

Planning and Rights of Way Panel 25th January 2022
Planning Application Report of the Head of Planning & Economic Development

Application address: Unit 5, 140 Above Bar Street, Southampton

Proposed development: Variation of condition 21 of planning permission ref 13/00593/FUL sought to extend opening/closing hours for Unit 5, 140 Above Bar Street only (Departure from Local Plan) (amended after validation to amend hours and specify departure)

Application number:	21/01027/FUL	Application type:	FUL
Case officer:	Anna Coombes	Public speaking time:	5 minutes
Last date for determination:	30.08.2021	Ward:	Bargate
Reason for Panel Referral:	Five or more letters of objection have been received	Ward Councillors:	Cllr S Bogle Cllr J Noon Cllr D Paffey
Referred to Panel by:	N/A	Reason:	N/A
Applicant: Gin and Bars and Restaurants Southampton Limited, Mr Anthony Ferreira		Agent: N/A	

Recommendation Summary

Vary & Conditionally approve

Community Infrastructure Levy Liable

Not applicable

Reason for granting Permission

The development is acceptable taking into account the policies and proposals of the Development Plan as set out below. Other material considerations have been considered and are not judged to have sufficient weight to justify a refusal of the application, and where applicable conditions have been applied in order to satisfy these matters. The scheme is therefore judged to be in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and thus planning permission should therefore be granted. In reaching this decision the Local Planning Authority offered a pre-application planning service and has sought to work with the applicant in a positive and proactive manner as required by paragraphs 39-42 and 46 of the National Planning Policy Framework (2021).

Appendix attached

1	Development Plan Policies	2	Relevant Planning History
3	Decision Notice for 13/00593/FUL	4	Premises Licence 2021/01665/01SPRN

Recommendation in Full

Conditionally approve application but with amended reduced hours that enable the premises to trade in line with CCAP Policy AP8 whilst the applicant considers an appeal in respect of their required hours:

Sunday – Wednesday	07:00am to 12:00am
Thursday - Saturday	07:00am to 01:00am

Background

This planning application was deferred from the November 2021 Planning Panel at the request of the applicant to enable further discussions around the recommendation and suggested planning conditions. The applicant is seeking an additional 2 hours of trading on Fridays and Saturdays (from midnight to 2am). The use is established and is not for consideration as part of this application. Whilst officers cannot support the request for a 2am close we do recognise the need to bring vacant buildings into use and the jobs created by the hospitality sector alongside the contribution such uses make to the Cultural Quarter. Nevertheless this has to be balanced against existing residential amenity. The recommendation for a 1am close aligns with the current development plan.

1. The site and its context

- 1.1 The application site comprises a central ground floor commercial unit within the large purpose-built, mixed-use building at the corner of Above Bar Street and Guildhall Place, which forms one of a pair of buildings referred to as the Arts Complex. The plot lies within the Civic Centre / Guildhall Square designated evening zone within the City Centre boundary. The previous tenant, Neighbourhood bar and restaurant, vacated the unit in 2019 and a new lease has been taken up by the Applicant, intending to open as Gin and Olive Bar and Restaurant.
- 1.2 The application unit has commercial units to either side at ground floor: John Hansard Gallery to the North, and The Stable bar and restaurant unit to the South. First floor level, immediately above the application unit, comprises further gallery space for John Hansard Gallery and offices and studios for City Eye.
- 1.3 From second floor level and above, the building comprises residential flats which have a dedicated ground floor entrance from Park Walk at the rear of the building and a sunken central communal roof garden at second floor.
- 1.4 The original permission for the Arts Complex was granted on 27th August 2013 under reference 13/00593/FUL (copy attached as **Appendix 3**), which included the following condition restricting the opening hours of the food and drink uses:
- 1.5 *Condition 21 - Hours of Use - food/drink establishments*
The food and drink uses / drinking establishments hereby permitted shall not operate (meaning that customers shall not be present on the premises, no

preparation, sale or delivery of food or drink for consumption on or off the premises) outside the hours of 0700 to midnight on any day.

Reason: To protect the amenities of the occupiers of existing nearby residential properties.

2. Proposal

2.1 This application seeks planning permission to vary condition 21 of the original permission 13/00593/FUL in relation to Unit 5 only, to extend the permitted night-time opening hours until 1am on Thursdays and until 2am on Fridays and Saturdays. This is intended to bring the planning permission in line with the night-time opening hours of the recently granted premises licence ref: 2021/01665/01SPRN (a copy of which is attached as **Appendix 4**).

