

PLANNING COMMITTEE – 12TH FEBRUARY 2014

SUBJECT: SITE VISIT - CODE NO. 13/0703/FULL - CHANGE USE FROM MIXED USE (RETAIL AND NIGHTCLUB) TO PUBLIC HOUSE AND NIGHTCLUB, 3 PENTREBANE STREET, CAERPHILLY, CF83 1FR

REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151 OFFICER

PRESENT:

Councillor D.G. Carter – Chairman

Councillors H. Davies, Mrs J. Gale, N. George, J. E. Fussell, C. Elsbury, S. Kent and Mrs J. Summers.

1. Apologies for absence were received from Councillors Mrs E.M. Aldworth, J. Bevan, W. David and A.G. Higgs.
2. The Planning Committee deferred consideration of this application on 15th January 2014 for a site visit. Members and Officers met on site on Monday 27th January 2014.
3. Details of the application to change the use from a mixed use, retail and nightclub, to public house and nightclub, 3 Pentrebane Street, Caerphilly, CF83 1FR were noted.
4. Those present viewed the interior and exterior of the site and examined the plans submitted with the application to fully appreciate the proposals.
5. Members were asked to note that the premises is currently occupied by an existing A1 retail use on the ground and first floors (storage in connection with retail use) and a nightclub on the second floor. The revised layout of the development was noted and the proposed position and access for the different elements including toilets and smoking areas was confirmed. It was noted that the smoking shelter for the club element would be located on the second floor facing onto Pentrebane Street. The Officer confirmed that there would be no entertainment provided at this level with the smoking shelter (open-air) occupying approximately a third of the present floor space with toilets and storage occupying the remaining space. The use of the smoking shelters would be limited by condition and monitored through the applicants' use of CCTV.
6. Members raised concerns with regard to noise generation, particularly when customers accessed the smoking shelters. Officers confirmed that improved acoustic insulation and the redesign of developments' roof space would mitigate most of the noise emanating from the pub and club. In terms of the smoking shelters Members were advised that an acoustic management scheme would need to be agreed by this authority prior to the commencement of any nightclub use. Officers advised that these schemes had been used successfully by other establishments and that failure to do so could result in a review of the premises licence. Officers also reminded Members that the proposed development already had an existing nightclub use.

A Member queried if an e-cigarette only policy within the club might offer an alternative option to providing a separate outdoor smoking shelter. Officers confirmed that this option would require further investigation and advised that e-cigarettes may shortly be subject to new regulation. The enforceability of a condition on e-cigarette only use would also be an issue.

7. Concerns were also raised in relation to the proposed opening times, specifically Sunday night into Monday morning and Officers confirmed that the wording of Condition (09) would be revised in order to clarify the permitted hours of operation.
8. A Member raised concerns with regard to highway safety, he felt that as a one way Pentreban Street could easily be blocked by Taxis lining up to make late night pick ups and their only route out would take them past residential homes. The Member asked that consideration be given to closing the road on weekends between specific hours in order to mitigate the impact of this potential traffic congestion as well as its associated noise on residential amenity. Officers agreed to feedback the Member's comments to Highways colleagues and provide further information at the next Planning Committee meeting.
9. Officers confirmed that Caerphilly Town Council had raised an objection in that the change of use would have an adverse effect on residents in the vicinity of the nightclub, there were no other objections from statutory consultees. Following advertisement to 29 neighbouring properties and a site notice being posted, 8 letters and 150 signature petition in objection had been received as well as 1 letter in support of the application. Details of objections are within the Officer's report.
10. The initial planning report concluded that having given due regard to relevant planning policy and the comments from consultees and objectors, the application is considered to be acceptable and Officers recommended that permission be granted.
11. A copy of the report submitted to the Planning Committee on 15th January 2014 is attached. Members are now invited to determine the application.

Author:	E.Sullivan	Democratic Services Officer, Ext. 4420
Consultees:	C. Grimes	Principal Planning Officer
	J. Rogers	Principal Solicitor
	L. Cooper	Engineer (Highway Development Control)
	C. Davies	Senior Environmental Health Officer
	M. Godfrey	Senior Environmental Health Officer

Appendices:

Appendix 1 Report submitted to Planning Committee on 15th January 2014