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Leeds
CITY COUNCIL

Chapel Allerton Labour Councillors
Councillor Mohammed Rafique
Councillor Eileen Taylor
Councillor Jane Dowson

Civic Hall
Leeds, LS1 1UR

Contact
Civic Tel 0113 378 8817

cllr.mohammed.rafique@leeds.gov.uk
eileen.taylor@leeds.gov.uk
jane.dowson@leeds.gov.uk

Your ref
Our ref MR/ET/JD/CW
Date 3rd August 2020

Sent via e-mail

Mr Martyn Musson
Licensing Officer
Leeds City Council
Entertainment Licensing

Dear Mr Musson

Licence Application for: PREM/04572/001 – Deliziosa, 138 Harrogate Road, Leeds, LS7 4NZ

We are writing to inform you of our wish to oppose this licence application on the following grounds:

- Whilst the business itself is on Harrogate Road in the middle of the busy and vibrant centre of Chapel Allerton, the rear of the building is on a quiet residential area and is neighbours with residential properties.
- It is the inclusion of a seating area both in and outside a conservatory area that is of concern as we feel that even if the area was immaculately managed, noise will leave the property and disturb the enjoyment of residents of their gardens.
- We are also concerned that Back Allerton Terrace, a quiet residential area, will see an increase in footfall and associated traffic.

We trust our comments will be taken into account when considering this application and, should officers be minded to approve, we request that the application is put before the Licensing Panel for determination.

Yours sincerely

Cllr Mohammed Rafique
Mob Tel

Cllr Eileen Taylor
Mob Tel

Cllr Jane Dowson
Mob Tel

From [REDACTED]
Sent:28 Jul 2020 17:51:12 +0100
To:Entertainment Licensing
Subject:Deliziosa, 138 Harrogate Road, Leeds LS7 4NZ

Dear Sirs,

re: Application for the grant of a Premises Licence under Section 17 of the Licensing Act 2003

I am writing regarding the application for a Premises Licence.

I object strongly to this application on a number of grounds.

1. The immediate area is overwhelmed with Licensed Premises, so much so, that over 10 years ago, local residents were assured no further licences would be granted.
2. The premises are not yet built.

They received planning permission despite strong opposition from local residents.

The original planning application did not include any reference to alcohol consumption on the premises and the opening hours were until 7pm.

This applicant has now also applied to extend the opening hours until 11pm.

3. The frontage of the premises is approximately 5 metres wide.

Despite this, the planning permission has been granted for seating over 110 people, mostly at the rear of the building on Back Allerton Terrace, much of which will be a conservatory and outdoor area, overlooking the local residents' houses.

Opening until 11pm with an alcohol licence will mean that customers are unlikely to leave before 11.30pm or midnight, and the noise at the rear of the premises will be unbearable for local residents, many of whom live within 50 metres of the building on an unmade road.

4. The disposal of refuse throughout the day and night, especially bottles, will generate an unbearable noise in the local residential area which, I should add, is a Conservation Area.

In summary, this application should be refused. The local residents should not have to put up with the extra noise and drunken behaviour which will accompany any alcohol licensed premises on this site.

Yours faithfully,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 28 Jul 2020 21:32:46 +0100
To: Entertainment Licensing
Subject: re-138 Harrogate Road, Chapel Allerton

Dear People,

I live on [REDACTED] and wish to express strongly, my concern about the licensing application for the premises at 138 Harrogate Road, for these reasons:-

- 1) Chapel Allerton is already full of licensed premises and, in these changed times, the more people who congregate in bars, the more dangerous the situation
- 2) a license permitting 16 hours of alcohol sales would not only cause distress to residents and other existing license holders, it would be highly dangerous to health and safety for as long as Covid-19 is circulating - and beyond. It would encourage alcohol consumption from early morning till late at night. one highly community-committed resident of Back Allerton Terrace, at least, that she's moved out. She's invested so much energy in her area, and paid for the public seating area on Regent Street out of her own pocket. It's tragic that people like her have left the area. Those remaining will lose their communal parking area (a rare and treasured thing in Chapel Allerton), and will have their quiet gardens invaded by the noise of outdoor customers a stone's throw from their homes, and perhaps customers themselves.

If the development is allowed to go ahead, please:

- reject the application for an alcohol licence or at least limit the permitted sale of alcohol to 8 hours, between 11am and 7pm
- limit the use of all the outdoor areas. Cut off point, 7pm
- do not allow music to be played outside after 7pm

Yours sincerely,

[REDACTED]

[REDACTED]

From [REDACTED]
Sent:29 Jul 2020 19:57:46 +0100
To:Entertainment Licensing
Subject:Objection to Alcohol Licence at 138 Harrogate Rd

Dear Sirs

I am [REDACTED] I work in the [REDACTED] and reside at the above address.

I have received and reviewed the Application which has been submitted in respect of Delizosa at 138 Harrogate Road, Leeds, LS7 4NZ. I note the hours, conditions, activities and non-standard timings proposed in the Application and wish to object to the Application being granted on the terms of the submitted Application as it currently stands. I wish to make it clear that I do not make this, my representation, in outright objection to the Application being granted, but wish to formally submit that I do not believe that the Application as it is currently drafted offers sufficient provisions to ensure the licensing objectives are promoted.

My concerns, as a local resident whose home is in the close vicinity of the premises, relate to the prevention of public nuisance.

Outside areas

*I note that only one condition has been offered specifically in respect of the prevention of public nuisance (regarding bottles and refuse in place in an external receptacle – see below) but also a condition has been offered to the effect that the outside areas will not be used after 9pm. I am concerned that, despite the Application stating that the premises will operate as a “**Italian delicatessen and restaurant**” that the conditions offered at present would allow for alcohol to be consumed in the external areas from midday until 9pm, 7 days a week irrespective of whether or not those people drinking in the external areas have or intend to order any food. As a local resident in Chapel Allerton, I am aware that premises such as the Mustard Pot, the Woods, Wetherspoons and the Regent all have external drinking areas and as is evident from those premises, more noise is created by those solely drinking in external areas there than those who are eating a meal*

at, for example, the Black Market Restaurant and Dapur Malaysia Restaurants nearby. Accordingly I would ask that the first condition numbered 3 in Section 18a of the Application which currently reads “**no outside areas will be used after 21:00 hours**” be changed to read “**the outside areas will be used only by patrons who are eating a meal and the external areas of the premises to the rear (the external areas on the ground floor and the roof terrace “F08” on the layout plan) will not be utilised by customers for smoking or any other activity after 19:00 hours**”. I believe these conditions/amended conditions will assist in the prevention of public nuisance by way of limiting the excess noise carrying from the external areas to the rear of the premises which my home is in close proximity to. I would also submit that if the description of delicatessen and restaurant is accurate, there should be no trouble at all with the premises adhering to these conditions. The premises is not listed as a bar, so presumably all customers will either be “takeaway” customers or will be eating a meal if consuming on the premises.