2.2 The Premises Licence granted opening hours as follows (with all licensable activities to cease 30 minutes before closing times):

Sunday – Wednesday	10:00am to 12:00am
Thursdays	10:00am to 01:00am
Fridays and Saturdays	10:00am to 02:00am

2.3 The application form under this current planning application originally requested night-time opening until 2:30am each day. Following discussion, the proposed opening hours were amended to match the terminal hours of the Premises Licence and the hours requested by the Applicant are now as follows:

Sunday – Wednesday	07:00am to 12:00am
Thursdays	07:00am to 01:00am
Fridays and Saturdays	07:00am to 02:00am

2.4 The requested amended hours include additional notes regarding Bank Holidays, New Year's Eve and days affected by Greenwich Meantime changes, as granted by the premises licence:

The day preceding a bank holiday an additional hour will be added to the closing time. New Years Eve the permitted hours are extended until the permitted hours of the following day. On the morning which Greenwich Mean Time changes to British Summer Time an additional hour will be added to the closing time.

2.5 A full round of public re-consultation was carried out following receipt of the amended hours with the new description.

2.6 Following further review of existing planning consents within the Cultural Quarter, and in light of the more limited scope of considerations under the Premises Licensing application process, Officers are now recommending a further reduction to the proposed terminal hour on Fridays and Saturdays, to finish at 1:00am. This would ensure that the hours do not conflict with the

requirements of policy AP8 of the City Centre Action Plan. The officer-recommended condition for opening hours has therefore set the following hours, which the applicant could appeal should they wish to progress their request for 2pm:

Sunday – Wednesday	07:00am to 12:00am
Thursday - Saturday	07:00am to 01:00am

3. Relevant Planning Policy

3.1 The Development Plan for Southampton currently comprises the “saved” policies of the City of Southampton Local Plan Review (as amended 2015) and the City of Southampton Core Strategy (as amended 2015) and the City Centre Action Plan (adopted 2015). The most relevant policies to these proposals are set out at **Appendix 1**.

3.2 The National Planning Policy Framework (NPPF) was revised in 2021. Paragraph 219 confirms that, where existing local policies are consistent with the NPPF, they can be afforded due weight in the decision-making process. The Council has reviewed the Development Plan to ensure that it is in compliance with the NPPF and are satisfied that the vast majority of policies accord with the aims of the NPPF and therefore retain their full material weight for decision making purposes, unless otherwise indicated.

4. Relevant Planning History

4.1 A schedule of the relevant planning history for the site is set out in **Appendix 2** of this report.

4.2 The most relevant and recent application relating to the premises was the original planning permission for the Arts Complex granted in 2013 under reference 13/00593/FUL, which included Condition 21 restricting opening hours, as outlined further above.

4.3 Since that original permission, an application for a non-material amendment to vary Condition 21 relating to the trading hours for Tapas Barcelona within the northern block of the Arts Complex (now operating as Grumpy Monkey) was granted under reference 17/00228/NMA on 16.03.2017. The effect of this permission was to extend the evening opening hours of that unit until 1am from Monday through to Saturday.

4.4 An application to vary the permitted opening hours of Turtle Bay, opposite the application site, was also granted permission in 2017 under reference 17/01103/FUL. This permission had the effect of extending the opening hours of Turtle Bay until 12:30am Sunday to Thursday and 1am Friday to Saturday.

4.5 The applicant has been granted a premises licence by the Council's Licensing Committee for the proposed opening hours under reference: 2021/01665/01SPRN.

5. Consultation Responses and Notification Representations

5.1 Following the receipt of the planning application, publicity exercises in line with department procedures were undertaken which included notifying adjoining and nearby landowners, erecting a site notice on 20.07.2021 and 20.10.2021, and an advert in the Hampshire Independent on 22.10.2021. At the time of writing this report, **7 representations** have been received from surrounding residents (one of which is a second comment from the same person). The following is a summary of the points raised:

5.2 Objection to further extension of the proposed opening hours beyond those granted by the recent premises license. Request that the opening hours proposed under this planning application mirror the granted licensing hours.

Response

Agreed. The application has since been amended. The Applicant is now requesting night-time opening hours to mirror those granted by the premises license, although officers are recommending a further reduction to no later than 1am.

5.3 Objection to proposed amended hours is sustained, even when matched to the licencing hours. The Licensing committee did not take full consideration of the planning permission or building constraints.

Response

Officers have assessed this application on its own merits below and have suggested a further reduction in the proposed opening hours to no later than 1am in the recommended conditions, in line with policy AP8. It is also noted that the Environmental Health Officer has no objection to the proposed amended hours or those applied by officers, subject to suitable conditions to mitigate potential adverse impacts.

