

ITEM 4(a)

Application Number: 18/01884/FUL

Description Change of Use from Offices (Class B1(a)) to a bar (Class A4)

AT 7 St Pauls Court, Stony Stratford, Milton Keynes, MK11 1LJ

FOR Enchanted Bars Ltd

Target: 23rd October 2018

Extension of Time: Yes

Ward: Stony Stratford

Parish: Stony Stratford Town
Council

Report Author/Case Officer: Lakeisha Peacock
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1.0 RECOMMENDATION

1.1 It is recommended that planning permission is granted subject to conditions as set out in this report.

2.0 INTRODUCTION

The Site

2.1 The application site consists of an existing first floor unit of B1 (office) Use Class within St Paul's Court, Stony Stratford, a Grade II Listed Building and a communal private car park associated with the building located to the rear of the site. The site is located towards the north west of High Street, and is set back from the main streetscene. The site can be accessed via High Street for pedestrians, with access to the car park located off Fegans Court to the east of the site.

2.2 The site is located on land allocated for Housing as identified on the Milton Keynes Local Plan 2001-2011 Proposals Map, however, it falls just outside of the Stony Stratford Town Centre Boundary. The site also falls within Stony Stratford Conservation Area, with further Grade II Listed Buildings located to the east and south of the application site.

2.3 The application site forms part of a wider building that consists of residential units and various commercial units including a Yoga Studio and Calcutta Brasserie,

which is located below the unit subject of this application. In addition, to the north east of the site, beyond the existing private communal car park, is Fegans Court, a sheltered accommodation development. Land associated with a Tennis Club is located to the east of the application site.

The Proposal

- 2.4 The application seeks planning permission for the proposed change of use from offices (Use Class B1a) to a bar (Use Class A4). A corresponding application for Listed Building Consent is considered under reference 18/01957/LBC. The Listed Building Consent application is not referred to Development Control Committee/Panel.

Reason for referral to committee

- 2.5 This application is referred to Development Control Panel at the request of 10 members of the public. In addition, a petition submitted by the residents of Fegans Court contained 22 requests from different addresses for the application to be determined at Development Control Panel/Committee.

3.0 RELEVANT POLICIES

3.1 National Planning Policy Framework (2018)

Section 4: Decision-making

Section 7: Ensuring the Vitality of Town Centres

Section 8: Promoting Healthy and Safe Communities

Section 12: Achieving Well-Designed Places

Section 16: Conserving and Enhancing the Historic Environment

3.2 The Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66: General Duty as respects Listed Buildings in the exercise of planning functions

Section 72: General Duty as respects Conservation Areas in the exercise of planning functions

The Development Plan

3.3 Stony Stratford Neighbourhood Plan (2018)

Once a Neighbourhood Plan has been agreed at a referendum and is made (brought into legal force) by the local planning authority, it becomes part of the local planning authority's development plan as an official development plan document which carries statutory weight. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. If a policy contained in the development plan for an area conflicts with another policy in a development plan, the conflict must be resolved by the decision maker in favour of the policy which is contained in the latest document to become part of the development plan.

Neighbourhood Plans therefore form part of the development plan for the relevant area. They will necessarily be in general conformity with the strategic policies contained in the development plan for the area. If they are the most recent document to become part of the development plan, they will attract statutory priority. Neighbourhood plan policies will also take precedence over non-strategic development plan policies where there is conflict.

In 2018, the Stony Stratford Neighbourhood Plan was made a part of the Milton Keynes local development plan and as such carries full weight in decision making. The policies from the plan relevant to this application are:

Policy 1 Sustaining and Enhancing the Main Shopping/ Commercial/ Employment Area

Policy 8 Enhancing Residential Amenity

Policy 11 Car Parking Provision

Policy 12 Enhancing the Parish's Heritage and Public Realm

3.4 Core Strategy (2013)

Policy CS4 Retail and Leisure Development

Policy CS13 Ensuring High Quality, Well Designed Places

Policy CS16 Supporting Small Businesses

Policy CS18 Healthier and Safer Communities

Policy CS19 The Historic and Natural Environment

3.5 Saved Policies of the Local Plan 2001-2011 (2005)

Policy D1 Impact of Development Proposals on Locality

Policy HE2 Listed Buildings

Policy HE4 Extension or Alteration of a Listed Building

Policy HE6 Conservation Areas

Policy T10 Traffic

Policy T15 Parking Provision

Policy E11 Protection of Small Business Units

3.6 Supplementary Planning Documents

Milton Keynes Parking Standards (January 2016)

3.7 Human Rights Act 1998

There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

4.0 MAIN ISSUES

Principle of development
Highway matters and parking
Impact on character of the area
Impact on Designated Heritage Assets
Design
Residential amenity
Other matters

