

Further comments circulated 07.04.2020

Further comment from a representor 06.04.2020

I'm in agreement with the representation that the applicant's photos were simply taken at well chosen times. The photos I supplied of Lord Roberts Road were literally taken on seeing this response. I'll say yet again there is NO scope to park on the main Derby Road & we cannot and will not accommodate this on Lord Roberts Road. I note the representation that the parking situation is no better on Redvers Buller. As a resident I see that myself.

This licence does need to be considered fully and without haste. It's quite simply the case that residents quality of life & peace takes precedence over the applicant's loss of income. He seems confident he will be successful and urges a swift resolution. NO. The decision should not be hastened. We do not want this enterprise. And no, residents are not liars. If it needs to be deferred it should be, though clearly to me it should be refused outright. I'll also say again this unit is only suitable for swift daytime footfall.

Further comment from applicant 07.04.2020

Is it worth me taking more pictures? even during the very strict lockdown rule you can see a large empty space half way down the street, one of the residents owns several of these cars (car salesman). I can assure you that the bottom part of this street was almost empty today (3pm) as are the surrounding streets.

Regarding our own parking, I am not suggesting using the forecourt, I would not deem this a safe idea. I am simply referring to the parking spaces adjacent to the side of the building and at the rear, in addition some of the busiest places in Chesterfield (for example Koo & Junction) do not have off street parking and we will be smaller than both these places.

Comments from residents

The applicant circulated a letter to local residences when he submitted his application. The text of this letter can be seen at appendix 12 to the original report of 31.03.2020.

The applicant has forwarded two responses from residents who received his message. These suitably anonymised responses are copied in below.

1. 05.03.2020

Hiya, I just received a letter through my door, I'm more than happy with Alan's being turned into something useful.

2. 06.03.2020

First of all, thank you for being 'open' enough to put up your message about your proposed business in Alan's old shop.

I live [REDACTED], and being part of a family with [REDACTED] shall I say, 'non-European origins', I am concerned about the effects of your business and the behaviour of your clientele.

Therefore, may I simply ask you four questions please?

You say on your note that it will be more of a café than a bar. Yet, you are in the process of securing an alcohol licence for the premises, are you not? And doesn't your whole proposal refer to a bar or micro-pub? (Not that I am entirely against any of this.) Or is it that you intent to offer the public a café-style service but with the option of alcohol as a secondary provision? (Again, which would be fair enough.)

What are your hours of business intending to be?

Also, 'live entertainment' is described. This is where my main concern mainly lies. You are to call your bar or pub or café 'THE BIRDCAGE' and you will be providing 'live entertainment' for your clientele. Can you please tell me precisely what sort of 'live entertainment' you will be providing in an establishment called 'THE BIRDCAGE'? I hope you can understand that, again, I have [REDACTED] to consider who, since we rely on public transport, have to walk along Derby Road at various times of the day and night every day. I am sure you can imagine the sort of sleazy male clients that this name puts into one's mind.

Finally, although people will be drinking in at your premises what provisions are you making for the parking pressures that will arise?

Thank you again for providing the opportunity to get in touch with you, and I hope you can provide answers to my questions and concerns.

Best wishes,

Applicants reply 06.03.2020

Thank you for your email, we welcome all feedback and will try our best to answer your questions.

The Birdcage will be a licenced Café, we will serve alcohol with food.

We plan to have a few live music nights, maybe a solo guitarist or similar. The music will be back ground music only and will not be played outside. We have taken precautions to sound proof the venue and will be upgrading the shop front using triple glazing to again reduce noise transfer.

We have requested to be open until 11pm, but this does not mean that we will stay open until this time. We look to copy other places in Chesterfield such as Koo on Chatsworth Road and Society in the town centre. These places are normally closed between 5-7pm and even on Weekends by 10pm, we have taken a view that if we ask for 11pm it gives us flexibility for occasions such as Bank Holidays or Festive periods where we may have demand to stay open later.