5.4 Whilst not happy with the weekend opening hours, commenters recognise that it is a compromise in city living.

Response

The Council also recognise there is a delicate balance to be struck on City Centre sites that were designed as mixed-use buildings. This is discussed in more detail in Section 6 below.

5.5 The noise and disturbance caused by customers leaving at 2:30am on any day of the week would be significantly harmful to residents, affecting sleep and quality of life for residents above. WHO data suggests there is potential harm from background noise above 30dB. The Applicant stated during the licensing committee meeting that the sound system would be limited to 110dB

which is excessive. Additional sound from customers cannot be controlled. The soundproofing of 1m thick concrete ceiling is not sufficient, due to vibration noise transfer.

Response

The proposed hours have since been amended by the Applicant and officers are recommending a further reduction, in line with policy AP8. The impact of noise and disturbance on local residents is discussed further below in Section 6. The original development was built in accordance with recommendations from a Noise Impact Assessment, which assessed potential noise impacts on residential flats from second floor and above. It is also noted that noise nuisance can be controlled by way of Environmental Health legislation and the Council's Environmental Health Officer has no objection to the amended hours subject to suitable conditions.

- 5.6 The kitchens do not appear sufficient to feed the proposed numbers. The Applicant wants night club hours together with the noise and disturbance this entails. This is a drinking establishment, rather than a restaurant, which the original planning permission sought to limit to no more than 2x A4 drinking establishment uses.

Response

The proposed use of the unit is not under consideration in this application, only the extension of night time opening hours for the existing permitted use. Officers note that the original planning permission 13/00593/FUL allows for food and drink uses here, including a maximum of 2x Class A4 drinking establishments (Condition 22 of the original permission). The operation of Gin and Olive Bar and Restaurant would not breach this condition. The impact on residential amenity from the opening hours is a material consideration, which will be discussed below in Section 6.

- 5.7 The application states the later hours are in line with other restaurants and bars in the immediate vicinity. This is not true, for example The Stable immediately next door closes at 10pm weeknights and 11pm Friday – Saturday.

Response

The original permission for the building currently allows for neighbouring Unit 6, The Stable, to open until 12am every day. The night-time opening hours of surrounding uses have been considered in Section 6 below.

- 5.8 **Consultation Responses**

Cllr Bogle

Objection. This is not in line with the overall policy on late-night opening in this area (close to a cumulative impact area for licensing purposes) and will directly impact on the residents above and behind on Park Walk.

Response

The Licensing Cumulative Impact Area and impact on residential neighbours are discussed in Section 6 below.

5.9 Environmental Health

Updated comments following amended hours:

The reduced hours mean there is less time for potential disturbance and evidently in the early hours. The revised hours are an improvement and I think for a city centre are reasonable. The key will be in their management of the business as to minimise disturbance from music, impact and voices. If they keep doors and windows closed except for access and egress and they ensure that any speakers are mounted such that they are separated by buffers from the structure and keep music at a level that it is not audible at nuisance level in the nearest noise sensitive premises that should suffice. Management of any queues, smokers and persons leaving also needs to be included in their management plan. Bottles and other refuse need to be emptied with doors to the bins store closed if safe to do so or be left until the next day.

Original comments:

Environmental Health believe that these hours are excessive due to the site location adjacent to residential premises. Despite this site being in the city centre the potential for noise nuisance from specific business activities needs to be minimised. This needs to include not only during operating hours, but also servicing of the business for e.g., deliveries. If the application is granted conditions are recommended for restriction on hours for deliveries and other servicing; noise not to be audible at nuisance level at the boundary of the nearest noise sensitive premises; no bottles or glass to be disposed of externally between 21.00 and 09.00 hours.

Response

The suggested conditions have been included with the recommended conditions at the end of this report.

5.10 Crime Prevention Design Consultant

No further comments to make with reference to crime prevention.

