

Report of the Chief Executive

APPEAL DECISION

APPLICATION NUMBER:	20/00326/FUL
LOCATION:	Star Inn, 22 Middle Street, Beeston, Nottinghamshire NG9 1FX
PROPOSAL:	Retain marquee extension and a sheltered bar servery and variation of condition 3 of planning approval 13/00533/FUL to permit amplified music and speech within the marquee and marquee extension

APPEAL ALLOWED

The application was granted planning permission following committee and the decision notice issued on 11 September 2020. During the discussion by members at the committee meeting, it was resolved by committee to include a condition as follows:

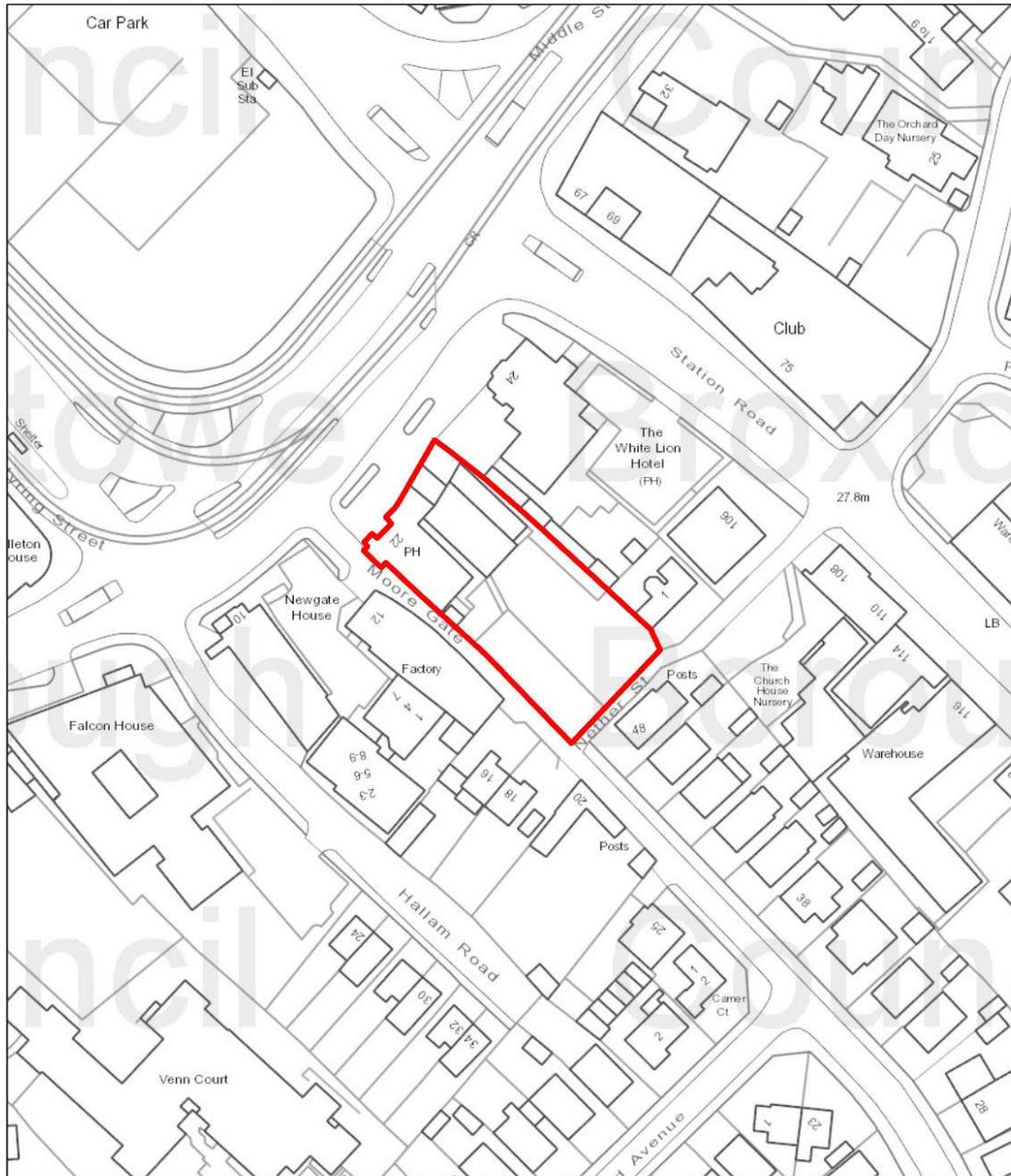
“2. This permission shall be for a limited period of one year expiring on the 11th September 2021 when the building works carried out under this permission shall be removed and the land reinstated to the satisfaction of the Local Planning Authority unless prior permission has been obtained in writing from the Local Planning Authority for its retention.”

The Inspector considered that the primary function of the marquee extension is to enable people to socialise, whilst enjoying time on the premises and the bar servery is for the service of drinks. The noise generated would principally be through conversation, and amplified music and speech are not permitted in these areas by virtue of condition 3 of the planning permission, and furthermore, condition 4 prevents the servicing of customers from the external bar servery outside the hours of noon to 10pm. The use of the beer garden and play area may have a more marked effect as regards noise due to these parts being nearer to the neighbouring residential properties than the external marquee area.

The Inspector considered that condition 2 is not reasonable or necessary, and its removal would comply with the tests for planning conditions that are set out in the Planning Practice Guideline concerning the application of these tests.

The Inspector concluded that the proposal would not have an unacceptable effect on the living conditions of the occupiers of the neighbouring residential properties by way of noise and that consideration of all matters raised have been made but none would demonstrate that condition 2 is reasonable or necessary.

Star Inn Middle Street Beeston Nottinghamshire NG9 1FX



7/2/2021, 9:27:26 AM

 Site

