

From: [REDACTED]
Sent: 24 December 2013 17:25
To: Guy, Mandy
Subject: Premises licence objection Marston's Plc, Newton Rd, Torquay

> Dear Ms Guy

>>

>> I write further to our recent conversation and would therefore like to submit a formal objection to the premises license application for Marston's Plc, Torquay (new build) Newton Road, Edginswell.

>>

>> I would like to submit an objection on the grounds of public nuisance. My justification and reasoning behind this are as follows.

>>

>> The proposal states that a license has been requested until 1.00 a.m. on a Friday and Saturday night for live music and also music outside. The premise will therefore close after this time. Due to the very close proximity of neighbouring residence and the quiet nature of the area, it is considered that this would affect local residents and cause a nuisance. I personally will overlook the property from an elevated position and hence any noise would not be attenuated in any way.

>>

>> It is therefore considered appropriate that the hours of live music and operation be restricted to those more in keeping with a residential area, so that local residents are not affected by the outside noise, both by individuals leaving the premises and also music. It is therefore felt more appropriate that the premises closes no later than 11.00 p.m. and any music ceases before such time.

>>

>> Any music outside the premises i.e. live or recorded should be concluded well before this hour. If appropriate under licensing conditions, all windows should be close to reduce any breakout noise and an appropriate lobby installed as to contain any noise from individuals entering or leaving the premises.

>>

>> There are also two patio areas outside the premises and a children's play area. These should be managed appropriately and their use limited, so as not to cause a nuisance at anti social hours.

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>> There is a public right of way with a flight of steps up to Grosvenor Close from Newton Road, just along from the proposed premises. This will be used as a short cut for individuals leaving. The hours of operation should therefore also take this into consideration, as this increased footfall would be adjacent to a number of property's who will be disturbed.

>>

>> The plans also suggest that delivers are to be made to the rear of the premises. There is no access road for this, so one can only assume this will be made by trolley from Newton Road. This will be very noisy and hence it would be appropriate for restriction to be applied for delivery hours, so as to not be too early or late and not cause a nuisance early in the morning.

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>> As food is to be served at the premises there will be an extraction system installed. Although there will be the ability to limit any noise from this system, the hours of operation once again should take this into account.

>

> I therefore feel that this clearly illustrates that if the proposed premises licence were to be issued based on its current criteria, it would cause a public nuisance to a significant number of individuals.

>

> Regards

>

>

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From: [REDACTED]
Sent: 23 December 2013 15:53
To: Guy, Mandy

Dear Ms Guy,

Re Torquay (New Build) Edginswell.

I would suggest that the very close proximity to the residents in Edginswell Close and Edginswell Lane and the associated noise, smells from food preparation, and light pollution will constitute a public nuisance. The licencing hours should I feel address this. The application is for far in excess of other local pub/restaurants.

Thank you,

[REDACTED]

Licensing and Trading Standards Customer Contact Web Form

Enquiry type	Alcohol & Entertainment Licenses
Customer's enquiry	New Build / Newton Road/Orchard Way, Marstons. I am the Secretary of the Edginswell Residents' Association. At a recent meeting , called to consider this Pub/Restaurant planning application, concerns were expressed at the parking, traffic, noise, smell and lighting impact on neighbours, some of whom are extremely close to this site. We also had very serious concerns regarding the timing of opening hours because of this inevitable impact. It would seem reasonable that licensing hours should reflect the neighbourhood in which the applicant chooses to operate. Since this is a residential area we therefore request that opening times are restricted to 11.00 am - 11.00 pm on Mondays to Saturdays and from 11.00 am to 10.30pm on Sundays. We shall be very happy to meet Members or Officers if this would help in your considerations.
Title	Mr
Contact Forename	[REDACTED]
Contact Surname	[REDACTED]
Contact Phone	[REDACTED]
Customer Address	[REDACTED]
Post Code	[REDACTED]
Email	[REDACTED]
Notes	

From: [REDACTED]
Sent: 20 December 2013 15:28
To: Guy, Mandy
Subject: New Build /Torquay/ Marstons / Edginswell

Dear Mandy, thank you for your helpful response to my earlier submission in connection with this application.

In support of those concerns already shared with you on behalf of members of the Residents ' Association I wish to add the following:

1. Prevention of Crime and Disorder

When this application was submitted to Planning for consideration great emphasis was laid on the 'Family' element of the establishment . In fact the hours applied for are much later than other local licensed premises and will, potentially, prove an attraction for enthusiasts to 'move on' to Edginswell when other local pubs close. This will create a potential focus for late drinkers and those still in search of alcohol at very late hours and the problems that can ensue.

