

**PLANNING COMMITTEE: 13<sup>th</sup> April 2021**  
**SUPPLEMENTARY INFORMATION**

The “Supplementary Information” report supplements the main Planning Agenda. It is produced on the day of the Committee and is circulated at the Committee meeting. It is used as a means of reporting matters that have arisen after the Agenda has been completed/circulated, which the Committee should be aware of before considering any application reported for determination.

**Correspondence received is available for inspection.**

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20/01884/FUL	Erection of a quadrant courtyard for the purposes of providing an outdoor covered seating area (revised scheme of 20/01468/FUL) (retrospective). Red Lion, 5 Main Street, Great Bowden
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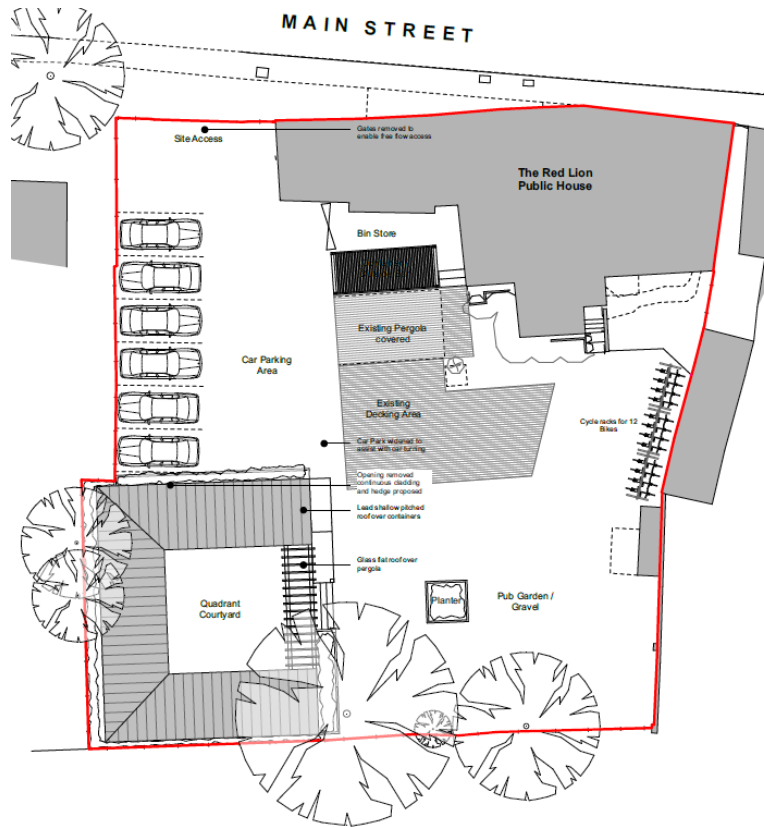
**1.0 UPDATE-APPEAL SUBMITTED AND REVISED RECOMMENDATION:**

- 1.1 On Monday 12<sup>th</sup> April 2021 the applicants submitted an appeal against the non-determination of the planning application. Appeal reference: APP/F2415/W/21/3272912.
- 1.2 As an appeal has been made the Local planning Authority cannot issue an actual decision, the decision is to be taken by the Planning Inspectorate (PINS). The report should still be considered so a putative decision is available for the purpose of the planning appeal including the Local Planning Authority case at that appeal.
- 1.3 Owing to the submission of the appeal the recommendation is revised to:

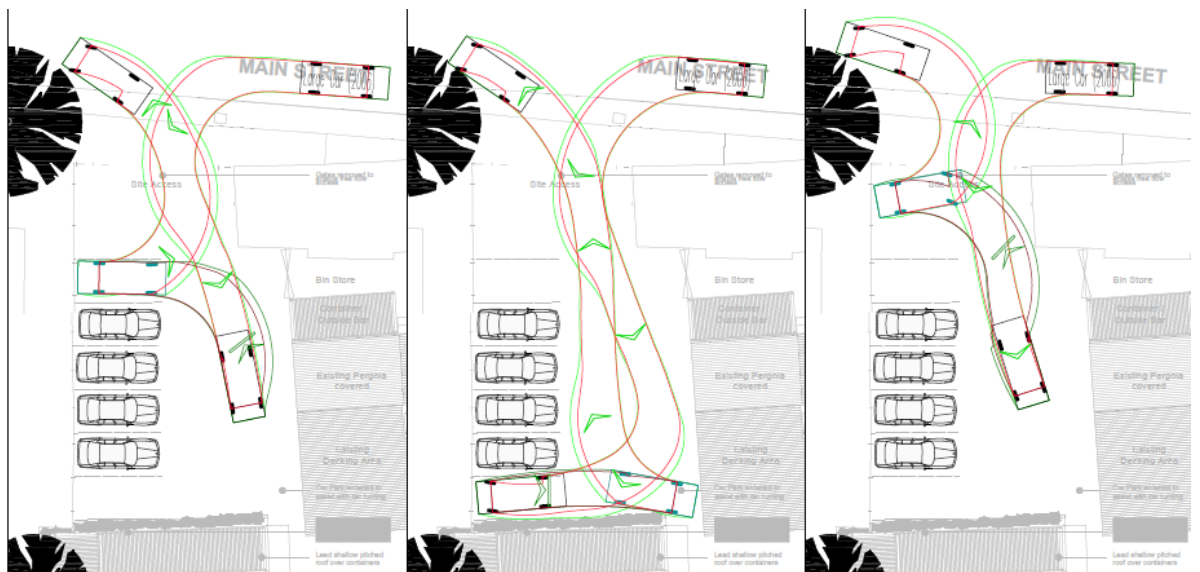
**It is recommended that the Council submission to the appeal should state that if the Council had taken a decision it would have resolved to refuse planning permission, for the reason set out in the committee report.**

**2.0 AMENDED PLANS/ADDITIONAL INFORMATION – 31/03/2021**

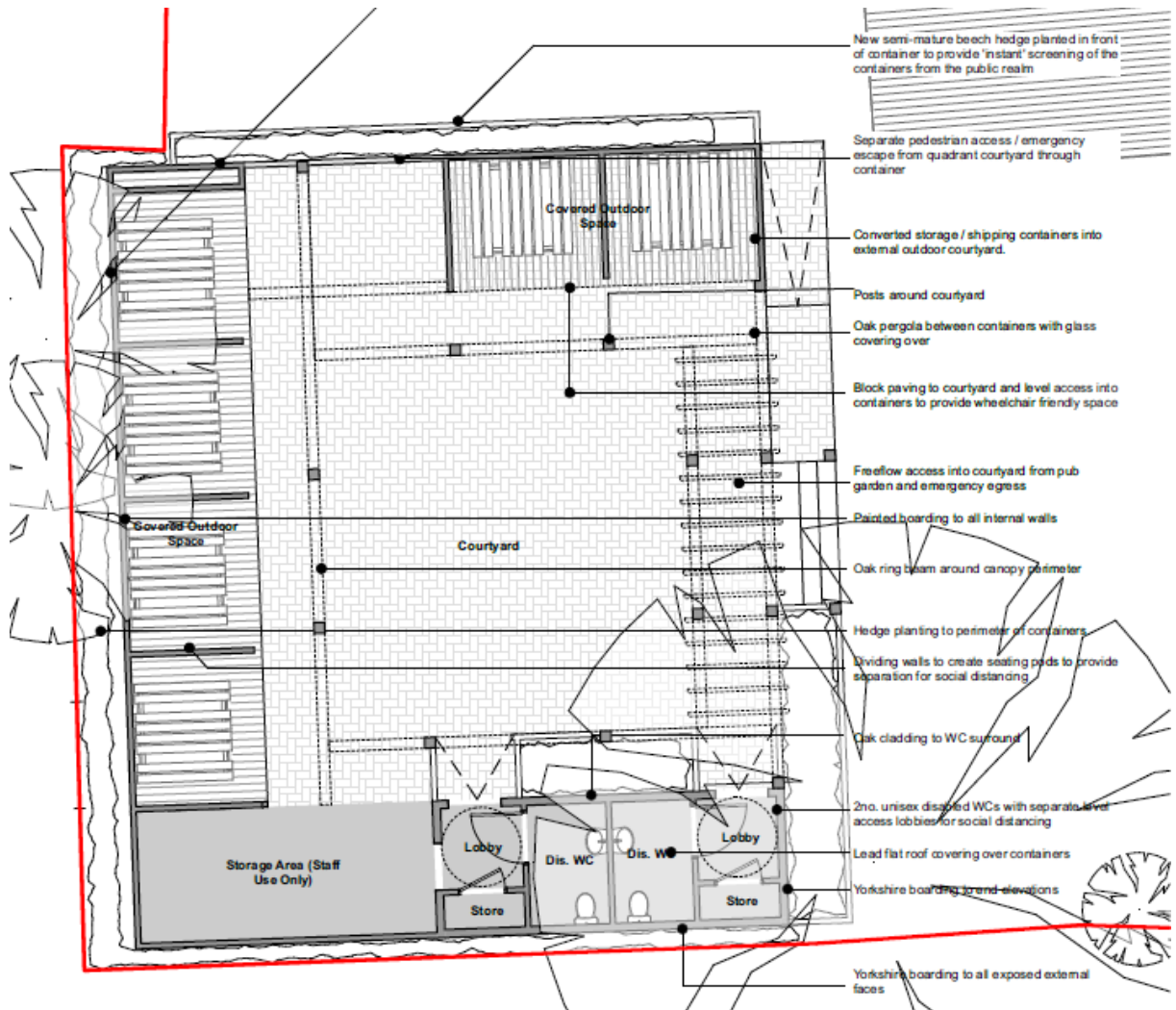
- 2.1. As reported in the committee report additional information and plans were received on 31 March. The plans include:
  1. *An amended site plan further increasing the width of the car park to achieve accessibility to the site in a forward gear (see page 2)*



