

# **APPENDIX 4**

To: Licensing

YourRef: 19 Broad Street

F.A.O: Sandra Bradbury, Licensing Officer

From: Environmental Health

Our Ref: as above

Direct Dial: (01538) 395400

Date: 4<sup>th</sup> November 2022

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**RE: Application for the Grant of a Premises Licence - 19 Broad Street, Leek**

**Advice:** The Environmental Health Section would like to make a representation on the this application due to concerns about the potential for public nuisance to be caused if permission/licence is granted.

**Reasons:** The application proposes selling and delivering alcohol from a residential property. No advice is contained in the application how public nuisance will be prevented. The advice contained in the application is insufficient for a proper determination to be made regarding the suitability for a premises licence to be granted in this case.

1. The proposal is to change a cellar at a residential property into an alcohol storage and distribution unit. The business is proposed to operate between 10am and 3am 7 days per week.
2. There is no advice or predictions provided on the number or timings of deliveries which will happen from the address.

**Daily 15-20 deliveries.**

3. This residential property adjoins 1 other property and is close to a significant number of other residential properties. Movement of stock in and out of the cellar during unsocial hours could cause significant disturbance to neighbours. There is no advice contained as to how this would be prevented.

**After 23:00, there won't be movement of goods from the storage area. They have enough stock inside the house to avoid going to storage.**

4. According to additional information provided by the applicant, delivery van/s will be parked and loaded on two residential streets – Alsop Street and King Street. This proposal will turn these streets into informal delivery areas. Residents on these streets are likely to be impacted especially in the evening and at night. Parking on these streets is already limited, the addition of commercial vans will place pressure on residential parking. Noise caused by delivery van/s including slamming doors, engines, radios, trolleys carrying stock etc. is likely to cause disturbance to a large number of residents on these streets especially during the night and early hours of the morning.



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Delivery will be done by the applicant's personal card. No vans or lorries will be used. She will be very careful to reduce the noise levels. According to statistics, residential properties order food from just eat ubereat, deliveroo, getir, amazon, royal mail at 4-5 times a week. Therefore delivering orders will not cause extra noise.

5. There is no noise assessment or noise management plan submitted with the application to explain how adverse noise impacts will be prevented or mitigated.

I have shared noise documentation as attached.

6. There appears to be no regard contained in the submission as to how local residents will be protected from noise caused by the business.

We would like to point out that this is a fairly small new business. The deliveries will be done by my client and the broad st is a main road. The road traffic is causing noise . There would be additional noise generated with the delivery process. We can display signs on the premise to respect our neighbours and leave quitly.

Further Issues –

7. The application/development does appear more appropriate for a commercial unit rather than a residential property. The Planning department should be consulted due to this significant proposed change of use from residential property to commercial use and the adverse impact to neighbourhood amenity it may have.

Before submitting our application, we asked the licensing department if she can sell alcohol from home and they said yes. If planning is requires, we can submit a planning application. There wont be pick up service from the property. The sales will be online and delivered to residential properties. She wants to do this business as sole trader to help her family.

8. The potential obstruction this development could bring to the highway on Broad Street, Alsop Street and King Street should be checked with the Highways Department at Staffordshire County Council. There is a risk roads could be regularly blocked if parking is unavailable to delivery vans.

No delivery vans will come to the property. She will be getting her orders from a whole sale and store the good. It will be a small business.

Environmental Health Response To Updated information 4<sup>th</sup> November 2022 –

Below is our response to the updated information provided to our memo as set out in red above, the additional documents submitted and our phone discussion with the agent.

2. The predicted number of deliveries 15-20 per day would cause a significant change to how this property currently operates, a predicted increase in 140 deliveries made from this property many through the night. This does not indicate a low level commercial use at a residential property.

3. All movement of stock from the cellar will be made into the property prior to 23:00 hours, is this realistic? This appears vague, is the house the store or is the store? The use of a living area to store stock during the night rather than the normal cellar store does not appear consistent or realistic, would this stock be moved the following day. Inevitably stock movement will cause noise impacts to neighbouring properties.

4. The applicants car will make a predicted 15-20 deliveries per day, meaning 30-40 return vehicle movements into and out of the street, many during the night causing noise issues such as door slamming etc. The applicant's intention to be quiet is welcomed but during night time hours this noise will dominate and be difficult to prevent.

5. There is no site specific noise assessment or noise management plan. The submitted noise assessments documents are not related to this site and the generic advice documents not relevant.

6. This is a mixed use area with relatively high background noise levels of noise during the day but significantly quieter at night. These quiet times should be protected. The use of signs for customers is not relevant as it is proposed to be a delivery business.

7. It remains our opinion this proposed development should be subject to a full planning application. This is a residential terraced property and the proposal will significantly change its use and will likely adversely impact neighbourhood amenity especially to attached properties and those on the shared yard.

8. Where will the applicants vehicle be parked if there are no spaces on the street. Parking on these streets is under heavy demand. Empty spaces are quickly filled. This type of business should ideally have dedicated spaces.

Summary - The application details remain vague. The additional information submitted with this application is not site specific and appears to relate to commercial sites at other locations. This is a residential house in a terraced block with a shared yard. The proposal to change it to a commercial storage and delivery business represents in our opinion a significant change of use which should also be subject to a planning application. The further advice offered by the agent in a phone discussion is the hours could be reduced to maybe 1am, this would not alter our position for the reasons set out above.

This application would appear to be more relevant to a commercial unit in a commercial/industrial area.

Regards  
Environmental Health