6.0 Planning Consideration Key Issues

6.1 The key issues for consideration in the determination of this planning application are:

- The principle of development;
- Impact on the character and appearance of the area;
- Impact on Residential amenity;

6.2 Principle of Development

- 6.2.1 The existing Class E use – formerly A3/A4 bar restaurant - is established. The application site is positioned within the Cultural Quarter, within a designated evening zone in the City Centre. Policy AP8 of the City Centre Action Plan sets a latest opening time of 1am for this evening zone, which encompasses the Civic Centre area, Cultural Quarter and Guildhall Square, in recognition of its location within the Cumulative Impact Policy Area for licensing applications. Exceptions may be considered within the Cultural Quarter itself, however this is subject to appropriate assessment of the impact of the proposed hours on residential amenity.
- 6.2.2 The Licensing committee assessed an application for later opening hours (the same as currently proposed, including until 2am Fridays and Saturdays) and found that the hours were acceptable (premises license application ref: 2021/01665/01SPRN). This Licensing application underwent public consultation with a public hearing, but considers different issues to Planning and can run independently meaning that some premises will have conflicting Planning & Licensing approvals with enforcement possible through the relevant legislation that imposed the restrictions.
- 6.2.3 Notwithstanding this, this current planning application for extension to the current opening hours has been assessed on its own merits in terms of material planning considerations and in accordance with policy AP8. Whilst we recognise that the Premises Licence granted opening hours of up to 2:00am on Fridays and Saturdays, the planning system gives more significant weight to consideration of potential impacts on residential amenity than the licensing application procedure.
- 6.2.4 Policy RE17 of the Local Plan considers the approval of food and drink uses in city, town, district and local centres. Whilst the use of this unit is not currently under consideration, as the use was granted permission under the original 2013 permission, it is noted that policy RE17 does seek appropriate planning conditions to prevent undue nuisance from noise or other sources, including the installation of noise attenuation measures to protect the amenity of neighbouring residents.
- 6.2.5 The original 2013 planning permission for the Arts Complex ref. 13/00593/FUL considered the impact on residential flats further above and noise attenuation measures from the Environmental Noise Assessment were incorporated into the development design. Considering this, along with the officer-recommended reduction in proposed hours to no later than 1am, and the additional conditions suggested by the Council's Environmental Health Officer above, officers find that the amended hours proposed can be sufficiently mitigated through suitable conditions, in compliance with policies RE17 and AP8.

6.3 Design and effect on character

- 6.3.1 Policy AP8 establishes that evening uses opening until 1am are acceptable in this designated evening zone, subject to any adverse impact on the amenities of neighbouring residential premises by reason of noise and disturbance being considered. If the proposed extended opening hours are limited to no later than 1am, in line with policy AP8, and subject to further conditions as recommended at the end of this report, the proposal would not cause harm to the character and visual appearance of the area, subject to further mitigation and assessment below.

6.4 Residential amenity

- 6.4.1 It is acknowledged that the later operation of the premises may contribute to noise disturbance (both during operations and as patrons disperse later into the morning), which is a concern for neighbouring residents, however it is also noted that policy REI7 advocates the use of planning conditions and sound insulation measures in these instances, in order to protect the amenity of local residents. The Council's Environmental Health Officer considers the amended hours reasonable for this City Centre location and have raised no objection to the amended hours, subject to suitable conditions to minimise the potential for noise nuisance. Officers also recommend reducing the proposed opening hours to no later than 1am on Fridays and Saturdays. Suggested conditions include the requirement of a management plan; restrictions on deliveries, servicing and glass disposal; and limitation of noise so as not to be audible at nuisance level at the boundary of the nearest noise sensitive premises. In terms of external seating there are currently no restrictions until midnight and the existing license prevents the use of external seating after 11pm. Within this context it is entirely appropriate to ensure that any revised planning permission repeats these restrictions and prohibits outdoor seating for the extended hours hereby recommended for approval.
- 6.4.2 The original planning consent for the Arts Complex in 2013 (ref: 13/00593/FUL) took consideration of the noise impacts on the residential uses within the scheme. The approved Environmental Noise Assessment under that permission found the location of residential uses at second floor and above was appropriate in this City Centre location and recommended that standard double glazing be fitted to residential windows. The Applicant's statement includes a letter from the building management company Platinum Property Solutions which confirms that residential units facing Guildhall Square have actually been fitted with triple glazing to improve acoustic insulation, and we note the intervening floor of offices and gallery space at first floor, forming a further buffer between the ground floor units and the nearest residential units at second floor.
- 6.4.3 It is noted that AP8 and the Licensing Cumulative Impact Policy provide an exception for licences granted within the Cultural Quarter, allowing for applications for extended hours to be assessed on their own merits, however the intention of this is to support late night uses falling within the definition of

cultural uses. Food and drink uses do not constitute cultural uses for the purposes of the policy. It is considered that opening hours until 2am on Fridays and Saturdays would be contrary to policy AP8 and no acceptable exceptional justification has been put forward to justify deviation from the established policy position. Officers therefore consider that a reduction in the requested hours to no later than 1am on Fridays and Saturdays, in line with the requirements of the Policy to be more appropriate and compliant with Policy AP8. This would also be comparable and consistent with the lawfully consented opening times of other late-opening bar/restaurants within the area including:

- Turtle Bay, 1 Guildhall Square
(directly opposite the application site – 1am consented by ref: 17/01103/FUL)
Sunday to Wednesday 11:30pm
Thursdays 12:30am
Fridays and Saturdays 1am (however website advertise 1:30am closing which has not been lawfully consented)
- Grumpy Monkey 144 Above Bar Street, Arts Complex North Block
(35m North of the application site – 1am consented by ref: 17/00228/NMA)
Sunday to Thursday 11pm
Fridays and Saturdays 1am
- The Scholars Arms 166 Above Bar Street
(73m North of the application site)
Sunday – Thursday 11pm
Fridays and Saturdays 1am
- O’Neills 130-132 Above Bar Street
(25m to the South of the application site)
Sunday to Monday 11pm
Tuesday to Thursday 12am
Fridays and Saturdays 1am
- Switch night club 127 Above Bar Street
(50m to the South of the application site)
Mondays, Tuesdays and Fridays 4am
Saturdays 5am
- Revolucion de Cuba 123-125 Above Bar Street
(100m to the South of the application site)
Monday to Sunday 1am

6.4.4 The imposition of the recommended conditions including the reduction in hours to no later than 1am, also seeks to mitigate noise and disturbance concerns from neighbouring residents, alongside the anti-social behaviour controls that the Police can monitor. If further concerns are raised in relation to noise and disturbance, these can be reported to Environmental Health

team who can use Environment Protection powers to enforce further controls on the premises.

6.4.5 The granted premises licence includes various conditions that the applicant must adhere to in order to comply with their licence. A copy of the premises licence is included at **Appendix 4**. These conditions include limiting the broadcast of music to inside the venue only; CCTV of public areas; a dispersal policy to remind customers to leave the premises quietly and music turned down in volume 30 minutes before closing; and regular cleaning of the pavement to prevent litter. In addition, the conditions include no emptying of bottles or glass outside between 9pm and 9am, closure of doors and windows during live music performances and limiting the sound level so that it is not audible at nuisance levels at the nearest noise sensitive property. Where appropriate these conditions have been reapplied to the suggested planning permission.

6.4.6 Subject to compliance with the recommended conditions to mitigate the concerns of neighbouring occupiers in terms of noise and disturbance, and subject to the officer-recommended reduction in hours to no later than 1am, the following opening hours are considered to be acceptable, meeting the requirements of saved Policy SDP1(i) in that they would not 'unacceptably affect the health, safety and amenity of the city and its citizens.':

Sunday – Wednesday 07:00am to 12:00am

Thursday - Saturdays 07:00am to 01:00am

6.4.7 Finally, the Panel will note that if the applicants preferred hours (to 2am on Fridays and Saturdays) were agreed it is entirely possible that other units in the Cultural Quarter will use this decision as a precedent against Policy AP8 and this could have cumulative impacts. On this basis the compromise is recommended as set out in the recommendation.

7. **Summary**

7.1 Subject to conditions to control the opening hours of the premises and further conditions including the requirement of a management plan; restrictions on deliveries, servicing and glass disposal; and limitation of noise so as not to be audible at nuisance level at the boundary of the nearest noise sensitive premises, the proposed hours would not give rise to further material harm in terms of noise and disturbance to neighbouring occupiers and the proposal would comply with the requirements of the Development Plan policies.

8. **Conclusion**

8.1 It is recommended that planning permission be granted subject to conditions set out below.

Local Government (Access to Information) Act 1985

Documents used in the preparation of this report Background Papers

1. (a) (b) (c) (d) 2. (b) (c) (d) (e) (f) 4.(f) (g) 6. (a) (b) 7. (a)

Anna Coombes PROW Panel 25.01.2022

PLANNING CONDITIONS

01. Full Permission Timing Condition (Performance)

The development hereby permitted shall begin no later than three years from the date on which this planning permission was granted.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

02. Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule attached below, unless otherwise agreed in writing with the Local Planning Authority.

Reason: For the avoidance of doubt and in the interests of proper planning.

03. Hours of Use (Performance) – AMENDED HOURS

The development hereby approved shall not operate outside of the following hours:

Sunday – Wednesday 07:00am to 12:00am

Thursday - Saturday 07:00am to 01:00am

The day preceding a bank holiday an additional hour will be added to the closing time. New Years Eve the permitted hours are extended until the permitted hours of the following day. On the morning which Greenwich Mean Time changes to British Summer Time an additional hour will be added to the closing time.

