

Development Management Sub Committee

Wednesday 14 August 2019

Application for Planning Permission 19/02007/FUL

At 45 Market Street, Edinburgh, EH1 1DF

External: alter main entrance and existing service access & fire exit, replace rooflights, flat roof coverings & install new services. Internal: Form access linking Nos 36-39 & 45 to extend into adjacent building [as per separate application], relocate kitchen, alter cafe, passenger lift & WCs, replace main stair, alter upper floor galleries, form learning suite [staff accommodation relocates to Nos 36-39]. No works are proposed to North facade Category A Listed substructure of Station.

Item number

Report number

Wards

B11 - City Centre

Summary

The proposed alterations to the Gallery are relatively small scale, of a suitable design quality and acknowledge the architectural character of the building.

The proposals will not adversely affect the character and appearance of the Old Town Conservation Area, the Outstanding Universal Values of the Edinburgh World Heritage Site or the setting of adjacent listed buildings. The proposals are consistent with the Old Town Conservation Area Character Appraisal.

The proposed works will represent an enhancement to an established cultural venue in the city centre and the Old Town.

The proposals address requirements of relevant policy and guidance.

There are no further material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LEN01, LEN03, LEN06, LDES03, LDES12, LDES13, LTRA03, NSGD02, NSLBCA, CRPOLD,

Report

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Recommendations

1.1 It is recommended that this application be Granted subject to the details below.

Background

2.1 Site description

The Fruitmarket Gallery forms an eastern termination to a terrace of two storey structures lining the northern edge of Market Street, with Waverley Station lying to the rear.

The building is unlisted. However, the massive 'N' steel truss beneath the building forms part of the Category A listing of Waverley Station (LB Reference: 30270, Date of Listing: 12 November 1991, Date description amended: 22/06/2015).

Numbers 31-33 and 36-39 Market Street, lying immediately to the west of the gallery are Category B listed (LB Reference: 52353, Date of Listing: 22 June 2015).

The building was originally constructed as a fruit and vegetable market in circa. 1931 and has operated as a visual arts space since 1974. The building was re-modelled by Richard Murphy Architects to assume its current form in 1993.

The building occupies a visually prominent location in the Waverley Valley and the Edinburgh World Heritage Site at the northern edges of the Old Town Conservation Area. Market Street is defined by some pronounced changes in level, with topography and built form rising sharply to the south to form the Old Town ridge. A further pronounced level change occurs immediately to the north, with Waverley Station and operational railway tracks situated below. North Bridge crosses Market Street and the Waverley Valley approximately 60 metres to the east of the application site.

Market Street represents a busy city centre location with high levels of pedestrian footfall. The character of the area is predominantly commercial featuring bars and cafes, visitor attractions including the Edinburgh Dungeon, hotels and backpacker accommodation. The City Arts Centre lies directly opposite the site to the south.

The building lies immediately to the west of the southern pedestrian entrance to Waverley Station.

The site is located within the Old Town Conservation Area and Edinburgh World Heritage Site.

2.2 Site History

Application Site

30 January 2001 - Permission granted to install lighting on building (Application reference: 00/00323/REM).

29 July 2013 - Permission refused for the display of a PVC advertising banner on the east elevation (Application reference: 13/01744/ADV).

Adjacent Sites

24 April 2019 - Application lodged for change of use to former nightclub at Nos. 36-39 Market Street to extend Fruitmarket Gallery at No. 45 Market Street from Class 11(d) to 10(c). Various alterations to and reinstatement of original windows & shopfront, install roof mounted plant. Internal alterations: removal of 1st floor to create double height gallery to east section of property and on west, over two floors, toilets, stores & workshop located to west, with staff accommodation above. Internal slappings to single storey link connect two properties forming one venue (Application reference: 19/02006/FUL).