Refuse

I note the condition at Section 18d of the Application numbered 13 states that “**bottles and refuse will not be placed in any external receptacle between 23:00 hours and 07:00 hours to minimise noise disturbance to neighbouring properties**”. This condition being offered suggests that it is openly accepted by the Applicant that placing bottles and refuse in external receptacles does cause some noise disturbance to neighbouring properties. On that basis I would ask that, to avoid such noise disturbance running into the evening, that this condition be amended to read that “**bottles and refuse will not be placed in any external receptacle between 21:00 hours and 08:00 hours to minimise noise disturbance to neighbouring properties**”. I would hope that this is a condition which the Applicant would be prepared to and could easily work around and would remind both the Applicant and the local authority that I work in the Accident & Emergency Department of Leeds General Infirmary which inevitably leads to shift patterns which mean I need to get as much sleep as possible (and where reasonably possible) when I am not at work.

Regulated Entertainment

The Application reflects that no regulated entertainment is to take place at the premises, but as matters stand (and if the Application is granted as sought) it would be possible for background music (which I understand is not a licence for activity) to be played through amplifiers/speakers outdoors at the premises. This is of course a concern to me as a

*resident in the vicinity as even background music would doubtless be audible at not just mine but other local residencies. This would inevitably cause a nuisance and I would ask that a condition be added to the Application stating that **“no amplifier music or music from any speakers at all will be played in any outdoor areas at the premises”**.*

Litter

Owing to the extensive development at the rear of the premises, the make-up and use of that area is of course going to be somewhat different (whatever the outcome of this Application) to its current use and state. I am concerned that the change in use of the area may lead to litter being deposited in or around the exterior of the premises at the rear and would ask that a condition be added to the licence ensuring that the Applicant is obliged on a periodical basis to have a member of staff clear litter from the vicinity of the premises.

External licensable activities

*I note from the Application there no authorisation for regulated entertainment sought at the premises. I note that the ground floor external areas are not stated to be within the licensable area of the premises. I also understand that the consumption of alcohol is not a licensable activity. I am therefore perplexed as to why the Applicant has chosen to include the external terrace on the first floor of the premises within the red line denoting the area within which licensable activities can take place. This I expect will need to be explained by the Applicant, as it seems only logical to deduce from this that the Applicant may be seeking to physically erect a temporary bar (one is not reflected on the layout plan) and/or fridges outside the premises. Clearly there is a difference between (a) plucking bottles of wine from a moveable fridge and delivering them to table of diners and (b) erecting a bar from which people can purchase beers and wine externally. I would refer you to my comments above regarding the use of the external areas (including the first-floor terrace) hopefully being for diners only as I am concerned that proposed “delicatessen and restaurant” will have a drinking terrace at the rear which would inevitably cause noise nuisance to mine and other surrounding residential properties. I would ask that a condition be added to the effect that **“no licensable activities are to take place in external area, save for sales of alcohol made to diners at their tables”**.*

Summary

In summary, I am of the view that the licensing objectives (in particular the prevention of public nuisance) are not promoted sufficiently in the Application as it is currently drafted and unless it is amended and added to as set out above I oppose its being granted. If however the above suggestions are taken into account and added to/amended in the application, I would be happy for the application to be granted. I do not wish to be unnecessarily difficult and, subject to the above, I wish the Applicant and the Applicant's business well and I am grateful for the time taken by both the local authority and the Applicant in considering this representation.

I confirm that if the above measures are incorporated as specified that I am prepared to withdraw this representation.

Yours faithfully

[Redacted signature block]

From [REDACTED]
Sent:29 Jul 2020 13:02:54 +0100
To:Entertainment Licensing
Subject:Objection to planning application 20/03654/FU at 138 Harrogate Road Chapel Allerton

I am resident at [REDACTED]. I have read with dismay that the owners and agents of Deliziosa wish to amend their application for a family-run delicatessen at 138, Harrogate Road. Regent Terrace is parallel to Victoria Street, and faces the Regent pub. It is a quiet, dead-end terrace and a wonderful place to live. There is some noise from the Regent but neighbours have a good relationship with the pub and no real noise issues.

A small family-run deli would have been acceptable. But Deliziosa has applied for a licence to sell alcohol every day of the year including bank holidays, from 7am to 11pm. This is unacceptable. The property backs onto a residential terrace much like this one, which is home to several young families with children. Deliziosa now wants to expand the "family-run deli" to be a large restaurant with take-aways, with 120 covers. I read the agent's letter and see that the justification is economic losses incurred during the coronavirus pandemic. We have all suffered economic losses. Noise pollution and disturbing the local neighbourhood by selling alcohol for 18 hours a day is not an acceptable solution. Noise carries.

I would urge you to decline Deliziosa's application for an amendment to their original application. Please consider rejecting the generous alcohol licence, or at least limit the sale of alcohol to 7pm. I would also like some limitation put on the use of outdoor areas, as they back onto the residential zone. Nor do I think that playing music outside is either neighbourly or acceptable.

This is a cohesive and friendly community. It is peaceful and a lovely place to live. A restaurant playing music and selling alcohol until 11pm is not a reasonable addition to Chapel Allerton. It would seriously damage our residential amenity.

Regards,

[REDACTED]

—

[REDACTED]

[REDACTED]

[REDACTED]

skype: [REDACTED]
agent: [REDACTED]

—
[REDACTED]
[REDACTED] || [REDACTED] || [REDACTED] || [REDACTED] || [REDACTED] || [REDACTED]
[REDACTED]

From [REDACTED]
Sent:29 Jul 2020 14:46:33 +0100
To:Entertainment Licensing
Subject:138 Harrogate Road, licensing application
Importance:Normal

To whom it may concern

I am writing to express my concerns and object to the revised planning application for this property (19/7083/FU). The property is in the heart of a conservation area and is situated near a quiet family area. The proposed sale of alcohol from 7am until 11pm will inevitably result in more traffic noise, more footfall and major disruption to the families who live nearby. I would ask that the the request for an alcohol licence be rejected or that the sale of alcohol is only permitted from 7pm. I would also ask that the use of the outside areas be limited to the same hours. Also no music to be played outdoors. I would like to point out that the original application was for a delicatessen opening from 7am - 7pm with no alcohol to be sold. The revised application is for a completely different venture and should be rejected.

Yours faithfully

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 30 Jul 2020 16:04:25 +0100
To: Entertainment Licensing
Subject: PREM/04572/001 138 Harrogate Rd./ No 1 Regent Street LS7

Dear Sir / Madam ,
I am writing as a [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] We are 7 persons in all.

We already have to live with two licensed premises in this street -one of which, The Regent PH, has been in place for around 200 years, the other which is a large Thai restaurant that now occupies the whole ground floor of the 1901 former CoOperative building, has been operating for around two decades. Both are coping as best they can with Covid conditions but would really not benefit from more competition from another evening trader.

A small wine shop in the former 'garage space' shops at 1a Regent St looks sure to remain closed after the Covid 19 restrictions. There is insufficient custom .

There have been many comments regarding the application to alter conditions of opening hours for Deliziosa at 138 Harrogate Rd / No 1 Regent St. and I would urge you to read these comments on the planning portal. Residents who live close to the site may be unaware of the separate web pages for licencing comments.

