

Report for Resolution

Report to Planning Applications Committee
Date 6 December 2012
Report of Head of Planning Services
Subject 12/02070/VC: 8 Redwell Street, Norwich, NR2 4SN

Item
6(3)

SUMMARY

Description:	Removal of condition 3 - details of litter bins and cigarette butt containers, and condition 8 - scheme for protecting the nearest residential unit from noise of public house, from previous permission 10/01250/F (approved on appeal) 'Change of use from shop (Class A1) to drinking establishment (Class A4) with minor external alterations to create new fire exit.'
Reason for consideration at Committee:	Objections
Recommendation:	Approve with revised and additional conditions and with authorisation to take planning enforcement action.
Ward:	Thorpe Hamlet
Contact Officer:	Rob Parkinson Senior Planning Officer 01603 212765
Valid Date:	20th October 2012
Applicant:	Patrick Fisher
Agent:	Mr Jonathan Phillips

INTRODUCTION

The Site

Location and Context

1. The site is the recently-opened Norwich Tap House pub/bar, which was formerly the Country and Eastern shop, at the junction of St Andrew's Street and Redwell Street. It is a Grade II Listed Building surrounded by a mix of commercial uses, community uses, residential dwellings (including adjacent to the building directly behind the site) and restaurants, cafes and bars in the near area (St Andrews Plain, Tombland and Queen Street).
2. The bar has been open for a couple of months, and operates under a licence granted on 28th September 2012. The opening hours are restricted by planning condition as 11am – midnight on any day, and through licensing as 11am-23:15 Sunday-Thursday, and 11am-midnight on Friday and Saturday nights.
3. The bar has permission to operate from 3 floors, namely basement, ground and first floor, with the second floor permitted for associated storage. At the moment the bar operates from ground floor only with basement used as keg storage and first floor as office space and second floor as storage but there is nothing to prevent expansion into the basement or first floor in time. Notably, the premises have no immediate private curtilage from which to host a smoking area and the expectation

would be that customers would stand out on the highway to smoke.

Licensing context

4. The bar's opening hours are currently restricted through licensing as 11am-23:15 Sunday-Thursday, and 11am-midnight on Friday and Saturday nights
5. The Licensing Authority has imposed operational conditions on the license which include requirements to employ door supervisors in the evening and night, preventing opened drinks being taken outside, keeping doors and windows closed whenever necessary to prevent nuisance, and installing and operating CCTV.
6. There do not appear to be any conditions of the License that require the operators to make efforts to clean the highway or collect cigarette refuse, nor to restrict noise emissions.

Planning Constraints

7. The immediate site constraints are its location within the City Centre Conservation Area, and the City Centre Leisure Area (defined in Local Plan saved policy AEC1).

Planning History

8. The former shop had been vacant for some years. In 2009 a change of use application for re-use as a bar was refused (09/01105/U; Dec. 2009) and an amended re-submission also for use as bar was refused by planning committee in August 2010 (application 10/01250/F: Change of use from shop (Class A1) to drinking establishment (Class A4) with minor external alterations to create new fire exit.). The applicant thereafter appealed against the refusal and eventually the appeal was upheld and the application approved by the Planning Inspectorate in August 2011 (Planning Inspectorate appeal reference APP/G2625/A/11/2145533).
9. The Inspector saw fit to impose nine planning conditions on the decision, seen at Appendix 1. Of those, the applicant has submitted proposals in respect of Condition 7, the need to agree details of the proposed amplification system and associated maximum music levels to be played. This is application 12/02045/D and is discussed at paragraphs 27-29.
10. Other conditions, which needed to be approved before the bar opened, include Conditions 3 and 8 (which the applicant proposes to remove) and Condition 5 requiring automatic closing devices on the entrance doors to Redwell Street, and is thought to have been met.
11. Condition 9 of the permission includes a requirement to agree all plant, machinery, extraction systems and associated flues with the planning authority prior to their installation, and to install them with noise mitigation measures and anti-vibration mountings as appropriate. This would include chiller units and other appliances.
12. As the site is a Listed Building, there have also been associated listed building consents to approve the interior conversion works and some minor exterior changes (applications 09/01107/L, approved December 2009, and 10/01251/L approved August 2010).