24 April 2019 - Application lodged for external and internal alteration to Category B listed building at 36-39 Market Street, including alteration of frontage to single storey link between Nos. 36-39 and 45 Market Street (Application reference: 19/02004/LBC).

Main report

3.1 Description Of The Proposal

Scheme 2

This application relating to the existing Fruitmarket Gallery premises, forms part of a project to both refurbish the existing gallery and expand into the adjacent category B listed, 36-39 Market Street. Internally, accommodation will be reconfigured with some of the existing gallery activities being relocated to the extension.

External alterations to the building will include:-

New glazing and lead clad panel to be formed to the existing western service access and fire exit, replacing the existing painted plywood frontage.

Existing main entrance door (situated at right angles to the frontage) and glass block panel over recessed entrance to be removed, and replaced by an automated glazed aluminium/steel door to improve accessibility. A new recess will be formed by extending the existing shopfront glazing adjacent to the entrance. The existing sliding gate will be replaced with a new hinged gate to provide out of hours security.

Kitchen extract and duct to be mounted on the flat roof, setback midway between gables. This will be contained by existing parapets.

Replacement of rooflight glazing over the upper floor gallery and flat roof covering to the east and west gables

The formation of an access to link the existing gallery with Nos.36-39 Market Street, via the existing single storey structure to west of building has been considered as part of related applications, 19/02007/FUL and 19/02004/LBC.

Scheme 1

The sliding gate to the main entrance has been identified for replacement with a hinged gate.

Supporting Information

- Design Statement - 23 April 2019;
- Design Statement - Supporting Information - 22 July 2019;
- Conservation Statement; and
- Noise Impact Assessment.

These documents can be viewed on the Planning and Building Standards Online Service.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) The design proposals are acceptable;
- b) The proposal will preserve and enhance the character of the Old Town Conservation Area;
- c) The proposal will preserve the outstanding universal value of the Old and New Towns of the Edinburgh World Heritage Site;
- d) The proposal will have a detrimental impact on the character and setting of adjacent listed buildings;
- e) The proposals raise issues in respect of archaeology;
- f) The proposal raises issues in respect of neighbour amenity;
- g) The proposal raises issues relating to transport and public realm;
- h) Other matters;
- i) Any impacts on equalities or human rights are acceptable; and
- j) Any comments raised have been addressed.

a) Design

The existing gallery will be subject to refurbishment and upgrading. Early proposals for potential redevelopment of the existing gallery were presented to the Edinburgh Urban Design Panel in August 2014. The scope of the project has evolved considerably since this time. The principal focus of the project will be to expand the gallery operation into the adjacent 36-39 Market Street lying immediately to the west. This aspect of the proposals is being considered as part of related applications; 19/02006/FUL and 19/02004/LBC.

The various alterations proposed as part of this application are required to bring the facilities into line with current Building Standards particularly accessibility and to improve the facilities to a level that maintains the Fruitmarket Gallery's position as an art centre of international significance.

The principal changes to the elevation will include the remodelling of the existing main entrance and western service access and fire exit.

The building is unlisted, as such the works to the interior of the building do not require to be considered in the determination of planning permission.

The existing main entrance area is constrained and fails to meet current accessibility standards. Whilst the proposed works will result in the removal of glass block panelling associated with the 1993 remodelling, it is considered that the formation of a new entrance recess and extension of the existing shopfront glazing with glazed automated door would respect the solid to void proportions of the overall façade. Following discussion with the applicants, the existing sliding gate to the main entrance recess will be replaced with a hinged gate of similar appearance and design. This feature also dates from the 1993 re-modelling and is considered important to the architectural character of the building. A detailed design for this feature has yet to be developed and details will therefore be secured through condition.

The proposed new glazing and lead clad panel to be formed to the existing western service access and fire exit, will represent a visual enhancement to the façade and respect the architectural character of the building.

The proposed kitchen extract and duct to be mounted on the flat roof would be contained by existing parapets and will not be readily visible from the street. This aspect of the proposal is considered acceptable.