The applicant gained planning permission based on a decision taken at Plans Panel after a personal appeal to Cllrs. The condition was that opening hours would be 7 a.m. to 7p.m and although a wine cellar was shown on original plans this was removed from subsequent alterations in order, we hope, to protect the viability of two TPO d trees in the garden and also as no alcohol licence was going to be sought. !!

However, the change in trading conditions after initial effects of lockdown are being quoted by the applicant as a reason to change the promised small scale operation of the (104 cover ?) delicatessen cum restaurant that was described.

All neighbouring and nearby businesses on the main frontages of Chapel Allerton are experiencing the effects equally and their trading hours are not increasing nor is their need to offer alcohol changing to secure trade. .

This proposed business is still in the stages of building out into the garden and constructing an elevated open terrace and already seeking to expand the conditions limits that were set at the time of the planning decision.

Residents of [REDACTED] will be in a direct line of sight from the garden and terrace at rear of 138 H'gate Rd/ No 1 Regent St.

Residents of Back Allerton Terrace and their children will also be in earshot of any customers using the outside spaces and the functioning of a large kitchen ventilator. Outside use should be limited at least as per original permissions.

The pressure to use the garden to maximise customer numbers would bring alcohol

consumption out into the quiet backwater of Back Allerton Terrace .. an unmade access road for local homeowners and tenants..

and add to the noise reverberation along Regent St which is characterised by very high, solid stone walls on both sides. A nuisance.

To grant an alcohol licence will compound the existing disturbance to what the planning officer himself termed ' a residential street'- albeit one with a historic pub and a large established restaurant .

The original application as approved at Plans Panel- after much discussion - and the conditions restricting opening and licensing should continue to be respected.

Regards,

A solid black rectangular redaction box covering the signature of the sender.

From [REDACTED]
Sent:30 Jul 2020 13:34:43 +0100
To:Entertainment Licensing;Musson, Martyn
Subject:Objection PREM 04572/001 Delizioza, 138 Harrogate Road, Chapel Allerton, LS7 4NZ

Good afternoon,

From [REDACTED]

I object to the application of an alcohol license at the above premises on the following basis.

This is an addition to the original planning application for change of use. Originally this was to be a deli/salumeria restricted to opening hours of 7am 7pm, this would be good for the community and the area. However the new application is for 7am to 11pm, and now they have applied for a license I believe is not acceptable and should be rejected.

The area is a residential area and noise is very limited, the premises has gardens to the back and a large balcony, it is obvious this is being turned into another bar with late night drinking. This is going to cause disruption in the area and especially [REDACTED] and like many families in the area will create disturbance for my family and 5 year old boy.

I can only imagine what back Allerton terrace will turn into with people congregating outside at all hours in a family area. I also feel the business will take over the communal land at the bottom of back Allerton terrace and deliveries will cause major obstructions.

I feel the business has been deceitful in there original application now they have applied for an extension to the hours and now a alcohol license.

Please can you consider the surrounding area which already has a number of bars, and is predominantly a residential area and a thriving leeds suburb. Therefore rejecting the license application.

Regards



From [REDACTED]
Sent:30 Jul 2020 11:47:25 +0100
To:Entertainment Licensing
Cc:Dowson, Cllr Jane
Subject:PREM/04572/001: Deliziosa: Application for the grant of a premises licence for the sale of alcohol on the premises

F.A.O Martin Musson

On the basis that these premises (three flats and a shop) received planning permission for change of use on the understanding there was to be no sale of alcohol in the 'family delicatessen' this application should be rejected outright.

Any consideration otherwise to grant should only follow a detailed and close consultation with the neighbours living next to the premises and with the wider community living within this Conservation Area.

To facilitate this detailed consideration, a decision should be deferred so that the wider implications of granting a licence in this location are fully researched and shared with the neighbourhood.

It is clear that any drinking of alcohol on the new raised balcony, the new open conservatory and the external garden area will cause a level of noise that would be totally unacceptable for those people living adjacent to this property at any time of the day from the now proposed extended hours of opening to 23.30 in the evening (365 days (and nights) a year) from the currently granted hours of opening to 19:00 in the evening.

Should an alcohol licence be granted in this circumstance it would not only impose an intolerable level and extent of general noise on the neighbours, it would also show a complete dereliction of the duty of care held by Leeds City Council to the wider Community of Chapel Allerton.

[REDACTED]

Sent from my iPhone

From [REDACTED]
Sent:30 Jul 2020 13:36:22 +0100
To:Entertainment Licensing
Cc:Musson, Martyn
Subject:Objection PREM 04572/001 Delizioza, 138 Harrogate Road, Chapel Allerton, LS7 4NZ

Team,

My name is [REDACTED], I am a resident [REDACTED] which is a property in close proximity to the premises in the above application.

I am writing today object to the application for an alcohol licence at the address in the subject line on these grounds:

- A licence was not part of the original planning application and assurances were provided it would not be. A subsequent creep of the original plans to include a licence demonstrates that the owners' word is not reliable and they have no consideration for the quality of life of the residents, including children, who will be impacted for their commercial gain.
- Chapel Allerton does not need another licenced premises. It is already saturated with alcohol licences and it is opportunistic of the developers to try and capitalise on a global pandemic to further their own interests to the detriment of local residents.
- There appears to be a very cosy relationship between the council and the developers which enabled three residential properties to have a change of use in an area that is short on residential properties with no formal consultation or notification of the planning application to the impacted residents. The granting of any alcohol licence will create further ambiguity in the residents minds as to the closeness of that relationship and the independence of decisions that create detriment for local residents.
- I am also objecting to the planning application for an increase in opening hours at the property and note the discrepancy between the licence applied for 7am to 11.30pm and the opening hour extension 7am to 7pm.

Disruption to families and quality of life

The property on Harrogate Road has a large balcony and garden that back onto Back Allerton Terrace, an unadopted piece of land that runs between the backs of residential properties on Harrogate Road and Victoria Terrace.

Noise travels between the properties and I am very concerned about the impact of the licence on the quality of life of the families living at the addresses above. Back Allerton Terrace is used by a number of families to play and socialise with each other.

The sound from the location of the proposed alcohol licence will, if the licence is granted, disrupt my ten-year old daughters sleep as she has an attic bedroom [REDACTED] at the [REDACTED] [REDACTED] of the house.

This applies to rowdy evening gatherings in the garden and terrace of the property as well as take-away collections, morning deliveries, staff arriving and leaving bin collection and bottle collection.

I also do not feel that Delizioza should be able to claim any access to their property over unadopted land in a conservation area where there are a significant number of families.

Many other commercial businesses manage their deliveries, disabled parking and staff exit and entrance, deliveries and garbage collection using Harrogate Road or Regent Street.

I am supportive of this business as it was originally conceived.

A limited licence that is not detrimental to local residents would have the following conditions attached to it.

- No change to licencing conditions for a period of 10 years
- All commercial and customer access/exit for the property to be via the Harrogate Road entrance not Back Allerton Terrace to prevent noise impact and disruption to residents whose properties back onto Back Allerton Terrace.
- Limit the licence to 7 o'clock and for alcohol to only be available to diners to prevent a drinking culture/wine bar environment
- Limit the use of the outside areas to 7 o'clock with exit from the property onto Harrogate Road only
- No music allowed outside at any time
- No extensions to be applied for or granted for any reason – private parties, football etc

Kind regards

A solid black rectangular box used to redact the signature of the sender.