Reason: To protect the amenities of the occupiers of existing nearby residential properties.

04. Venue Management Plan

Within one month of the date of this consent a 'Venue Management Plan' that includes, for instance, details of management measures to control potential sources of noise and disturbance including sound system mitigation shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall be implemented in accordance with the agreed details within one month of the details being approved and thereafter operated in accordance with the details approved.

Reason: To protect the amenities of the occupiers of existing nearby residential properties.

05. Deliveries, servicing, and glass disposal.

No deliveries or servicing shall take place between the hours of 10:00pm and 6:00am (22:00 – 06:00).

No glass bottle disposal shall take place externally between the hours of 9:00pm and 09:00am (21:00 – 09:00).

Reason: To protect the amenities of the occupiers of existing nearby residential properties.

06. Outdoor seating and external doors and windows

Use of the outdoor seating areas shall cease after midnight (00:00) and all external doors and windows to the premises shall be kept shut from 11:00pm (23:00) onwards and during all live performances, except for access and egress to the premises.

Reason: To protect the amenities of the occupiers of existing nearby residential properties.

07. External noise

Noise from Unit 5 hereby approved shall be controlled by the operators so as not to be audible at nuisance level at the boundary of the nearest noise sensitive premises.

Reason: To protect the amenities of the occupiers of existing nearby residential properties.

08. No external sound amplification or broadcast

At no time shall sound equipment be employed externally to broadcast or amplify music or sound.

Reason: To protect the amenities of the occupiers of existing nearby residential properties.

POLICY CONTEXT

Core Strategy - (as amended 2015)

CS1	City Centre Approach
CS6	Economic Growth
CS13	Fundamentals of Design

City of Southampton Local Plan Review – (as amended 2015)

SDP1	Quality of Development
SDP10	Safety & Security
SDP11	Accessibility & Movement
SDP16	Noise
REI7	Food and Drink Uses (Classes A3, A4 and A5)

City Centre Action Plan – (Adopted March 2015)

AP5	Supporting existing retail areas
AP8	The night-time economy
AP16	Design

Supplementary Planning Guidance

Developer Contributions SPD (April 2013)

Other Relevant Guidance

The National Planning Policy Framework (2021)

