APPLICATION NO. : H11/1135/91

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SOUTH HOLLAND DISTRICT COUNCIL

Town and Country Planning Act 1990

Refusal of Planning Permission

FILE COPY

Reference: H11/1135/91 Received:21-NOV-91 Type:FULL

Name: Broadgate Builders (Spalding)
Broadgate House
Broadgate
Weston Hills
Spalding, Lincs

Agent: Broadgate Builders
Broadgate House
Broadgate
Weston Hills
Spalding, Lincs

Description: Change of use from Class A1 (shop) to Class A3 (Food & Drink)
Location : 14 Market Street Long Sutton
Spalding Lincs

South Holland District Council hereby give notice that PERMISSION HAS BEEN REFUSED for the development for the following reason(s):

1 In the opinion of the Local Planning Authority, the proposed use would adversely affect the amenities of local residents through noise and disturbance caused by groups of customers entering or leaving the premises and also the parking of vehicles, particularly in the late evening.

2 In the opinion of the Local Planning Authority the proposal would (partly due to the intrinsic layout of the property) adversely affect the amenities of local residents in terms of lack of privacy and smell. Although it may be possible to resolve the latter by an effective fume extraction system, the site's position adjacent to taller buildings may result in a flue having to exceed the height of the existing roof. Such a structure would be detrimental to the visual amenities of both Long Sutton Conservation Area and also No. 18 Market Street, which is a Grade II Listed Building.

Director of Planning and Building Control Services
02-MAR-92 H11/1135/91

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

BRIAN SMITH Dip TP MRTPI Director of Planning & Building Control Services

Planning & Building Control Department, Council Offices, Priory Road, Spalding, Lincolnshire. PE11 2XE (Tel: 0775 761161)

FOUR COPIES REQUIRED

PLANNING APPLICATION

For office use only

Application No. H11 | 1135 | 91

Date Registered 21 NOV 1991

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

BROADGATE BUILDERS (SPALDING) LTD
BROADGATE HOUSE
BROADGATE
WESTON HILLS
SPALDING, LINCS.
Tel. No. (0406) 380532

NAME AND ADDRESS OF AGENT
(if form completed by agent)

OFFICE COPY

Tel. No.
(Personal contact name)

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

14 MARKET STREET, LONG SUTTON, LINCS.

Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

CHANGE OF USE FROM SHOP TO HOT FOOD TAKE-AWAY.

Please complete

Signed..... Alan J. Finch ..... Date..... 20.11.91 .....

I attach * Four copies of all plans
*an ownership certificate (see back page)
*a fee of £92 If you consider no fee is payable include a written explanation instead.
Previous application No:

Please tick **one** box and answer the extra questions under that section.

2. **TYPE OF APPLICATION**

This is a **full** application for change of use and/or new building works (✓) ✓ → Now complete Parts 3, 4 and 5 and an Ownership Certificate

or This is an **outline** application ↴

Please state Site Area (Hectares)
Please tick **any** box where you are including details which you wish to be considered as part of this application.
Siting ☐ Design ☐ External Appearance ☐
Means of Access ☐ Landscaping ☐
Now complete Parts 3 and 5 and an Ownership Certificate.

or *This is a **reserved matters** application.* ↴

A. Please state Reference Number of outline permission.
B. Please state which *reserved matters* are dealt with in this application.
Now complete Part 4 only

or This is an application for **renewal** of temporary permission or **continuation** without complying with planning condition. ↴

A. *Please state Reference Number of previous permission*
B. Please state Condition Number referred to
Now complete an Ownership Certificate

or This is an application for **modification** of a condition on a planning permission which has not yet been implemented. ↴

A. *Please state Reference Number of previous permission*
B. Please state Condition Number referred to
C. Please state variation required
Now complete an Ownership Certificate

TYPE OF DEVELOPMENT

3. A. Please state whether the proposal involves:- (Tick one or more boxes)

(i) New building(s)	
(ii) Alterations or extension	
(iii) Change of use	✓

B. If new dwellings are proposed, please state how many:

4. A. If building works are proposed, other than residential, please state extra floorspace to be created: NONE sq. metres

B. Please state size of any new structure:- (a) max. height: metres
(b) max. length: NOT APPLICABLE metres
(c) max. width: metres

C. Please state type and colour of materials for facing external walls:

D. Please state type and colour of roofing materials. NOT APPLICABLE

5. GENERAL INFORMATION Please complete each section

EXISTING USES
Please state existing or, if vacant, the last use(s) of site. SHOP.