The application identifies a further number of external and internal works. The replacement of the existing rooflights comprise repair and upgrading on a like for like basis. They do not constitute development and can therefore be undertaken without the requirement for planning permission.

In terms of the proposed alterations, their proposed design and form, use of material finishes are compatible with the character of the existing building, would not be detrimental to neighbouring amenity of character and address relevant requirements of LDP Policies Des 3 and Des 12.

No new signage or advertising is proposed as part of the application, although an informative will be applied to the permission to highlight the requirement for additional consents where required.

In summary, the design proposals recognise and respect the architectural quality and intentions of the Richard Murphy remodelling to the Gallery, with the majority of building elements and character being retained. The proposed changes are part of an evolution of the building required to update to the gallery to modern standards and are acceptable.

b) Character and Appearance of the Conservation Area

The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that Conservation Areas 'are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Local authorities have a statutory duty and designate such areas.

The Old Town Conservation Area Character Appraisal refers to:-

The plan of the Old Town has retained much of its ancient pattern and distinctive character. It is an environment of enclosed streets and dramatic changes of level with numerous framed distant views. The skilful use of land contours, the careful siting and design of individual buildings and groups of buildings, and the use of local stone, combine to create an intricate and varied character.

The Character Appraisal also identifies elements of character with landmark buildings, architectural detailing, shopfronts, materials and uses considered relevant to the application proposal.

LDP Policy Env 6, Conservation Areas states that development within a conservation area will be permitted which:

- a) Preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal;
- b) Preserves trees, hedges, boundary walls, railings, paving and other features which contribute positively to the character of the area; and
- c) Demonstrates high standards of design and utilises material appropriate to the historic environment.

The proposed alterations to the building are relatively small scale in nature and the proposed changes to the building would not impact upon any key views or prominent landscape features relating to the Conservation Area.

The proposed design approach in respect of proposed material finishes, the retention of shopfronts and building lines would be consistent with the key features identified in the Conservation Area Character Appraisal. The proposal demonstrates high standards of design and will utilise materials appropriate to the historic environment.

The Conservation Area Character Appraisal also recognises the importance of the Old Town as a cultural, leisure, entertainment and tourism centre of national importance. The proposed expansion of the Fruitmarket Gallery will reinforce its role as a cultural destination and reinforce the mixed use character of the Old Town to maintain active streets and a vibrant town centre.

Historic Environment Scotland (HES) were consulted in relation to the impact of the proposals on the listed building and the conservation area. They had no comments regarding the proposals.

In summary, the proposed external alterations and refurbishment of the building will not adversely affect the special character and appearance of the Old Town Conservation Area, and are consistent with the relevant character appraisal and the requirements of LDP Policy Env6 - Conservation Areas.

c) Outstanding Universal Value of World Heritage Site

LDP Policy Env 1 - World Heritage Sites states that development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh as a World Heritage Site or which would have a detrimental impact on the site setting will not be permitted.

Edinburgh World Heritage were consulted in relation to the application but did not make any comments in relation to the proposal.

Although the Fruitmarket Gallery occupies a visually prominent position in the Waverley Valley, against the backdrop of the Old Town, it is not considered that the nature of the proposed changes to the building would impact upon any key views or prominent landscape features within the World Heritage Site.

The proposed works will not impact upon the Outstanding Universal Value of the Edinburgh World Heritage Site.

d) Setting of adjacent listed buildings

LDP Policy Env 3 - Listed Buildings - Setting, states that development within the curtilage of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

The existing Fruitmarket Gallery at 45 Market Street is unlisted, however, the building abuts the Category B group listing including 31, 32-35 & 36-39 Market Street to form part of a terrace, with the Gallery terminating the eastern end. Whilst the application proposal seeks to form an internal link with the listed 36-39 Market Street, any impact to the setting of this group of listed building associated with the alterations to 45 Market Street are considered negligible.