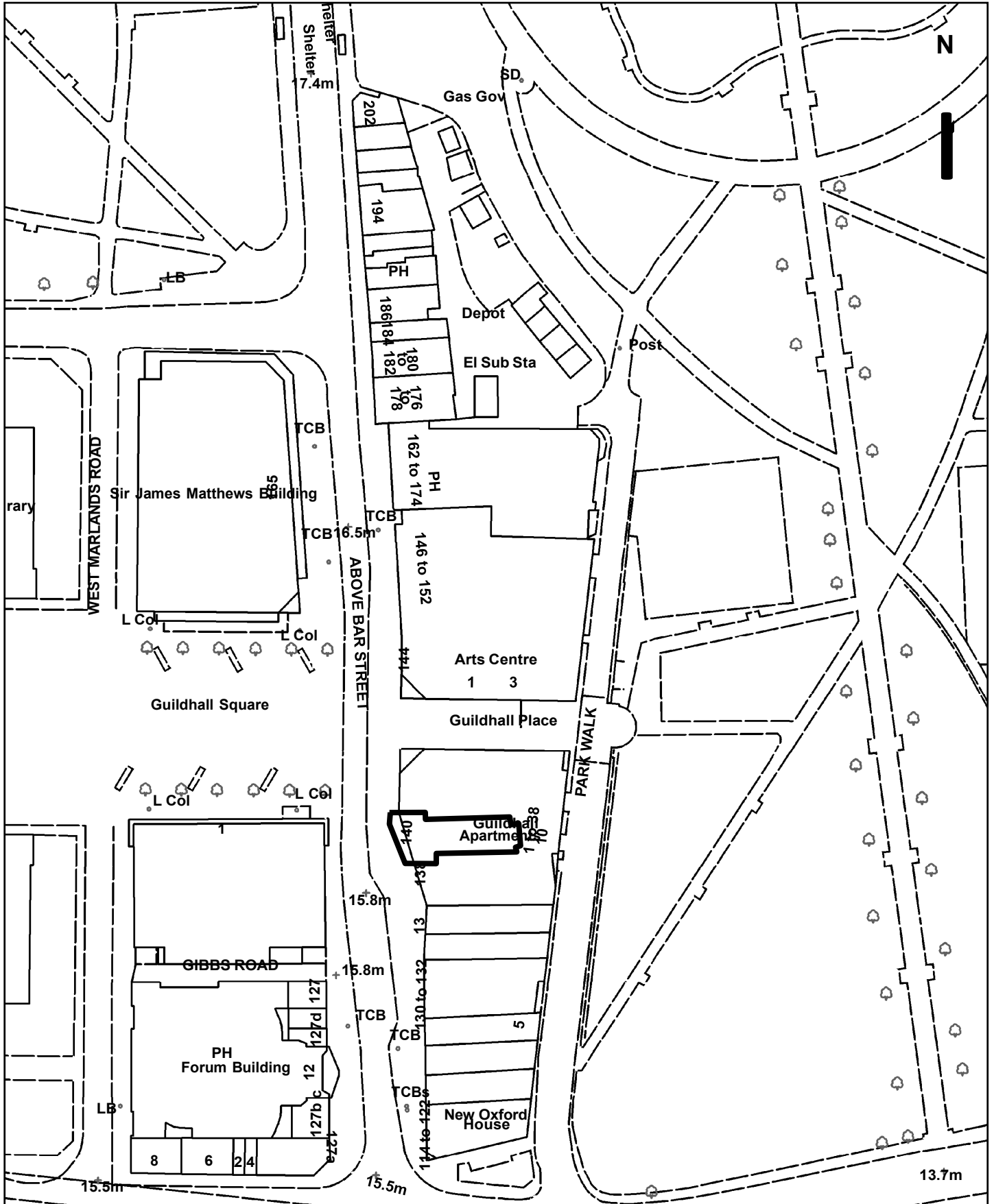
Relevant Planning History

There is an extensive planning history for this site, so only the most recent and relevant records have been included below:

Case Ref	Proposal	Decision	Date
07/01686/FUL	Redevelopment of the site. Demolition of the existing building and erection of new buildings ranging in height from 9-storeys to 18-storeys to provide new arts facilities, a new commercial unit (Class A1/A3) and 282 flats (46 studios, 106 x 1 bedroom, 126 x 2 bedroom and 4 x 3 bedroom flats) with associated parking and formation of a new street between Guildhall Square and East/Andrews Park	Withdrawn	07.09.2011
11/01074/FUL	Erection of two buildings, one of which would be up to 10-storeys in height, to provide an arts complex incorporating two auditoria, gallery space etc; ground floor retail/restaurant/cafe/drinking establishments (Classes A1/A3/A4) and 29 flats (7 x one-bedroom, 15 x two-bedroom and 7 x three-bedroom) with underground parking of 33 spaces.	Conditionally Approved	11.10.2012
11/01997/ADV	Installation of 20m x 10m externally illuminated advertisement (temp 12 months)	Conditionally Approved	07.02.2012
11/02008/ADV	Installation of 5.25m tall pole mounted non illuminated sign.	Conditionally Approved	20.02.2012
12/01886/NMA	Application for non-material amendment to planning permission 11/01074/FUL for amendments to window mullions, introduction of coping detail to terracotta, removal of CHP chimneys, change material south building lift overrun, increased plant louvres and car lift amended, change of material auditorium roofs.	Withdrawn	01.07.2013
13/00593/FUL	Erection of two buildings, one of which would be up to 10-storeys in height, to provide an arts complex incorporating two auditoria, gallery space; ground floor retail/restaurant/cafe/drinking establishments (Classes A1/A3/A4) and 38 flats (5 x one-bedroom, 28 x two-bedroom and 5 x three-bedroom) with underground parking of 31 spaces. The development proposes the formation of a new street between Above Bar Street and Park Walk.	Conditionally Approved	27.08.2013
13/01547/DIS	Discharge of conditions 4 (archaeological investigation) and 9 (land contamination) of permission ref: 13/00593/FUL.	No Objection	12.11.2013