ACCESS TO ROADS (VEHICULAR AND PEDESTRIAN) Please tick **one** box

A. There will be **no** new access to a public road and **no** alteration to any existing access to a public road ✓

or

B. There will be a new or altered access to a public road → If so, name of road:
Will there be --
Individual access(es)
New estate road

C. What provision will be made for garages or parking within the site? NOT AVAILABLE.

TREES Please tick **one** box

A. *The proposal does* ***not*** *involve the felling of any trees* ✓

B. The proposal does involve the felling of one of more trees → If so, please show details on plans

DRAINAGE *Please complete*

A. Please state how surface water will be disposed of AS EXISTING

B. For estate developments, please state how highway surface water will be disposed of NOT APPLICABLE

C. Please state whether a land drain will be affected NO

D. Foul sewerage will be disposed of to:

Mains sewer ✓ Cesspool Septic tank

OTHER MATTERS Please complete

	State Yes or No	
The proposal is in connection with agriculture	NO	→ If so, **please give details in Part 6**
The proposal affects a listed building	No	
The proposal affects a public footpath	No	
The proposal is known to affect contaminated or filled land	No	
The proposal is for industrial, warehousing, offices or shopping purposes	YES	→ If so, **please complete Part 7**
In cases where a statutory consultation will be required, please state whether you have sent a copy of the application to the consultee yourself. If yes, please give date sent.	No.	→ Date: Consultee(s):

6. ANY OTHER INFORMATION

Please add any details you wish in support of your application. Continue on separate sheet if necessary. PLEASE REFER TO ACCOMPANYING LETTER.

7. INDUSTRIAL, WAREHOUSING, OFFICES OR SHOPS Please complete

Please tick **one** box and complete B if necessary

A. The proposal does not involve any alteration in existing floorspace [✓]

B. The proposal involves the creation of or an alteration in total **gross** floorspace [ ]

Proposed total gross floorspace [sq. m.] Previous total gross floorspace [sq. m.]

This new total includes the following net floorspace:

Retail [sq. m.] Office [sq. m.] Industrial [sq. m.] Warehousing [sq. m.]

Other [sq. m.] ➡ If so, please state use:

	Office staff	Industrial staff	Other staff
How many office, industrial and other staff will be employed on the site as a result of the development proposed? If you have existing premises on the site, how many of the employees will be new staff?			TWO
If you propose to transfer staff from other premises please give details of the numbers involved and of the premises affected.	N/A.		
In the case of industrial development, give a description of the processess to be carried out and of the end products, and the type of plant or machinery to be installed	N/A.		
If the proposal forms a stage of a larger scheme for which planning permission is not at present sought, please give what information you can about the ultimate development	N/A.		
Is the proposal related to an existing use on or near the site?	State Yes or No: NO		
If so, please explain the relationship	–		
Is this a proposal to replace existing premises in this area or elsewhere which have become obsolete, inadequate or otherwise unsatisfactory?	State Yes or No: NO		
If so, please give details including gross floor area of such premises and state your intentions in respect of those premises	–		
What provisions have been made for the parking, loading and unloading of vehicles within the curtilage of the site? (Please show the location of such provision on the plans and distinguish between parking for operational needs and other purposes)	UNRESTRICTED PARKING IS AVAILABLE ON STREET FOR BOTH DELIVERY VEHICLES & CUSTOMERS		
What is the estimated vehicular traffic flow to the site during a normal working day? (Please include all vehicles except those used by individual employees driving to work)	ONE DELIVERY VAN PER WEEK		
What is the nature, volume and proposed means of disposal of any trade effluents or trade refuse?			
Will the proposed use involve the use of storage of any hazardous materials?	State Yes or No: NO		
What provision is being made for access to the premises for the disabled?	SUITABLE ACCESS PROVIDED BY EXISTING ENTRANCE (DOUBLE DOORS).		

APPLICATION ASSESSMENT

Notes for Case Officer

Site Notes: Accuracy ✓ **Neighbours** **Other**

Boundaries **Site Features** Currently vacant. Within Conservation Area. Quite an attractive facade. Residential to W. Shop + house to E

Inspected by: DMG
date: 5/12

Residents notified on site visit: Connaught House, Market St - Post
Long Sutton Antique + Collectors Market - Post.

Case Officer Conclusions (issues) Mrs King, No 8 Market St - Post. to be consulted

Case Officer Recommendations (summary).
(details overleaf)

Delegation
Recommended approvals –

Confirmed by Case Officer:

Departure from policy — Yes ____ — No ____

Ward member request — Yes ____ — No ____

Recommend approval against material objection

Any objection received? No
If yes, is any obj. material? No
Yes

Yes ____ — No ____

[Reason:

Other circumstances needing Committee decision

Yes ____ — Flagged by Senior Officer Signed ..... — No ____

[Reason:

ALL OF ABOVE

Recommended refusals –

Refusal on adopted policy grounds on first applic.