2. Prevention of public nuisance

No public plans have been issued by the applicant which show both the Pub and Edginswell Close on the same map. This is presumably a strategy to minimise the awareness of the proximity of residential properties to the Pub. I attach a copy of the Pub site Plan which shows the boundary in red. That boundary is very clearly shown on the other map I attach which shows Edginswell Close and the Pub Site as open land. I feel sure that a site visit will leave members in no doubt at all of the inevitable nuisance to be caused by noise, light pollution and smell from these premises. The Children's Play area, the pathway for the conveyance of bins for rubbish collection and the kitchen storage area are all within 5 metres of the boundaries of the Edginswell Close properties. The site map from Land Registry also shows the residential housing in very close proximity in Newton Road which will also be affected. To the south of Edginswell Close, at a higher level but still within earshot is Berkeley Avenue, another entirely residential road which will benefit from noise, light and smell pollution until these premises close each evening.

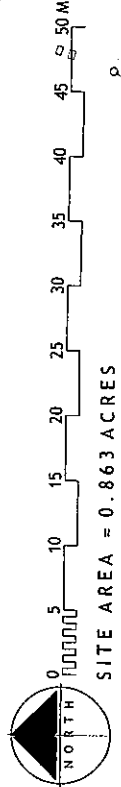
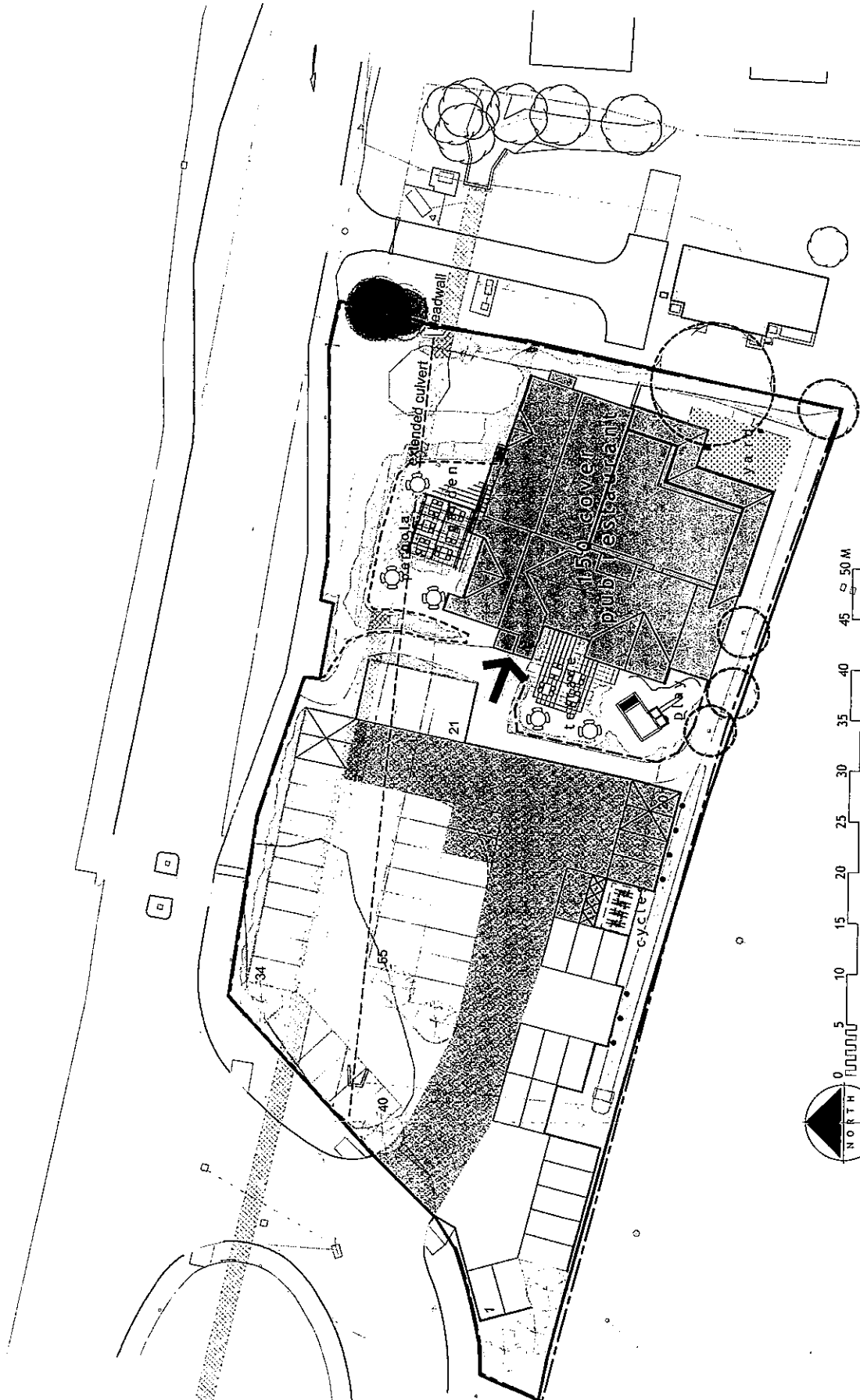
The provision of this facility will adversely affect the way of life of all local residents and as a Community we look to the Licensing Committee to consider these concerns and to minimise this impact by restricting the opening hours as requested in our original submission with an additional earlier limit to drinking outside the premises.

