

From: David Inzani
Sent: 23 June 2022 14:00
To: Dimitriou Maria: H&F; Carleton James: H&F
Cc: Licensing HF: H&F
Subject: FW: 2022/00252/LAPR - Dao by Dorsett West London, 56 Shepherd's Bush Green - Premises Licence Application
Importance: High

Dear Maria and James,

I hope you are both well.

I write further to the licensing sub-committee hearing for the premises licence application for Dao by Dorsett at 56 Shepherds Bush Green.

With regards to the representation received from James on behalf of the Planning Authority dated 28th February 2022 and James's subsequent email dated 11th May 2022, please see the email below from my client's planning adviser, Julian Shirley from DP9 Ltd.

Julian has confirmed that in accordance with the 2018 planning permission for this premises (attached), there is currently no hours restriction under planning.

I note that the comments submitted by James on 28 February 2022 regarding the hours under planning permission do not relate to the licensing objectives and therefore are not a valid representation for the purposes of the Licensing Act 2003.

Furthermore, Licensing and Planning are separate regulatory regimes and involve consideration of different matters. The Licensing Committee is not bound by decisions made in relation to planning. In any event, the area we are seeking to licence does not have a restriction in hours of use by way of a planning condition as confirmed by our planning adviser.

To this end, please can you confirm:-

1. That the comments submitted by James are not a representation to this application but are advisory comments on behalf of the Planning Authority; and
2. That any comments regarding planning provided to the Committee are updated to confirm that there is currently no hours restriction under planning, as per the advice from our client's planning expert below.

I look forward to hearing from you.

Kind regards,
David
David Inzani | Solicitor
Poppleston Allen

From: Julian Shirley
Sent: 22 June 2022 17:51
To: David Inzani
Subject: 56 Shepherd's Bush Green
Importance: High

David

With regard to the 2018 planning permission, condition 22 requires the submission and approval of the "hours of use of each commercial part of the development" prior to the occupation/use of the relevant part of the development permitted.

As such, given the commercial part of the development granted under the 2018 planning permission are yet to be occupied these details are yet to be submitted for approval by the Council. Therefore, under the 2018 planning permission there is currently no hours restriction, until such time details are submitted to discharge condition 22.

Regards

Julian Shirley
Director