No ____ — All fees (not first Submission)

Yes ____

ANY ONE OF ABOVE — Other info. viz: Signed .....

Committee report
Sub-Committee:
SV recommended .....
Esc/Int. recommended.....

Delegation confirmed by Senior Officer
.....

Recommendation/draft report produced..... Amended/confirmed.....

FURTHER INFORMATION / CONSULTATIONS

APPLICATION REF:

DIRECTIONS

Art 7 (Outlines) RM :

	Siting	Design	Ext App	Access	Lands
Previous					
Current					
Required					

Reg 4 (or equiv) Scale drawing ..... Highway S/W ..... Agric appraisal .....

Precise details for non-standard requirement:

CONSULTATION/PUBLICITY REQUIRED

Publicity : General
Departure
Setting of LB Viz

Consults : Dept of Transport
Env Health
Conservation consults : Local
Local & National
English Heritage LBC I, II*
Setting I, II*
Major Ca

Consultant : Name
Order No:

Other : Discussed with NRM. Thought we didn't need to advertise as affecting setting of Listed Building

---

REVALIDATION

Information satisfactory/unsatisfactory

Further direction - details:

Amended description:

Reconsultations required -
Parish Council
Ward Members
Residents
Advertise
Other

New valid date .....

Re-Registered .....
Ack/Reception/Filesheet .....
Consultation .....

ADMIN RECORD SHEET

INITIAL

Submitted Fee £ 92..

Receipt Issued ..... No. 9278

Date First Received 21 NOV 1991....

REGISTRATION

REFERENCE ..H11.|1135|91.....

Cross-Ref R.....H.L...

UBC 1136/91

Date. ~~27~~/11/91

VALIDATION

Date. 25/11/91

Type ...FULL... Earliest permission date (Cert B) .....

Site area ..... No. of dwellings ..... Floorspace .....

New build/site enlargement/redevelopment/change of use/extension/alteration

Earlier permission ref .....

RM:-	Siting	Design	Ext app	Access	Lands
Previous					
Current					

Description

Technical: Certificate ☐ Accuracy ☐
Site plans ☐ Incomplete form ☐
Description ☐

S65 Advert required ☐ Expiry date .....

Fees: Nil fee - previous app ☐ Ref .....
- type ☐
Discounted fee ☐ Reason .....

Correct fee £ 92... Additional £ ..... Receipt no. .....

Refund £ ..... Issued .....

CONSTRAINTS

Date...26.11

Index Sheets 192 OS Nos ..... Grid Ref 543150 323060

Ward ..K... Parish ...L.SUTTON

Inside IBD YES Inside LP Area YES

TR Rural	/	CA	YES	Grade
TR Bypass		LB	-	
Level crossing		TPO	-	
Footpath		Other:		

Linked to site.....Ref..... Linked to property.....Ref.....

Planning Records: 1136/91
Earlier apps 310/89
88172

B Reg Records:
Already submitted Ref...910836
Requested .....

Inputs completed.....

Conditions/Reasons DMG 21/2

DPO authorise Refusal

1. In the opinion of the Local Planning Authority, the proposed use would adversely affect the amenities of local residents through noise and disturbance caused by groups of customers entering or leaving the premises and also the parking of vehicles, particularly in the late evening.

2. ~~The proposal would~~

In the opinion of the Local Planning Authority the proposal would (partly due to the intrinsic layout of the property) adversely affect the amenities of local residents in terms of lack of privacy and smell. Although it may be possible to resolve the latter by an effective fume extraction system, the site's position adjacent to taller buildings may result in a ~~chimney~~ flue having to exceed the height of the existing roof. Such a structure would be detrimental to the visual amenities of both Long Sutton Conservation Area and also N°18 Market Street which is a Grade II Listed Building

Notes to applicant

~~Disabled access~~ .....

~~Outstanding~~ EH .....

~~Amended plans~~ ..... ~~rec~~

~~Other~~

Town and Country Planning Act etc

DRAFT DECISION

Reference: H11/1135/91 Received:21-NOV-91 Type:FULL

Name: Broadgate Builders (Spalding)
Broadgate House
Broadgate
Weston Hills
Spalding, Lincs

Agent: Broadgate Builders
Broadgate House
Broadgate
Weston Hills
Spalding, Lincs

Description: Change of use from Class A1 (shop) to Class A3 (Food & Drink)
Location : 14 Market Street Long Sutton
Spalding Lincs

South Holland District Council hereby give notice
that permission has been granted/refused etc
on the following conditions/reasons:

1 In the opinion of the Local Planning Authority, the proposed use would adversely affect the amenities of local residents through noise and disturbance caused by groups of customers entering or leaving the premises and also the parking of vehicles, particularly in the late evening.