In summary, the built envelope, form and mass of the building will be retained and enhanced and will not impact upon the setting of adjacent listed buildings.

e) Archaeology

The City Archaeological Officer has been consulted as part of the application. They have remarked that the building has been extensively altered, and as such it is considered that the proposals do not have significant archaeological impact upon this historic building.

f) Neighbour Amenity

The application site lies immediately adjacent to Waverley Station and represents a busy city centre location, with high levels of ambient noise.

A range of hotel and hostel accommodation exists in the vicinity of the site, with the nearest residential properties situated to the southern edge of Market Street and Cockburn Street. Further backpackers accommodation was recently granted permission in the adjacent terrace at 32-38 Market Street (Application reference:- 18/01444/FUL).

Following discussions with Environmental Protection, a Noise Impact Assessment has been prepared by the applicant. This has considered the proposed activities of the gallery and noise impacts arising from new plant to be installed to the roof areas of the building.

Environmental Protection have no objections to the application, subject to the following condition being applied:- Prior to the use being taken up, mechanical plant which meets the maximum levels as detailed in Tables 4, 5 and 6 of the Max Fordham Noise Impact Assessment, issue 5, dated 23 July 2019, should be implemented. This would not be enforceable as a planning condition and it is recommended that this be applied as an informative.

The proposals would therefore meet the requirements of LDP Policy Des 5, Development Design - Amenity, part a) in that the amenity of neighbouring developments would not be adversely affected by the proposed change of use.

g) Transport and Public Realm

No new car parking or cycle parking is proposed as part of the application. The proposed extension to the gallery as considered through application 19/02006/FUL would be serviced from Market Street, as per arrangements for the existing gallery.

The Roads Authority have no objections to the application subject to an informative being applied, highlighting that the applicant should consider developing a travel plan. This should consider the provision of cycle parking and measures to promote active travel and local public transport amongst users of the building.

h) Other matters

Network Rail have been consulted as part of the application, given the proximity of the application site above an operation railway and station. They have recommended that an informative be placed on the application requiring details of the proposals be submitted to Network Rail's Asset Protection Engineer for approval.

i) Equalities or human rights

The application was assessed in terms of equalities and human rights.

The key equalities impacts relate to the accessibility of the building. This application seeks to improve the accessibility of the gallery facilities to all users, through a range of internal and external works including the remodelling of the main entrance. The change seek to upgrade the building to meet current standards in respect of accessibility and Building Standards.

No impact to human rights has been identified.

j) Representations

No representations were received.

Conclusion

The proposed alterations to the Gallery are relatively small scale, of a suitable design quality and acknowledge the architectural character of the building.

They will not adversely affect the character and appearance of the Old Town Conservation Area, the Outstanding Universal Values of the Edinburgh World Heritage Site or the setting of adjacent listed buildings. The proposals are consistent with the Old Town Conservation Area Character Appraisal.

The proposed works will represent an enhancement to an established cultural venue in the city centre and the Old Town.

The proposals address requirements of relevant policy and guidance.

There are no further material considerations which outweigh this conclusion.

It is recommended that this application be Granted subject to the details below.

3.4 Conditions/reasons/informatives

Conditions:-

1. Prior to the commencement of works, detailed design proposals for the proposed replacement gate to the main entrance lobby shall be submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the agreed scheme. The design of the replacement gate shall substantially reflect the character and appearance of the existing sliding gate.
2. Prior to the commencement of works, details of the proposed colour finish for all roof top plant shall be submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the agreed scheme. All such equipment is to be finished in a single coordinated colour finish.
3. Prior to the commencement of works, details of all proposed external colour finishes to be including window frames, doors, the shopfront and new external facing to the single storey link structure shall be submitted to and approved in writing by the Planning Authority. Thereafter the development shall be implemented in accordance with the agreed scheme.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to enable the planning authority to consider this/these matter/s in detail.