From [REDACTED]
Sent:30 Jul 2020 17:13:22 +0100
To:Entertainment Licensing
Subject:Deliziosa, 138 Harrogate Road

I write to object in the strongest possible terms to the alcohol license application by the above business.

The original planning approval was for a delicatessen/salumeria with no alcohol license. It was a condition of the original planning permission that "The opening hours of the premises shall be restricted to 0700 hours to 1900 hours Monday to Sunday including Bank Holidays. In the interests of amenity of nearby residents."

There is now a revised planning application to extend the opening hours to 11pm every night, including Bank Holidays. I have, together with many other local residents, objected to this.

There is also an application for an alcohol license. This, together with an extension of opening hours, would fundamentally change the nature of the business and this, in turn, would adversely affect nearby residents. Granting approval for the revised hours and an alcohol license would make a mockery of the original grant of planning approval. At the 'back' of the premises around Back Allerton Terrace, Victoria Street and Regent Street, noise late into the evening caused by customers, their vehicles, taxis and deliveries, etc together with cooking smells and noises would be intolerable for the families who live close by.

The applicant gained the original grant of planning approval, including the planning conditions, and proceeded with development of the premises on that basis. To use the current pandemic as a reason for wanting to change the nature of their business in this way is beneath contempt. Other existing businesses in Chapel Allerton are struggling but are having to make the best of the situation. What they and Chapel Allerton do not need is yet another bar/drinking establishment under any circumstances.

I trust that the Council and its officers will take note of the strength of local feeling over this issue and reject this application.

[REDACTED]

From: [REDACTED]
Sent: 30 Jul 2020 11:38:12 +0100
To: Entertainment Licensing; Musson, Martyn
Subject: Objection to licensing application for Delizioza, 138 Harrogate Road, Chapel Allerton, LS7 4NZ

Objection to application for an alcohol licence for Delizioza, 138 Harrogate Road, Chapel Allerton, Leeds, LS7 4NZ

From: [REDACTED]

I object to the application for an alcohol licence at the above address.

- A licence was not part of the original planning application and assurances were provided it would not be. A subsequent creep of the original plans to include a licence demonstrates that the owners word is not reliable and they have no consideration for the quality of life of the residents, including children, who will be impacted for their commercial gain.
- Chapel Allerton does not need another licenced premises. It is already saturated with alcohol licences and it is opportunistic of the developers to try and capitalise on a global pandemic to further their own interests to the detriment of local residents.
- There appears to be a very cosy relationship between the council and the developers which enabled three residential properties to have a change of use in an area that is short on residential properties with no formal consultation or notification of the planning application to the impacted residents. The granting of any alcohol licence will create further ambiguity in the residents minds as to the closeness of that relationship and the independence of decisions that create detriment for local residents.
- I am also objecting to the planning application for an increase in opening hours at the property and note the discrepancy between the licence applied for 7am to 11.30pm and the opening hour extension 7am to 7pm.

Disruption to families and quality of life

The property on Harrogate Road has a large balcony and garden that back onto Back Allerton Terrace, an unadopted piece of land that runs between the backs of residential properties on Harrogate Road and Victoria Terrace.

Noise travels between the properties and I am very concerned about the impact of the licence on the quality of life of the families living at the addresses above. Back Allerton Terrace is used by a number of families to play and socialise with each other.

The sound from the location of the proposed alcohol licence will, if the licence is granted, disrupt my ten-year old daughters sleep as she has an attic bedroom [REDACTED] of the house.

This applies to rowdy evening gatherings in the garden and terrace of the property as well as take-away collections, morning deliveries, staff arriving and leaving bin collection and bottle collection.

I also do not feel that Delizioza should be able to claim any access to their property over unadopted land in a conservation area where there are a significant number of families.

Many other commercial businesses manage their deliveries, disabled parking and staff exit and entrance, deliveries and garbage collection using Harrogate Road or Regent Street.

I am supportive of a business as it was originally conceived.

A limited licence that is not detrimental to local residents would have the following conditions attached to it.

- No change to licencing conditions for a period of 10 years
- All commercial and customer access/exit for the property to be via the Harrogate Road entrance not Back Allerton Terrace to prevent noise impact and disruption to residents whose properties back onto Back Allerton Terrace.
- Limit the licence to 7pm and for alcohol to only be available to diners to prevent a drinking culture/wine bar environment
- Limit the use of the outside areas to 7pm with exit from the property onto Harrogate Road only
- No music allowed outside at any time
- No extensions to be applied for or granted for any reason private parties, football etc

[REDACTED]

[REDACTED]

[REDACTED]

From [REDACTED]
Sent: 30 Jul 2020 17:18:51 +0100
To: Entertainment Licensing
Subject: Objection to application for alcohol licence 138 Harrogate Road, Leeds LS7 4NZ

For the attention Of Martyn Musson
Re : PREM/04572/001

Dear Mr Musson

I understand you are the Case Officer for the above licence application.

As a long-time resident of Chapel Allerton and member of CanPlan (Chapel Allerton Planning Group) I would like to object strongly to the granting of an alcohol licence (7am-11.30pm) for 138 Harrogate Road / 1 Regent Street.

At the Plans Panel meeting last year, I spoke on behalf of CanPlan to object to the planning application as there were a number of planning issues. However, pertinent to the current alcohol licence application, the scheme was presented by the future proprietor as a small scale shop /delicatessen that he claimed would have no need to be open after 7pm nor sell alcohol. However it was clear from the physical plans that this was in fact 100 seat bar /restaurant and in our view it would only be a matter of time before there was an application for extension of hours and an alcohol licence. What a surprise this has happened!

The 138 Harrogate Road address is misleading. The bulk of the premises faces on to Regent Street and is essentially in a residential location. Given the proposal for a garden and roof terrace, evening noise disturbance is a given. In addition, the public access to the premises is very awkward, being either through the small shop unit on Harrogate Road or by a narrow, stepped ginnel on Regent Street. Given this, it is likely that customers will use Back Allerton Terrace to access the pub/restaurant, over which there is no right of way and will inevitably cause disturbance to neighbours. There is also the issue of bottles – emptying bottle bins into larger bins and their collection are both noisy and require regulation. This does not appear to have been addressed in the original planning permission.

There were a substantial number of objections to the original planning application, but many were supportive because of the way the proposal was presented by the applicant. I am certain there would have been many more objections were the true nature of the application made clear to residents at the time.

Yours sincerely

[REDACTED]



From [REDACTED]
Sent:31 Jul 2020 09:07:18 +0100
To:Entertainment Licensing
Cc:Musson, Martyn [REDACTED]
Subject:Deliziosa Licensing Application: PREM/04572/001

Re the application for an alcohol licence for Deliziosa, 138, Harrogate Road, Chapel Allerton, Leeds LS7 4NZ

PREM/04572/001

Our home is on [REDACTED] what used to be a residential property and garden but is now the delicatessen garden and a sizeable roof terrace which has been built as an outdoor eating, drinking and smoking area. The original planning application was controversial with many objections but nearby residents and planners were assured the development would be a small family run deli with limited opening hours till 7pm and no alcohol being served. Now, despite their promises the developers have applied for an alcohol licence and extended opening hours till 11.30pm. We are appealing to you not to grant an alcohol licence as noise from people drinking in the garden and the roof terrace, along with customers and staff coming and going between 7am and 11.30pm will cause considerable disturbance. There will also be the issue of increased delivery, take-away and waste collection vehicles. Although this property fronts onto Harrogate Road many are unaware of the issues that will be caused at the rear of the property where there is the garden, roof terrace and an entrance. This is a conservation area and is currently a quiet residential area - we have 8 family homes with young children in close proximity to the development. I appreciate that as a result of Covid the owner's business model has changed but if a licence is granted it will remain in place long after Covid has gone and we feel strongly the developers should stick to their original business plan and promises. Like many, we feel Chapel Allerton has reach saturation point in terms of the number of licensed premises. Should you grant a licence, we implore you to limit the sale of alcohol till 7pm.

We urge you to think about how you would feel if this was proposed next to your home and ask you to reject the licensing application.

Thank you.

[REDACTED]

[REDACTED]

From [REDACTED]
Sent:31 Jul 2020 14:24:57 +0100
To:Entertainment Licensing
Subject:Re Planning reference number 19/07083/FU

Hello

I am contacting you re the application for a drinks license (to serve alcohol from 7am to 11pm, every day of the year including bank holidays). This is re 138 Harrogate Road, Chapel Allerton, Leeds 7.

Originally the developers received planning permission for this house/shop to convert it to a delicatessen, despite considerable objections to the proposal. Neighbours and planners were however assured this would be a family run deli, with limited opening hours and no alcohol would be sold.

Now the developers plan to expand the business from a deli to a large restaurant and take away from September 2020. They now want to change their hours to 7am to 11pm, every day of the year including bank holidays and also applied for a drinks license from 7am to 11pm, every day of the year including bank holidays.

Myself and my sister will make an objection about the new revised plans to www.leeds.gov.uk/public access, but we also want to express our concerns that planning officers should:

- a) Reject the application for an alcohol licence, or at least limit this to 7pm
- b) Limit the use of the outside areas, the garden and roof terrace until 7pm
- c) Not allow music to be played outside

Though we do not live very close to this place, we do believe that this new venture will cause significant and unacceptable increased disruption to those who live nearby ie Back Allerton Terrace.

With the proposal for the alcohol licence from the developers, this will have staff and customers coming and going early in the morning and late at night and will attract some rowdy customers.

The location is at the centre of a conservation area, with families living very close to it, many with young children.

Chapel Allerton is saturated with food/drinking outlets, the area does not NEED ANY MORE and it certainly does not a place that serves alcohol all year and until the time of day the developers want.

This application for a alcohol licence is totally inappropriate and outrageous - it should not be granted.

[REDACTED]

[REDACTED]

Email: [REDACTED]

[REDACTED]

[REDACTED]

From [REDACTED]
Sent: 3 Aug 2020 10:30:23 +0100
To: Entertainment Licensing
Subject: Application in Chapel Allerton

I wish to object to the change to the planning permission for a deli at 138 Harrogate Road to a restaurant and take away. CA already has a large number of places to eat and take away food. Parking is already an issue and as a resident who lives very close by in Victoria Street I am concerned about additional parking in my street, already under pressure from many residents having two cars and people parking to shop in the area. The potential noise from a takeaway and restaurant is a major consideration in a residential area, particularly if music is allowed outside. This is. It the first time a planning application has been changed to the detriment of the area and the local residents. Our quality of life would be adversely affected by the increase in parking, the noise and inevitably the litter.

[REDACTED]
Sent from my iPad

[REDACTED]

From: [REDACTED]
Sent: 3 Aug 2020 14:24:12 +0100
To: Entertainment Licensing
Subject: Licensing Application for Deliziosa

Sir / Madam,

As a property owner adjacent to Deliziosa I strongly object to the licensing application to serve alcohol until 11.30pm every night including Bank Holidays.

The original Grant of Planning Approval stated that "The opening hours of the premises shall be restricted to 0700 hours to 1900 hours Monday to Sunday including Bank Holidays - in the interest of amenity of nearby residents."

The application for later opening hours and alcohol licensing bring with them increased noise / footfall / parking / extractor fans / deliveries / traffic / bins and assumptions that the terrace is thoroughfare which it is not. Deliziosa has two outside seating areas - currently we can hear builders talking never mind numerous evening customers.

I'm new here and this location was desirable due to the fact it is a quiet, family orientated residential area.

This alcohol license application does not support what had been previously agreed.

With that in mind we would like to ask you to consider the following:

- rejecting the application for an alcohol licence, or at least limit the sale of alcohol till 7pm
- limiting the use of the outside areas, the garden and roof terrace, till 7pm
- not allow music to be played outside

Thanks for your time.

[REDACTED]

--



From [REDACTED]
Sent: 3 Aug 2020 08:06:46 +0100
To: Entertainment Licensing
Subject: Licence for Deliziosa, Chapel Allerton LS7 4NZ

As a local resident who lives on [REDACTED] I am writing to strongly object to this application.

The deli backs on to Back Allerton Terrace which is flanked by residential terraced housing on both sides, which includes families with children. Part of the original conversation with local people was reassurance that it would not be open into the late evening.

I am concerned about increased noise as there is outdoor space; parking which is already difficult for residents; increased number of people walking up the back lane into my yard thinking this will give access, which it doesn't.

I'm there for objecting to the proposed opening times and alcohol licence, which I think are unreasonable so close to residential housing. I am also extremely disappointed that this contradicts original assurances given to the local community.

Regards

[REDACTED]

[Sent from Yahoo Mail for iPhone](#)

From [REDACTED]
Sent: 4 Aug 2020 11:00:31 +0100
To: Entertainment Licensing
Subject: Planning application 19/07083/FU

Dear Licensing

An application was recently made for 138 Harrogate Road, Chapel Allerton for a change of use to a delicatessen, with opening hours from 0700-1900 (planning ref: 19/07083/FU). We were assured that it would be a small family run deli, with no alcohol being served. However, there has been a change of plans, with current plans extending to a large restaurant serving alcohol from 0700-2300 every day of the year.

I am writing to express, in the strongest possible terms, my objection to this change of plans. My reasons are as follows:

1. There will be considerable disturbance to those living close by. This is a quiet, residential neighbourhood with many families nearby and opening until 11pm would completely destroy the tranquility of the neighbourhood. Even the best managed licensed venues will inevitably have the occasional rowdy customer, and the background noise from a busy restaurant, early morning deliveries, extractor fans, waste collection etc. will completely destroy the residential amenity of those living nearby.
2. With at least eight young families living very close by, this development could have serious impacts on children's ability to get a good night's sleep, and with the increases in working from home with COVID, could also have serious impacts on the professional lives of nearby residents.
3. Chapel Allerton already has a surfeit of licensed premises, which risk harming the quiet, family-friendly, "village-like" atmosphere which is what draws people to the area and makes it such a unique and special place. In addition, unlike a small family-run deli, this development will add nothing to the area that is not already present.
4. The proposed change is right in the centre of the conservation area and will damage this unique part of Leeds, helping to transform it into just another suburb of a large city, rather than a historical area, fascinating in its own right.

