

Variation of Condition 3 (Opening Hours) Pauline's Bites, 28 Queen Street, Huddersfield, HD1 2SP Proposed Hours: 08:00–05:00 daily

1. Introduction

This Supporting Planning Statement accompanies a Section 73 application seeking to vary Condition 3 of the existing planning permission, which currently restricts opening hours to:

- 08:00–19:00 Monday to Saturday
- 10:00–16:00 Sundays and Bank Holidays

The applicant requests extended opening hours of 08:00–05:00 daily, including Bank Holidays, to align the planning permission with the Premises Licence already granted by Kirklees Council.

2. Existing Use and Business Operation

The premises operates under Use Class E(b) as a food-led café/restaurant. The business model includes:

- Daytime service of hot food, fresh juices and hot drinks
- Evening service including food, alcohol and regulated entertainment
- Seating retained throughout the venue

The use remains fully compliant with Class E(b) and does not constitute a Sui Generis use.

3. Premises Licence – Existing Authorisation to Operate Until 05:00

The premises holds a valid Premises Licence (PR00535) issued by Kirklees Council on 5 June 2026, authorising:

- Sale of alcohol: 12:00–05:00
- Live music (indoors): 09:00–05:00
- Recorded music (indoors): 09:00–05:00
- Late-night refreshment: 23:00–05:00

- Opening hours: 09:00–05:00

The licence includes mandatory and discretionary conditions covering crime prevention, public safety, public nuisance, CCTV, security, staff training and safeguarding.

The only restriction preventing lawful operation until 05:00 is Condition 3 of the planning permission. This application seeks to align planning control with the already-approved licensing hours, ensuring consistency between the two regulatory regimes.

4. Justification for Variation of Condition 3

The current planning restriction prevents the business from operating viably and is inconsistent with the Premises Licence. Extended hours will:

- Support Huddersfield's evening and nighttime economy
- Increase footfall and activity within the town centre
- Provide a safe, well-managed hospitality venue
- Ensure long-term business sustainability
- Align the premises with comparable town-centre hospitality operations

The applicant has invested in professional acoustic assessment and management measures to ensure extended hours do not harm residential amenity.

5. Noise Impact and Residential Amenity (Policies LP24 & LP52)

A comprehensive Noise Impact Assessment (ES Acoustics, July 2026) has been submitted. Key findings include:

- Entertainment noise can be controlled using a calibrated noise limiter.
- Predicted internal noise levels in nearby residential dwellings remain below the recognised 30.6 dB LAeq threshold.
- External breakout noise meets Kirklees Council's established entertainment-noise criteria, including low-frequency limits.
- Sound insulation testing confirms strong performance of separating floors and walls.
- A full Noise Management Plan is in place, covering staff training, limiter settings, door management and monitoring.

The assessment concludes that extended opening hours will not result in unacceptable noise or disturbance to nearby residential properties.

6. Compliance with the National Planning Policy Framework (NPPF)

The proposal accords with the NPPF by:

- Supporting economic growth and town-centre vitality (Chapter 6)
- Making effective use of existing buildings (Chapter 11)
- Ensuring development does not cause significant adverse noise impacts (Chapter 15)

The acoustic evidence demonstrates that residential amenity will be protected.

7. Proposed Revised Condition

The applicant requests the following revised condition:

“The premises shall be open to customers between 08:00 and 05:00 daily, including Sundays and Bank Holidays.”

All noise-control measures identified in the Noise Impact Assessment will be implemented, including:

- Installation and maintenance of a noise limiter
- Staff training and operational controls
- Monitoring of noise levels
- Compliance with maximum internal noise thresholds
- Adherence to all Premises Licence conditions

8. Conclusion

The proposed variation of Condition 3 is justified because:

- The premises remains within Use Class E(b)
- Extended hours are essential for business viability
- The Premises Licence already authorises operation until 05:00

- A detailed acoustic assessment demonstrates no adverse impact on residential amenity
- The proposal complies with Policies LP24, LP52 and the NPPF
- Noise can be effectively managed through established mitigation measures

The applicant respectfully requests approval of the variation to permit opening hours of 08:00–05:00 daily.