Informatives

It should be noted that:

1. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
2. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
3. In accordance with the Council's LTS Travelplan 3 policy, the applicant should consider developing a Travel Plan including the provision of pedal cycles (inc. electric cycles), secure cycle parking for staff and customer, staff changing and shower facilities, public transport passes and timetables for local public transport
4. This application is for Full Planning Permission only. This permission does not negate the requirement for further permissions to be sought, e.g. advertisement consent, should new elements of signage or advertising be proposed
5. Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

Details of works in proximity to the station must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum notice prior notice period of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, see contact details below:

Network Rail Asset Protection Engineer
151 St Vincent Street
GLASGOW
G2 5NW
Tel 0141 555 4352
Email: AssetProtectionScotland@networkrail.co.uk

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

Extensive pre-application discussions have taken place in relation to this project since 2013, these involving the applicant, respective design teams and Historic Environment Scotland. The applicant has also held informal discussions with the Cockburn Association.

Initial proposals for the redevelopment of the Gallery were considered by the Edinburgh Urban Design Panel on 27 August 2014. However, the scope of the project has changed considerably since that time, with the principal focus for expansion now being placed on the conversion of the former nightclub at 36-39 Market Street.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 13 May 2019. No representations have been received.

The Old Town Community Council were consulted in relation to the application but no comments were received.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development
Plan Provision**

The site is designated as City Centre in the Edinburgh Local Development Plan.

Old Town Conservation Area, Edinburgh World Heritage Site and Local Nature Conservation Site (LNCS) designations are also applicable.

Date registered

24 April 2019

Drawing numbers/Scheme

01, 02A - 07A,

Scheme 2

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Francis Newton, Senior Planning Officer
E-mail: francis.newton@edinburgh.gov.uk Tel: 0131 529 6435

Links - Policies

Relevant Policies:

LDP Policy Env 1 (World Heritage Site) protects the quality of the World Heritage Site and its setting.

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

LDP Policy Des 13 (Shopfronts) sets criteria for assessing shopfront alterations and advertising proposals.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

The Old Town Conservation Area Character Appraisal emphasises the survival of the original medieval street pattern; the wealth of important landmark buildings; the survival of an outstanding collection of archaeological remains, medieval buildings, and 17th-century town houses; the consistent and harmonious height and mass of buildings; the importance of stone as a construction material for both buildings and the public realm; the vitality and variety of different uses; and the continuing presence of a residential community.

Appendix 1

Application for Planning Permission 19/02007/FUL

At 45 Market Street, Edinburgh, EH1 1DF

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Consultations

Archaeology comment

The application concerns a former fruit-warehouses located on the southern boundary of Waverley Station. The building was constructed in 1931 as part of an extension of the market which vacated the site in 1972. This building has been extensively altered with the creation of the Fruitmarket Gallery and as such it is conserved that these proposals affecting No.45 Market Street do not have significant archaeological impact upon this historic building.

Environmental Protection comment

Environmental Protection has some concerns about potential noise from the proposed new venue affecting the amenity of nearby noise-sensitive premises (Likely to be residential accommodation up Fleshmarket Close and along Market Street). We would therefore ask for the applicant to submit a Noise Impact Assessment to demonstrate that noise from activities in the gallery (performance noise, music etc) meets NR15 when assessed from the nearest noise-sensitive premise (with window open for ventilation). A worst-case scenario should be assumed. Please note we would not accept noise-limiting devices in relation to the control of music noise.

The Noise Impact Assessment should also demonstrate that any new mechanical plant introduced as part of this application meets NR25 when measured within the nearest noise-sensitive premises (with windows open for ventilation).

In terms of air quality, we note there are plans to install a new heating system/boiler. Dependent on the size of the proposed boiler we may need further information to ensure the proposals do not affect local air quality.