Equality and Diversity Issues

There are no significant equality or diversity issues relevant to the application.

The Proposal

Representations Received

13. Advertised on site and in the press. Adjacent and neighbouring properties have been notified in writing, as have those neighbours who commented on the appealed scheme. At the time of writing, 16 letters of representation (all material objections) have been received citing the issues as summarised in the table below. Members should note that consultation ended on 28th November, two days after this report is finalised. Any further updates or representations will be presented to Members at the meeting.

14.

Issues Raised - relevant to the application	Response
Removing Condition 3 - It is evident that the staff are not successfully clearing up all of the litter at the end of their working day and not installing bins will allow patrons to keep littering the highway and causing damage to adjoining and neighbouring buildings, will detract from the conservation area, and will act as a deterrent to visitors to the area.	See paragraphs 21-25. There does not appear to be any alternative requirements on litter collection and the land is public highway so positive measures should be in place.
Removing Condition 8 - The fact that the applicant may have complied now with the noise restrictions as per the Noise Assessment Report does not mean that the condition should be removed as it is there to protect neighbours in the future. The requirements should remain in place as they are there to protect residents from noise and disturbance. Removing Condition 8 could be a prelude to a change of ownership or type of establishment to one of a wholly different character.	See paragraphs 26-30. Application 12/02045/D and current operations have established an acceptable 'maximum' noise level. If there is any increase beyond this the required measures should be adhered to. A change of ownership would not always require a new license, whilst a change in operations would be subject to existing planning conditions or a new application.
Issues Raised – not able to be reconsidered	
Redwell Street is not part of the designated Night Time Economy / Late Night Activity Zone and the Norwich Society is concerned that the designated area might be being extended. The Society is working closely with the police and local residents to try to maintain a reasonable residential environment in the inner city and this application would seem to ignore this objective.	The Late Night Activity Area boundaries are not affected by this application and it is neither reasonable nor possible to reconsider the principle of the use in this location as part of the application which clearly only concerning certain conditions.
Objection to the proposal on the grounds change of use from shop to drinking	The application does not propose a change of use. The use has already

establishment bringing unruly behaviour and noise to what was an idyllic area.	been approved by the Planning Inspectorate
A further relaxation of the current regulations will result in those currently living in the centre to move to the suburbs.	The proposals do not extend the impact further into surrounding areas. Providing the premises operate as approved and as per condition details, there should be no further relaxation of the requirements as part of these proposals.
Within the shared alleyway with the adjoining business to the north a number of air conditioning and refrigeration units for the beer pumps have appeared. These units, when turned on, make a constant buzzing noise that comes through into our offices, both on the ground and 1st floors.	See paragraphs 10, 31-35. Condition 9 of the permission requires prior approval of such installations and an enforcement investigation is in progress.
The building is not suitable for use as a drinking establishment. The neighbours are already paying the price with flooding from inadequate sewerage.	This is not really a planning matter. Anglian Water would likely be responsible for issuing permits for commercial sewage disposal.

Consultation Responses

15. The Environmental Protection Officer has not considered it necessary to comment on, or object to the proposals, because they worked with the applicant's acoustic consultants to establish a satisfactory form of low-level background noise as part of the submissions for Condition 7 and application 12/02045/D. They have confirmed though that there are no licensing requirements relating to cigarette or litter clearance, noise limits, or plant and machinery. To date, no complaints have been received relating to licensing or noise, however they have received a complaint regarding the site's drains overflowing into a neighbouring property.
16. The Conservation Officer has seen no need to comment as there are no works to the listed building related to noise protection, but would suggest appropriate litter bins could be installed sensitively without detriment to the building in order to protect it from scorching.

