

3. Planning History:

TM/04/02578/LB Grant With Conditions 16 December 2004

Listed Building Application: Change of use of control tower to restaurant and bar including single storey extensions.

TM/04/02579/FL Refuse 23 November 2005

Change of use of control tower to restaurant, delicatessen, Members' lounge with private dining and conference facilities, erection of single storey additions and creation of outside terraces.

4. Consultees:

- 4.1 No additional representations have been received since the applications were reported to the Area 2 Planning Committee on the 1 August 2007.

5. Determining Issues:

- 5.1 The issues concerning these applications were fully discussed in my previous report and no new issues have arisen following the Members' site inspection.

6. Recommendation:

(A) TM/06/01826/FL

- 6.1 **Grant Planning Permission** in accordance with the following submitted details: Letter DGH/BH/5424 dated 16.04.2007, Location Plan 03/1175/20 C dated 18.08.2006, Existing Plans and Elevations 03/1175/05 dated 01.05.2006, Proposed Plans 03/1175/21 F dated 16.04.2007, Elevations 03/1175/22 C dated 01.05.2006, Section 03/1175/14 A dated 01.05.2006, Letter DGH/BH/5424 dated 28.08.2007, subject to the following:

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2. The business shall not be carried on outside the hours of 08.00 to 21.30 on any day of the week unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid unreasonable disturbance to nearby residential properties.

3. No vehicles associated with the commercial use of the property shall arrive, depart, be loaded or unloaded within the application site outside the hours of 07.00 to 19.00 on Monday to Friday unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid unreasonable disturbance outside normal working hours to nearby residential properties.

4. The collection of refuse and recyclates arising from the commercial use of the building shall take place only between the hours of 07.00 to 19.00 Monday to Friday.

Reason: To avoid unreasonable disturbance outside normal working hours to nearby residential properties.

5. No part of the building the subject of this application shall be occupied until underground ducts have been installed by the developer to enable telephone, electricity and communal television services to be connected to any premises within the site without recourse to the erection of distribution poles and overhead lines and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting that Order), no distribution pole or overhead line shall be erected within the area except with the express written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and the setting of this Grade II Listed Building.

6. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

7. The garage(s) shown on the submitted plan shall be kept available at all times for the parking of private motor vehicles.

Reason: Development without the provision of adequate vehicle parking space is likely to lead to hazardous on-street parking.

8. The use shall not commence until full details of a scheme of mechanical air extraction from the kitchen, including arrangements for the continuing maintenance of this equipment and any noise attenuation measures required in connection with the equipment have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully installed before use of the kitchen commences and shall thereafter be maintained in strict accordance with the approved details. No cooking of food shall take place unless the approved extraction system is being operated.

Reason: In the interests of the amenities of nearby properties.

9. The use shall not commence until full details of all plant, machinery and equipment associated with ventilation, air conditioning and refrigeration including arrangements for the continuing maintenance of this equipment and any noise attenuation measures required in connection with the equipment have been submitted to and approved in writing by the Local Planning Authority. The details of such equipment shall be sufficient to demonstrate that noise from these sources shall not exceed NR35 at the site boundary. The scheme of approved plant and machinery shall be fully installed before use of the building commences and shall thereafter be maintained in strict accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or the amenity of adjacent residential properties visual amenity of the locality.

10. At no time shall any external spaces contained within the red line area of the application site be used in connection with the permitted commercial use of this building as a delicatessen/bistro for sitting out on or for the consumption of food and drinks served or purchased within the building.

Reason: In the interests of the amenities of nearby properties.

11. No live or amplified music shall be played outside the building.

Reason: In the interests of the amenities of nearby properties

12. Any live or amplified music played inside the ground floor of the building shall not be audible beyond the boundary of the site as shown on plan no.03/1175/20C

Reason: In the interests of the amenities of nearby properties

13. No development shall commence until full details of a scheme of sound insulation between the commercial and residential uses of this building has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the occupation of the residential unit within this building.

Reason: In the interests of the amenities of the permitted residential unit within this building.

(B) TM/06/01829/LB

- 6.2 **Grant Listed Building Consent** in accordance with the following submitted details: Letter MJW/KS/5424 received 01.05.2006, Existing Plans and Elevations 03/1175/05 received 01.05.2006, Section 03/1175/14 A received 01.05.2006, Location Plan 03/1175/20 C received 18.08.2006, Elevations 03/1175/22 C received 01.05.2006, Letter DGH/BH/5424 received 10.04.2007, Floor Plans And Elevations 03/1175/21 F received 16.04.2007, subject to the following:

Conditions

1. The development and works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

Reason: In pursuance of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. No development shall take place until details and samples of materials to be used externally have been submitted to and approved by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or the visual amenity of the locality.

3. No development shall take place until details of the canopy over the entrance to the building and joinery details of all replacement windows have been submitted to and approved by the Local Planning Authority, and the work shall be carried out in strict accordance with those details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

4. No development shall take place until details of any joinery to be used have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

5. The standard of workmanship achieved in the carrying out of the development shall conform with the best building practice in accordance with the appropriate British Standard Code of Practice (or EU equivalent).

Reason: To ensure that the development does not harm the character and appearance of the existing building or visual amenity of the locality.

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