Environmental Protection comment

Environmental Protection cannot support application 19/02006/FUL and recommends refusal. We have no objections to 19/02007/FUL subject to conditions:

1. *Prior to the use being taken up, mechanical plant which meets the maximum noise levels as detailed in Tables 4, 5, and 6 of the Max Fordham Noise Impact Assessment, issue 5, dated 23 July 2019, should be implemented.*

The premises are part of a series of warehouses built along the side of Waverley Station with some residential properties in close proximity on Market Street and on Fleshmarket Close. The two warehouses have previously been used as a gallery and nightclub. The proposal looks to connect the two warehouses to extend the art gallery and carry out extensive works to the buildings.

Environmental Protection expressed concerns about noise from the proposed development affecting the nearby residences. A Noise Impact Assessment was duly commissioned from Max Fordham by the applicants. Due to the planned works to the warehouses, it was quickly established that amplified music with the development would not meet the required standard at neighbouring residential properties. The applicants did not wish to consider mitigation measures in relation to amplified music. The Noise Impact Assessment therefore states that there will be no amplified sources (including music) other than spoken word.

Planning does not accept conditions which would restrict amplified music at the premises. Therefore, the risk of music being played within the premises and negatively affecting nearby residents remains. We therefore cannot support application 19/02006/FUL.

However, should the Committee be minded to grant, we would recommend the following condition be attached:

The maximum noise levels as specified in Table 3 of the Max Fordham Noise Impact Assessment, issue 5, dated 23 July 2019, shall be adhered to at all times.

HES comment

Our Advice

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Network rail comment

Whilst Network Rail has no objections in principle to the proposal, due to its close proximity to the operational railway, we would request that the following matters are taken into account, and if necessary and appropriate included as advisory notes, if granting the application:

Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

Details of works in proximity to the station must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a 'fail-safe' manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a 'possession' which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

Roads Authority Issues

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking for staff and customer, staff changing and shower facilities, public transport travel passes and timetables for local public transport;

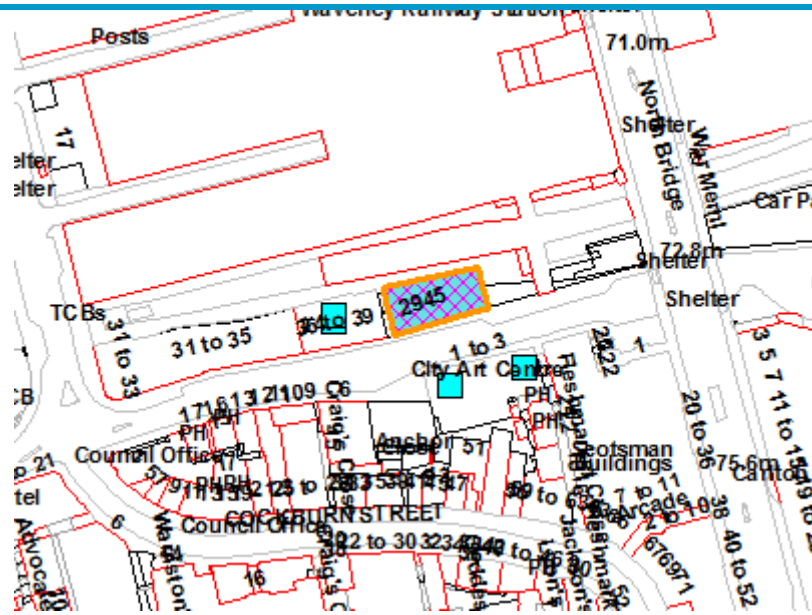
Note:

I. The proposed zero car parking associated with this development is considered acceptable due to the accessibility of public transport to this site;

II. With regards to the current taxi rank on Market Street, Transport are currently developing options to minimise the impact of the taxi rank on the current streetscape;

III. It should also be noted that Market Street will be majorly altered as part of the wider City Centre Transformation project.

Location Plan



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