ASSESSMENT OF PLANNING CONSIDERATIONS

Relevant Planning Policies

National Planning Policy Framework:

Paragraph 14 – Presumption in favour of sustainable development
Section 1 – Building a strong, competitive economy
Section 2 – Ensuring the vitality of town centres
Section 7 – Requiring good design
Section 8 – Promoting healthy communities
Section 12 - Conserving and enhancing the historic environment

Relevant policies of the adopted East of England Plan Regional Spatial Strategy 2008

ENV6 - The Historic Environment
ENV7 - Quality in the Built Environment
WM6 - Waste Management in Development

Relevant policies of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk 2011

Policy 2 – Promoting good design
Policy 5 – The economy
Policy 7 – Supporting communities
Policy 8 – Culture, leisure and entertainment
Policy 11 – Norwich City Centre

Relevant saved policies of the adopted City of Norwich Replacement Local Plan 2004

HBE8 - Development in Conservation Areas
HBE9 – Development affecting Listed Buildings
HBE12 - High quality of design in new developments
EP10 – Noise protection between different uses
EP22 - High standard of amenity for residential occupiers
SHO22 – Food and drink uses and conditions on hot food takeaways
AEC1 – Major art and entertainment facilities – location and sequential test
TRA5 - Approach to design for vehicle movement and special needs
TRA7 - Cycle parking standards
TRA8 - Servicing provision

Supplementary Planning Documents and Guidance

City Centre Conservation Area Appraisal (September 2007)

Other Material Considerations

Written Ministerial Statement: Planning for Growth March 2011.
The Localism Act 2011 – s143 Local Finance Considerations.

Principle of Development

17. The only matters which can be assessed as part of this application are those relating to the conditions which have been proposed by the applicant for removal, and any material considerations associated to that.
18. The location of the pub, its setting and position outside the Late Night Activity Zone, and its use in principle can not be reconsidered as they were established by the appeal approval.

Other Material Considerations

19. Refrigeration plant and associated equipment appears to have been installed in the service passageway / on land beside the site / on the side of the building and a neighbour has already mentioned that it causes a level of disturbance. Such installations appear to be in contravention of condition 9 of the permission, and should have been approved by the planning authority prior to their installation. The applicant has been asked to submit details of the installations as soon as possible, with noise reduction proposals as appropriate.
20. Although the application is proposed for “approval”, the effect of doing so is actually

to re-impose the original conditions in an amended form appropriate to the circumstances.

Proposed removal of Condition 3

21. During the appeal one of the main issues considered by the Inspector was “the effect on safety of users of the highway with reference to the provision for smokers, servicing and refuse facilities”. The condition was imposed to ‘assist in the disposal of any waste’ as part of balancing the needs of leisure and residential living conditions in the defined city centre leisure area. The Inspector found the condition to be necessary.
22. The applicant suggests the planning condition is unnecessary for the premises to operate and believes the premises licence requires that litter and cigarette butts associated with the property be cleared away at the end of each night. This does not seem to be the case either in the Licence, or through observations of local residents. Licensing is also a process that affects only the operator/licence holder, not the overall use of the site, so measures need to be effective if operators change or licences are varied. Planning conditions are the only recourse to do so. As such a condition is still considered necessary, to protect the amenity of the area, not least because a permanent measure should be in place throughout the course of the public house operations.
23. Whilst the precise form of litter bin or cigarette butt containers has the potential to cause an impact on the fabric and appearance of the listed building, this was considered as part of Listed Building Consent 12/01251/L and approved in principle. Such details were required to be agreed by condition prior to commencement of the alteration works to the premises. Unfortunately these matters are also outstanding.
24. The condition is proposed to be retained and varied such that the applicant has 28 days to submit an application(s) containing the details of their proposed litter bins / cigarette butt containers for subsequent approval, and 14 days thereafter to install them. Should the planning authority find the details unacceptable, the condition is proposed to include a requirement to re-submit within the next 28 days or cease operations. Should the applicant fail to meet these criteria or timescales a breach of condition notice would be served and enforcement proceedings would begin.