5.0 CONSIDERATIONS

Principle of development

- 5.1 The application seeks permission for a change of use for an existing B1(a) office unit to an A4 bar use. The site is located approximately 40 metres from the boundary of Stony Stratford Town Centre, and is therefore considered as an out-of-centre use. Paragraphs 86 and 87 of the National Planning Policy Framework seek to ensure that town centre uses are located on edge of centre sites that are well connected to the town centre, should the development not be able to be accommodated with the Town Centre.
- 5.2 In this instance, the application site is well connected to the Town Centre, and sits along the main High Street that forms part of the Town Centre use. As such, the location is considered an appropriate location for a town centre use. In addition, there is an established principle of commercial units within the site, including Calcutta Brasserie, a restaurant, located below the application unit and a Yoga Studio (D2 use) located within St Paul's Court.
- 5.3 In addition to the above, Policy CS4 of the Milton Keynes Core Strategy 2013 states that planning permission will be approved for uses outside of Town Centres should it be satisfied by tests, including a sequential test, outlined within the National Planning Policy Framework. A sequential test has not been provided by the applicant however they have stated that there are no existing units within Stony Stratford Town Centre that would be appropriate for the proposed use. In addition, the unit subject of the application has been marketed for a period of 6 months; however, the unit remains vacant.
- 5.4 The proposed unit is of a use that would complement the existing Town Centre, increasing the economic vitality and viability of the town and falls in accordance with Policy 1 of the Stony Stratford Neighbourhood Plan which seeks predominantly A1 retail uses, with the support of other A (A2,A3,A4 & A5) uses within the Town Centre. The site is also located within a suitable location that is well connected to the Town Centre as existing. The proposal is therefore considered, on balance, to be acceptable in principle subject to other material planning considerations.
- 5.5 In addition to the above, it is acknowledged that the vacant unit is located within a Grade II Listed Building, and therefore weight must be given to the impact of the proposal bringing the existing vacant unit back into economic viable use. Further discussions of this is covered within the report, however, it is considered that this

public benefit in relation to the Listed Building also enhances the principle of the change of use.

Highway matters and parking

- 5.6 Concerns have been raised by residents in regard to car parking provision and the potential impact of the development in regard to additional congestion, resulting in safety and access issues for road users and pedestrians.
- 5.7 The application site is located on the boundary of Zones 2 and 3 as identified within the Milton Keynes Parking Standards. The boundaries of Zones 2, which includes Stony Stratford Town Centre, and Zone 3, are located at the access point to the private car park associated with the development. Due to the location of the vehicular access to application site along the boundary of the two zones and the proximity of the site to the Town Centre, it is considered that it would be appropriate to apply the standards for an A4 Use Class within Zone 2 of the Milton Keynes Parking Standards 2016 for this development.
- 5.8 A table of the parking provision required and proposed parking provision is presented below:

A4 use in Zone 2	Area of bar (public) space	Allocated	
		Required	Proposed
<u>A4 Bar</u> 1 per 2m ² of bar area	Approx. 100m ²	50	4

- 5.9 The proposed development does not provide the required parking provision as outlined in the Milton Keynes Parking Standards. The application provides 4 allocated spaces that are provided within the private car park associated with St Pauls Court that are currently associated with the existing unit. These spaces will be available for the use of staff members only. There is no allocated on plot parking provision proposed for visitors.
- 5.10 The application site, however, is located within close proximity to Stony Stratford Town Centre, and there is therefore a range of public parking provision located in the form of car parks located within suitable walking distance from the application site, and on street parking located along High Street, to the south of the site. The Council’s Highways Officer has considered the proposal and has confirmed that the use of public parking provision within the local area would be acceptable in this context.
- 5.11 Saved Policy T10 of the Milton Keynes Local Plan 2001-2011 states: "Planning permission will be refused for development if it would likely to generate motor traffic:
 - i) Exceeding the environmental or highway capacity or local road network or
 - ii) Causing significant disturbance, noise, pollution or risk of accidents"

- 5.11 Concerns have been raised in regard to the access to Fegans Court and the impact of potential additional traffic within the local area. This highway is located to the east of the application site and is controlled by on street parking restrictions including double yellow lines that prevent users parking along the highway. It is therefore considered that, due to the provision of public parking areas, and existing on street parking controls, that the proposal will not result in an unacceptable detrimental impact to the access and safety of the highway located to the east of the application site. In addition, due to the proposed parking arrangement, traffic is considered not to be concentrated around the application site, ensuring further that the proposal would not result in any safety issues associated with the highway.
- 5.12 The proposed development will also make use of the existing access into the rear car parking area for deliveries associated with the use. This will make use of the existing arrangement and is therefore considered not to result in additional highways issues. In addition, the access for pedestrians will make use of the existing established entrance accessed via High Street and is therefore considered not to result in pedestrian safety issues for those accessing the site.

