

OBJECTION.

In order to fully understand the history of this site, this application needs to be viewed in conjunction with Mr. Wentworth's original planning statement for Shed 30. The original planning statement bore no resemblance to the actual operation of the take-away, which immediately began to operate as a cafe and centre for motorcyclists, with biker's events and biker's nights being advertised widely on social media. Despite concerns being raised in the planning case officer's report and also by Economic Development, about the extensive opening hours which had been requested for the take-away, for some unexplained reason these concerns were not acted upon. As a consequence, the residents of Kirkby Mills were subjected to intolerable levels of noise and disruption from the motorbikes until 9pm at night when children were trying to sleep and also throughout weekends and bank holidays. Whilst the efforts of Planning Enforcement have somewhat curtailed this use, there are still residual numbers of motorcyclists visiting the site.

There is a distinct possibility that this application is simply another thinly disguised and cynical attempt to create a motorcycle cafe on the trading estate. The long opening hours requested do not coincide at all with the workings of the trading estate and would permit the cafe to continue operating until 9pm every night, plus weekends and bank holidays. If these hours are once again permitted, things could quickly revert to the chaos which ensued in the summer of 2020, with large numbers of motorcycles visiting the estate on a regular basis. We have previously supplied the Planning Department with the results of a mathematical model which predicted several hundred bikes per day could visit the site at peak periods.

Mr. Wentworth's new planning statement makes it clear that the proposed cafe is intended as an amenity solely for the trading estate and that it would not be in competition with the other take-away outlets which operate in the evenings in Kirkbymoorside. If Mr. Wentworth is to be trusted and is sincere in this declaration, then he can have no objection to the opening hours of the cafe being aligned to those of the vast majority of the firms on the trading estate. Similarly, the F1 use which is also applied for as part of this application can have no requirement which would necessitate food at other times.

It is requested therefore, that the permitted opening hours for the cafe and take-away should be restricted to closing by 6pm each evening, with no weekend and bank holiday working. It should be noted that restrictions on opening have been applied to other cafes in the area and this type of restriction is normally required in line with Policy SP20 of the Ryedale Local Plan Strategy. This would not compromise any of Mr. Wentworth's plans as detailed in his planning statement, but would protect the local residents from the considerable noise and nuisance which they have previously had to endure.

We see this as an opportunity to correct an oversight which was made as part of the approval of the original planning application.



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