25. The proposed revised condition is worded thus:

“Within 28 days of the date of this permission, details of litter bins or cigarette butt containers to be installed on the exterior of the premises shall be submitted to the Local Planning Authority, and shall be installed in accordance with the approved details within 14 days of the date of written approval by the Local Planning Authority.”

Proposed removal of Condition 8

26. The condition was originally imposed during the appeal to ensure music and other noise, including plant, acoustic music, and people noise would not become intrusive to residents. The Inspector recognised the potential impacts from the size of the premises and its historic construction, stating at paragraph 9 of their report:

“With regard to noise from people within the premises, it is clear that the proposed

drinking establishment would be fairly large, located over three floors, where chatting and some loud talking would be likely. There would be some insulation provided by the building itself and a gap to the nearest property would reduce the transfer of sound. However, the numbers of people to be accommodated, the likely noise level and possible noise transmission from the building are unclear. Also, means of ventilation have not been indicated and the level of noise spill with the windows open is not known.”

27. The applicant has worked with the Environmental Protection Officer to establish an acceptable level of noise to be played at the premises, which is limited by the size of the music system installed. The discussions have led to an agreed sound level where the potential for noise nuisance or disturbance affecting neighbouring business and residential premises are reduced to a level that is considered acceptable. This is not to say that noise would not be heard outside the building if, for example, windows and doors are opened, but the music noise by itself should be within an acceptable level to avoid disturbance to local residents and businesses and which is compatible with the site's position within the city centre leisure area and on a busy traffic route. Current operations appear to be conforming to those details and no noise complaints have been received to date.
28. The applicant suggests that their current operations and limits established under Condition 7 would preclude the need for Condition 8 to remain as part of planning restrictions. However, there are two reasons why this is not the case. Firstly, as with Condition 3, a permanent measure needs to be in place as a precaution against the possible future use of louder amplified sound by the same or another operator. Secondly, the agreed amplified music limits relates only to amplified music, and only using a system that was played at ground floor level; the applicant was only operating at ground floor at the time of discussions. The condition imposed required details to be agreed for all sources of noise, and to account for occasions when windows are to be opened and when any ventilation measures are installed.
29. On the basis that Condition 7 has established a means to limit the amplified sound only, and Condition 7 requires amplified sound to only be played through that particular system with limiter installed, it is considered appropriate to retain an amended form of Condition 8 and impose an additional condition to apply for other forms of noise and on all floors of the building. It is now suggested that specific sound protection measures be required for agreement in the event that amplified music levels are proposed above the agreed maximum under Condition 7, or proposed within basement, first and second floors, and when use of the bar extends into basement, ground and first floors to include people, plant and acoustic noise. Should the applicant fail to meet these criteria or timescales a breach of condition would have occurred and enforcement proceedings could begin.
30. In addition to a revised Condition 7, two proposed revised conditions are therefore proposed to replace Condition 8, worded thus:
 - (1) “Amplified music shall only be played above the levels allowed by use of the amplified sound system approved within application 12/02045/D. There shall be no amplified music played above such levels until such time as a scheme for protecting the nearest residential unit on Princes Street from all sources of noise has first been submitted to and approved in writing by the local planning authority. The scheme shall include details of predicted noise levels from all

sources, including if windows are opened, transmission levels having regard to the structure of the building, and methods of insulation/ventilation where appropriate. All works which form part of the scheme shall be implemented and completed and made ready for operation in accordance with the approved details before any amplified music is played above the established limits of the approved amplified music system.”

- (2) “Before the use commences within basement and first floors, and before any amplified music system is installed or acoustic music played at the second floor, a scheme for protecting the nearest residential unit on Princes Street from noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of predicted noise levels from all sources, including if windows are opened, transmission levels having regard to the structure of the building, and methods of insulation/ventilation where appropriate. All works which form part of the scheme shall be implemented and completed as approved before the use commences in the relevant floor of the premises.”