I have absolutely no objection to a small delicatessen with no alcohol license, or even a small deli with a licence that ends at 7pm (although I think this would require serious consultation with residents). However, the current plan is completely at odds with the nature of the area and diametrically opposed to maintaining the standards of living of those nearby. I would request that planning officers:

1. Consider rejecting the alcohol licence, which was not part of the original plan, or at the very least, not allowing it to extend past 7pm
2. Ensure that no music is played outside and that the venue is sound-proofed as much as is possible (including extractor fans etc)
3. Restrict the use of outside areas, particularly after 7pm to minimise disturbance to local residents.

I would appreciate it if you could let me know progress with this application.

Yours sincerely

[REDACTED]
[REDACTED]
[REDACTED]



From [REDACTED]
Sent: 4 Aug 2020 21:06:13 +0100
To: Entertainment Licensing
Cc: Musson, Martyn
Subject: Objection to licensing application PREM 04572/001
Importance: High

Dear Sirs

I am [REDACTED]

I have reviewed the Application which has been submitted in respect of Deliziosa at 138 Harrogate Road, Leeds, LS7 4NZ (ref PREM 04572/001). I note the hours, conditions, activities and non-standard timings proposed in the Application and wish to object to the Application being granted on the terms of the submitted Application as it currently stands.

My concerns, as a local resident whose home is in the close vicinity of the premises, relate to the prevention of public nuisance, prevention of crime and disorder and prevention of harm to children.

Outside areas

I am concerned that, despite the Application stating that the premises will operate as a **Italian delicatessen and restaurant** that the current application would allow for alcohol to be consumed, including in the external areas, until 11.30pm (likely extending to midnight once **drinking up** time is factored in) 7 days a week irrespective of whether or not those people drinking in the external areas have or intend to order any food. As a local resident in Chapel Allerton, I am aware that premises such as the Mustard Pot, the Woods, and the Regent all have external drinking areas and as is evident from those premises, more noise is created by those solely drinking in external areas there than those who are eating a meal at, for example, the Black Market Restaurant and Dapur Malaysia Restaurants nearby. Accordingly I would ask that the first condition numbered 3 in Section 18a of the Application which currently reads **no outside areas will be used after 21:00 hours** be revised to **19:00 hours** as per the original application and also either be extended or supplemented by a condition to read **the outside areas will be used only by patrons who are eating a meal and the external areas of the premises to the rear (the external areas on the ground floor and the roof terrace F08 on the layout plan) will not be utilised by customers for smoking or any other activity after 19:00 hours**. I believe these conditions/amended conditions will assist in the prevention of public nuisance by way of limiting the excess noise carrying from the external areas to the rear of the premises which my home is in close proximity to. I would also submit that if the description of

delicatessen and restaurant is accurate, there should be no trouble at all with the premises adhering to these conditions. The premises is not listed as a bar, so presumably all customers will either be ☐takeaway☐ customers or will be eating a meal if consuming on the premises.

It is also a concern that the rear of the property (which is on an unadopted road in a conservation area) will likely be used to access the premises. This is in extremely close proximity to residential homes and there would inevitably be significant disruption from customers coming and going. This would particularly be the case if an alcohol licence were granted and drinking is to continue later than 19:00 hours. Increased traffic noise from deliveries vehicles would also be detrimental.

Further to this the terrace would allow drinkers a view of several gardens and views into people☐s homes. There are a number of families as well as lone females who live locally whose properties would be affected breaching their privacy.

Refuse

I note the condition at Section 18d of the Application numbered 13 states that ☐**bottles and refuse will not be placed in any external receptacle between 23:00hours and 07:00 hours to minimise noise disturbance to neighbouring properties**☐. This condition being offered suggests that it is openly accepted by the Applicant that placing bottles and refuse in external receptacles does cause some noise disturbance to neighbouring properties. On that basis I would ask that, to avoid such noise disturbance running into the evening, that this condition be amended to read that ☐**bottles and refuse will not be placed in any external receptacle between 19:00 hours and 08:00 hours to minimise noise disturbance to neighbouring properties**☐. I would hope that this is a condition which the Applicant would be prepared to and could easily work around and would remind both the Applicant and the local authority that I work as a ██████████ which inevitably leads to shift patterns which mean I need to get as much sleep as possible (and where reasonably possible) when I am not at work.

Children

I also have a three year old child whose bedtime is 19:00 hours and his sleep would undoubtedly be disturbed by any noise (from any source) from the premise after this time. As you will be aware this is extremely detrimental to a child☐s development. I am also aware there are several other families with young children in the immediate area who would be affected. There has already been significant noise experienced from building works which reverberates down Back Allerton Terrace.

Regulated Entertainment

The Application reflects that no regulated entertainment is to take place at the premises, but as matters stand (and if the Application is granted as sought) it would be possible for background music (which I understand is not a licence for activity) to be played through amplifiers/speakers outdoors at the premises. This is of course a concern to me as a resident in the vicinity as even background music would doubtless be audible at not just mine but other local residences. This would inevitably cause a nuisance and disturb sleep as prior and I would ask that a condition be added to the Application stating that **no amplifier music or music from any speakers at all will be played in any outdoor areas at the premises**.

The prevention of crime and disorder

It is highly likely that by granting a license there will be a significant increase in both opportunistic crime and disorder in the area surrounding the venue. The entrance on the Back Allerton Terrace and the two outside drinking areas would significantly increase the risk of burglary and theft from gardens due to the increased footfall in the area.

If a license was to be granted then speaking as a woman I would be extremely intimidated having to walk past large groups of intoxicated men in poorly lit area.

Litter

Owing to the extensive development at the rear of the premises, the make-up and use of that area is of course going to be somewhat different (whatever the outcome of this Application) to its current use and state. I am concerned that the change in use of the area may lead to litter being deposited in or around the exterior of the premises at the rear and would ask that a condition be added to the licence ensuring that the Applicant is obliged on a periodical basis to have a member of staff clear litter from the vicinity of the premises.

External licensable activities

I note from the Application there is no authorisation for regulated entertainment sought at the premises. I note that the ground floor external areas are not stated to be within the licensable area of the premises. I also understand that the consumption of alcohol is not a licensable activity. I am therefore perplexed as to why the Applicant has chosen to include the external terrace on the first floor of the premises within the red line denoting the area within which licensable activities can take place. This I expect will need to be explained by the Applicant, as it seems only logical to deduce from this that the Applicant may be seeking to physically erect a temporary bar (one is not reflected on the layout plan) and/or fridges outside the premises. Clearly there is a difference between (a) plucking bottles of wine from a moveable fridge and delivering them to table of diners and (b) erecting a bar from which people can purchase beers and wine externally. I would refer you to my comments above regarding the use of the external areas (including the first-floor terrace) hopefully being for diners only as I am concerned that proposed **delicatessen and restaurant** will have a drinking terrace at the rear which

would inevitably cause noise nuisance to mine and other surrounding residential properties. I would ask that a condition be added to the effect that **no licensable activities are to take place in external area, save for sales of alcohol made to diners at their tables prior to 19:00**.

