

**Planning Applications Committee
30th July 2009
Section C**

Agenda Number:	C7
Section/Area:	Inner
Ward:	Thorpe Hamlet
Officer:	Mark Brown
Valid Date:	2nd June 2009
Application No:	09/00442/U
Site Address:	Savills (L & P) Ltd 8 - 10 Upper King Street Norwich NR3 1HB
Proposal:	Change of use from offices to restaurant (Class A3).
Applicant:	Triumph Estates Ltd
Agent:	Brown & Co

THE SITE

The site is located within the City Centre Conservation Area and Leisure Area, it is close to the Primary Retail Area and on the edge of the Late Night Activity Zone.

The building was previously used as offices which are now vacant. The upper floors have consent for a change of use to four residential apartments.

The ground floors of 9 and 10 Upper King Street are currently linked by an opening in the boundary wall. Number 10 Upper King Street has a single storey link extension with a lantern opening in the roof. This connects the main building fronting Upper King Street to a three storey building at the rear.

PLANNING HISTORY

Permission was granted in October 2008 (app. no. 08/01023/U) for the change of use of the first and second floors of the building fronting Upper King Street from offices to 4 apartments, 2 No. one bed and 2 No. two bed for residential use. The ground floor and three storey building to the rear were retained for office use.

THE PROPOSAL

The proposal is for the change of use of half of the ground floor from offices to a restaurant along with the first and second floors of the attached three storey building located to the rear of the site.

The three storey buildings to the rear will be utilised for kitchens on the ground floor and stores above. Seating areas will be located on the ground floor of the main frontage building and within the single storey link with lantern roof.

CONSULTATIONS

Advertised in the press, on site and adjacent neighbours notified, one letter of objection received from the Norwich Buddhist Centre (14 Bank Street) raising concerns over noise disturbance. Commenting as follows:

‘We have not fully explored the possible ramifications for us in terms of noise disturbance but because of the nature of the work we do here it is imperative that we maintain a quiet environment... for our meditation classes and courses on Buddhism. We would like the application to go before the Planning Committee and would like an opportunity to explore the application in greater depth in terms of its possible effects on us. Issues to do with sound insulation and so on would also be important to us and may need to form a condition to the application.’

PLANNING CONSIDERATIONS

Relevant National Planning Policy

PPS1 – Delivering Sustainable Development

PPS6 – Planning for Town Centres

PPG24 – Planning and Noise

Relevant Local Plan Policies:

Adopted City of Norwich Replacement Local Plan Saved Policies

AEC1 – Major art and entertainment facilities

EP10 – Noise protection between different uses

EP22 – Amenity

Principle

The site is located within the City Centre Leisure Area within which proposals for restaurant uses are considered acceptable in principle subject to other material planning considerations. The proposals are therefore considered to be in line with saved policy AEC1 and the objectives of PPS1 and PPS6.

Amenity

In terms of amenity, the site is located adjacent to a number of other offices, residential is approved for the upper floors of the building, and the Norwich Buddhist Centre is location adjacent to the site on Bank Street.

It is not considered that a restaurant is likely to be significantly detrimental in terms of noise generation. Nevertheless it is likely that a restaurant would have some amplified sound. Therefore in line with saved policy EP10 it is considered appropriate to agree details of the maximum noise levels from any amplified sound system via condition. In relation to the approved residential above, it is considered that a scheme of noise insulation measures between floors should be conditioned. It is also considered appropriate to condition details of the kitchen extraction system, including details for fume treatment and noise insulation measures.

The Norwich Buddhist Centre is directly adjacent to the three storey building at the rear of the site where the kitchen and stores are proposed. There are no window openings within the ground floor of this part of the building. The upper floors do have windows, however these rooms are proposed as stores and toilets. The single storey section of the building has a glass lantern opening, however, subject to the amplification condition detailed above, it is not considered that the level of noise emanating from the promises would be unacceptable.

Conclusion

The proposed restaurant is considered to be located in an appropriate location within the City Centre Leisure Area and subject to the conditions listed the proposal is not considered to have a detrimental impact by virtue of noise.