Enforcement Proceedings

31. Condition 3, and to an extent, Condition 8 should have been satisfied prior to first use of the public house. As such the operator has been in breach of the conditions, which are considered essential to the satisfactory function of the bar, since the bar opened. Planning enforcement procedures were considered by the authority when the bar opened; however, this application was received on October 19th and the details of Condition 7 had been received on October 17th and it was considered appropriate for both proposals to be given due consideration through the application process, particularly because a breach of condition process would have allowed 28 days for compliance from the day the Breach of Condition notice was issued.
32. As suggested at paragraph 19, the need for details to be agreed relating to plant and machinery, air extraction including extract flue and other installations is apparent. These should be revised as appropriate and included on the permission as before. Although any plant/machinery installed would need to be approved through a separate planning application, the suggested existing air handling plant at the site has attracted complaints from neighbouring premises. If details are submitted showing the plant in its current form it would be unlikely to be approved as it the noise from the plant is considered detrimental to the neighbouring amenity. It is proposed to allow a similar period of time for the details to be reconsidered and submitted, and adhered to, as with the revised Condition 3. If the revised condition is not complied with then planning enforcement investigations will continue.
33. The proposed revised condition is worded thus:
- “(a) Within 28 days of the date of this permission, details of all external plant, machinery, kitchen extraction system or associated flues already installed at the site, and details of the proposed means of attenuation measures to limits noise, external fixings to include anti-vibration mountings and fume reduction measures, shall be submitted to the Local Planning Authority, and shall be installed with acoustic mitigation measures in accordance with the approved details within 14 days of the date of written approval by the Local Planning Authority.
- (b) No external plant, machinery, kitchen extraction system or associated flues shall be

installed until a scheme for the provision of such equipment, including details of attenuation measures to limit noise, external fittings to include anti-vibration mountings and fume reduction measures, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.”

34. A site visit also revealed that the alterations made to the listed building are slightly at variance to the approved plans of listed building consent 10/01251/L (which also means there is a breach of condition 2 of 10/01250/F as the development is not carried out to the approved plans). The applicant has also failed to provide the necessary details relating to conditions of the listed building consent requiring agreement prior to the start of such works. The Conservation Officer has advised the applicant of the revisions needed and requested submission of the details at their earliest opportunity. Fortunately most of those ‘missing’ details appear to either be reversible in practice or not detrimental to the character or fabric of the listed building, so the applicant should be able to easily address their oversight and provide appropriate features. Nonetheless, Members are asked to authorise planning enforcement action if progress to amend these details is not forthcoming.
35. Whilst Members are asked to consider this application to remove the conditions and the Officer’s proposed imposition of replacement, amended, conditions, they are also asked to authorise enforcement action as required, set out below:
- (A) If Members consider the application can be approved as recommended, they are also asked to provide authority for officers to take enforcement action as appropriate if the new conditions re-imposed as part of this new permission are not complied with.
 - (B) If Members feel the application should be refused, and the conditions of 10/01250/F as originally imposed remain in place, they are also asked to provide authority for officers to take enforcement action relating to the existing breach of conditions as described above.
 - (C) In all instances, Members are asked to provide authority for officers to take enforcement action relating to the existing breach of conditions of the listed building consent 10/01251/L and unauthorised works to the listed building (and breach of condition 2 of planning permission 10/01250/F or the new full planning permission) if the applicant fails to submit the necessary information alongside that required for the conditions of the Full planning permission.

Local Finance Considerations

36. The proposed enforcement measures could potentially require the business to cease operations and therefore may impact on business rates.