Summary

In summary, I am of the view that the licensing objectives (in particular the prevention of public nuisance) are not promoted sufficiently in the Application as it is currently drafted and unless it is amended and added to as set out above I oppose its being granted. The original planning application was controversial with many objections. However nearby residents and planners were assured the development would be a small family run delicatessen with limited opening hours till 7pm and no alcohol being served. Furthermore if a license was to be granted (and certainly a licence running past 19:00 hours and in outside areas) to this venue then this would set a precedent which I believe would encourage further licensing applications to be proposed and granted which could further worsen the quality of life of residents in the surrounding areas.

I do not wish to be unnecessarily difficult in this circumstance and I do feel that Deliziosa can add positively to our community. However I feel that the revised application is an important personal and community matter in terms of the detriment it will cause. I thank you for considering my representation.

Yours faithfully

[Redacted signature line]

[Redacted signature block]

[Redacted signature block]

[Redacted signature block]

From [REDACTED]
Sent:4 Aug 2020 14:35:25 +0100
To:Entertainment Licensing
Subject:138 Harrogate Road

Dear Sir or madam,

I'm writing to register my objection to the request to extend the licensing application of the deli that is due to open at 138 Harrogate Road. I live close by, and the builders have caused a great deal of noise throughout the spring/summer, and in addition have knocked down part of our wall while getting a crane in and out of Back Allerton Terrace. I would like planning officers to reject the application for an alcohol license, to limit use of outside areas to no later than 7pm, and to ban music from being played outside.

Best wishes,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

4th August 2020

Dear Sir/Madam,

Application Number: PREM/04572/001

Premises: Deliziosa Limited 138 Harrogate Road, Leeds, LS7 4NZ

I am writing to make a representation (objection) relating to the application cited at the head of this letter.

It is my belief that the granting of any license allowing the sale of alcohol would negatively impact the lives of my family, including my infant son and the lives of other residents on Victoria Street and Back Allerton Terrace.

My representations (objections) are as follows;

• **The prevention of crime and disorder;**

By granting a license to the above venue it is likely that there will be an increase in both crime and disorder in the immediate area. There are numerous homes and gardens adjacent to the proposed drinking areas and entrance/exit and it is my belief that this proximity combined with the sale of alcohol all day and into the night will lead to crime and disorder including public urination and vandalism.

Further to this the planned terrace will allow customers to view into homes and bedrooms and so lead to an increase in burglaries and opportunistic theft from gardens.

• **the prevention of public nuisance;**

If the license were to be granted then it is highly likely that there will be significant public nuisance due to a number of reasons. Firstly, the noise, be it from music or customers, will cause considerable disturbances as will late night deliveries and collections of food. Along with noise it is almost certain that there will be increase in litter which will have to be cleared up by local residents.

I also think it highly likely that the sale of alcohol late into the evening will lead to intoxicated groups causing families in the area and who use Back Allerton Terrace to access homes and gardens to feel scared and intimidated.

As mentioned previously I also have serious concerns about customers being able to view into and access homes and gardens and what this means for families, especially the households with young children and homes of lone females.

I also have concerns that as people move to working from home more frequently then by having the sale of alcohol the ability to perform such work will be made considerably harder due to noise etc.

- **the protection of children from harm;** There are a number of young children within earshot of the premises including my three year old son who has a bedroom to the rear of my address (His bedroom was purposefully chosen so that it was not facing the [REDACTED] With two outside drinking areas it is almost certain that the noise will cause significant disturbances to him and thus cause him significant harm to his quality of life. Furthermore I am also concerned that in summer months when windows will be open and a large number of customers outside he will woken by shouting and by foul and abusive language.

Further to the above objections/representations I would also like to state that there are currently sufficient licensed venues offering alcohol including the Woods, The Pit, Black Sheep Tap & Kitchen et al within a very short distance of the proposed venue and so there is no public need for another venue to sell alcohol. Were a license was to be granted then this would set a precedent which I believe would encourage further licensing applications to be proposed and granted which would further worsen the quality of life of residents in the surrounding area. The area is currently one where families reside and at a time when the number of suitable family homes is fewer than ever to grant a license that would further reduce these numbers.

Yours Faithfully

[REDACTED]



From: 
Sent: 4 Aug 2020 19:32:51 +0100
To: Entertainment Licensing
Subject: FAO Martyn Musson PREM/04572/001

For the attention of Martyn Musson
Re : PREM/04572/001

Dear Mr Musson

I wish to object to the granting of an alcohol licence (7am-11.30pm) for 138 Harrogate Road / 1 Regent Street.

I attended the Plans Panel meeting last year regarding the original planning application. At this meeting there were specific representations from the owner who made it quite clear that, despite the plans themselves which suggested otherwise, this was to be a very small, family shop/deli/café. He claimed there that it would not be necessary to have an alcohol licence as it was not to be open beyond 7pm. Many residents did not object to the original application, given this information believing that this would not impact greatly on them or others in the local environment.

Most of the property is, in fact, facing Regent Street and Back Allerton Terrace which is largely residential rather than on Harrogate Road where the front entrance is narrow and stepped.

I am concerned that there will be increased disturbance for local residents as it is likely given the difficulty of access at the front that an increased number of customers will access the restaurant via Regent Street. Disposal of bottles is a real issue. Unless this is regulated carefully it will be a major noise disturbance for those living nearby. This coupled with the garden and roof terrace, which if licensed until late at night, are likely to cause a problem for everyone locally.

Yours sincerely



From [REDACTED]
Sent: 4 Aug 2020 20:11:57 +0100
To: Entertainment Licensing
Subject: Re: Planning Reference 19/07083/FU - 138 Harrogate Road, LS7
Importance: Normal

To Whom It May Concern

As a local resident I herewith express concerns re the licensing application relating to the above property. Local people were concerned when the original planning application was made for a change of use to a delicatessen from fruit shop. We were assured that it would be a small family run deli, with limited opening and no alcohol would be sold, with opening hours 7 a.m. to 7 p.m.

It was soon obvious that this was not the case as major building works to the rear of the Deli commenced and this small deli has developed into a large restaurant. This building is located in the heart of a Conservation Area that has restricted parking (one hour to the frontage on Harrogate Road). The expanded Deli now stretches out onto Back Allerton Terrace, in close proximity to family homes and now wish to sell alcohol until 11 p.m. at night with no thought for local families and clearly a much different proposition to their original application. The noise pollution from additional traffic and a restaurant with music to 11 p.m. will impact negatively on local families and I object to this, my recommendations are:

- 1) Reject the application for an alcohol licence, or at least limit the time scale to 6.30 p.m.
- 2) Limit the use of the outside areas to the rear of the Deli on Back Allerton Terrace - garden and roof terrace - until 6.30pm
- 3) Not allow music to be played outside

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From [REDACTED]
Sent: 4 Aug 2020 18:28:38 +0100
To: Entertainment Licensing
Subject: Re: Planning Application - 138 Harrogate Road - 19/07083/FU

I wish to express my concerns over the planning application 19.07083/FU.