RECOMMENDATION

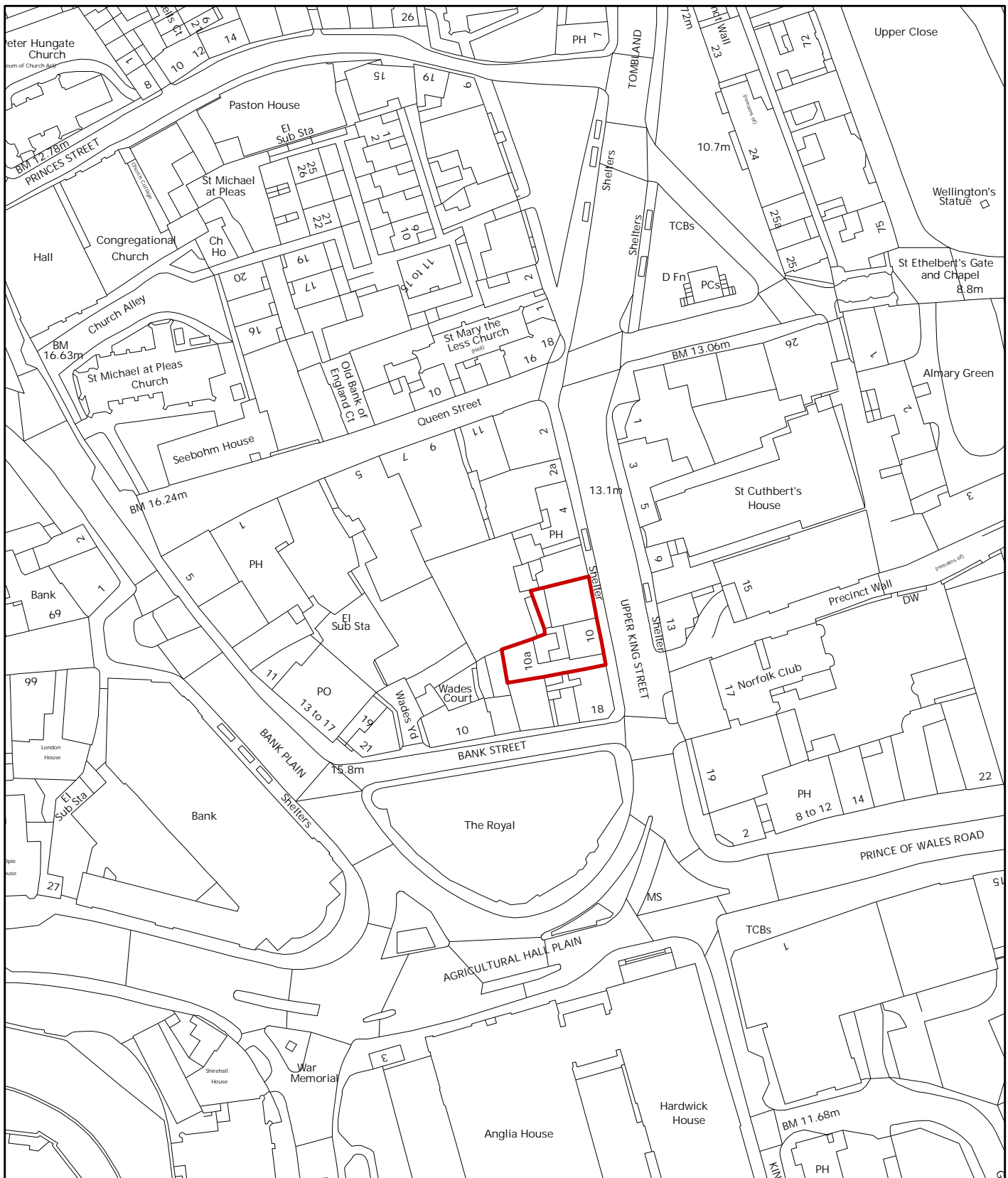
Approve planning permission subject to the following conditions:

- Standard time limit;
- Details of the maximum noise levels from any loudspeaker forming part of an amplified sound system to be agreed prior to installation;

- Details of a scheme of sound insulation measures between the restaurant and the approved residential at first floor level;
- Details of the kitchen extraction system to be submitted prior to installation.

REASON FOR RECOMMENDATION

The recommendation has been made with regard to saved policies AEC1, EP10 and EP22 of the adopted City of Norwich Replacement Local Plan, PPS1, PPS6 PPG24 and other material considerations. The proposed restaurant is considered to be located in an appropriate location within the City Centre Leisure Area and subject to the conditions listed the proposal is not considered to have a detrimental impact by virtue of noise.



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 Site Address - 8-10 Upper King Street
 Scale - 1:1250



NORWICH
City Council

DIRECTORATE OF REGENERATION
 AND DEVELOPMENT