13/01596/DIS	Application for discharge of condition 13 (Construction Environment Management Plan) of permission ref: 13/00593/FUL.	No Objection	19.12.2013
13/01765/DIS	Application for approval of details reserved by condition 27 (protection of drainage apparatus) of permission ref: 13/00593/FUL.	No Objection	03.01.2014
13/01827/DIS	Application for approval of details reserved by condition 14 (Foul and surface water drainage) of permission ref: 13/00593/FUL.	No Objection	03.01.2014
13/01966/DIS	Application for approval of details reserved by Condition 2 (details of building materials to be used) of permission ref: 13/00593/FUL	No Objection	08.01.2014
14/00027/DIS	Application for approval of details reserved by Condition 19 (Safety & Security) of permission ref: 13/00593/FUL.	No Objection	24.04.2014
14/00107/DIS	Application for approval of details reserved by Condition 25 (Details of Roof Top Services) of permission ref: 13/00593/FUL.	No Objection	24.04.2014
14/00546/DIS	Application for approval of details reserved by Condition 05 (Archaeological Work Programme) of 13/00593/FUL	No Objection	06.01.2015
14/00623/DIS	Application for approval of details reserved by Condition 20 (Green Roof) of permission ref: 13/00593/FUL.	No Objection	28.08.2014
15/00816/FUL	Installation of new external seating area to front of building (submitted in conjunction with 15/00817/ADV)	Conditionally Approved	02.07.2015
15/00817/ADV	Advertisement application for Installation of internally illuminated fascia sign, projecting sign and free standing menu totem sign (in conjunction with 15/00816/FUL)	Conditionally Approved	02.07.2015
15/01106/DIS	Application for approval of details reserved by Condition 24 (Details of lighting) of permission ref: 13/00593/FUL.	No Objection	16.07.2015
15/01419/FUL	Installation of 4 condenser units and plant equipment on roof	Conditionally Approved	10.09.2015
15/01515/DIS	Application for approval of details reserved by conditions 3 (Landscaping lighting and means of enclosure) and 26 (Public Realm Details) of permission ref: 13/00593/FUL	No Objection	29.03.2016
15/01556/ADV	Installation of 2 x internally illuminated fascia signs	Conditionally Approved	07.09.2015
15/01722/ADV	Internally illuminated fascia sign, and internally illuminated projecting sign.	Conditionally Approved	19.10.2015
15/01804/ADV	Installation of 1x non-illuminated projecting sign, 1x internally illuminated menu case, 3x externally illuminated hanging signs and 1x non-illuminated entrance sign	Conditionally Approved	20.10.2015

15/01954/ADV	Internally illuminated fascia sign, and internally illuminated projecting sign	Conditionally Approved	02.11.2015
15/02474/ADV	Installation of 3x internally illuminated and 1x non illuminated signs, comprising 2x fascia signs, 1x projecting sign and 1x menu	Conditionally Approved	16.02.2016
16/00094/NMA	Non material amendment sought to planning permission ref 13/00593/FUL for a reduction in length of building at roof level, adjacent to Frog and Parrot public house	No Objection	04.02.2016
16/00176/ADV	Installation of replacement fascia sign and a banner sign.	Split decision	11.04.2016
16/00861/NMA	Non material amendment sought to planning permission 13/00593/FUL for relocation of short stay cycle parking.	No Objection	13.06.2016
17/00228/NMA	Non Material amendment sought to vary the approved trading hours for Tapas Barcelona approved under 13/00593/FUL (Condition 21) from 7am to Midnight to 7am - 1am (Mon-Sat) and 7am - Midnight (Sunday).	No Objection	16.03.2017
17/00496/DIS	Application for approval of details reserved by condition 8 (sustainability statement) of permission ref 13/00593/FUL	No Objection	20.06.2017
17/00743/DIS	Application for approval of details reserved by conditions 3 (landscaping, lighting and means of enclosure), 17 (layout of car parking/servicing), 26 (public realm details) and 28 (approved plans) of permission ref: 13/00593/FUL	No Objection	22.06.2017
17/01195/DIS	Application for approval of details reserved by conditions 7 (BREEAM Standards), 10 (Uncontaminated Soils and Fills), and 15 (Drainage) of permission ref: 13/00593/FUL	No Objection	22.08.2017
2021/00928/01 SPRN	Premises Licence application: Sunday – Thursday 10:00am – 2:00am Friday – Saturday 10:00am – 4:00am <i>(All services inside to cease 30 mins before closing time)</i>	Withdrawn	26.05.2021
2021/01665/01 SPRN	Premises Licence application: Sunday – Wednesday: 10:00am – 12:00am Thursday: 10:00am – 1:00am Friday – Saturday: 10:00am – 2:00am <i>(All services inside to cease 30 mins before closing time)</i>	Granted	29.07.2021
The following application for a nearby premises is also relevant to this application:			
17/01103/FUL	Turtle Bay Application for variation of condition 16 (hours of use) of permission ref 08/00474/FUL (as it relates to unit 1 only) to extend trading hours to 09:00 - 00:30 Sunday - Thursday and 09:00 - 01:00 Friday - Saturday	Conditionally approved	22.08.2017



Scale: 1:1,250

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