

disturbance to the occupants of nearby residential properties to the detriment of their amenity”

2. Application K50650/VAR made in August/September 2004 for similar hours **refused on 24th September 2004** on identical grounds
3. Appeal against the decision by CGrill to the Planning Inspectorate in December 2004 **dismissed in May 2005**
4. Application K/59643/VAR made in October 2008 to remain open this time to 0330 hrs on Saturday morning & Sunday morning (i.e. Friday night/Saturday morning and Saturday night/Sunday morning). The Wiltshire Police objected on the grounds of a likely increase in alcohol related crime & disorder; Marlborough Town Council objected as it felt later opening times may encourage and exacerbate anti social behaviour in an area with a high residential population; Kennet District Council Community Safety objected essentially for the same reasons as the Police and Town Council; the Planning Department recommended refusal; 5 neighbours objected. The application was **refused on 11th December 2008** on identical grounds as before.
5. The Charcoal Grill again appealed against this refusal to the Planning Inspectorate in April/May 2009. The appeal was **dismissed on 13th August 2009** with the main reason given as “the proposal to extend the opening hours would adversely affect the living conditions of occupiers of nearby dwellings by reason of unacceptable noise and disturbance”

The CG has now made this fresh application (of 8th October 2009) for extended hours not to the Planning Authority but to the Licensing Authority. In my opinion it would be utterly perverse for the application to be granted bearing in mind all of the previous refusals, the stated grounds for each decision and the present objections.

Yours sincerely,

N.A.Beach