



Appeal Decision

Site visit made on 17 March 2026

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 1 April 2026

Appeal Ref: APP/G2625/W/25/3375506

St Michael-at-Plea Church, Redwell Street, Norwich NR2 4SN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Guvna Ltd against the decision of Norwich City Council.
 - The application Ref 25/00456/U was approved on 18 July 2025 and planning permission was granted subject to conditions.
 - The development permitted is: The conversion of the interior of the church to allow use as a bar with piano.
 - The condition in dispute is No 10 which states that: The premises which form the subject of this permission shall not be open to the public, trading, or have members of the public, as customers or guests, on the premises outside of the following times 12:00 hours (Midday) to 00:00 hours (Midnight) on any day.
 - The reason given for the condition is: To safeguard the amenity of the surrounding area from noise and disturbances, in accordance with local policies DM2, DM11 and DM23 of the Development Management Policies Local Plan 2014.
-

Decision

1. The appeal is allowed and condition No 10 is deleted from planning permission Ref 25/00456/U dated 18 July 2025 and replaced by the following condition:

10. (a) The local planning authority shall be given written notice in advance by the bar operator of the date the use will commence.

(b) For the first twelve months after opening, the premises which form the subject of this permission shall not be open to the public, trading, or have members of the public as customers or guests on the premises outside of the following times: 12:00 hours (Midday) to 02:00 hours on Friday and Saturday nights and New Years Eve and 12:00 (Midday) to 00.00 (Midnight) on any other day.

(c) Unless a variation to this condition has been approved, after twelve months has expired from the date of opening, the premises which form the subject of this permission shall not be open to the public, trading, or have members of the public as customers or guests on the premises outside of the following times: 12:00 hours (Midday) to 00:00 hours (Midnight) on any day.

Reason:

To safeguard the amenity of the surrounding area from noise and disturbance in accordance with Policies DM2, DM11 and DM23 of the Development Management Policies Local Plan 2014.

Main Issue

2. The main issue is whether the hours specified in the condition are necessary to protect the living conditions of nearby residential occupiers from unacceptable noise and disturbance.

Reasons

3. Planning permission was granted on 18 July 2025 for the conversion of the interior of the Grade I listed redundant church, St Michael-at-Plea, to allow use as a bar with piano. The physical changes and operational arrangements involved have been agreed subject to suitable conditions except for the hours of opening. The exception is condition No. 10 which limits the hours of operation to midnight every day. It is agreed music will end one hour before closing time.
4. The appellant seeks to extend these operating hours to 02:00 am on Friday and Saturday nights as this is said to be fundamental to the business model for the all seated, relaxed 'piano bar' envisaged. This relies on the post-restaurant trade with 70% of business anticipated on Friday and Saturday nights¹.
5. The church lies within the 'city centre leisure area' but not the 'late night activity zone' as defined by the Development Management Policies Local Plan 2014 (the DMPLP), so Policy DM23 is supportive of hospitality uses but not late-night activities. The church lies within a small churchyard which is directly bordered to the east by a terrace of two storey dwellings with other residential uses nearby. Protecting the occupiers of these properties from undue noise and disturbance is thus a key concern and many have objected to extending the permitted hours.
6. The appellant points out that Kerry's, a café/bar also adjacent to the churchyard opens until 2 am on Fridays and Saturdays together with two premises nearby on Queen Street. These may fall within a different use class or pre-date planning but they do affect the noise environment in the area after midnight and should be taken into account.
7. The submitted noise impact assessment by Peak Acoustics suggests an internal noise level of 74dB would prevent external noise levels exceeding existing background levels at the nearest receptor. This is agreed by the Council's environmental protection officers and planning conditions have been imposed to control amplification equipment, ensure satisfactory noise limiting and to require suitable noise monitoring arrangements. The latter includes monitoring just inside the chancel window, the direction of the nearest receptor.
8. The Council imposed the midnight condition to be prudent on the basis that it could be varied by a further application when more accurate noise readings could be provided to evidence that internal noise would not harm residential amenity². An alternative approach in this instance would be to grant temporary permission for the extended hours to enable the use to commence and to establish in practice whether noise requirements can be met during the extended hours. This was the approach taken with Kerry's when a temporary extension of opening hours was allowed followed by a permanent extension. The appellant is confident that the necessary noise limits can be adhered to during the hours of operation, if so the extended hours can be made permanent by a further application.
9. The main parties have been consulted about the merits of a temporary permission for extended hours. This is supported by the appellant and opposed by the Council. A period of six months was suggested, but the Council has previously stated that ideally it should be demonstrated that the venue has operated through

¹ Emails from the appellant to the Council 3 July 2025 12.52 & 14.15.

² Committee report paragraph 60.

all seasons without issue, and that six months would be the minimum³. Twelve months is therefore necessary in this instance, a period which would also allow the management of the venue to be adapted if required to meet the necessary noise limits. If the trial period is successful, an application for permanent extended hours could be made.

Conclusion

10. For these reasons the hours specified in the condition are not necessary to protect the living conditions of nearby residential occupiers from unacceptable noise and disturbance and should be extended on Friday and Saturday evenings for a twelve month trial period. This complies with DMPLP Policies DM2, DM11 and DM23 which seek to prevent the disturbance of neighbouring occupants from noise, require the mitigation of noise with appropriate limiting conditions and aim to control leisure and late night activities in the city centre.
11. Whilst a precautionary approach to protect the interests of nearby residents can be justified in some circumstances, this is outweighed in this case by the benefits of establishing whether the piano bar can operate for the extended hours required within acceptable noise limits. This could potentially secure an appropriate reuse for one of Norwich's redundant churches and make a useful contribution to the vitality and economy of the city centre.
12. Having regard to the above the appeal should be allowed.

David Reed

INSPECTOR

³ Email from David Parkin to the appellant 3 July 2025 16.34.