENTARY INFORMATION

LICENSING SUB COMMITTEE – 20TH SEPTEMBER 2022

AGENDA ITEM 7 - Application to vary a premises licence held by 2 Sardi 12 Harrogate Road, Rawdon, Leeds, LS19 6HJ

This page is intentionally left blank

Planning ref: PREM/04720/002

Hearing date: 20th Sept 2022

Additional objection comments

Submitted by [REDACTED]

Further to our initial representation, we submit this document to expand on our objection.

We seek to provide additional information about the character of the area, the wider context, and to comment in particular on the licensing objective concerning prevention of nuisance.

We believe the applicant has not offered any information to assure how he will mitigate noise and nuisance in the context of this quiet residential neighbourhood.

The character of the neighbourhood

1. Leeds City Council describes our neighbourhood as 'residential for more than 100 years' in the Rawdon Littlemoor Conservation Area Appraisal Document (June 2011). Our experience, living here, is that this is a quiet and peaceful place to live once the rush hour traffic has died down, but that the increasing number of licensed premises risks changing the very nature of the neighbourhood.
2. Sardi café abuts a family home - No 10 Harrogate Road. It is also situated in close proximity other family homes where we know young children live.
3. There are residential properties from 2-10 Harrogate Road. No 24 (Peasehill House Hotel) no longer operates commercially but has been residential since its sale in 2021.
4. Across the road, numbers 1A, 11 and 19 have residential apartments above the shops and numbers 21- 29 are family houses.
5. Previously the parade of which Sardi is a part was mainly retail, and businesses closed at 5.30pm. This is now changing with an increase in the number of cafes and licensed premises but the number of people whose homes are right here has not changed at all and our amenity needs protection.

Prevention of nuisance/noise

6. There is a history of planning decisions which have placed restrictions on late operating out of doors in the interests of amenity, firmly recognising the potential for noise and nuisance to nearby residents. This includes nearby Browns Greens Café and the Rawdon Moustache.
7. There were many local objections when later opening was considered by Planning at the nearby Turkuaz restaurant in 2021 (**21/03430/FU**). Environmental Protection opposed later operating outdoors saying "serious harm to amenity would result".

8. Noise and disturbance from Turkuaz restaurant is now well documented with Environmental Protection.
9. Further late evening outdoor operating at Sardi café risks shifting the emphasis in this small neighbourhood centre to a night time economy and upsetting the delicate balance which ensures those of us who live here can be assured of the peace of our own homes.
10. We understand that the Authority takes into account the fact that Harrogate Road is a through route and therefore there is existing noise from this. However, we know from the experience of disturbances at Turkuaz that the noise generated by later evening drinking can be far more intrusive and distressing than the background noise of evening traffic. Families should be able to open their windows on summer's evenings without this.
11. Harrogate Road is a B road (B6152). Whilst it does take through traffic, the road is quiet in the evenings. It is simply not comparable to the nearby A65, or the neighbourhood comparable to Horsforth New Road Side, for example, where there are many eateries.
12. We believe the operating hours now applied for risk increased noise and nuisance and that prevention of this needs prioritising.

Safety Issues/parking

13. Increased capacity at Sardi's will lead to increased parking – possibly overnight.
14. Parking is a major problem here. Parking capacity has been greatly reduced in recent years. The forecourts at Sardi's and at Turkuaz, used for parking by the previous owners, have become outdoor dining areas. Parking for the business at No 18 has restricted access.
15. The neighbourhood has lost public parking at nearby former Council premises (Micklefield Lodge) which is now housing and is set to lose more public parking spaces at Micklefield House, which is to be converted to 8 apartments.
16. As there is no capacity for additional demand, vehicles regularly park illegally on footpaths and dangerously close to bends. We submit photographs to illustrate the problems and refer you to these.

Planning policy

17. We understand the site in question is now classed as a 'lower order centre' under Leeds City Council's Core Strategy 2014. Within policy P3 subpoint (ii) in relation to those centres it states:
18. *"where a proposal involves evening opening, account will be taken of the proposal in relation to the proximity of the premises (and associated parking requirements) to nearby residential accommodation, the nature and character of the neighbourhood parade and existing noise levels".*

19. The emerging Rawdon Neighbourhood Plan, policy R7, point 3, states development will be supported when *“local residential amenity is protected and suitable measure are put in place to minimise and noise or other disturbance”*.

20. We believe these are very relevant considerations in this application.

Licensing Policy

21. We have looked at the Licensing Policy and suggest the following is of relevance:

22. Para 4.19 *“Applicants need to focus on the effect of licensable activities on people living and working in the in area around which the premises which may be disproportionate and unreasonable”*.

23. Para 4.20 *“the prevention of public nuisance is not narrowly defined...can include low level nuisance perhaps affecting a few people living locally...”*

24. Para 4.24 *“The Council will consider whether issues relating to public nuisance can be effectively dealt with by necessary and appropriate conditions. These conditions will normally focus on the more sensitive periods – noise from the premises in the late evening or early morning when residents are attempting to sleep”*.

25. We believe this application is one where all of the paragraphs above apply.

Summary

Sardi is a popular daytime café, which was welcomed here, but sadly the business is advertised for sale. The advertisement emphasises the potential of the outdoor space which is a real concern to local residents.

As recently as 2020, LCC planners concluded that operating hours until 5pm were appropriate for these particular premises given their proximity to people’s homes. That conclusion remains in the interests of close neighbours and protects both their amenity and the character of the area.

Attachment

1. Various photos illustrating the parking/safety problems referred to above.