I gather permission has already been granted for a small family run deli at 38 Harrogate Road, LS7. This business has not yet established but is already wanting to extend its remit. This suggests to me that the original application was untruthful in its stated intention and is now putting in this further application as it was known that it would have been refused first time round. As the circumstances have not changed with regard to the surrounding environment, I see no reason why this new application should now be granted.

Chapel Allerton has many bars and restaurants. Adding to the already overcrowded concentration seems to me not to be conducive to a balanced and healthy environment.

All the other adjacent businesses have their frontage towards Harrogate Road, and so to an extent many of the local residents are protected from the inevitable noise and disruption that will be created from a large restaurant serving drinks from 7am - 11pm every single day of the year. This proposed business is in the centre of a conservation area which is also a residential area with family housing as well as housing for the elderly and vulnerable who would be affected by noise and disruption.

Not only would a successful application be disruptive to the local residents, it would be the same for at least one local business - almost next door at 144 Harrogate Road is the Chapel Allerton Holistic Centre. Having the inevitable noise and disruption would make it impossible for the therapists to carry out their work as at present.

I hope that this application for a drinks licence will be rejected on the grounds that it would be detrimental for the local community.

Regards

[REDACTED]

Comments for Licensing Application PREM/04572/001

Application Summary

Application Number: PREM/04572/001

Address: 138 Harrogate Road Leeds LS7 4NZ

Proposal: Premises Licence - New Application

Case Officer: Mr Martyn Musson

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour response

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 12:49 PM on 04 Aug 2020 I would ask that the Licensing Authority reject the current proposal to add an alcohol licence to 138 Harrogate Road, which developers explicitly said they would not apply for in the original planning meetings.

The introduction of a family run deli at the premises was welcomed by residents, including myself, but now the operation is to include alcohol service, takeaway, etc and demonstrably changes the impact it is to have on this conservation area in terms of noise, traffic, footfall, and disruption to the quiet, family neighbourhood enjoyed by its constituents. The noise from an additional licenced business in a residential and conservation area is unnecessary. My home would be directly impacted by all of this, as it is situated [REDACTED], and I have already been affected by the noise of construction. Business activity, including alcohol consumption, 365 days a year from 7am-11pm (or 11:30pm, per the alcohol license application), would significantly degrade the quality of life myself and my neighbours enjoy.

From [REDACTED]
Sent: 5 Aug 2020 13:50:38 +0100
To: Entertainment Licensing
Cc: Musson, Martyn
Subject: Objection PREM 04572/001 Delizioza, 138 Harrogate Road, Chapel Allerton, LS7 4NZ

Dear Sir/Madam,

As a landlord of a property in the neighbourhood ([REDACTED]) I am objecting on behalf of my tenant.

Extension of opening hours will have a significant impact on the amenity of the local area and cause a loss of enjoyment, noise disturbance, and potential problems with anti-social behaviour in a residential area.

The venue directly backs onto houses on Back Allerton terrace and later opening hours will cause distress and disturbance to residents 7 days a week. An 11pm alcohol licence will essentially mean that people are not leaving the area until 1130pm or later and potentially congregating in the street around resident's properties. Any suggestion that customers would have to move indoors after 9pm is a smokescreen as such a restriction would be totally unenforceable and open to abuse.

There are already many licenced premises in the area which already cause noise nuisance and disturbance at closing time, but were a known quantity at the time of moving in.

However a new licensee would add more disruption, including in the area immediately backing onto Victoria Street where many bedrooms are located.

Regards,

[REDACTED]

From [REDACTED]
Sent: 5 Aug 2020 09:53:49 +0100
To: Entertainment Licensing
Subject: 138 Harrogate Road, Chapel Allerton - change of use objection - alcohol use

Good morning,

I am writing to object to the above proposed change of use. Our house is on [REDACTED], [REDACTED]
[REDACTED]

Despite a number of previous objections in regards to the change of use of the above property, we were given reassurances that planning had only been approved for a small family run deli, with limited opening hours and no alcohol would be sold.

It has now come to light that the developers now plan to expand the business from a deli to a large restaurant and take-away opening in September. They have applied to change their hours to 7am - 11pm every day of the year, including bank holidays and they have also applied for a drinks licence - to serve alcohol from 7am - 11pm every day of the year, including bank holidays.

As a long standing resident of Chapel Allerton, we do value the local independents and the various restaurants and bars that provides great choice and variation. Similarly, we are supportive of this small family run deli but we believe this change of use will cause significant and unacceptable increased disruption as the entrance is at the rear of the premises on Back Allerton Terrace. Our house, which is in a quiet neighbourhood with many family homes [REDACTED] will also overlook some of the homes. Due to the way the row of houses surround the Back Allerton Terrace, any noise builds and echoes. This will cause great disruption and unrest. In addition, staff and customers would be coming and going early in the morning and late at night, increased traffic noise from delivery lorries, waste collection and take-away vehicles, a noisy extractor fan and sadly, inevitably some rowdy customers.

We moved onto this street originally due to the quiet location, which is made up of family homes and at the centre of the conservation area. This change of development due to its location, [REDACTED] will unfortunately will cause a lot of noise, disruption and unrest.

Please can this be taken into consideration when reviewing the application.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From [REDACTED]
Sent: 5 Aug 2020 15:55:32 +0100
To: Entertainment Licensing
Subject:

Dear Martyn

Thank you for your quick reply.

The premise at 138 Harrogate Rd was a Greengrocers and is situated between a Butchers shop and a Cheese shop, the Greengrocers moved across the Rd after the lease ran out. Deliziosa was they said a family run delicatessen, there were some objections as it was rumoured that it might be a cafe. Had it been known that they would apply for an alcohol licence I would have objected. Chapel Allerton has many pubs bars and licensed restaurants already, Delizeosa would be on a parade of traditional shops and would drastically change the feel of the street.

Chapel Allerton is a conservative area and an, open all day of the year drinking establishment would not be welcome in this small residential part of the area. Families with children living in adjoining premises would be very much affected by the noise and disruption 7 days a week.

Kind regards

[REDACTED]

Sent from my iPad

> On 5 Aug 2020, at 14:39, entertainment.licensing@leeds.gov.uk wrote:

>

> [REDACTED]

>

> Thank you for your representation relating to the above mentioned premises. Unfortunately we are unable to accept your representation. The reasons why are detailed in the attached letter. I have also attached our guidance about making a representation which you may find useful.

>

> Please don't hesitate to contact us if you require any further assistance.

>

> Kind Regards,

> Mr Martyn Musson

> Licensing Officer

> Telephone: 0113 3785029

> Email: martyn.musson@leeds.gov.uk

> Entertainment Licensing

>

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> <ufm13.pdf>

> <GN-P LA2003 Making a representation.pdf>

From [REDACTED]
Sent:4 Aug 2020 19:22:03 +0100
To:Entertainment Licensing
Subject:138 Harrogate Road - 19/07083/FU

Sir, I wish to make objection to the application for drinks license at these premises. Planning was agreed for a small family run deli they now want to change that to large restaurant with drinks license from 7am till 11 pm every day of the year.

Kind Regards

[REDACTED]
Sent from my iPad