2. Vehicular tracking plan demonstrating that cars can park in all six spaces and that these can be accessed by cars both driving into and out of the car park in a forward gear



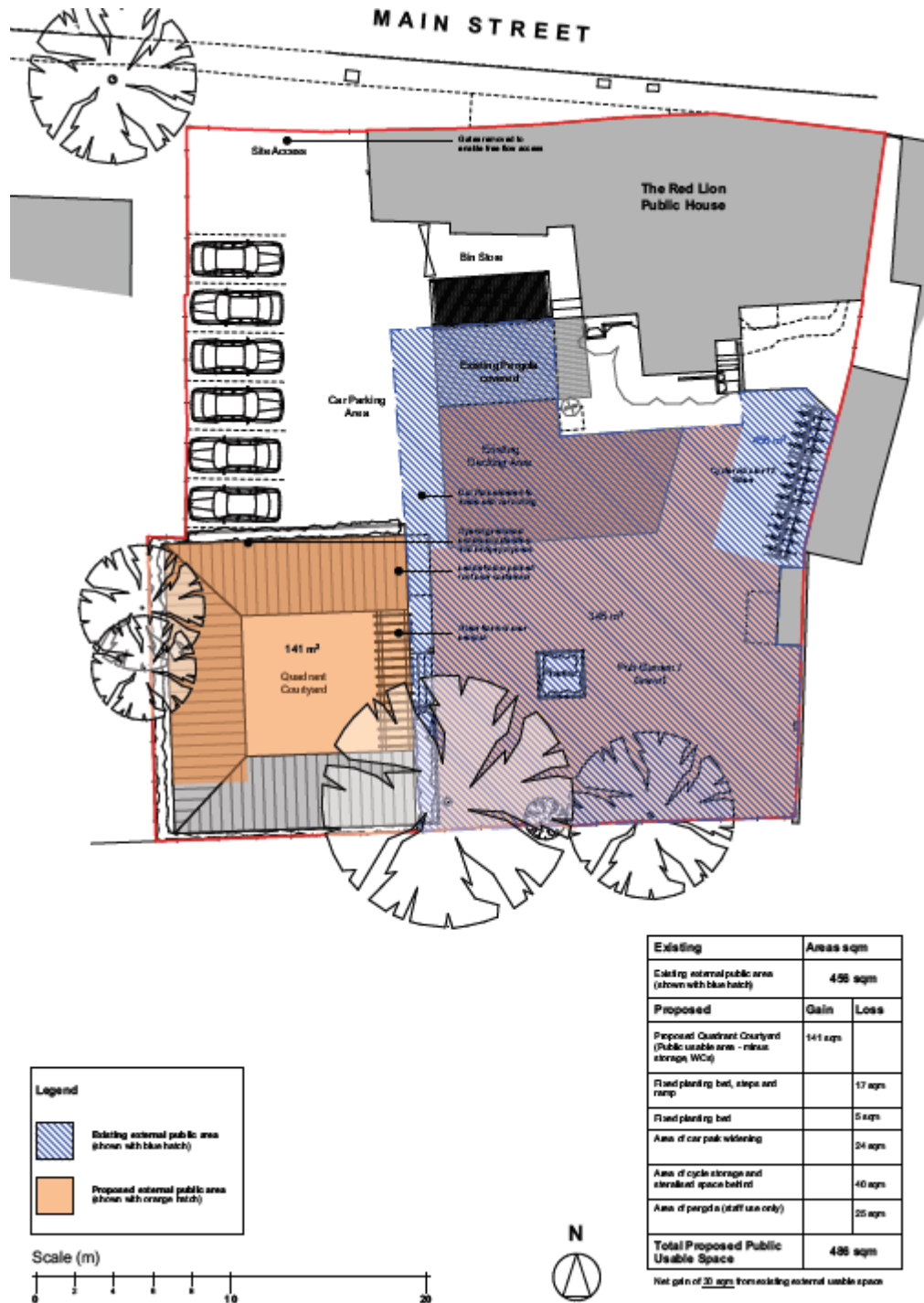
3. An amended floor plan designating more of the courtyard to a storage area for staff use, the applicants assert there is therefore only a net gain of 30m<sup>2</sup> of public unusable space (page 3).



