

3. Determining Issues:

- 3.1 Given the content of the acoustic report and the comments from DHH it is considered that although it would not be possible to eradicate all noise transfer between properties the measures proposed should reduce the impact to a level where it would not be considered a nuisance. It is therefore considered appropriate to recommend that a temporary permission be granted for the period of one year subject to conditions seeking carpeting and heavy curtains, hours of use restrictions on the upper floors and also the previously discussed restriction on the use of the terrace area to 9pm or dusk, whichever is earlier. It is not considered appropriate at this stage to request the construction of a partition wall due to the potential impact on the fabric of the Listed Building and also the need for further permissions for the works.

4. Recommendation:

- 4.1 **Grant Planning Permission** in accordance with letters dated the 7 December 2006, 4 August 2006, 29 November 2007, drawings LC729 001 L01 and LC729 001 L02 and Assessment of Noise Impact on Attached Residence dated 2 November 2007 subject to the following conditions.

- 1 The use hereby permitted shall be discontinued and the building returned to its former use on or before 28 February 2009. (T002)*

Reason: In order to enable the Local Planning Authority to monitor the impact of the development.

- 2 Within two months of the date of this permission the upper floor of the building will be carpeted and heavy curtains hung in accordance with the recommendations of the acoustic report. These measures shall be completed and retained to the satisfaction of the Local Planning Authority.

Reason: In the interests of residential amenity

- 3 The first floor rooms shall not be used outside the hours of 09:00 and 23:00 on any day.

Reason: In the interests of residential amenity

- 4 The terrace area shall not be used outside the hours of 09:00 and 21:00 or dusk, whichever is sooner, on any day, with the doors kept closed at all times.

Reason: In the interests of residential amenity

Contact: Robin Gilbert