

DRAFT CONDITIONS

01. The development to which this permission relates shall be begun no later than the expiration of three years beginning with the date of grant of this permission.

Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.

02. Acoustic/amplified music from the premises shall not give rise to a noise level, assessed with windows closed, within any dwelling or noise sensitive building in excess of that equivalent to Noise Rating Curve 35 between 0700 and 2200, and Noise Rating Curve 25 at all other times.

Reason: To protect the occupiers of dwellings or noise sensitive buildings from excessive noise.

03. Disposal of Cooking Odours/Fumes

- a. All cooking smells, noxious fumes or vapours from the premises shall be disposed of by means of a duct carried up the wall on the east elevation and terminating at a point 1 metre above the eaves. The duct shall be free from any obstruction such as a plate, cowl, cap or any other deflection at its termination point.
- b. A ventilation and filtration system incorporating at least the following elements shall be installed and operational before the use commences. The elements to be included are:
 - i. Canopies - A canopy (or canopies) shall be located above all cooking appliances.
 - ii. Air Flow - The canopy face velocity shall be not less than 0.5 m/s.
 - iii. Primary Grease Filtration - Labyrinth (baffle) grease filters shall be installed within the canopy or canopies.
 - iv. Air Input – An air input system shall be provided by means of a pleated inlet filter, supplying clean filtered air equivalent to at least 80% 'make-up' of the extracted air.
- c. A maintenance/management scheme for the ventilation and filtration system, including all aspects referred to in (a) and (b) above shall be submitted to and approved in writing by the planning authority before the use commences and shall be implemented as approved for the duration of the use.
- d. Mechanical and electrical installations shall be arranged to ensure that the ventilation system is in operation during periods when the premises are open for the preparation and/or cooking of food.

Reason: To protect local residents from nuisance resulting from the disposal of cooking odours.

04. The use of the premises shall be restricted to the following days and hours of operation:

Public House: Monday to Friday 11.00 – 23.00, Saturday and Sunday 11.00 – 24.00

Office: Monday to Friday 08.30 – 17.30

Reason: To protect local residents from exposure to noise and disturbance at unsocial hours.

05. Before any work on the site is begun, details of refuse and recycling storage areas and bins shall be submitted to and approved in writing by the planning authority. These facilities shall be completed before the development/the relevant part of the development is occupied.

Reason: To ensure the proper disposal of waste and to safeguard the environment of the development.

06. Details of the external material to be used on the proposed building shall be submitted to and approved by the planning authority in writing in respect of their type, colour and texture. Written approval shall be obtained before the materials are used on site.

Reason: In order to protect the appearance of both the property itself and the surrounding area.

07. Clear delineation between the public (adopted) and private (non-adopted) areas shall be provided by means of a flush heel kerb and any steps or ramps shall be located in private (non-adopted) areas.

Reason: In the interests of pedestrian safety.

08. Before any work on the site is begun, a scheme of landscaping shall be submitted to and approved in writing by the planning authority. The scheme shall include hard and soft landscaping works, boundary treatment(s) including walls and railings, details of trees and other features which are to be retained, and a programme for the implementation/phasing of the landscaping in relation to the construction of the development. All landscaping, including planting, seeding and hard and soft landscaping, shall be completed in accordance with the approved scheme.

Reason: To ensure that the landscaping of the site contributes to the landscape quality and biodiversity of the area.

09. Before any landscaping works on the site is begun, a maintenance schedule for the landscaping scheme/open space, including a calendar detailing the maintenance of each component of the landscaping scheme and the number

of operations within each month, and details of the responsibilities of relevant parties, shall be submitted to and approved in writing by the planning authority.

Reason: To ensure the continued contribution of the landscaping scheme/open space to the landscape quality and biodiversity of the area.

10. Before any work on the site is begun full details of any tree works shall be submitted for the written approval of the Planning Authority, including the submission of an Arboricultural Impact Assessment, method statement, design details of hard surfacing within the Root Protection Area and an accompanying schedule including information on species, height, canopy spread, base level and condition. A detailed plan shall be submitted which shows the exact location of all existing trees at the site and the location and details of a method of tree protection, to comply with BS 5837:2012 Trees in relation to design, demolition and construction, for the written approval of the planning authority. The approved protection shall be in place prior to the commencement of any work on the site and shall be retained in place until completion of the development.

Reason: To maintain the contribution of existing trees to the landscape quality and biodiversity of the area.

11. Before any work on the site is begun, a detailed plan to comply with BS 5837:2012 Trees in relation to design, demolition and construction, which shows the exact location of all existing trees on the site and within 100 metres of the site boundary, including their root protection area (RPA), shall be submitted to and approved in writing by the planning authority. An accompanying schedule shall include information on species, height, canopy spread, base level and condition. The plan and schedule, ie the tree survey, shall also indicate those trees which it is intended to retain and those which it is intended to remove and details of any tree works to retained trees.

Reason: To maintain the contribution of existing trees to the landscape quality and biodiversity of the area.

12. A statement on how the development will support and enhance biodiversity shall be submitted to and approved by the planning authority before works commence. This statement shall be informed by policy guidance on biodiversity in the development plan, including City Development Plan policy CDP 7 and Supplementary Guidance SG7 Natural Environment, and shall contain specific actions and/or works demonstrating agreed mitigation measures, where necessary, along with works and/or actions that support habitat creation and improve on-site biodiversity. For the avoidance of doubt, this should include the incorporation of external bat boxes in the design of the flats or on surrounding mature trees; swift boxes/bricks incorporated into the design of the development at an appropriate height; and the inclusion of pollinator friendly plants, native trees and wildlife friendly hedgerow within the landscaping of the development, as well as provision for hedgehogs to move through and around the site. The statement actions and or/works shall be carried out in accordance with a detailed timetable as set out in the approved statement.

Reason: To protect and enhance the biodiversity of the area.

13. Before development commences on site a Statement on Energy (SoE) shall be submitted to and approved in writing by the planning authority. The SoE shall analyse the energy and CO₂ savings that can be achieved in the development by utilising energy efficient design, practice and technologies. It shall demonstrate how the development will incorporate low and zero-carbon generating technologies to achieve at least a 20% cut in CO₂ emissions and the 'Gold Hybrid' sustainability label, or better, as per the Building Standards Technical Handbook Section 7: Sustainability. The development shall thereafter be constructed in compliance with the approved SoE. Formal confirmation of the constructed development's compliance with the SoE, carried out by a suitably qualified professional, shall be submitted to and approved in writing by the planning authority before the development/the relevant part of the development is occupied.

Reason: To enable the Planning Authority to consider this/these aspect(s) in detail.

Reason: To reduce energy consumption and greenhouse gas emissions by ensuring that the development is designed and constructed to be energy efficient, and utilises cleaner and more renewable sources of energy.

14. The car parking area(s) shall be permeable but shall exclude loose material. Car parking spaces (each space measuring 2.5 x 5.0 metres) and aisles (6 metres wide) shall be clearly delineated on the ground. The car parking area(s) shall be available for use before the development/the part of the development served by the car parking in question, is occupied.

Reason: To attenuate drainage from the site in the interest of flood control; to keep the road free of loose material in the interests of pedestrian and vehicular safety; and to ensure that car parking is available for the occupiers/users of the development.

15. Prior to the commencement of construction works on site, details of the drainage system for the development shall be submitted to and approved in writing by the Planning Authority.

Reason: In order to minimise the impact of the building on the existing public drainage system.

16. Appropriate SUDS measures shall be adopted within the site that prevents surface water run off draining onto the public road.

Reason: In the interests of traffic safety at the locus.

Advisory Notes

- B53** Before the ventilation system for the disposal and treatment of cooking odours from the premises is installed, the applicant should submit certification from a member of the Heating and Ventilating Contractor's Association, or other suitably qualified person, to the planning authority, confirming that the proposed system will satisfy the requirements of sections (a) and (b) of the condition relating to the disposal of cooking odours/fumes.
- B54** Before the use commences, the applicant should, following the testing of the installed ventilation system, submit certification from a member of the Heating and Ventilating Contractor's Association, or other suitably qualified person, to the planning authority, confirming that the installation meets its design specification.