Impact on character of the area

- 5.13 The unit associated with the application forms part of a Grade II Listed Building, with further Listed Buildings located within close proximity to the application site. The application site also falls within Stony Stratford Conservation Area. A separate Listed Building Consent application has been submitted under reference 18/01957/LBC. Further discussions regarding the impact of the proposal on Designated Heritage Assets are covered further within this report.
- 5.14 The application site is located set back from the main streetscene of High Street, with an existing courtyard separating the entrance to the unit from the main High Street. There are no external alterations proposed in order to accommodate the proposed change of use under this application. Should any external alterations be required, these would require additional planning permission. As such, the proposed development is considered not to result in an adverse or harmful impact on the character of the local Conservation Area or the surrounding streetscenes in which it is visible from.

Impact on Designated Heritage Assets

- 5.15 The application site contains a unit that forms part of a Grade II Listed Building and forms part of Stony Stratford Conservation Area. Section 16 of the National Planning Policy Framework 2018 requires that great weight should be given to the conservation of Heritage Assets including their setting. Where development would lead to harm to the significance of a designated Heritage Asset, this harm should be weighed against the public benefit of the proposal, including securing its optimal viable use.
- 5.16 This requirement is further reflected in Policy CS19 of the Milton Keynes Core Strategy and Policies HE2, HE4 and HE6 of the Milton Keynes Local Plan 2001-

2011. Policy 12 of the Stony Stratford Neighbourhood Plan also seeks the preservation of Heritage Assets.

- 5.17 In addition, the Council has a statutory duty to pay 'special attention' to the desirability of preserving or enhancing the character and appearance of the Listed Buildings and their settings under Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990. In accordance with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard should be given to the desirability of preserving the building and their settings.
- 5.18 The application does not seek permission for any external or internal works to accommodate the proposed change of use. The internal alterations proposed are for design and aesthetic purposes only and there are no proposed permanent fixtures or structures in order to accommodate the use under this application. No alterations to externals of the Listed Building are proposed. In addition, the proposed change of use will bring a currently vacant unit within a Listed Building back into economic viable use.
- 5.19 The Conservation Officer was consulted as part of this application and raised no concerns in regard to the proposed works as they do not alter the historic fabric of the building. In addition, the Conservation Officer welcomes the proposal in order to bring the existing unit into a viable use.
- 5.20 Overall, therefore, it is considered that the proposed change of use would not cause harm to the Listed Building or its setting, and would also bring a vacant unit into viable use for the public. As such, there is no requirement for an assessment of public benefit. Given that no harm has been identified, the proposed development would accord with Policy 12 of the Stony Stratford Neighbourhood Plan, Saved Policies HE2 and HE4 of the Milton Keynes Local Plan 2001-2011, CS19 of the Core Strategy and Section 16 of the National Planning Policy Framework. In making this recommendation, the Local Authority has paid special regard to the preservation and enhancement of the Listed Building, satisfying its statutory duty.

Residential amenity

- 5.21 Saved Policy D1(iii) of the Milton Keynes Local Plan 2001-2011 states that developments will be refused where they are harmful by the way of an unacceptable visual intrusion or loss of privacy, sunlight and daylight. In addition, the planning principles set out in paragraph 127 of the National Planning Policy Framework 2018 details that planning decisions should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This is further reflected in Policy 8 of the Stony Stratford Neighbourhood Plan.
- 5.22 Objections have been received from neighbouring residential dwellings in regard to a loss of privacy as a result of the development. There are no external alterations proposed as part of the development and therefore it is considered that there would be no additional impact on the amenity of neighbouring dwellings in regard to a loss of privacy. In addition, the proposed development is considered not to result in an

adverse loss of sunlight or daylight, or result in an unacceptable visual intrusion to neighbouring properties.