2 In the opinion of the Local Planning Authority the proposal would (partly due to the intrinsic layout of the property) adversely affect the amenities of local residents in terms of lack of privacy and smell. Although it may be possible to resolve the latter by an effective fume extraction system, the site's position adjacent to taller buildings may result in a flue having to exceed the height of the existing roof. Such a structure would be detrimental to the visual amenities of both Long Sutton Conservation Area and also No. 18 Market Street, which is a Grade II Listed Building.

Authorised to issue:

27-FEB-92 H11/1135/91

AD.....DC.....
27/2 4/3

Broadgate Builders (Spalding) Limited
Broadgate House, Weston Hills, Spalding, Lincolnshire. PE12 6DB.
Telephone: (0406) 380532
Fax: (0406) 380014

LATE OBS: Offr. DMG 20/1...
Salient points ✓

Our Ref: AJF/hmr

Director of Planning and Building Services
South Holland District Council
Council Offices
Priory Road
Spalding
Lincs
PE11 2XE

S.H.D.C. PLANNING DEPT.
RECEIVED
DG 20 JAN 1992 2-11 Clerk

Attention of	File Nos.
DPO NRM	
DOPO BS	
JC ACP	
Action by	Acknowledge YES/NO
Discuss with	
Copy to	Date

17th January 1992

Dear Sir,

Re: H11/1135/91 Change of use from Class A1 to Class A3, 14 Market Street, Long Sutton

I understand that the above application is to be considered by the Planning Committee on 21st January 1992.

Whilst a high level of public reaction was anticipated simply due to the nature of the application, I was extremely disappointed to discover the reasons for refusal reported by the Planning Authority.

The premises are situated within the shopping area of Long Sutton alongside the Main route through the town where obviously a higher amount of traffic is evident. A public house exists nearby which is permitted by licence to be open until 11pm every night. It must therefore be accepted by people living in or on the periphery of a towns shopping centre that a relatively higher level of noise is inevitable compared to living in a solely residential area. Surely these premises are suitable to operate a take-away business, in an area of the town where a higher level of pedestrian and vehicular circulation already exists.

Shortly after the application was made a prospective purchaser of the property declared a potential use of the premises as a Chinese take-away, which is covered by Class A3 use. As a result of premature reporting of the application in the Local Press Mr Eric T.C. Kan has lost his job and living accomodation. I understand the Ward Member has accurately commented on this situation. Whilst I appreciate this is not a planning issue it does indicate that we now have a potential businessman who has commitment to a successful venture if we are successful with this application.

continued....

Mr Kan is most anxious that this application be successful and has indicated his willingness to co-operate wherever possible in order that all interested parties be satisfied. The opening hours of the business would be restricted to 11pm which incidentally is the same time as the nearby Public House.

Having considerable experience in this specific type of business he is fully aware of the stringent hygiene standards that apply. Of the various types of take-away business that are becoming increasingly popular in society it must be said that Chinese food and its containers are the least likely to be found littering the streets. Even if litter were a problem Environmental Health do have the statutory powers to enforce a satisfactory solution.

The reasons offered to Committee for considering refusal of the application both appear to be speculative and stand to be contested by both ourselves, our prospective client and indeed the members of the Committee.

For reasons I have already stated there is no evidence that any significant disturbance of the limited number of nearby residents will occur. Virtually every other similar type of take-away business is located nearby to houses. These premises offered are within the shopping area. Highways have raised no objections to this application. There is unrestricted parking to the front of the property and plentiful public parking nearby in an area that is used to through traffic and short visit parking.

The second reason for refusal refers again to a potential situation. It must be pointed out that it is by no means essential to provide a chimney that would be "detrimental to visual amenities". If such a structure were the only means of fume and smell extraction then the kitchen is located at the rear of the premises and I would very much doubt that a flue terminal would be visible from Market Street. In the event, it is possible to provide specialist extraction equipment that requires no chimney provision at all. I have been informed by Mr Kan that a firm from Norwich call Hi-Tec Ltd produce a filtered extractor system that guarantees to absorb not less than 99% of smells produced.

Continued.....

I am aware that this letter will arrive with you at short notice and that recent policy has generally been not to consider late representations. However, I feel that in view of the change of circumstances i.e. a prospective client, and solutions available to environmental problems, this application warrants more careful consideration before it is determined.

