

9.2 Objections – Tea House, 13A Deptford High Street

Objector 1

13a Deptford High Street-The Tea House - application for a variation to an existing license. I would like to make my objection to the extension of this license until 4am in the morning. The kitchens to this building back onto a residential area. There is already a large fan making quite a noise running during the day . At night these noises especially in the summer when windows needing to be open make sleeping difficult. It is said that delivery bikes will collect food from the High Street entrance making a nuisances there, if they remain there but if they come to the rear the noise of bikes and voices will disturb many families with children . This is a very unsociable hour to be working to 4am.

Objector 2

I would like to object to the above application for a variation to the above for the following reasons;

Prevention of public Nuisance - Noise on Deptford High Street and Comet Street

Deptford High Street is a residential area with flats above the shops along the entire street. Couriers will be coming and going, starting and stopping their engines, speaking with one another while waiting for orders. The rollerblinds will be closing noisily at 4 AM, which is unreasonable for residents. There will inevitably be people milling about, also creating a noise nuisance along with the bright lights from the restaurant.

The restaurant kitchen is located toward the rear of the property, and there is a back door off Comet Street. There will no doubt be workers at the back creating noise and removing rubbish at all hours.

Protection of children from harm

Residents of the High Street and nearby are made up of families with school-age children, often with hard-working parents trying to hold down jobs in increasingly difficult times. If children are deprived of sleep, it will negatively affect their performance at school, well-being and mental health.

In summary

I have lived on Deptford High Street for over 35 years and have been active in the community for many of those years. I served on the local advice groups for the Deptford City Challenge in 1995, and I was Chair of the Creekside SRB community group in 2000. I have also been an active member of the Deptford Society. I am increasingly concerned that late-night licences keep popping up and are unquestioned by the Council, despite the designation of the High Street as a Local Hub in the Council's plan — which advises that premises close at 11 pm Sunday-Thursday and midnight Friday and Saturday. As mentioned above, this is a residential street and is also not a typical High Street — and while I welcome the evening economy, should more and more premises be allowed unsociable hours, the vibrancy of this community will suffer. This kind of “Ghost Kitchen” premises would negatively impact our community.

Objector 3

I would like to object to the above application for a variation to the above for the following reasons;

Prevention of public Nuisance - Couriers

Conditions proposed by the Licensing Team for this application include an operational restriction to ensure that all deliveries/collections of take away food are made from the front of the restaurant which is directly on the High Street. In order for this to happen, the roller shutter will necessarily need to be open until 4am and the restaurant lights will need to be left on. Whilst the conditions stipulate that couriers have to keep their motorbike engines off when waiting, residents living above, opposite and adjacent will inevitably suffer considerable disturbance and noise nuisance from couriers arriving, chatting whilst waiting and leaving. This will especially be a problem in the summer when residents open their windows onto the High St for ventilation. Added to this is the noise of the shutter dropping at 4am which will obviously interrupt peoples sleep.

The restaurant kitchen is located toward the rear of the property and can be accessed by a back door off Comet Street. This back door is situated within a densely-packed residential area. If the practice of serving couriers at the front proves to be unsustainable (for whatever reason), we have reason to believe that couriers will be directed to this back door for collections. This particular courtyard area, surrounded as it is by flats and houses, is generally much quieter than the High Street - noise created by the coming and going of motorbikes into the early hours will be even more disturbing and will effect an even greater number of residents.

Prevention of public Nuisance - Extract fan

To the rear of the site, within the courtyard area described above, there exists a very large and very noisy commercial extract fan which when running emits an extremely loud buzzing sound as well as a constantly loud and invasive droning noise. Our houses are within 5m of this commercial extract fan which in normal use prevents the enjoyment of our gardens, prevents us from opening windows in the summer and is unregulated by any normal environmental constraints - it's not even surrounded by acoustic baffles. The licensing team have proposed a condition preventing noise from associated plant which causes a noise nuisance however a. licensing have been unable to confirm what exactly constitutes a noise nuisance and b. they have not been able to confirm that the extremely noisy fan is included in the definition of 'associated plant' and c. that it won't be run at full speed until 4 in the morning. Currently the fan starts at 10am every morning and we look forward to it being switched off at 10.30/11 at night - we have little respite from this noise, if the fan continues beyond 10.30/11 until 4am 7 days a week we will have no break from it whatsoever.

No attempt has been made to install air-conditioning to cool the kitchen so in the summer, the extract fan is very often run at full speed instead causing even more noise nuisance - if this unregulated fan is allowed to operate until 4am every night we will get very little sleep.

NB - since the date the application was lodged, the fan has been run at an unusually low speed - we have no reason to believe (and there is nothing in writing to state) that this will continue to be the case if/when the variation is granted. Whilst assurances from the current manager are comforting, he cannot be on duty 15 hours a day so we would be subject to the whim of whoever is in control of the fan at any given time and who may not be aware of the consequences of running it at full speed. Unless use of the fan is regulated, future

managers/licensees/chefs just may not be aware of the extent to which they are destroying our lives.

