



4 March 2024

Licensing Section
Gateshead Council
Civic Centre
Regent Street
Gateshead
NE8 1HH

Dear Sirs

Re: Asda Express, 6-8 Front Street, Whickham NE16 4DT

1. NOISE NUISANCE

Currently the Premises open at 6.00 am and close at 10.00 pm. A recent application for 24 hours opening of the Premises was rejected following objections. After the evening rush hour, the traffic flow drops significantly and after 11.00 pm is negligible. The background noise diminishes, but the resulting silence is disturbed by any activity under the garage forecourt roof, which acts as a sounding board and directs the enhanced sounds towards houses on all sides. We have experience of this, particularly during the summer months when young people and sometimes raucous drunks, congregate under the roof when every word uttered is heard clearly. If these applications are allowed, they will have an adverse effect on the use and enjoyment of all neighbouring residences for even if all due care and attention is given by customers to parking their vehicles, opening and closing car doors, starting their engines and departing, and speaking as quietly as possible, all these noises will be easily heard and every word of conversation understood - leading inevitably to a night of regular broken sleep. But of course, all due care and attention will not always be applied as people who have already drunk alcohol tend to be a bit more ebullient and noisy. Alcohol sales at night i.e. from 10.00 pm and provision of refreshments will have a deleterious effect on this residential area.

2. LIGHT NUISANCE

The garage forecourt is well lit as is the drive through car wash. There is also a high intensity advertising screen on the front of the shop, which (currently goes off at 11.00 pm), changes colour and intensity regularly and is easily seen through our closed curtains! If this lighting remained on day and night it would be unduly intrusive and disturbing. Sleep does come easily with a high intensity flashing light onto a bedroom window.

2.

3. INAPPROPRIATE

The Premises are not on a motorway, a major highway, in the centre of a town/city or an industrial/retail park or discretely sited away from residences, but situated in a village some 200 metres from the shopping centre and entirely surrounded by residential properties. After pub closing time the village goes quiet and the Tesco mini store (which has an off licence), closes at 11.00 pm. A successful application will encourage people from within and outside Wickham to seek out alcohol and refreshments during the dead of night, leading to the inevitable prospect of disturbance, nuisance and even crime. Surely residents are entitled to a period of restorative sleep at night as nature intended?

These applications if granted, would be an incongruous and non-conforming development for a residential part of the village.

Yours faithfully

Hilary J Maggiore
Paul L Maggiore

Cc: hard copy and by email

Kirsty Jennings

From: Jean Maggiore [REDACTED] >
Sent: 11 March 2024 14:49
To: Kirsty Jennings
Subject: Licensing Act 2003 - Asda Express, Front Street, Whickham

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Dear Ms Jennings

Further to your e.mail of 7 March and the applicant's amended proposal, we are not minded to withdraw our objections and shall be obliged if you will add the further points raised in this e.mail to our formal objections.

Gateshead Council's Statement of Licensing Policy 7 January 2016 - 6 January 2021 - among other things says at:-

- 3.18 physical environment (including transport, school walking routes...residential proximity.) The Premises are within 100 metres and 400 metres of two primary schools in Whickham; within 25 metres of two bus stops where pupils get on and off for secondary schools like Emmanuel College and schools in Blaydon and descend onto the shop at the Premises daily for drinks and snacks; 400 metres of five public houses and one off licence premises and are in a conservation zone
- 5.9 the reduction of crime and disorder is integral to Gateshead's approach to the Licensing Act 2003
- 5.11 Gateshead has signed the Local Government Declaration on alcohol and is committed to:-

promoting the introduction of greater regulation around price, promotion and **availability** of alcohol according to local requirements. We assert Whickham is well served by existing outlets.

- 7.8 Prevention of "public nuisance" is taken to include such issues as noise, light, odour, litter and anti-social behaviour. We have already commented on this in our initial objections.
- 7.9 stricter controls required where premises are in residential areas
- 7.10 burden is on the applicant to demonstrate its consideration of
- location of the Premises
- proximity to residential and other noise sensitive premises
- opening hours particularly between 23.00 pm - 7.00 am
- the design, layout of the premises particularly the presence of noise limiting features.

We have already commented on the sound enhancing garage roof.

We submit these safeguarding criteria cannot be met, particularly at night no matter what care and attention is given by customers and during the day the licence, if granted, will be an added risk for children and make the Premises busier causing tail backs at an already busy traffic light junction,

increasing noise and pollution to this residential end of Whickham. Incremental developments at the Premises inevitably come with incremental detriment to this area and to the occupants.

Yours

H J Maggiore

P L Maggiore