Conclusions

37. The proposals to remove the conditions outright would be unacceptable due to the potential impacts that would be caused to local amenity for neighbouring residents, businesses and community groups. In the case of condition 3, the refuse collection should be provided for at the earliest opportunity. In the case of condition 8, a pragmatic approach is proposed as the necessary noise protection measures

should remain a requirement to be installed in the event that music exceeds the established limited noise levels set out through the details of condition 7. Whilst it is recommended that condition 8 can be removed in its current form, it is still required to be imposed in a varied form for future protection.

38. Case law has established that any proposed variation or removal of conditions which is approved effectively creates a new permission which the premises will operate under, so in this instance the range of conditions on the original permission 10/01250/F is revised to reflect current circumstance, as set out in the proposed list of conditions below and the report above.
39. The applicant, or new operators, will always be able to make successive applications for approval of details if they wish to use different bins, sound systems or insulation measures, for example, but will always need to comply with the same requirements listed below.

RECOMMENDATIONS

To:-

(1) approve Application No 12/02070/VC at 8 Redwell Street, Norwich, NR2 4SN, and grant planning permission, subject to the following conditions:-

1. The drinking establishment (A4 Use Class) hereby permitted shall be carried out in accordance with the following plans: Site Layout Plan 09/38/10 received 30th June 2010, Detail Design Plan 09/38/10 received 30th June 2010; and Refuse / Servicing Statement 09/38/03 dated December 2009. This includes a restriction that bar activities shall take place only at basement, ground and first floor levels.
2. The premises shall not be open to the public, trading, or have members of the public as customers or guests on the premises outside the following times: 11:00 hours to 00:00 hours (midnight) on any day.
3. The entrance doors opening to Redwell Street shall be fitted with automatic door closers which shall be operational whenever the premises are open to the public, trading, or have members of the public, as customers or guests. The doors shall not be left open other than in the case of an emergency.
4. The door to St Andrew's Hill, indicated as "fire exit only" on drawing number 09/38/10 shall only be used as a fire exist or for servicing when the premises are not open to the public, trading, or have members of the public, as customers or guests. The doors shall not be used for any other purpose.
5. Within 28 days of the date of this permission, details of litter bins or cigarette butt containers to be installed on the exterior of the premises shall be submitted to the Local Planning Authority, and shall be installed in accordance with the approved details within 14 days of the date of written approval by the Local Planning Authority.
6. The only amplified music system that shall be used at the premises will

the system whose details are approved under application 12/02045/D, and music from this system shall be played at ground floor level only. This system will be retained until details of an alternative permanent amplification system or details of how the approved amplification system will be extended into other floors have been submitted to and approved in writing by the Local Planning Authority. The amplification system shall be installed in accordance with the approved details and thereafter the agreed permitted maximum noise levels shall not be exceeded at any time. No amplified music shall be played in the premises other than through the approved system(s).

7. Amplified music shall only be played above the levels allowed by use of the amplified sound system approved within application 12/02045/D. There shall be no amplified music played above such levels until such time as a scheme for protecting the nearest residential unit on Princes Street from all sources of noise has first been submitted to and approved in writing by the local planning authority. The scheme shall include details of predicted noise levels from all sources, including if windows are opened, transmission levels having regard to the structure of the building, and methods of insulation/ventilation where appropriate. All works which form part of the scheme shall be implemented and completed and made ready for operation in accordance with the approved details before any amplified music is played above the established limits of the approved amplified music system.
8. Before the use commences within the basement and/or first floor, and before any amplified music system is installed or acoustic music played at the second floor, a scheme for protecting the nearest residential unit on Princes Street from noise shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of predicted noise levels from all sources, including if windows are opened, transmission levels having regard to the structure of the building, and methods of insulation/ventilation where appropriate. All works which form part of the scheme shall be implemented and completed as approved before the use commences in the relevant floor of the premises.
9. (a) Within 28 days of the date of this permission, details of all external plant, machinery, kitchen extraction system or associated flues already installed at the site, and details of the proposed means of attenuation measures to limit noise, external fixings to include anti-vibration mountings and fume reduction measures, shall be submitted to the Local Planning Authority, and shall be installed with acoustic mitigation measures in accordance with the approved details within 14 days of the date of written approval by the Local Planning Authority.