- 5.23 Saved Policy D1 (iv) of the Milton Keynes Local Plan 2001-2011 also state developments will be refused where they would be harmful by way of undue disturbance from noise pollution. Objections have been received from members of the public and from residential dwellings within the local area in regard to noise pollution and anti-social behaviour as a result of the proposed change of use.
- 5.24 The application site is located within an area of mixed residential and commercial use, with residential units located within St Paul's Court, of which the unit subject of this application is located within. Within St Paul's Court, there is also an existing Yoga Studio, and Calcutta Brasserie, an existing restaurant located below the application unit.
- 5.25 The proposed bar will operate between the hours of 10am-11pm. These are similar opening hours to the restaurant located below the unit and therefore the impact of the proposal in regard to visitors leaving the premises would be similar to that of the existing restaurant below. As such, it is considered that the proposed use would not result in additional impact regarding noise pollution in this regard significantly above the existing arrangements for the application site as a whole. It would be considered appropriate in this instance to condition these opening hours in order to preserve the amenity of neighbouring units and dwelling.
- 5.26 In regard to the potential impact from noise pollution caused by music on site, the licensing for this would be covered by separate legislation. The applicant has proposed that the site operates with background music only. This would be conditioned under the Operational Management Plan that the development is secured to comply with in order to prevent significant noise disturbance from the proposal. The Operation Management Plan submitted also secures details regarding refuse, recycling and deliveries in order to minimise the impact of the proposal on neighbouring dwellings in this regard. In addition, a noise impact assessment has been submitted as part of the application which demonstrates that the impact of the proposed change of use, in terms of noise generated inside the unit, would not be significantly above that of the existing uses within the site.
- 5.27 In regard to the potential for anti-social behaviour associated with the proposed use, the application is required to be assessed against Section 12 (paragraph 127) of the National Planning Policy Framework 2018, policy CS18 of the Milton Keynes Core Strategy and Policy D2 of the Milton Keynes Local Plan in relation to design and crime prevention. The application site is located within an area of existing uses that operate with similar opening times, such as Calcutta Brasserie and the Turkish Restaurant located on High Street opposite the site. The site benefits from this and associated natural surveillance from nearby residential and commercial units. In addition, the application site and surrounding area are well lit. In this regard, therefore, the proposed development is considered to be located within a safe environment, with features that would prevent anti-social behaviour within the application site. In addition, the Operation Management Plan secured by condition would prevent the application site from falling into other A4 uses that would fall outside the operations of Enchanted Bars Ltd.

- 5.28 The proposed development is therefore considered, on balance, to not result in a significant noise disturbance to commercial and residential units within the local area. In addition, the application site is considered to be appropriately design to prevent anti-social and crime behaviours. The proposal would therefore be compliant with Section 12 of the National Planning Policy Framework, Policies CS18 and CS19 of the Milton Keynes Core Strategy 2013 and Policies D1 and D2 of the Milton Keynes Local Plan 2001-2011.

Other matters

- 5.29 Applications for a license to sell alcohol on the premises would be considered under separate legislation, however, it is acknowledged that there would be no differentiation between that granted at the bar and the existing license for the restaurant located within St Pauls Court.

6.0 CONCLUSIONS

- 6.1 The proposed development is, on balance, considered to be in accordance with national policy and the development plan and is therefore recommended for approval subject to conditions.

7.0 CONDITIONS

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions; to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances; and to comply with section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the approved Operation Management Plan. The details shall be implemented prior to the first use of the development and shall be maintained in accordance with the Operation Management Plan for the duration of the use.

