

From: [Martin, Karl](#)
To: [Cox, Steve](#)
Subject: Crab and Hammer - New application - additional information
Date: 05 July 2021 12:04:16

Good Morning Steve

Please could you circulate the following ahead of the committee hearing on the 8th July:-

- On the 28th June 2021 I met onsite with the applicant to discuss the proposed application.
- The premises occupies the ground floor and 1st floor.
- The 1st floor is not part of the licensable area. The first floor area consists of customers toilets, a private residence, office rooms and the plant room for the kitchen extraction.
- Applicant benefits from the Live Music Act, but transmission of noise from recorded music was discussed.
- The 1st floor provide enough space and mass between the ground floor and the second floor residences to mitigate noise from voices of those using the restaurant and other associated noise.
- Sound installation has been installed in the ceiling void of the 1st floor. The specifications would not be adequate for recorded music but will assist with the noise form human voices.
- The applicant intends only to employ back ground music (live music considered by applicant, but will be infrequent). Advice given about selection and location of PA equipment to prevent sound from traveling through the structure of the building.
- The kitchen extraction equipment is install, but not commissioned at the time of the visit. The applicant was advised to seek feedback from residents at commissioning to ensure no vibration was detected in the residential properties above.
- The outside area was discussed and advice given about managing this area. A number of pavement café style operations have opened in the Paignton harbour in recent years. The applicant proposes to close the area at 11:00pm which is consistent with the other outside areas in the harbour.
- The applicant may wish to consider suppling a written noise management plan specifically for the outside area. The nearest residents overlook the area only 2 floors above. The likelihood of nuisance occurring is high but with careful management the risk remains low. The premises seeks to be a high end restaurant and generally complaints of noise from these premises is rare as the main inducement is food rather than alcohol.
- Planning permission for change of use is not required due to changes made by the Business and Planning Regulations 2020.

Kind regards

Karl.

TORBAY COUNCIL

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