(b) No external plant, machinery, kitchen extraction system or associated flues shall be installed until a scheme for the provision of such equipment, including details of attenuation measures to limit noise, external fittings to include anti-vibration mountings and fume reduction measures, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

(Reasons for approval: The recommendation is made with regard to the provisions of the National Planning Policy Framework, the local development plan and all material considerations and is considered to comply with policies ENV6, ENV7 and WM6 of the East of England Plan (2008), policies 2, 5, 7, 8 and 11 of the adopted Joint Core Strategy for Broadland, Norwich and South Norfolk (2011), and saved policies HBE8, HBE9, HBE12, EP10, EP22, SHO22, AEC1, TRA5, TRA7 and TRA8 of the adopted City of Norwich Replacement Local Plan (2004). The proposals to remove conditions is not considered acceptable outright, but there are considered to be ways in which the existing conditions can be varied in a more effective manner to ensure satisfactory operations of the premises which retain sufficient control in the interests of protecting local amenity. As such the variation of condition can be approved subject to new conditions, and a new permission therefore granted to secure ongoing satisfactory use of the premises appropriate to its location, which provides ongoing compatible use and restoration of a listed building and which will avoid significant detrimental impact to the amenities of the local area.

- (2) authorise enforcement action in relation to the various forms of breach of conditions and unauthorised listed building amendments as described in the above report, to secure compliance with conditions and the taking of legal proceedings, including prosecution if necessary.

Appendix 1.

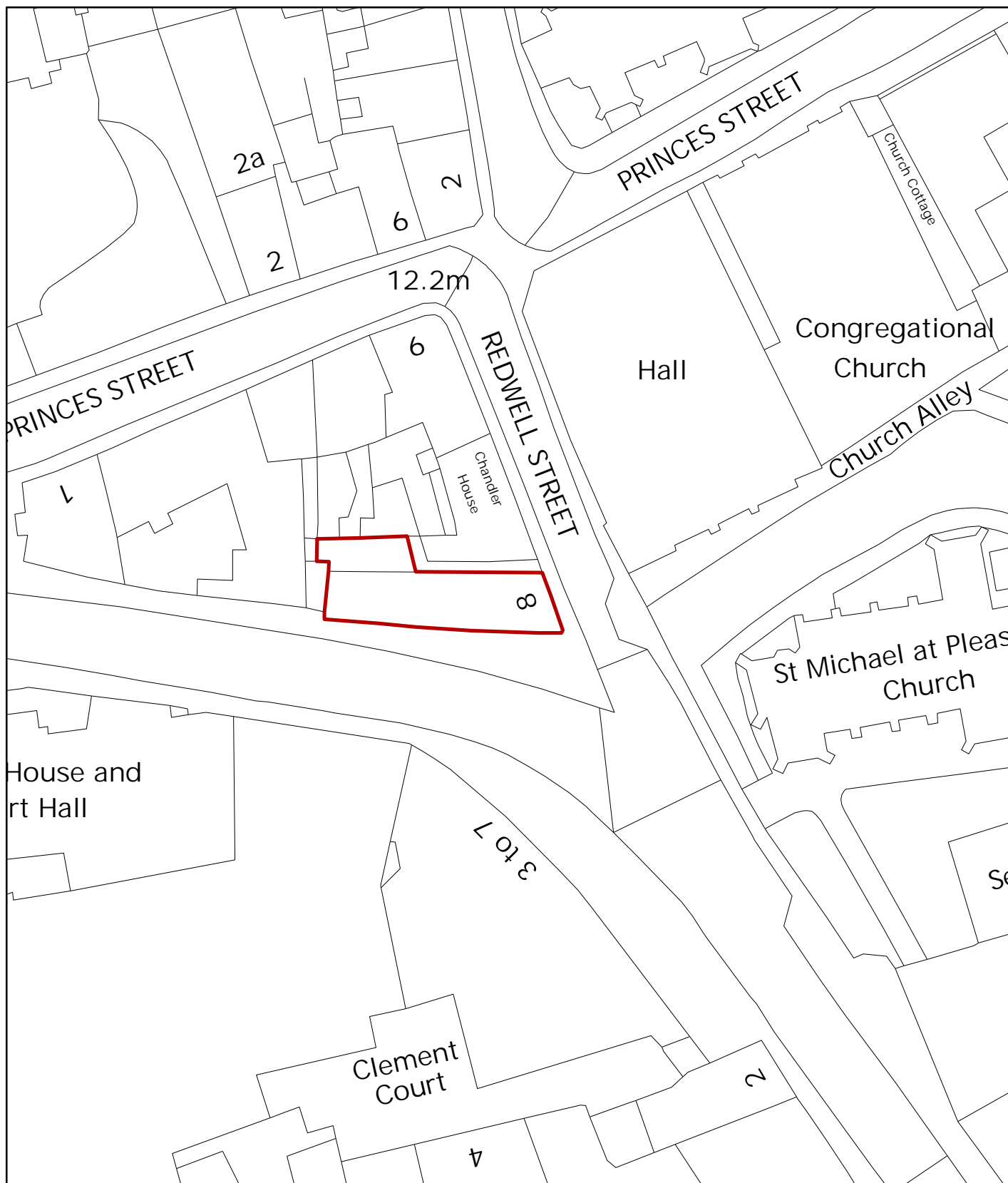
Conditions applied to planning permission 10/01250/F by Planning Inspector.