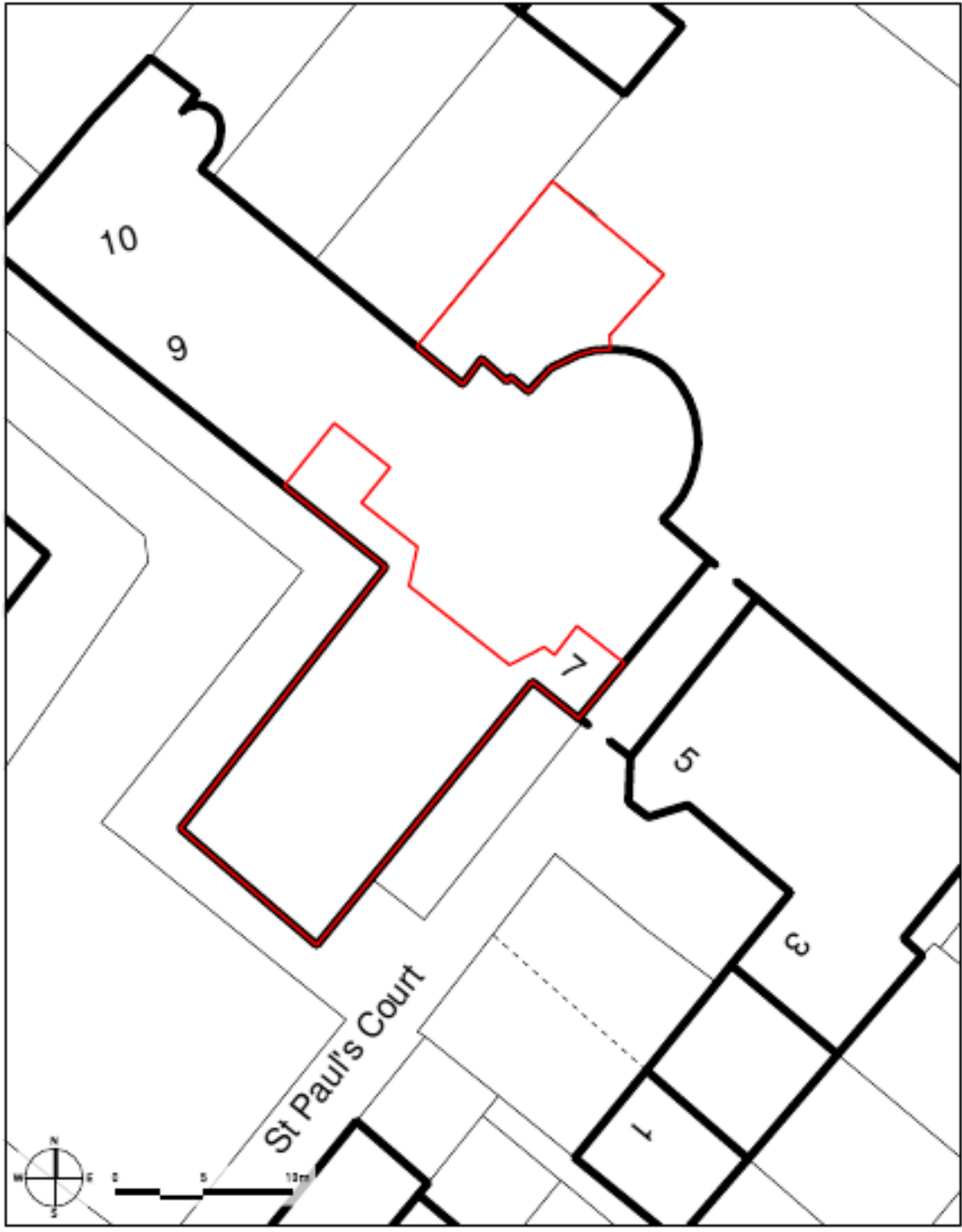
Reason: To preserve the amenity of neighbouring dwellings and to ensure that the development accords with Saved Policy D1 of the Milton Keynes Local Plan 2001-2011.