Regarding car parking, we hope to encourage local people to use the venue, the venue is only small so will only accommodate around 30 people so we do not expect a large increase in parked cars. If we look at Koo on Chatsworth Road this place has no parking and street parking is very restricted, yet it can get very busy.

We will not tolerate bad behaviour, we have strict guidelines set out in our application and will ensure that these are adhered to at all times, we will also be installing around 10 HD security cameras.

I also think that at present the redundant shops pose more of an issue as the area is very quiet, with the lack of activity it allows people to feel that they can get away with more. I recently had to step in on a Friday night when I found a young lady screaming, she was being followed by a man, I challenged him and this gave the young lady time to run away. I feel that the area was so quiet, with no activity that it gave this man the confidence to almost do as he pleased.

I would just like to add the following..... I plan to move my office into the old cooker shop, this makes me the closest neighbour to the proposed coffee shop. I can assure you that the last thing I would want is loud noise, bad behaviour or even lots of cars coming and going, my plan is to create a nice space for local people to use.

When I took on the property we had a lot of interest in renting to a fish and chip shop, a pub company, kebab, pizza and chicken shops, the interested parties was all from out of Chesterfield and therefore would not have lived locally. These type of establishments would have caused noise, additional traffic, litter, food waste, smells and potentially anti social behaviour.

This is not what I want for the area or as a neighbour to my new office. I wanted something that would be pleasant, that was beneficial for local people and that offered a community hub, my intention was never to take on Alans store myself but having seen what the alternatives was it left me with no choice. I assure you that upsetting local people is the absolute opposite of what I want to achieve, I very much want to work with the local people to make the place a success and hope that it will improve the area not spoil it.

The building was always going to be a commercial property, there are no plans to turn it back into a house and therefore it is maybe worth considering what the options for the building may be? it is hard to see that anyone would open it as anything better than what we propose? I had one offer for a carpet shop, but he wanted to drop a 20ft storage container on the side!! again something I felt would not be an improvement on what was there before. I hope that you can understand what I am trying to achieve and please feel free to reply, I will always do my best to respond to you and address your concerns.

I hope that this answers your questions, please feel free to reply.

Response 11.03.2020

Thank you very much for your reply. It was very much appreciated, especially as it was detailed and well considered. (Apologies for only responding today - I don't maintain access to the internet all the time; I really should move in to 21st Century, I know!)

If you are planning to move your office to the unit next door, does that mean that if there is some sort of issue we could just knock on your door and say , 'Tim . . .' ? (Actually, I mean that as both a joke and quite seriously at the same time - it would be nice to be able to do that.)

From what you say, it may even be somewhere my [REDACTED] would want to go.

I must just ask though, why on earth 'the Birdcage'?!

Well, all I can add is welcome to Derby Road and all the best with the new business.

. . . unless, I was to ask if there might be any jobs going!

Thank you again.

Best wishes,

Applicants reply 11.03.2020

Thanks for your reply.

Any issue at all and I will be available, I work long hours so unfortunately I will more than likely be next door during most of the hours we plan to open!!!

100% for families. I have two young children 11 & 13, I hope that they will be using the café as at present they cant find anywhere suitable to go. I have to taxi my oldest daughter to and from Sheffield and really hope that she will use the new Café instead, I would feel happier knowing that she is local and in a safe environment.

It was so hard choosing a name, Birdcage was partly down to the location (Birdholme area).

Thank you for the welcome, hopefully we will be open soon and can talk more face to face.

We may be looking for some part time/ full time staff, I will keep you updated.

Just to add that I have decided to keep on my existing business premises on Sheffield Road, this is to ensure we do not add further traffic to the surrounding streets.

I did not think it would be fair to have a number of vans parking up at different times throughout the day so I have taken the decision to use Derby Road as office premises only, this represents an increase in costs to my business but hopefully displays my commitment to ensuring residents are not adversely affected in any way.

Regards - Tim