Yours faithfully,

Alan J. Finch.

ALAN J. FINCH

S/JJ
n11/1135/91

28th January 1992

LATE OBS: Offr..... Date.....
Salient points highlighted

FILE NOTE

Chairman of Planning spoke to me on Monday 27th January following verbal representations which he had received from the next door neighbour objector to this application.

Councillor Alcock has stated to the objector that the application premises will be inspected from the objectors property both front and rear and Councillor Alcock asked that this commitment be drawn to the attention of whichever Officer accompanies Members on their inspection.

The objector also referred to the understanding that the property is not connected to mains drainage. Councillor Alcock appreciates that this may turn out not to be a planning issue but nevertheless asks that the matter be investigated (RJS has subsequently drawn this to the attention of R Sissons).

R J Smith
Deputy Director of Planning
and Building Control Services

BRIAN SMITH Dip TP MRTPI District Planning Officer

Planning Department
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H11/1135/91 Type: FULL

Applicant: Broadgate Builders (Spalding) Agent: Broadgate Builders
Tel: 0406 380532 0406 380532

Description: Change of use from ~~hot food take-away~~ (Class A1 shop) to Class A3 (Food and Drink)

Location: 14 Market Street
Long Sutton
Spalding
Lincs

Valid date: 21-NOV-91 Terminal date: 16-JAN-92
Target dates: Target Committee: 02-JAN-92
To case officer 26-NOV-91 Report deadline: 19-DEC-91
Inspected by 01-DEC-91
Extra contacts 06-DEC-91 Case Officer:
Report if not clear by 26-DEC-91 D M GEDNEY

DEVELOPMENT/CONSTRAINTS

Size:
Category: Change of use only
Listed building:
Conservation Area: LONG SUTTON

CONSULTATIONS CARRIED OUT

	Sent	Expiry
Clerk to Long Sutton 0406 362402	05-DEC-91	19-DEC-91
Cllr D A Tennant	05-DEC-91	19-DEC-91
Cllr E J Clarey 0406 363141	05-DEC-91	19-DEC-91
Cllr M D Booth 0406 350034	05-DEC-91	19-DEC-91
Dir of Environmental	05-DEC-91	19-DEC-91
Site/Press Advert CSA	10-DEC-91	31-DEC-91
L.C.C. No objections C.B.	5.12.91	
"Connaught House" Market Street	06-DEC-91	20-DEC-91.
Long Sutton Antiques	06-DEC-91	20-DEC-91.
Mrs King, N°8 Market St		

BRIAN SMITH Dip TP MRTPI District Planning Officer

Planning Department
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H11/1135/91 Type: FULL

Applicant: Broadgate Builders (Spalding) Agent: Broadgate Builders (Spaldin
Tel: 0406 380532 0406 380532

Description: Change of use from shop to hot food take-away

Location: 14 Market ~~Place~~ STREET
Long Sutton
Spalding
Lincs

Valid date:	21-NOV-91	Terminal date:	16-JAN-92
Target dates:		Target Committee:	02-JAN-92
To case officer	26-NOV-91	Report deadline:	19-DEC-91
Inspected by	01-DEC-91		
Extra contacts	06-DEC-91	Case Officer:	
Report if not clear by	26-DEC-91	D M GEDNEY	

DEVELOPMENT/CONSTRAINTS

Size:
Category: Change of use only
Listed building:
Conservation Area: LONG SUTTON

CONSULTATIONS CARRIED OUT

		Sent	Expiry
Clerk to Long Sutton	0406 362402	03-DEC-91	17-DEC-91
Cllr D A Tennant		03-DEC-91	17-DEC-91
Cllr E J Clarey	0406 363141	03-DEC-91	17-DEC-91
Cllr M D Booth	0406 350034	03-DEC-91	17-DEC-91
Site/Press Advert CSA		10-DEC-91	31-DEC-91
Environmental Health.		04-DEC-91	18-DEC-91.

L.C.C. - No objections JB CB 5/12/91.