Protection of children from harm

Residents of the High Street and nearby are made up of families with school-age children often with hard-working parents trying to hold-down jobs in increasingly difficult times. If children are deprived of sleep this inevitably impacts on their performance at school, well-being and mental health. The disturbance caused by the fan, motorcycle couriers, increased traffic on the high street and around will harm children, not physically but inevitably.

In this context, it has to be stated that the processes for objecting to license applications are not always transparent particularly in our community where for many English is not a first language or the internet is not accessible or where people might just be taken-up with confronting day-to-day survival and haven't the time or means to consider objecting. Having myself lived in privately rented flats in London for many years, I know of the concern amongst many not to raise issues which might jeopardise their tenancy. The quantity of objections should not therefore be a factor in deciding a case.

In summary

I have lived in my house here in Speedwell Street for 25 years, I have voluntarily served the Council on the Design and Conservation Panel for many years and have dedicated many hours of my time to The Deptford Society since its foundation, I was instrumental (some would say central) in securing the return of the Anchor to the High Street. I love living here and until recently have never even thought of leaving my cherished community. However, what I'm witnessing now is a new and much misplaced attitude toward licensing which endangers the delicate balance which up till now has existed between the residential component and the high street commercial activities. LBL's own licensing policy states that our area is a Local Hub, not a town centre or district hub but, no doubt in recognition of the need for such a balance, a Local Hub. This application is for an activity with hours of operation which fall way outside the preferred hours stated in the policy document for a town centre let alone a Local Hub.

The council have powers to grant licenses outside of these preferred hours where;

'it feels that licensing objectives will not be negatively impacted'.

This calls into question what the licensing objectives are in an area classified as a Local Hub with a high residential component - how is this use appropriate - how could such an activity be considered a positive contributor when a Deliveroo take-away is not even serving our local community?

No other business on the High Street is permitted to function until 4am as a 'ghost kitchen'; a 'dark kitchen' as is being proposed. Dark kitchens generally operate in light industrial estates away from residential areas - they have no need to be operated on High Streets with such a high concentration of residents and families - I would like to convey these thoughts to the Licensing Committee I therefore formally oppose the application.

Objector 4

Dear Lewisham licensing,

I would like to object to the variation of the Tea House licence (13a Deptford High Street).

I am objecting on the grounds of inevitable noise disturbance (*'prevention of public nuisance'*). I understand that the proposal is for all takeaway collections to be made at the restaurant entrance on the high street. Food courier vehicles will be heard driving and restarting their engines after collection in the early hours of the morning on an otherwise relatively peaceful and low traffic street (at that time of the morning). Additionally food couriers will congregate outside the Tea House when waiting for orders so any conversations are also likely to be heard by residents (especially during the summer when we have our windows open). The restaurant has a shutter over the door and the closing of the shutter at 4am is going to disturb neighbours too. As I am not confident that the front door collection policy will be enforced, I am concerned that the Tea House will default to having collections around the back at the kitchen - this is also a residential area - in which case all of the problems noted will be on my doorstep, impacting my ability to sleep.

Deptford is a community of people (it is not just a business hub) so I am concerned for the wellbeing of my neighbours who live closer to the back of the tea house. There is a fan that is extremely loud when running at full speed - e.g. during summer months in a hot kitchen. This will impact their ability to sleep. There are children living in these houses and there are countless psychological studies on the negative impact of disrupted and lack of sleep on children's development, attention and academic performance (as such I am objecting under *'protection of children from harm'*).

In the event the licence is issued with conditions - e.g. to run the fan at a lower speed - how is this going to be enforced?

I recognise the need for business in Deptford but I question the need for late night business on a residential high street. One of the great things about Deptford is its community. In this case the downsides impact the local community more than the upsides as it is creating noise in one place to deliver food in another.

Objector 5

Hi

I would like to object to the above application for a variation. My reasons follow below.

Prevention of public Nuisance

Because the kitchen is at the back of the property, there is likely to be noise and disturbance there: people coming and going, the sound of security shutters, alarms and moped deliveries. I understand that most of the access will be to the front of the building, but in practice this kind of thing is rarely strictly observed. It's just inevitable that there will be a significant increase in noise pollution, through the night in a densely residential area. There is already quite a lot of noise that comes from the rear of commercial premises that front onto Deptford High Street.

Of particular concern is the fan - which is already a serious problem. It is incredibly noisy when running a full blast and there are no mitigations (no soundproofing, nor internal air-con). The change will negatively impact so many living around. It seems very unreasonable to allow a single business to do this. Of course there is a further concern, that once the precedent is established other businesses will seek related rights.

