

Town and Country Planning Act 1990

NOTIFICATION OF DECISION

Application Type: **Full Application** Application No: **16/01680/FUL**

Address to which the proposal relates: **39 Milsom Street City Centre Bath Bath And North East Somerset**

Description of Proposal: **Change of use from Bank (Class A2 use) to restaurant (Class A3 use) with associated internal and external alterations.**

Application submitted by: **Troia Uk Restaurants**

The above development is **PERMITTED** in accordance with the application, plans and drawings submitted by you subject to the condition(s) set out below:

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

Reason: As required by Section 91 of the Town and Country Planning Act 1990 (as amended) and to avoid the accumulation of unimplemented planning permissions.

2 The use hereby permitted shall not commence until a detailed scheme for the ventilation and extraction of fumes/cooking smells has been submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the precise details of the flue extraction equipment to be used, including: the stack height; the design and position of all ductwork; the noise/power levels of the fan(s); the number, type and attenuation characteristics of any silencers; details of anti-vibration mounts and jointing arrangements in the ductwork; the number of air changes per hour, and the efflux velocity. The scheme shall be implemented as approved prior to the commencement of the use and thereafter maintained as such.

Reason: To protect the amenities of the occupants of neighbouring properties in accordance with policies D.2, ES.10 and ES.12 of the Bath and North East Somerset Local Plan.

3 The use of the restaurant shall not be carried on and no customer shall be served or remain on the premises outside the hours of 08:00 and 23:59 hours Monday to Saturday and 09:00 to 23:00 hours on Sundays and Bank Holidays.

Reason: To safeguard the amenities of nearby occupiers in accordance with Policy D.2 of the Bath and North East Somerset Local Plan.

4 Deliveries or despatches shall be made to or from the site only between the hours of 07.00 and 21.00.

Reason: To protect the amenities of the occupants of neighbouring properties in accordance with policies D.2 and ES.12 of the Bath and North East Somerset Local Plan.

5 The rating level of noise emitted from any machinery associated with the development shall not exceed background sound levels (LA90T) by more than 5dB(A). The rating level shall be determined by measurement or calculation at the boundary of the nearest noise sensitive premises or at another location that is agreed with the Local Planning Authority. The background noise level shall be expressed as an LA90 1 hour and the ambient noise levels shall be expressed as an LAeq 1 hour during the daytime (07:00-23:00) and shall be expressed as an LA90 and LAeq 5 minutes during the night (23:00-07:00)

Reason: To protect the amenities of the occupants of neighbouring properties in accordance with policies D.2 and ES.12 of the Bath and North East Somerset Local Plan.

6 This permission does not permit the planters shown on approved drawing number 4322/134/203/B dated 17 June 2016, as these are located outside the defined boundary of the application site.

Reason: In order to define the extent of the permission.

PLANS LIST:

This decision relates to drawing nos Location Block Plan drawing number 4322/134/LBP, Existing Plan - Basement, Ground, First Floor drawing number 4322/134/101, Existing Plan - Second and Third Floor drawing number 4322/134/102 received 6th April 2016, Existing Elevations drawing number 4322/134/103 received 13th April 2016 and Proposed GA Plans drawing number 4322/134/201/B, Proposed Elevations drawing number 4322/134/203/B and Proposed RCP Plans drawing number 4322/134/301/A received 17th June 2016.

ADVICE NOTE:

Food premises

Please be aware that all food business must be registered with the food safety team at Bath and North East Somerset Council at least 28 days prior to operation.

In determining this application the Local Planning Authority considers it has complied with the aims of paragraphs 186 and 187 of the National Planning Framework. For the reasons given, and expanded upon in a related case officer's report, a positive view of the submitted/revised proposals was taken and consent was granted.

Date of Decision: 20th June 2016



Mark Reynolds
Group Manager (Development Management)

IMPORTANT NOTE - The above decision refers to Planning Permission only and does not grant or imply Listed Building Consent, Advertisement Consent, Building Regulation or other consents under any other legislation.