3. The development hereby permitted shall not be open to customers outside the following times:

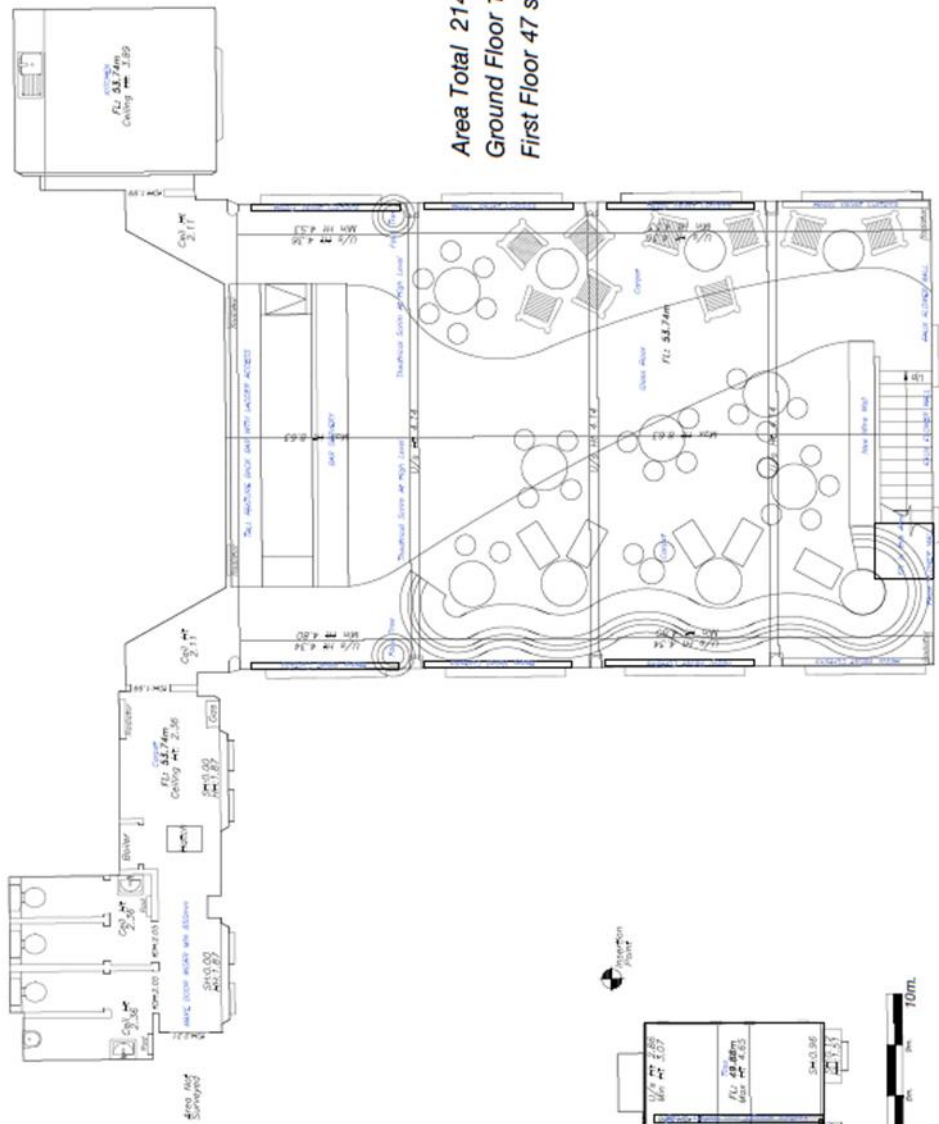
Monday to Sunday
10:00-23:00

Reason: To ensure that the development does not prejudice the enjoyment by neighbouring occupiers of their property in accordance with Saved Policy D1 of the Milton Keynes Local Plan 2001-2011.

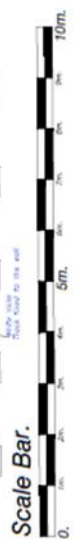
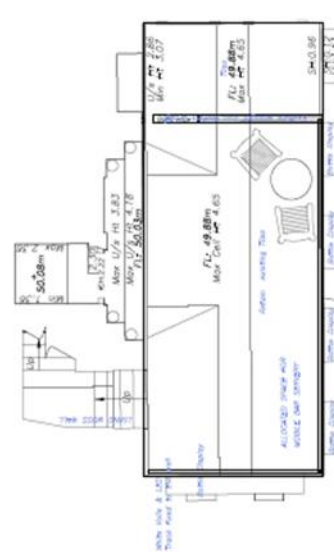
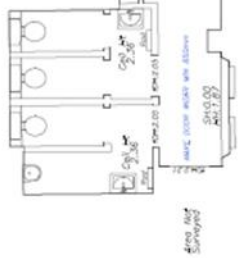
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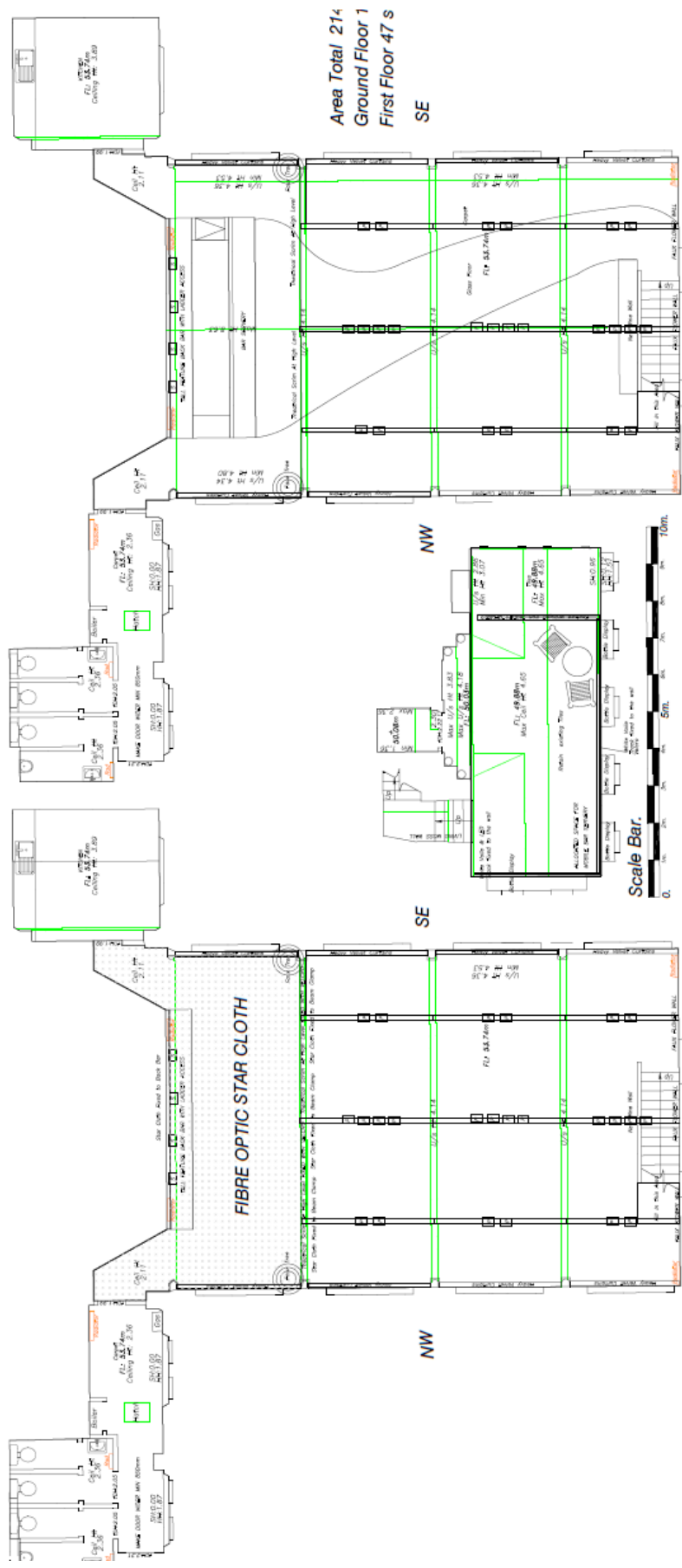
KEY
SITELOCATION



