

**Minutes of the Planning and Consultation Response
Committee meeting held on Thursday 15th June 2023
in the Community Hall, Bruton**

Present: Councillors Baker, Buckland, Fradley, Taylor, Whittock and Wilson
In the Chair: Councillor Fradley
In attendance: Deputy Town Clerk
13 members of the public

P23/1 Election of Chair

It was **RESOLVED 6-0-0** [For-against-abstain] **that Councillor Fradley be elected as Committee Chair.**

P23/2 Apologies for absence (LGA 1972 s85(1)).

Apologies were received from Councillor Robinson who was at another meeting.

P23/3 Declarations of interest

No personal or pecuniary interests were declared.

P23/4 Minutes of the previous meeting

It was **RESOLVED 6-0-0 that the minutes of the meeting of 24th April were a true and accurate record.** The minutes were signed by the Chair.

P23/5 New Planning applications

There were no new Planning applications to discuss.

P23/6 Update on previous Planning applications

The Committee noted the following decisions of the Local Planning Authority (LPA), Somerset Council, relating to applications previously considered by the Committee:

i. 23/ 00846/COL 26 St Catherines Hill, Bruton, Somerset BA10 0DG

Application for a Lawful Development Certificate for the Existing use of a garden cabin. **PERMITTED**

ii. 23/00768/FUL & 23/00975/LBC Redlynch Farm, Redlynch Road, Bruton

To carry out essential repairs and minor alterations to the Redlynch Farm, as well as build a new extension, rebuild the stable building in the grounds at the back of the house and Change of Use of land from agricultural land to extension of residential garden. **REFUSED**

iii. 22/03356/S73A Rivermead, Lusty, Bruton BA10 0BX

Application to vary Condition 02 (Approved Drawings), 04 (Occupancy) & 07 (Parking) of planning consent 18/03415/FUL; og+rS/FUL; Conversion, erection of a two-storey extension and change of use of existing dwelling into new residential accommodation to existing outdoor activity centre. **APPROVED**

P23/7 The Prickly Pear public house

The Committee welcomed a Planning agent for the Prickly Pear public house who had offered to present an outline of proposals being discussed with the LPA as part of the pre-application process. The Planning agent hoped he would be able to gather and gauge responses from councillors and local residents and thereby identify any key issues which should be addressed in Planning and Listed Building Consent applications.

Among the points made by the Planning agent were the following:

- The purpose of the development is to increase the number of covers, thereby ensuring the viability of the business.
- The property is a Listed Building in the heart of Bruton Conservation Area so the main emphasis is on the protection and preservation of heritage assets.
- The main challenge is to balance heritage values with other Planning considerations including access and the impact on neighbouring properties.
- The main external change proposed is the replacement of the conservatory at the rear of the property with a dining area.
- Most of the other proposed changes are internal, including the possible removal of parts of some internal walls if this can be achieved without compromising the integrity of the building from a heritage point of view.
- The proposals include creating a large new kitchen in the existing modern extension.
- Depending on the outcome of the pre-application process the applications for Planning consent and Listed Building consent may be submitted in July 2023.
- If the consents are granted and depending on the nature of any Planning conditions imposed, construction might start in Spring 2024.

Among the points made by members of the public were the following:

- Many members of the local community including close neighbours have always appreciated the amenity of the pub and wanted it to succeed so welcomed the advent of The Prickly Pear. Their attitude has changed because The Prickly Pear is being run very differently to the way its predecessors were run. The most egregious change is in respect of live and recorded music played at high volume for extended periods and late into the night, with bass notes that penetrate to the heart of nearby houses, making neighbours' lives a misery.
- The problem is exacerbated when the pub doors and windows are left open.
- The existing licence provides for the playing of recorded music via a 200watt sound system. A resident with experience in the entertainment industry expressed the opinion that the power of the amplification used at The Prickly Pear is much greater than 200 watts and this would be a breach of its licence. He suggested that this could be prevented by using a Noise Limiting Device.
- Neighbours are also disturbed by the noise of revellers in the beer garden at the side of the pub.

- Householders who are already suffering from excessive noise and loss of privacy are unlikely to be impressed by plans to mitigate or minimise any *additional* noise or loss of privacy associated with the proposed development.
- There is particular concern that the development of the back garden into an outdoor drinking and dining area, possibly paved and with an awning or something similar, will greatly increase the volume of noise impacting on neighbouring properties.
- A gate leading from the pub's back garden to Higher Backway has only been used hitherto by staff, but if the back garden is developed and patrons use the gate as a way of entering and leaving the premises it would have a severe detrimental impact on the residential amenity of neighbouring properties.
- Concerns were also expressed about banging doors and about possible threats to the integrity of outside walls and railings.
- Up till now the management has shown little interest in engaging with neighbours or addressing their concerns.
- In the light of such lack of engagement the applicants' professed intention of 'consulting' the local community about their development plans has occasioned some scepticism, especially as many of the neighbours who would be most affected by the proposals were not informed about the planning presentation.
- Bruton suffers from a chronic shortage of parking places which would be exacerbated by the declared intention of increasing the pub's capacity.
- Under the current management the character of the pub has changed radically and what used to be a friendly local pub has turned into something more like a nightclub aiming to attract young people from a much wider area.

In answer to these and other points the Planning agent gave the following assurances:

- Although the current operation of the pub is not within his remit he could understand its possible impact on the development plans and he would pass on to his clients all of the concerns and complaints expressed by residents.
- A noise impact assessment would be carried out as part of the development process.
- He would have discussions with the Planning officer about possible planning conditions which might help mitigate the impact of noise on neighbouring properties and other nuisances.
- He was keenly aware that planning considerations and licensing considerations are closely intertwined in this kind of development.
- He did not believe that any Change of Use was under consideration so the premises would continue to be operated as a public house, not as a nightclub.
- He was not sure of the likely size of the planned capacity increase, he thought it might be in the realm of 15%-20%, but he would find out and report back via the Town Council.
- Specialist engineers would be discussing technical matters like ventilation, noise insulation, fire doors and exits, structural integrity and heritage issues with the planners and other relevant authorities.

Councillors reiterated points made by members of the public and added some further points:

- The Council would appreciate early sight of the project plan with supporting evidence and also a timeline with updates.
- The noise assessment should take account of the acoustic properties of the High Street whose canyon-like configuration means that noise reverberates much further up and down the street than would be the case on a more open site.
- Neither the Planning agent nor the Council have detailed knowledge let alone control of the operation of The Prickly Pear. A possible way forward would be for the two most interested and affected parties, namely the operators of the pub and their close neighbours, to arrange a meeting at the pub so they could work on compromises which might help mitigate some of the problems.
- If the development goes ahead the physical limitations of the High Street and Higher Backway would make the construction phase extremely challenging, so the construction management plan and transport management plan would need very careful consideration.

The Planning agent thanked members of the public and councillors for all the points they had made. He said they had given him a great deal to think about and he would pass them on to his clients, discussing possible solutions with them and with the Planning officer.

The Chair thanked the Planning agent and members of the public for their contributions which should help inform any plans or proposals to develop the property.

The meeting concluded at 8.25pm

Patrick Pender-Cudlip
Deputy Town Clerk