

licensing

From: Williams, Helen (SRS) <[REDACTED]>
Sent: 06 April 2021 16:26
To: licensing
Cc: Yvonne Witchell
Subject: FW: BCBCLP266 BRASERIA EL PRADO, HIGH STREET, LALESTON, BRIDGEND CF32 OLD

Dear Yvonne,

Licensing Act 2003
BRASERIA EL PRADO, HIGH STREET, LALESTON, BRIDGEND CF32 OLD

Further to the re-advertisement of the above licensing application, I would like to re-submit my initial comments, together with some additional comments as a result of further information that has been submitted:

I have examined the attached variation application and have the following comments and objections:

1. External seating area

The applicant has initially applied for planning for the external area as stated in their application, for a part covered outdoor eating area outdoor eating area for 52 covers in a confined area with associated parking and refuse store. The proposed size of the development is significant and noise levels from customers socialising outside will not be able to be adequately controlled, particularly in relation to the amenity space of the elevated properties adjacent to the applicant's restaurant. The plans accompanying the planning application have been amended and now show a reduction of 30 covers (12 to the side elevation which is to be located within a glass building with a retractable roof and 18 at the front of the premises facing the car park area). However, this number is also significant in terms of noise. In addition, I don't believe the amended plans have been re-submitted to Licensing.

The retractable roof and glass covered area will not provide adequate sound insulation as it is likely to be open during warm weather for ventilation purposes when glazed areas get very hot, allowing noise to affect neighbours. The noise from a fully glazed room and hard floors can also be reverberant, so even if the roof and bi-fold doors were kept closed but the windows remained opened, this could result in increased noise levels. From a noise perspective a solid construction would be necessary to provide the noise attenuation characteristics to protect neighbouring residential properties as the proposed planting, although will screen the customers from a visual aspect, will do very little in terms of attenuating any noise levels. I do appreciate that the reason the applicant has requested this external area is due to the current pandemic and I do have every sympathy with their situation as it has been a very difficult time for the hospitality sector. However, having an external area for 30 seated guests to eat and drink is still likely to cause disturbance to residents with raised voices, socialising and banging and clattering of plates and cutlery.

The garden of the closest property to the proposed side glass covered area is less than 10 metres away and from the external front main area is only approximately 12m and I have to consider this impact in terms of the public nuisance objective. In addition, when the hospitality sector is permitted to re-open, if the advice remains the same as last time, the applicant will need to ventilate the premises. This is likely to result in windows and doors being left open. It is noted that the applicant is also looking to install bifold doors to the main restaurant as a consequence of having the external seated areas to allow easy ingress and egress from the restaurant's interior for staff and customers. By the very nature of the bi-fold doors, which covers a significant area of that elevation, it implies that they will be left open, especially during the warmer weather. Therefore, not only would you then have the additional noise from the external seated areas, but you will also have increased noise from patrons using the internal areas which will then be heard outside with the doors open.

Although the applicant has informally agreed to shut the external areas by 9.30pm, the advert states that it will be closed at 10pm. In addition, even if it was at 9.30pm, the measures specified in the operating schedule will not prevent noise from impacting on the residents up until that time and the proposal does not promote the licensing objective of preventing a public nuisance, particularly as they are also applying for off-sales and sales of alcohol without the service of food. The applicant has also stated that they are not applying to increase their overall customers of 102, they just wish to be able to space them out more for social distancing and be able to offer external seated areas,. Nevertheless, I note that the number of covers is not enforceable from a Licensing perspective as the number of customers are limited by their Fire Risk Assessment. Consequently, if the Fire Risk Assessment allow a higher capacity, there is nothing stopping the applicant from having an increased number of customers. In view of all the above considerations, I would therefore have to raise an objection to the current application and plan to include the external seating area and the supply of alcohol externally on the grounds that it does not promote the prevention of public nuisance objective and the operating schedule does not include sufficient measures that will allow noise to be adequately controlled. There may also be impacts due to lighting and complaints have already been received regarding some new additional lighting that the applicant has installed, although I understand this has been turned off for the time being. Although conditions could be imposed to control the lighting, in view of the fact that I have objected against the application in terms of noise, I have not included any additional objection in terms of the lighting. Nevertheless, if the committee were minded to grant the variation, the impact of the lighting will need to be considered.

2. Vary Plan to include First Floor Internal Seating Area

I have no objection to the first floor internal seating area.

3. Embedded Conditions

No objection to removing the embedded objections that alcohol should only be supplied ancillary to a meal, other than the supply of alcohol should not include to the external area.

Consequently, the objection is made to the plan and variation in respect of the external areas for eating and drinking. In the meantime, if you have any further queries, please do not hesitate to contact me.

Kind Regards

Helen

Helen Williams
Shared Regulatory Services
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: 0300 123 6696
e-mail / e-bost: [REDACTED]

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From: Williams, Helen (SRS)
Sent: 02 March 2021 10:28
To: licensing <licensing@bridgend.gov.uk>
Subject: RE: BCBCLP266 BRASERIA EL PRADO, HIGH STREET, LALESTON, BRIDGEND CF32 OLD