Area Total 214 sqm
 Ground Floor 167 sqm
 First Floor 47 sqm

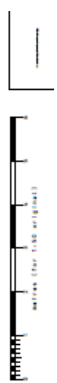


Scale Bar.



Below Beam Plan.

Above Beam Plan.



Appendix

A1.0 RELEVANT PLANNING HISTORY

18/01957/LBC

Internal alterations associated with change of use from offices (Class B1(a)) to a bar (Class A4).

PCO

A2.0 ADDITIONAL MATTERS

An objection was received from a neighbouring residential property regarding concerns about the publicity of the application. All directly adjoining neighbours were consulted as part of the application, and a site notice was placed at the access point of the application site. An additional site notice was also placed on the entrance located on High Street after concerns were raised.

A3.0 CONSULTATIONS AND REPRESENTATIONS

A3.1 Ward Councillor Cllr Brunning
No response received.

A3.2 Ward Councillor Cllr Marklew
No response received.

A3.3 Ward Councillor Cllr Wilson
No response received.

A3.4 Parish Council
No response received

A3.5 MKC Conservation
No formal response received- verbal discussions confirmed no objections

Officer Response

Noted - the impact on designated heritage assets has been discussed in the report

A3.6 MKC Highways Officer
1st response

The site is located towards the north western end of the High Street. It is positioned within zone 3 of the Milton Keynes Parking Standards (2016), and just outside of zone 2 (town centre). The boundary between zone 2 and 3 is at Fagans Court where the site takes its access. Applying zone 2 parking standard (1 space per 2m²) over a bar area (public areas) of approximately 100m² would give a requirement of 50 parking spaces. Given the proximity of the site to the main parts of the High Street along with the public parking options close by, I see no reason why the features of town centres cannot equally be available for this site as they are for other functions in the town.

Other than for members of staff, there will be no customer parking for the site. The site will therefore rely on on-street parking and public car parks. It can reasonably be expected that evenings will be the period of highest customer demand for parking spaces but the town's public car parks and on street areas in the High Street can comfortably accommodate this. It is also likely that there will be linked trips with other functions of the town such as restaurants and there are several close to the site. No details have been provided on the extent of daytime trade when the public parking options are much more limited although linked trips with other functions of the town will still exist.

At paragraph 4.12 of the planning statement it says:

“If necessary, from a planning perspective, and to control the nature of the proposed Class A4 use, a planning condition can be imposed that requires the permitted Class A4 use to operate in accordance with an Operational Management Plan, thereby preventing alternative A4 users from occupying the premises without first submitting and securing agreement from the

Planning Authority as to the nature, quality and calibre of the user (within Class A4).”

No further details haven been provided as to why and on what basis this statement might assist in reducing traffic and parking demand compared to another type of operator falling within use class A4. If a clear distinction cannot be made then at least on highway grounds an operational management plan could not be justified. It would therefore help if further information was provided as to what will be contained within the operational management plan.

Officer comments

Noted- the impact on highways an parking provision is discussed within the report

A3.7 Environmental Health

The immediate vicinity is mixed use, with residential and commercial/business operations. There is a 'licensed premises' (under Licensing act 2003) in the vicinity, namely the Calcutta Brasserie, the present licence for the premises permits the following:

"Supply of Alcohol

Monday to Saturday 11:00 to 00:00

Sundays 12:00 to 23:30

Except on: Good Friday 12:00 to 23:30

Christmas Day 12:00 to 23:30

New Years Eve: Start of permitted hours on that day to the start of permitted hours on the following day

Late Night Refreshment

Monday to Saturday 23:00 to 00:30 the following morning

Sunday 23:00 to 00:00

Except on Good Friday 23:00 to 00:00

Christmas Day 23:00 to 00:00

New Years Eve 23:00 to 05:00 the following morning

Recorded Music

Timings not stated or restricted"

The proposal for a bar would obviously introduce the potential for a higher degree of later evening /night noise disturbance from patrons up to 23.00hours (as per the acoustic report) and possibly amplified music. Other considerations are use of an external smoking area, arrival and departures of people during trading hours then final dispersal of patrons at closing time. (N.B. There is also the option to make applications for up to 12 annual Temporary Event Notices which would allow an applicant to hold regulated entertainments/alcohol sales over extended periods and would suspend the ordinary licence conditions.)

Outside of the Planning regime, in terms of legal controls, a bar will need a

'premises licence' under the Licensing Act 2003 for alcohol sales and regulated entertainments which would allow the authority to secure conditions with which the premises would need to comply. This would not however control any activity which is not 'on' the actual premises i.e. arrivals and departures of patrons / use of smoking area, which could potentially create a disturbance to residents in the locality. In terms of potential disturbance to residents, compliance with the licence conditions would not equate to the same as the bar venue not being present or existing at all, meaning that the business operation would likely not be undetectable to people in the vicinity.

The Environmental Protection Act 1990 looks at the legal area of 'statutory nuisance' and again would not control any sound/noise not on the actual premises. It is concerned with excessive and wholly unreasonable amounts of noise from a premises and would be a different legal test in comparison to being detrimental or having an adverse impact on the amenity of the area in Planning terms. Living in the vicinity of a licenced premises people should expect to hear associated sounds and tolerate a higher degree of noise disruption than if they lived in a purely residential area and so the test and threshold for determining a statutory nuisance would also altered accordingly.

I would say that although there is precedent for a licenced premises in the vicinity, there is on the face of it a distinction in terms of associated and expected noise between a restaurant and a bar, principally, patrons of a restaurant go to eat, and patrons of a bar go to consume alcohol and socialise / listen to music / dance. Comparing the two, the latter I would associate with higher levels of noise. That said, in Licensing terms there isn't a distinction between what a bar would be licensed to do and the restaurant – the restaurant is licensed to sell alcohol and play amplified music the same as what a bar would apply for under the Licensing Act, the situation as it is being that the restaurant chooses to have an emphasis on food as opposed to a venue for principally drinking, socialising / listening to music but is licensed to continue with that undertaking if it chose to do so.

It stands to reason that the Planning application for conversion from an office to a bar will increase the potential for noise disturbance for residents in the locality. The Planning decision has to give due consideration to the impact on the amenity for the operation of a bar - the Licensing Act and Environmental Protection Act will not be able to remove that disturbance or disruption once it was in operation. A statutory nuisance under the EPA is to the criminal burden of proof so is a higher degree than merely being audible at a given location, or cause a disturbance or an annoyance and also, compliance with the Licensing conditions would not mean that the business activities would be inaudible to residents in the vicinity. The premises licence couldn't legally require inaudibility outside of the premises.

I note that the submitted acoustic report states:

“music would be controlled to a level that allows customers to maintain a conversation and also so as not to cause a disturbance externally”

It doesn't specifically mention the Licensing Act in the report here, but 'background music' is not licensable – I would suggest that if people can hold a conversation in

the bar (without raising their voices excessively) then any music would be classed as background and not regulated entertainment for the purposes of the Licensing Act. If however patrons are going to the bar for the purposes of musical entertainment (recorded or live) and that's how it would be marketed, maybe with a DJ or live performers, then it ceases to be background music and hence licensable. It would be worth clarifying with the applicant if it is their intention to apply for regulated music entertainment on the Premises Licence as it would help inform a decision on the type of venue it is proposed to be i.e. one with music as a feature of attending or merely being played as a background sound in the venue.

If you're minded to grant planning permission it would be worth considering a condition regarding the operation of mechanical plant requiring that it operates at 5dB(A) below background at the nearest noise sensitive receptor.

Officer Response

Noted- the impact of the proposal on residential amenity is covered within the report

A3.8 Third party objections have been received from 41 addresses and are summarised as follows:

- Parking, traffic and congestion as a result of the development
- Safety of access
- Noise disturbance and anti-social behaviour
- Loss of privacy
- Issues regarding the existing sewage system
- Publicity of the application