[REDACTED]
(Secretary)

Plans attached X 2

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- KEY**
- Soft Landscaping
See Separate Drawing
 - Tarmac Surface to Aisles & Paths with Thermoplastic White Lining
 - Tarmac Surface to Road Suitable for HGVs
 - Flagstone Style Concrete Set in Blocks
 - 450 x 450mm Concrete Buff Coloured
 - Concrete Slab with a Brushed Surface
 - Post & Rail Fence to Boundary
 - Stained 1100mm Timber Picket Fence
 - Knee Rail fence
 - Bollards



Rev.	Date	Description	By
1		Booklands Yard Southover High Street	
2		150 Cover Pub Restaurant	
3		150 Cover Pub Restaurant	
4		150 Cover Pub Restaurant	

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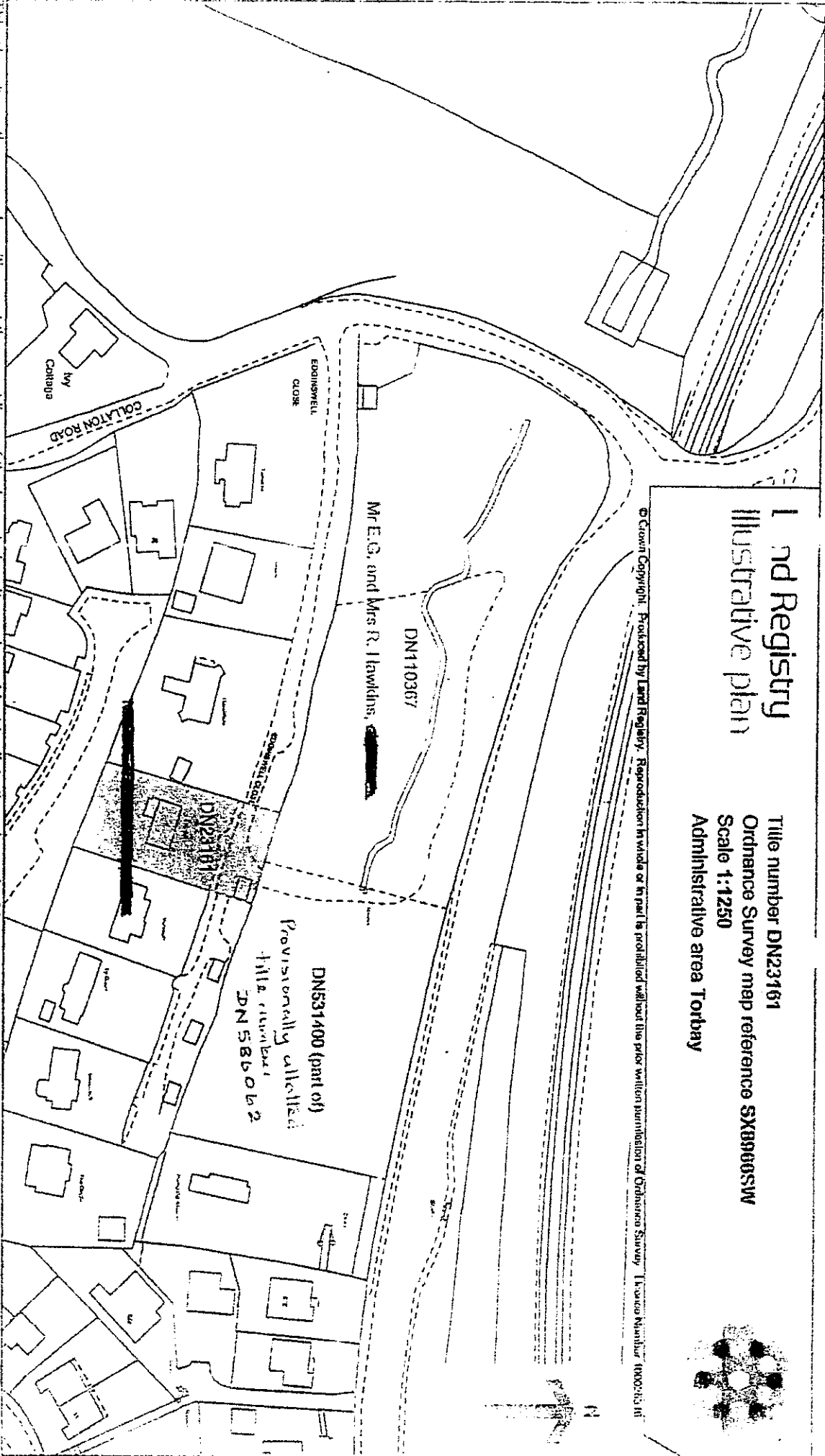
Project: MARSTONS 150 COVER PUB RESTAURANT TORQUAY
 Drawing:

Scale	1:200 (B.A.)	Drawn	31.01.13	Checked	ACR
Drawing No.	27444/P104 B				

1st Land Registry Illustrative plan

Title number DN23161
Ordnance Survey map reference SX8966SW
Scale 1:1250
Administrative area Torbay

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This plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 19 - Title Plans and Boundaries.