BRIAN SMITH Dip TP MRTPI District Planning Officer

Planning Department
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161

SOUTH HOLLAND DISTRICT COUNCIL

Comm

Application no: H11/1135/91 Type: FULL

Applicant: Broadgate Builders (Spalding) Agent: Broadgate Builders
Tel: 0406 380532 0406 380532

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Location: 14 Market Street
Long Sutton
Spalding
Lincs

Valid date:	21-NOV-91	Terminal date:	16-JAN-92
Target dates:		Target Committee:	02-JAN-92
To case officer	26-NOV-91	Report deadline:	19-DEC-91
Inspected by	01-DEC-91		
Extra contacts	06-DEC-91	Case Officer:	
Report if not clear by	26-DEC-91	D M GEDNEY	

DEVELOPMENT/CONSTRAINTS

Size:
Category: Change of use only
Listed building:
Conservation Area: LONG SUTTON

CONSULTATIONS CARRIED OUT

		Sent	Expiry	
Clerk to Long Sutton	0406 362402	12-DEC-91	26-DEC-91	Comments
Cllr D A Tennant		12-DEC-91	26-DEC-91	
Cllr E J Clarey	0406 363141	12-DEC-91	26-DEC-91	
Cllr M D Booth	0406 350034	12-DEC-91	26-DEC-91	
Dir of Environmental		12-DEC-91	26-DEC-91	
The Owner/Occupier		12-DEC-91	26-DEC-91	
The Owner/Occupier		12-DEC-91	26-DEC-91.	
Site/Press Advert CSA		12-DEC-91	07-JAN-92	
Mrs King 8 Market Street		12-DEC-91	26-DEC-91.	

L.C.C - No objections to cs 2-1-92.
(within Town Centre Area ∴ parking not required).

prejudice to their case that the appeal should be allowed. The council accepts that the trees referred to in Condition 4 are outside the appeal site and that the condition should be rephrased to refer to appropriate measures being taken to ensure that development within the site does not affect the adjoining landscaped areas. The appellant contends that Condition 9 is unnecessary as it will be in the developer's interest to provide a shopping environment that is attractive to clients. The concern is related to aircraft noise and there is no specified base level for the noise source. The appellant is not persuaded that there is a basis for requiring the tests set out in Condition 10 and is aware that this condition does not apply to the extant permission.

"48. I have considered the proposed conditions in the light of advice in Circular 1/85. I accept the argument that Condition 9 is unnecessary because a retailer will seek to secure a high environmental standard for the customer. Imposition of the other conditions would in my view be appropriate with Condition 4 rephrased; however, Condition 8 could readily be subsumed into Condition 6. Condition 10 is in my way warranted as a precaution in this case which involves site redevelopment.

Overall conclusion

"49. My conclusion on the principal issue is that there are special circumstances in this particular case which warrant making an exception to Green Belt restraint policies. Subject to the appellant entering into a section 52 agreement that will secure the construction of a superstore at the Manor Lane site in Feltham town centre, no other matters have been raised at the inquiry or in the written representations that would justify withholding planning permission subject to conditions. On the basis of the information before me and of the appellant's expression of concurrence, I also consider that the scale and extent of works to be covered by a section 278 agreement are reasonably related in scale and kind to the development proposed."

[*By courtesy of the Borough Solicitor, London Borough of Hounslow.*]

Change of use of shop unit to restaurant in local shopping centre

Ref. T/APP/U4610/A/90/166166/P8
February 15, 1991

Appeal against the decision of the Coventry City Council to refuse planning permission for the change of use to restaurant of No. 278 Walsgrave Road, Coventry.

"From my inspection of the site and its surroundings and from my reading of the written representations I consider there to be three main issues in this appeal. First, the effect of the proposal on the amenities of residents by reason of noise, disturbance and smell. Secondly, the effect of the proposed use on highway safety and third, the effect of the proposal on the character of the local shopping area along Walsgrave Road.

"The appeal site is situated within the predominantly residential area of Middle Stoke about 2·5 km east of Coventry city centre in a local shopping centre spread out along Walsgrave Road, the busy A46, the principal thoroughfare through this suburb.

"I observed that the site consists of a narrow vacant shop unit formerly in use as an opticians sitting in a long parade of mixed retail and commercial uses extending for some distance along the southern side of Walsgrave Road and around the corner into Church Lane, a primarily residential street. Above the shops the first and second floors of the parade are largely in residential use although some of the accommodation in the upper storeys is in use for storage or as offices. To the east the appeal premises adjoins an off licence at No. 280 whilst to the west your client's current restaurant and take-away business at No. 276 is separated from the appeal premises by a narrow vacant shop unit at No. 278A previously in use as a chinese take-away. I note that your client has acquired the vacant premises at Nos. 278A and 278 which would enable him to improve the rather constricted facilities offered by the present business principally by the formation of a new 52-seat restaurant.

"The Council contend that the proposed use would adversely affect local residents living above the shops in Walsgrave Road and also those living along Church Lane through noise and disturbance caused by groups of customers entering or leaving the premises and through cars setting down or picking up customers in these road, particularly in the late evening. In support of its argument the Council point to the recent decision in respect of an appeal for the change of use of No. 268 Walsgrave Road to a hot food shop. To my mind your client's proposal is markedly different both in scale and nature to the case referred to by the Council as it is for a small scale extension to an existing restaurant and take-away business rather than the introduction of a new establishment.

"It seems to me from my visit to the Walsgrave Road area that during the day it has a bustling and teeming character, a product in part of the constant flow of large volumes of traffic including numerous heavy commercial vehicles along this important road which provides a strategic connection to Leicester and the regional motorway network. There are a number of other premises in the area which have late opening hours, including your client's current establishment, the nearby public house and the chinese take-away in Church Lane, and the presence of these businesses is likely to impart a significant degree of hustle and bustle to the area in the late evening. Given the background of noise and activity experienced in the Walsgrave Road area, I do not consider that your client's proposed use of this somewhat diminutive property would have an adverse affect upon residents to a significant and serious degree. In coming to this conclusion, I note that the extended restaurant would incorporate a former chinese take-away so that instead of there being two hot food take-away establishments in this short length of Walsgrave Road there would be a single operation with an enhanced restaurant facility. I have, therefore, accorded some weight to your client's view that a restaurant would be unlikely to generate the same level of custom as two separate take-away businesses. The Council have referred to the problem of smells often associated with restaurants and take-aways, but I agree with your client that such problems can be surmounted by the installation of modern fume extraction equipment.

"With respect to the effect on highway safety, it is the Council's view that the absence of parking facilities would lead to increased parking on the wide pavement in front of the parade of shops and on Walsgrave Road close to a pedestrian crossing. I observed that whilst there is a restricted yard to the rear of the premises, there are no off-street parking facilities and waiting at any time on Walgrave Road is prohibited except for a short length of the street close to its junction with Church Lane where waiting is restricted for an hour during normal working hours. On my visit I did not see any vehicles parked on the pavement although there

was some unauthorised parking on Walsgrave Road. Whilst such parking can cause danger to pedestrians and other road users, there are other controls over illegal parking on pavements and on roads subject to parking restrictions. In my view, such parking is more likely to be related to customers using take-away facilities than those wishing to stay longer at a restaurant. Given the statutory parking restrictions in force along Walsgrave Road customers to your client's restaurant would be likely to park their cars in Church Lane. Whilst at the time of my visit there was considerable parking along both sides of Church Lane so that the effective width of the street was substantially reduced I do not consider that the free flow of traffic would be affected to a significant and serious degree. I conclude on this issue, therefore, that your client's proposal would not adversely affect highway safety in the area.

"Turning to the effect of the proposal on the character of the local shopping area along Walsgrave Road, I note that national advice expressed in Development Control Policy Note 11 emphasises the importance of retaining the retail nature of suburban shopping parades. I saw that this shopping area had considerable vitality to a large degree a result of the wide mix of retail, financial services and hot food outlets. To my mind, the extension of your client's current business into the narrow fronted appeal property would not have an appreciable impact on the character and vitality of this shopping parade.

"From my consideration of the main issues in your client's appeal, I can see no overriding objection to the proposed use of these premises and I propose to allow the appeal subject to conditions. I have considered the conditions suggested by the Council. I am not attaching a condition restricting the uses of the premises to those shown on the layout plan as this plan does not form part of your client's appeal. I am imposing a condition relating to hours of opening so as to provide local residents with some respite during the night from the activities likely to be associated with your client's premises. I have given careful consideration to the Council's suggested hours of opening but I am of the opinion that the prohibition on Sunday opening is unreasonable and the limitation of closing hours to 23.00 hours on Mondays to Thursdays is overly restrictive given the current closing hours of your client's business and the nearby chinese take-away. I am also attaching a condition requiring the submission of details of ventilation equipment so that cooking smells can be satisfactorily treated and dispersed.

"I have taken into account all other matters raised in the representations, but none of these matters are as important as those previously mentioned and which have accordingly led to my decision to allow this appeal.

"For the above reasons, and in exercise of powers transferred to me, I hereby allow this appeal and grant planning permission for the change of use to restaurant at No. 278 Walsgrave Road, Coventry in accordance with the terms of the application (No. C43059) dated April 4, 1990, and the plans submitted therewith, subject to the following conditions:

1. the development hereby permitted shall be begun before the expiration of five years from the date of this letter;
2. the premises shall not be open for the sale of food or drink except daily between 09.00 and 24.00 hours;
3. details of fume extraction and odour control equipment, including details of any external ducting, shall be submitted to the local planning authority for approval before the use commences, and once approved shall be installed before the use hereby permitted commences and shall be operated at all times when cooking is carried out."

