SOUTH HOLLAND DISTRICT COUNCIL

Chris Simpkins
Chief Executive
Terry Huggins
Director of Customer Services
Bob Atkins
Director of Corporate Services

Town and Country Planning Act 1990

Planning Permission

Reference: H09/1029/01 Received: 24-AUG-01 Type: FULL

Name: Miss K Chapman
68A Town Drove
Quadring
Spalding
Lincs PE11 4PN

Agent: Miss K Chapman
68A Town Drove
Quadring
Spalding
Lincs PE11 4PN

Description: Change of use from retail shop to cafe (ground floor) and entertainment use (first floor)

Location : 4-6 West End High Street
Holbeach

South Holland District Council hereby give notice that PERMISSION HAS BEEN GRANTED for the development in accordance with the application and plans submitted, subject to any condition(s) set out below:

1 The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

2 Prior to the commencement of the ground floor cafe use full details of a scheme for fume extraction/arrestment shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme as approved shall be fully installed and maintained in working order.

Reason: In the interests of the amenity of the area.

3 Noise from fixed plant and machinery shall not exceed a level equivalent to 45 dB LA eq.15 minutes as measured at a distance of 1 metre from any residential facade between the hours of 07.00 and 23.00 and 35 dB LA eq.5 minutes at all other times. The tonal characteristics of the noise shall not exceed the BS7445 specification.

Reason: In the interests of the amenity of the area.

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4 Prior to the commencement of development a Noise Assessment in respect of the acoustic preformance of the building shall be submitted to and approved in writing by the Local Planning Authority in relation to the first floor use. Any measures of mitigation as recommended in the report shall be fully implemented prior to the first floor use coming into operation.

Reason: To safeguard the amenities of the locality.

5 The first floor premises shall be used solely for entertainment as described in the application namely pool table, pinball machines, play stations, internet and computer access and television viewing, and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that class in any order in any Statutory Instrument revoking and re-enacting that order).

Reason: In granting this permission the Council has had regard to the special circumstances of this case and considers that unrestricted use within Class D2 would be unacceptable in view of the location of the use at first floor level and the likely impact on adjoining users and occupiers.

The determined plans are:-
Location plan received 24 August 2001.

Your attention is drawn to the need to comply with the provisions of Section 4, 7, 8 and 8(a) of the Chronically Sick and Disabled Persons Act 1970, where appropriate, and to the Code of Practice for Access of the Disabled to Buildings (British Standard Institutions code of practice BS 5810:1979) or to Design Note 18 'Access for Disabled People to Educational Buildings', or to documents replacing such codes. Any work required which would alter the proposal hereby permitted may need a further application for planning permission.

Director of Customer Services
05 NOV 2001 H09/1029/01

This decision refers only to that required for the purposes of the Town and Country Planning Acts and not for Building Regulations or any other legislation. See enclosed notes relating to rights of appeal.

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Town and Country Planning Act etc

DRAFT PERMISSION

Reference H09/1029/01 Received: 24-AUG-01 Type: FULL

Name: Miss K Chapman
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Agent: Miss K Chapman
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Lincs PE11 4PN

Description: Change of use from retail shop to cafe (ground floor) and entertainment use (first floor)

Location : 4-6 West End High Street
Holbeach

South Holland District Council hereby give notice that permission has been granted (or equiv) on the following condition(s):

1 The development must be begun not later than the expiration of five years beginning with the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

2 Prior to the commencement of the ground floor cafe use full details of a scheme for fume extraction/arrestment shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme as approved shall be fully installed and maintained in working order.

Reason: In the interests of the amenity of the area.

3 Noise from fixed plant and machinery shall not exceed a level equivalent to 45 dB LA eq.15 minutes as measured at a distance of 1 metre from any residential facade between the hours of 07.00 and 23.00 and 35 dB LA eq.5 minutes at all other times. The tonal characteristics of the noise shall not exceed the BS7445 specification.

Reason: In the interests of the amenity of the area.

4 Prior to the commencement of development a Noise Assessment in respect of the acoustic preformance of the building shall be submitted to and approved in writing by the Local Planning Authority in relation to the first floor use. Any measures of mitigation as recommended in the report shall be fully implemented prior to the first floor use coming into operation.

Reason: To safeguard the amenities of the locality.

5 The first floor premises shall be used solely for entertainment as described in the application namely pool table, pinball machines, play stations, internet and computer access and television viewing, and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that class in any order in any Statutory Instrument revoking and re-enacting that order).

Reason: In granting this permission the Council has had regard to the special circumstances of this case and considers that unrestricted use within Class D2 would be unacceptable in view of the location of the use at first floor level and the likely impact on adjoining users and occupiers.

The determined plans are:- location plan received on the 24 August 2001.

Your attention is drawn to the need to comply with the provisions of Section 4, 7, 8 and 8(a) of the Chronically Sick and Disabled Persons Act 1970, where appropriate, and to the Code of Practice for Access of the Disabled to Buildings (British Standard Institutions code of practice BS 5810:1979) or to Design Note 18 'Access for Disabled People to Educational Buildings', or to documents replacing such codes. Any work required which would alter the proposal hereby permitted may need a further application for planning permission.

Director of Customer Services
26 OCT 2001

H09/1029/01