4. A photograph from August 2016 which the applicants state demonstrates there were not eight spaces capable of use by cars to both enter and leave the car park in a forward gear.



5. A site areas plan showing the existing and proposed public areas



2.2 Officers consider the additional information demonstrates that the six spaces can be accessed by cars both driving into and out of the car park in a forward gear. The amended floorplans decrease the publicly accessible seating area, however, the proposal still represents an increase in floorspace and officers still consider there is a decrease in the number of parking spaces. As outlined below LCC Highways have reviewed the information and still recommend refusal. As such the recommendations within the report are still applicable.

- 2.3 The revised floor plans have an annotation which refers to the pedestrian access in the north elevation. This was previously omitted from the proposals. Considering the plans show planting in front of the doorway it is assumed this annotation has been left on in error. However, for the avoidance of doubt a condition is recommended requiring the doorway to be used only in an emergency. As requested by the Conservation Officer such a condition would improve the effectiveness of the cladding and the appearance of the building from the street scene.

### **3.0 ADDITIONAL LCC HIGHWAYS COMMENTS**

- 3.1 LCC Highways provided the below comments following a re-consultation on the above information:

*Good afternoon Emma*

*Many thanks for your email dated 1 April 2021.*

*The Local Highway Authority (LHA) have reviewed the information provided by Gateley Legal submitted to Harborough District Council on 31 March 2021. The LHA can confirm this does not change the original opinion of the LHA and still recommend for refusal as per observations submitted on 10 March 2021.*

*If you have any further questions please do not hesitate to ask.*

### **4.0 ENVIRONMENT TEAM FORMAL COMMENTS**

#### **4.1 Response to Application Number 20/01884/FUL at Red Lion 5 Main Street Great Bowden Leicestershire LE16 7HB**

*My initial involvement with this planning application was to request a noise assessment which was subsequently produced and dated 16 February 2021.*

*The reasoning behind requesting such a noise assessment was for the applicant to try and address concerns about noise from patrons using the external quadrant impacting upon local residents. I stated that it is extremely difficult to assess and condition noise from patrons as human nature is highly unpredictable. Ideally the use of an external area such as this would be monitored and adjudged over a prolonged period of time however, due to lockdown this was not possible. The consultants have essentially looked at the attenuation offered by the quadrant structure and argued that the resultant noise levels from patrons using it, will be lower with it in place than without. This is because the structure acts as an acoustic barrier and the consultants have calculated that at best, it will provide attenuation of ~8 decibels (dB) on its own, without the natural attenuation of distance itself. In basic terms, for a point source of noise, the noise will reduce by 6dB for every doubling of distance (under free-field conditions).*

*It is generally considered that a good level of attenuation offered by a barrier is 10dB. As the decibel scale is logarithmic, an increase or decrease of 10dB equates to a doubling or halving of loudness. Therefore, 8dB is significant in this respect.*

*Arguably and other permissions aside, the car park on which this structure is to be placed could be used as a seating area in its own right, without any form of barrier, so there is an argument that the construction of the quadrant will actually provide more protection to the community overall. Accordingly, there is a counterargument to this that the provision of the quadrant will provide external seating for patrons that might not otherwise sit out in a beer garden that does not have cover, hence intensifying the use to a degree. However, on balance I do think that the quadrant*



*will have an overall benefit to the local community, if it is appropriately controlled and conditioned.*

*The main concern from Environmental Health was that the quadrant would become a centre stage for live entertainment, karaoke etc. as the premises is licensed to have external live entertainment throughout the week as follows:*

