

BATH AND NORTH EAST SOMERSET COUNCIL

Development Control Committee

21 January 2009

**OBSERVATIONS RECEIVED SINCE THE PREPARATION OF THE MAIN
AGENDA**

ITEM 10

ITEMS FOR PLANNING PERMISSION

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| 01 | 08/04446/FUL & 08/04447/LBA | Friends Meeting House, York Street, Bath | 3-14 |

Further Representations

Three additional letters of objection have been received. One of these letters raises the following objections:

- (a) there is an 'in principle' objection to opening the blind doorway, which was a feature of the original design of the building for the Freemasons.
- (b) The installation of a disabled lift on the east entrance would unbalance the symmetry of the front façade
- (c) The front area of the building is too shallow to accommodate the number of tables and chairs proposed
- (d) The proposed new mezzanine floor in the Great Room would compromise the proportions of the most important space in the building.
- (e) The introduction of a disabled WC into the library room would also damage the proportions of this room.
- (f) Suggests that there is not a need for a further restaurant in this area and identifies 25 restaurants and cafes within two minutes walk of the site.

The other two letters raise objections on the grounds that the character of the building would be adversely affected, and that there is not a need for a restaurant in this location

Environmental and Consumer Services

Environmental and Consumer Services have submitted an additional consultation response, seeking that details of the noise attenuation measures to achieve the required level of noise attenuation from machinery etc are submitted, and also requiring that an assessment of potential odour nuisance be carried out and measures for control of odours be submitted to the Council for approval.

It is also suggested that time limits are imposed on the use of the outdoor seating at the front of the building to prevent noise nuisance to local residents.

Officer Comment:

To help protect residential amenity it is recommended that Condition (3) of 08/04446/FUL be amended and two further conditions are added.

Recommendation: in relation to 08/04446/FUL

Condition (3) is amended as follows:

(3) All plant and machinery installed at the premises, including fume extraction and air-conditioning plant, shall be attenuated so that noise levels are 5dB below the minimum background noise levels. Details of measures to achieve these noise levels shall be submitted to and approved by the Local Planning Authority, and shall be implemented to the satisfaction of the Local Planning Authority before the use hereby permitted is brought into operation.

Reason: To protect the amenities of neighbouring residential occupiers

Also, the following conditions are added:

(6) The use hereby permitted shall not be brought into operation until an odour assessment undertaken by a competent person has been submitted to and approved in writing by the Local Planning Authority. The odour control measures included in the assessment shall be implemented to the satisfaction of the Local Planning Authority before the use hereby approved is implemented.

Reason: To protect the amenities of neighbouring residential occupiers.

(7) The outdoor terrace at the front of the building shall not be used by customers outside the hours of 1100 – 2100hrs on any day.

Reason: To protect the amenities of neighbouring residential occupiers.

ERROR: undefined
OFFENDING COMMAND:

STACK: