

Suggested 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: In the interest of certainty and the proper planning of the area, and to comply with section 58 of the Town and Country Planning (Scotland) Act 1997, as amended.

02. The use of the premises shall be restricted to the following days and hours of operation: Monday to Sunday, 18:00 to 04:00 hours.

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

03. Before any work on the site is begun, a noise survey shall be submitted to and approved in writing by the planning authority. The noise survey shall show that acoustic/amplified music from within the proposed development will not give rise to a noise level, assessed with windows closed, within any dwelling or noise sensitive building in excess of Noise Rating Curve 35 between 0700 and 2200, and Noise Rating Curve 25 and 45 dB LA max(fast) at all other times. Where the survey predicts that these levels will be exceeded, mitigation measures to ensure that these levels are met shall be specified in the survey report. The approved mitigation measures shall be completed before the use of the development commences.

Reason: To enable the Planning Authority to consider this/these aspect(s) in detail, and to protect the occupiers of dwellings or noise sensitive buildings from excessive noise.

04. Noise from or associated with the completed development (the building and fixed plant) 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.

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.

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

06. All external fittings including roof terminals, burglar alarms, air conditioning and ventilation plant, ducts and grilles, balanced flues and security fittings shall be factory finished or painted out to match the colour of the background to which they are attached.

Reason: To safeguard the character of the listed building and the character of the surrounding conservation area.

07. No external fittings including gas and water pipes, gas and water meter boxes, balanced flues, solar panels, wind turbines, burglar alarms, security lights and cameras, air conditioning and ventilation plant, grilles or ducts shall be installed on the elevations facing West Regent Street.

Reason: To safeguard the character of the listed building and the character of the surrounding conservation area.

08. Before the use hereby approved is implemented, details of measures to minimise disturbance to nearby residents at unsocial hours by virtue of the disposal of glass bottles from the premises shall be agreed in writing with the planning authority and thereafter the approved details shall be adhered to.

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

09. No details of any cooking are approved as part of this use. If cooking is proposed, details of any internal or external alterations including flues or ventilation will be required to be submitted to the Planning Authority prior to installation and may require a separate application for planning permission and/or listed building consent.

Reason: To clarify the position regarding cooking on the premises, and to enable the Planning Authority to consider this aspect(s) in detail.

Advisory Notes to Applicant

01. The applicant should note that any internal or external alterations/installations to the premise may first require Listed Building Consent, therefore, before any internal or external works/installations are undertaken, the Planning Authority should be contacted for advice in this regard.

02. Any advertisement, other than that deemed within the terms of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984, to be the subject of an application for express consent.

03. The applicant should be aware that the use hereby approved is restricted to the area outlined in red on drawing number 29179/2 'SITE/LOCATION PLAN Received 17 November 2021'. Accordingly, the lane and footway to the rear of the premises should remain clear and unobstructed at all times.

04. The applicant should consult with Land and Environmental Services (Environmental Health) concerning this proposal in respect of legislation administered by that Service which is likely to affect this development.

05. Any cooking proposed should be the subject of a consultation with Environmental Health about appropriate ventilation for cooking fumes.