<i>Mon-Thurs</i>	<i>11.00-23.00</i>
<i>Fri &amp; Sat</i>	<i>11.00-00.00</i>
<i>Sunday</i>	<i>10.00-22.30</i>

*With this there was further concern of intrusive lighting, and possible gatherings for BBQs etc.*

*However, the applicant has ensured us that this is not the intention of the quadrant, that it is to be used solely for external seating/drinking and I would therefore be in favour of attaching conditions to any permission that may be given to control noise (including hours restrictions), light, and cooking.*

*Again, with reference to the licence, paragraph 5 of Annex 2 states that “No music or speech shall be relayed via external speakers other than for events with the prior approval of the licensing authority” and paragraph 8 states that “The [garden/patio/children’s area] must not be used by customers after the hours of 23.00”.*

*These conditions within the licence could perhaps be used to formulate relevant planning conditions.*

*I trust that this information is of assistance, please let me know if you have any queries or require any further information.*

- 4.2 As outlined in section 3 (7.38-7.47), subject to the conditions outlined in the above comments and within the report the proposal is judged to comply with policy GD8 of the HLP and policies H6 and CAF2 of the GBNP.

## **5.0 ADDITIONAL SUPPORT COMMENTS**

- 5.1 Seven further support comments have been received (some from households which had previously commented). These comments are summarised below, however, repeat comments are not included:
- An enormous effort has gone into providing the local community with a Covid friendly, environmentally and sustainably conscious space in which to bring the entire community together. A sympathetic approach was felt crucial when selecting the finish throughout in ensuring the materials chosen blended seamlessly with the surroundings to ensure a quality and respectful ethos in honour of neighbouring homes. Using locally sourced materials and working with local business to help evolve the project was of the utmost importance to my client.
  - The modern pub today is a multi generational offering, from the elder emerging for the first time after lockdown loneliness (my father in law) to book club (something myself and my girlfriends have missed) to the local bike club (my husband and his friends) to my son and daughter (who squeal in delight at the promise of a chance to have a drink and a packet of crisps with their friends and family).
  - I thought that environmental policies were aimed at reducing the number of vehicles on the road not increasing them. Our family have booked an outside

table for the 12th April and have been contacted by The Red Lion to see if we want to use their complementary executive car service to collect us from home take us to The Red Lion and then take us home at the end of the evening. What a great idea:

1. Reduced number of cars parking in Great Bowden;
2. More relaxed evening for customers;
3. No chance of driving whilst over the alcohol limit; and
4. Additional business for the executive car industry.

## 6.0 ADDITIONAL OBJECTION COMMENTS

- 6.1 Two further objection has been received from a household which had previously commented. These comments are summarised below, however, repeat comments are not included:
- As you are aware, the Developer has claimed in this application that it will provide car parking in half of the former Red Lion car park, now that the rear half of that car park has been developed without planning consent.
  - However, on Sunday, the Developer installed substantial concrete obstructions across the entrance to this former car park to ensure that it can no longer be used to any extent to park cars.
  - In turn, this means that all the representations made by the Developer in this application concerning claimed car parking arrangements that might have alleviated congestion on Main Street, Great Bowden are untrue.
  - Please find attached a photograph, taken today, which shows these obstacles.



*Photo taken by objector on 11<sup>th</sup> April 2021*



*Photo taken by the objector between 11<sup>th</sup>-12<sup>th</sup> April 2021*



**Planning Committee Speakers List – 13<sup>th</sup> April 2021**

Speakers please note that the Council’s constitution requires evening meetings to end after three hours, unless the Committee votes to continue the meeting. If a meeting does adjourn, remaining business will be considered at a time and date fixed by the Chairman or at the next ordinary meeting of the Committee and the existing speakers list will be carried forward.

<b>Application</b>	<b>Parish</b>	<b>Speaker</b>	<b>Type</b>	<b>Time (mins)</b>
20/01884/FUL	Great Bowden	Paul Claxton	O	3
		Jacqueline Endersby	O	3

**Key to Speaker Type: O = Objector, S = Supporter, PC = Parish Council, A = Applicant/to speak on behalf of applicant, AG = Agent, STC = subject to confirmation, WM = Ward Member**

**PLANNING COMMITTEE MEMBERSHIP 2020/21**  
***Councillors Mrs Ackerley, Mrs Burrell, Champion (Chairman), Frenchman, Galton, James, Liquorish, Modha (Vice-Chairman) and Nunn.***

*Please note – any Councillor unable to attend a meeting can be substituted with prior notice being given. Any substitutions will be announced at the start of each meeting.*