Appeal Decision APP/G2625/A/11/2145533

ANNEX A SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development and change of use to a drinking establishment hereby permitted shall be carried out in accordance with the following approved plans: Site Layout Plan 09/38/10 received 30th June 2010, Detail Design Plan 09/38/10 received 30th June 2010; and Refuse/Servicing Statement 09/38/03 dated December 2009.
- 3) Before the use commences details of litter bins or cigarette butt containers to be installed on the exterior of the premises shall be submitted to and approved in writing by the Local Planning Authority, and shall be installed prior to the use commencing, in accordance with the approved details.
- 4) The premises shall not be open to the public, trading, or have members of the public as customers or guests on the premises outside the following times: 11:00 hours to 00.00 hours (midnight) on any day.
- 5) Before the use commences, the entrance doors opening to Redwell Street shall be fitted with automatic door closers which shall be operational whenever the premises are open to the public, trading, or have members of the public, as customers or guests. The doors shall not be left open other than in the case of an emergency.
- 6) The door to St Andrews Hill, indicated as "fire exit only" on drawing number 09/38/10 shall only be used as fire exits or for servicing when the premises are not open to the public, trading, or have members of the public, as customers or guests. The doors shall not be used for any other purpose.
- 7) No installation of any amplified sound equipment shall take place within the application premises until details of a permanent amplification system have been submitted to and approved in writing with the Local Planning Authority. The amplification system shall be installed prior to commencement of use of the premises and thereafter the agreed permitted maximum noise levels shall not be exceeded at any time. No amplified music shall be played in the premises other than through the approved system.
- 8) Before the use commences a scheme for protecting the nearest residential unit on Princes Street from noise shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of predicted noise levels from all sources, including if windows are opened, transmission levels having regard to the structure of the building, and methods of insulation/ventilation where appropriate. All works which form part of the scheme shall be implemented and completed as approved before the use commences.
- 9) No external plant, machinery, kitchen extraction system or associated flues shall be installed until a scheme for the provision of such equipment, including details of attenuation measures to limit noise, external fixings to include anti-vibration mountings and fume reduction measures, has been submitted to and approved in writing by the Local

Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.



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Planning Application No 12/02070/VC

Site Address 8 Redwell Street

Scale 1:500



NORWICH
City Council

PLANNING SERVICES

