

Statement in support of variation of condition 3 (activity hours) on previous permission 2020/70/93821/E for variation of condition 3 (activity hours) on previous permission 2020/92527 for change of use of part of lease vehicle garage (sui generis) to retail (Class E) at **5 Garnett Street, Staincliffe, Dewsbury WF13 4AT**



JG-D has been instructed by Mr Yasar Enzo to apply for permission to extend the opening hours of Shake Street Café, Garnett Street, Staincliffe.

Approval was originally granted in October 2020 to change the use of part of the existing garage complex at Garnett Street into a Café selling hot and cold drinks and desserts for consumption off the premises. The original decision notice inadvertently omitted Sunday opening hours so a Section 73 application was submitted and approved in January 2021 to allow seven day operation.

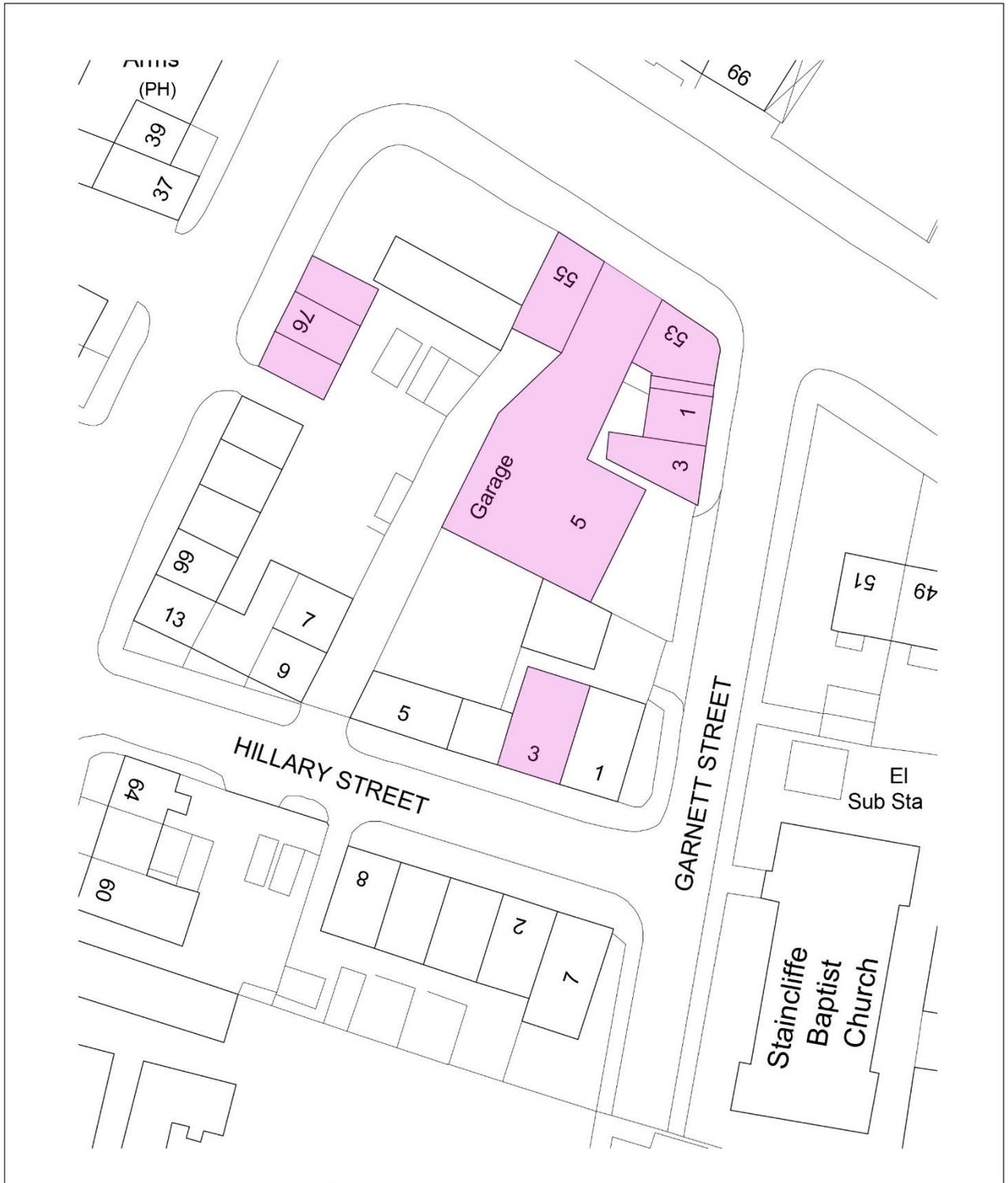
Once open the applicant found that the majority of trade was evening based and staff often oversailed the permitted opening times fulfilling orders. An

alleged breach of conditions letter was issued by the Kirklees Enforcement team (COMP/23/0194) in July 2023 requesting the cessation of trade outside the permitted hours (07.00 - 19.00 hours Monday to Saturday and 11.00 – 17.00 hours Sunday).

The applicant has endeavoured to comply with the request but from a business perspective has candidly admitted it would be beneficial to trade later. Initial market research suggested steady business throughout the day but in reality orders are invariably placed in the evening and working within the constrained opening times is putting undue pressure on the viability of the business.

In an effort to better understand the concerns of the local community - and where practical provide mitigation – the applicant has visited local residents to seek support for extended opening hours. Statements of support have been provided as attached and where specific issues have been raised measures have been offered to allay concerns.

This information has been shared with the Enforcement team and a proposed plan of action including a noise survey and acoustic mitigation measures has been discussed but in the first instance a simple S73 has been requested to allow the LPA to consider hours of operation extended until 11.00pm Wednesday to Sunday.



Drawings based on Ordnance Survey
(Streetwise License No 100047474)

 Supporting Statements

0 5 10 15 20 25m
Scale 1:500



Project Proposed variation to opening hours of takeaway cafe at Garnett Street

Client Skake Cafe, 5 Garnett Street, Staincliffe, Dewsbury WF13 4AT

Dwg Title(20819)10_Neighbourhood Consultation

Scale 1: 500 @ A4

Date Aug 23

Key Plan for supporting statements