Objector 6

I wish to object to the above application being granted for the following reasons .

Prevention of Public Nuisance

The kitchen of this Restaurant is located to the rear of their premises and the back door opens on to a small courtyard / car parking area .Their back door is open at all times, day and evening, omitting cooking smells and noise from the kitchen . I have witnessed motorbikes collecting takeaways from this rear entrance many times , as parking is easier for them at the rear entrance of the premises than in the High Street. Staff also congregate outside the rear entrance smoking and chatting together well after 10pm . The area is in constant use and is extremely noisy from early morning to well after midnight 7 days a week , with many deliveries being made to the rear of other shops whose back entrances also open on to the courtyard . This courtyard is now densely surrounded by many flats and houses, most of which are housing young families and in my case vulnerable elderly people.

A further public Nuisance.

Within the courtyard, this Restaurant has a very large and noisy extractor fan and when working emits an extremely loud buzzing sound as well as an excruciating droning noise .

This usually starts at around 10am and continues throughout the day until switched off at 11 pm . The rear of my house and garden wall runs in front and to the side of this fan . I am unable to use my back bedroom or open any of my windows or doors to the rear of the house when this extractor fan is in operation . Summer is a very frustrating time for me , I am not able to sit comfortable enjoying my garden with this intrusive noise in my ears the whole time . One other problem we are now experiencing is that of rat Infestation caused by this restaurant and others using commercial bins without lids ,which contain waste food .

Protection of children from harm .

As previously mentioned, this area and the nearby area houses many families who have children of all ages including teenagers. By allowing commercial businesses to operate in very unsociable hours puts these children and their parents under great stress, it deprives them of sleep and their physical and mental well-being and does not bear well for our future generations . By granting extended hours of licensing as this one in question , I believe will only make all the problems I have raised become untenable in the future not only for our young people but for all that bear these added problems .

I am ** year old **, have lived in Lewisham borough all my life . 50 years of my life I have lived here in my house in Deptford .I remember LB funding the renovation of some of the flats above the shops to give people the opportunity to live happily and healthier in decent homes . This in my opinion was a great opportunity but the conditions people are now being expected to live in and tolerate are not of the same standard and no longer conducive to a happy , healthy wellbeing for any age .

I trust you will bear all these comments with true consideration.

Objector 7

Dear Sir/Madam,

I would like to register my objection to the application for the variation to the premises license at The Tea House, 13a Deptford High Street, London, SE8 4AD as I believe it will compromise licensing objective - Prevention of public nuisance.

This application is for operation of a food preparation and delivery business until 4am in an area that is designated as a Local Hub with preferred hours of operation until midnight. As a long term resident on Deptford High Street I can confirm that ambient noise from traffic and other activities drops sharply after around 10pm and that after midnight you can hear a pin drop. This means that the noise from delivery drivers and their mopeds will be very disruptive for the residents that live above and around the premises. This applies to an even greater extent to the rear of the premises where the extraction exhaust for the business is situated. This is basically a residential area with barely any road traffic, so very low ambient noise, and the idea that the people living there should suffer the droning noise from the extraction fan through the majority of their sleeping night is completely out of order and constitutes a harm to basic standards of living.

Although I live at the other end of the high street and therefore won't be directly effected by this business, I am objecting as I fear that it could set a precedent for a degrading of residential amenity that is harmful to residents, many of whom may have invested heavily in making Deptford their home. Why? Why? Why? Should the desires of a single business to increase the scale of their operation be supported by the council to the detriment and harm of many residents who cannot choose where to sleep?

Context

I have lived on Deptford High Street as a near neighbour of the premises in question for twenty five years and greatly appreciate the diversity of cultures that Deptford is renowned for. The fundamental quality that lies at the heart of this success is the fact that the high street provides both retail and residential amenity - the architecture, of the buildings and of the road itself (too narrow to be a thoroughfare) bringing everyone into close proximity. I believe it is this intimacy between commercial and residential that has, over many generations, created a flourishing community that is truly interdependent - a boon to an area which by many accounts is economically deprived. It is a great place to live and it is a great place to work. This success requires a sympathetic relationship between residents and business owners, and business owners and residents. Late night alcohol licences, unless managed with great sensitivity to the needs of neighbouring residents, risk upsetting this balance due to the simple but grave reality that noise nuisance during the night has severe and detrimental effects on the basic standards of living of residents. Regardless of the rights of those individual residents (many of whom established their homes on the High Street many years before the businesses in question arrived) my great fear is that this degrading of residential amenity could in turn unbalance the commercial/residential dynamic and upset the integrity of the community spirit that Deptford is renowned for. Lewisham Licensing understood this when they changed Deptford's designation from District Hub to Local Hub for their most recent Statement of Licensing Policy.

Thank you for considering this objection,