

Appendix D

Stone, Derek

From: Astill, Lorraine
Sent: 05 September 2018 10:40
To: Robson, Debra
Cc: Breacher, Adam; 'info@baffledcoffee.co.uk'; Lee, Richard
Subject: 77 Fawcett Road - Prior Approval (Condition 3 - operating hours of premises)

Hi Debbie

In light of the current position with regards to the planning restrictions for the opening hours and the likelihood of the change of planning classification to an A4 drinking establishment, I have concerns with regards to noise emanating from customers late at night. There are residential properties above the café and also to the side of it and without the consideration of mitigation measures being put in place I wish to raise representations against this application.

Should the applicant wish to amend his application so that it reflects the current opening hours (Monday to Saturday 08:00 to 18:00hrs and Sunday 08:30 to 16:30hrs) as approved by planning to sell alcohol then I would not raise any objections to this.

I would recommend that if the applicant wants to extend his trading hours that he applies through the planning process first.

Regards

Lorraine Astill
Environmental Health Enforcement Officer

Environmental Health
Portsmouth City Council
2nd Floor, Core 2
Civic Offices
Guildhall Square
Portsmouth
PO1 2AL

From: Breacher, Adam
Sent: 03 September 2018 09:28
To: 'info@baffledcoffee.co.uk'
Cc: Astill, Lorraine; Robson, Debra
Subject: RE: 77 Fawcett Road - Prior Approval (Condition 3 - operating hours of premises)

Dear Mr McMurray,

Many thanks for the clarification.

The LPA (Local Planning Authority) endeavours to assist business owners regarding the use and operating hours of their business/premises.

If a business wishes to extend their operating hours with the view of selling late night refreshments, the LPA must consider whether the premises is used more as a drinking establishment rather than an A3 use (Café). For example; whether there would be a continuation of café food sold on site throughout the 'extended' operating hours of the premises, and/or what would be the offerings within the 'extended' operating hours.

As such, I would be grateful if you could please keep the LPA up to date on this matter going forward.

Kind regards,

Adam Breacher
Planning Officer (Enforcement)
Directorate of Regeneration
City Development - Development Management
Portsmouth City Council

From: Fergus McMurray [mailto:info@baffledcoffee.co.uk]
Sent: 02 September 2018 21:25
To: Breacher, Adam
Cc: Astill, Lorraine; Robson, Debra
Subject: RE: 77 Fawcett Road - Prior Approval (Condition 3 - operating hours of premises)

Dear Adam,

Thank you for your email.

I confirm that the business is currently only operating within the use and times specified in Planning Permission 16/00006/PACOU.

The license application would not alter the use of the premises as this would still be a café (Class A3). The purpose of the license would be to simply sell a small range of alcohol, similar other café businesses within Southsea such as Tea and Thistle. I have at this stage, applied for later hours on the license as this is something that the business may wish to pursue at a later date and to avoid having to apply and pay twice for the premises license, which for a small independent business, is costly. However, I am fully aware that even if the premises license is approved, I would need to submit a variation of condition application to seek permission for later opening hours.

I trust this clarifies the position but please do not hesitate to contact me if you require any further information.

Regards

Fergus McMurray (owner)
Baffled Coffee
[REDACTED]

From: Breacher, Adam [REDACTED]
Sent: 31 August 2018 09:00
To: Fergus McMurray <info@baffledcoffee.co.uk>
Cc: Astill, Lorraine [REDACTED]
Subject: 77 Fawcett Road - Prior Approval (Condition 3 - operating hours of premises)

Dear Sirs/Madam,

I write in reference to the above mentioned matter.

It has come to the attention of the LPA (Local Planning Authority) that you have recently submitted a premises licence application for 77 Fawcett Road in order to sell alcohol within the operating times as follows:

Monday to Saturday: 08:00am - 23:00pm
Sundays: 08:00am - 22:30

An application for prior approval relating to the change of use from retail (Class A1) to café (Class A3) was given approval (16/00006/PACOU) on the 14th June 2016, subject to compliance with planning conditions. For ease of reference I have attached the decision notice.

Condition 3 states:

3) The use hereby permitted shall not operate outside of the hours of 08:00 and 18:00 Monday to Saturday, 08:30 and 16:30 on Sundays and on any recognised bank or public holiday.

If you are wishing to operate within the times as stated within your premises licence application, you will require planning permission to do so by way of varying condition 3.

I would be grateful if you could please respond in writing within 14 days from the date of this email outlining the current use of the premises and the current operating hours along with any proposed future hours of operation.

Yours faithfully,

Adam Breacher
Planning Officer (Enforcement)
Directorate of Regeneration
City Development - Development Management
Portsmouth City Council

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