

## BOROUGH OF TRAFFORD

## MEMORANDUM

**From:** Pollution and Licensing

**To:** Licensing Manager

**FAO:**

**Ref:** NFA/176005

**Ref:**

**Tel** 0161 912 4026

**Date:** 28 October 2020

**Ext:**

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**If telephoning please ask for:** Miss N Ali

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**Subject:** Stutter and Twitch, Sunningdale House, 11 George Street, Altrincham

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The new licence application for the above premises has been reviewed.

The application site consists of a converted caravan operating as a café/bar in the Stamford Square area on George Street, Altrincham. In addition to the caravan, the site includes an outdoor seating area within the Stamford Square area.

The applicant seeks the following:

- Late night refreshment; Sunday to Thursday 23.00 to 23.30, Friday and Saturday 23.00 to 00.30. Indoors only.
- Supply of alcohol; Sunday to Thursday 08.00 to 23.00, Friday and Saturday 08.00 to 00.00. On and Off the premises.
- Hours premises are open to the public; Sunday to Thursday 08.00 to 23.30, Friday and Saturday 08.00 to 00.30.

The applicant has submitted documentation to promote the four licensing objectives, the main one under consideration in this memorandum being, public nuisance. The documentation relating to the public nuisance objective includes an operating schedule, smoking policy and dispersal policy which appear to be general in nature.

The area surrounding the application site consists of various shops at ground floor and is considered to be in the quieter part of Altrincham town centre, particularly in the evenings as there are no restaurants/bars in the immediate vicinity of the site. I am aware of a recent planning permission being granted for the area above Wilko's (adjacent to the application site), allowing for 12 apartments. The relevant application is below:

*97798/PRO/19 | Change of use of existing office building from office (Use Class B1(a)) to residential (Use Class C3) to create 12 no. apartments. Application for determination as to whether prior approval is required under Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). | Sunningdale House And Kingfisher House 11 George Street Altrincham WA14 1RJ*

I understand, from speaking to the owner of Stutter and Twitch, that the owners of the site responsible for the residential element mentioned above also own/have responsibility for the application site for this particular licensing application. It is not clear whether the application site has the relevant planning permission to operate as it is doing/proposes to do so and await clarification on this aspect from colleagues in Planning.

I have some serious public nuisance concerns about the application and the impact that will occur on the occupants of the recently approved 12 residential apartments above the Wilko's site should the license be granted. These apartments directly overlook the application site and have a direct line of site to the seating area associated with it. Noise from customers on a daily basis until at least 23.30 in the weekdays and as late as 00.30 on weekends will

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inevitably have a negative noise impact on the occupants of these noise sensitive apartments.

The application makes reference to certain activities taking place indoors (e.g. late night refreshment) but it appears as though there is no indoor element to the application for customers to use, with the main activities taking place outdoors.

The proposal would essentially mean that customers would be seated out in the open until 0030 hours without any form of noise mitigation to protect the nearest residents. Whilst this may be acceptable for the daytime and early evening in this town centre location which is generally busy during these times, noise sensitive residential receptors could be negatively affected by noise from the site later in the evening if adequate controls are not put into place.

Recent complaints relating to customers congregating outside licensed premises across the borough causing noise and disturbance highlight the potential negative impact that could occur from an external open air drinking area which does not benefit from any noise mitigation that would normally exist in purpose built premises where such use is permitted. The application site is therefore an exceptional site which is very different from other premises in the area that benefit from a premises licence.

It is considered that noise from such areas cannot be adequately controlled so as to prevent public nuisance. Noise from patrons in the area until the early hours of the morning on a daily basis with minimal mitigation can cause serious impact and intrusion particularly during the spring / summer months when it is not unreasonable for local residents to open their windows for ventilation purposes.

In reviewing the application, contact was made with the owner of Stutter and Twitch to establish the type of activities that take place and what he was proposing to achieve from the licence. In addition to this, the concerns about noise impacting upon the noise sensitive apartments overlooking the site were made clear and he advised that it was unlikely that he will need to utilise the full hours applied for in the application.

I also wrote to the solicitor referenced in the application expressing my concerns surrounding public nuisance and with a view to amending the hours in the application to address those concerns. I advised that although the site is within Altrincham town centre, it is a mixed area of residential and commercial premises. This particular part of Altrincham town centre being significantly quieter due to the absence of bars and restaurants in the immediate vicinity, when compared to say the area surrounding Altrincham Market.

I advised that the use beyond 9pm with noise sensitive receptors so close by and directly overlooking the application site was not considered appropriate in terms of public nuisance and enquired as to whether the applicant was willing to amend the hours applied for to take account of the concerns raised.

I have not as yet received a response to this and therefore, in the absence of any amendment to the application would like to object to the granting of the license on the grounds of public nuisance.

Kind Regards

*N Ali*

Nasreen Ali  
Environmental Health Officer