[*By courtesy of the City Secretary, City of Coventry.*]

58. PLANNING APPLICATIONS (Continued)

(c) **Applications Deferred** (Continued)

Plan No. and Applicant		Proposal
H09/1332/91 J Pateman & A Candler	O.A.	Building plot at Creewood Close, Holbeach.

(Pending a site inspection to assess the suitability of the site for the proposed development.)

H16/0954/91 Mr & Mrs P Chapman	New bungalow with siting of a temporary caravan until building complete (Outline planning H16/1519/88) on land adjoining 99 Pinchbeck Road, Spalding.

(Pending a site inspection to assess the suitability of the site for the proposed development.)

H11/1135/91 Broadgate Builders	Change of use from Class A1 (shop) to Class A3 (Food & Drink) at 14 Market Street, Long Sutton.

(Pending a site inspection to assess the suitability of the site and premises for use under Class A3 of the Town and Country Planning (Use Classes) Order 1987.)

(d) **Applications Approved Subject to Planning Obligation**

Subject to the applicants first entering into a Planning Obligation in accordance with the provisions of Section 106 of the Town and Country Planning Act 1990 for the reasons indicated, the Director of Planning and Building Control Services be authorised to grant planning permission for the undermentioned developments in accordance with his recommendations:-

Plan No. and Applicant	Proposal
H06/1045/91 Mrs S E Scrimshaw	Dwelling, double garage and six stables at The Old Rectory, Church End, Gedney.

(To (i) restrict the occupancy of the dwelling to a person or persons employed in connection with the use permitted under reference H06/1392/90 and (ii) ensure that the dwelling is not occupied until the six traditional stables have been erected and are ready for use.)

H20/1116/91 Mr & Mrs W J Groom	Use of land for siting of residential caravan at Sutton Hovels, Corner of Jarvis Gate and Broad Gate, Sutton St James.

(To ensure that the agricultural holding is not sold or otherwise disposed of separately from the site of the caravan.)

(It was also agreed that access arrangements would be clarified in respect of the site.)

H05/1130/91 A J Congreve	Change of use from previously agricultural land to parking for two goods vehicles and trailers at Torrington Lodge, Torrington Lane, Fleet Church End.

(To ensure that the parking is limited to one heavy goods vehicle tractor unit and one trailer.)

*((i) To establish if the proposed dwelling can be satisfactorily sited within the curtilage of Greyfriars and (ii) to consider the effect of the development upon the Conservation Area and the setting of the listed building called Greyfriars.)

H09/1107/91 Mr D Bridger	O.A.	2 No building plots including highway improvements at Little Common Lane, Holbeach Clough. (See page 32 of the schedule of the Director of Planning and Building Control Services submitted to the Planning Committee on 21st January, 1992.)

*(To (i) assess the suitability of the site for the proposal and (ii) be better aware of on-site conditions.)

H09/1332/91 J Pateman & A Candler	O.A.	Building plot at Creewood Close, Holbeach. (See page 48 of the schedule of the Director of Planning and Building Control Services submitted to the Planning Committee on 21st January, 1992.)

*(To assess the suitability of the site for the proposed development.)

H16/0954/91 Mr & Mrs P Chapman	New bungalow with siting of a temporary caravan until building complete. (Outline planning H16/1519/88) on land adjoining 99 Pinchbeck Road, Spalding. (See page 50 of the schedule of the Director of Planning and Building Control Services submitted to the Planning Committee on 21st January, 1992.)

*(To assess the suitability of the site for the proposed development.)

H11/1135/91 Broadgate Builders	Change of use from Class A1 (shop) to Class A3 (Food & Drink) at 14 Market Street, Long Sutton. (See page 52 of the schedule of the Director of Planning and Building Control Services submitted to the Planning Committee on 21st January, 1992.)

*(To assess the suitability of the site and premises for use under Class A3 of the Town and Country Planning (Use Classes) Order 1987.)

*Denotes reason for site inspection.

4. Estate development - To consider the following application:-

Plan No. and Applicant	Proposal
H16/1126/91 Broadgate Homes	Residential development, plots 52/81, Phase 7 (30 plots), terraced houses and bungalows off Aalsmeer Rise, Holland Park, Spalding. (See page 36 of the schedule of the Director of Planning and Building Control Services submitted to the Planning Committee on 21st January, 1992.)

PPLICATION REFERENCE: H11/1135/91 DATE RECEIVED: 21/11/91

APPLICANT: Broadgate Builders
Broadgate House
Broadgate
Weston Hills
Spalding
Lincs

AGENT:

COUNCIL
21 JAN 1992

TYPE: Full

DESCRIPTION: Change of use from Class A1 (shop) to Class A3 (Food & Drink)

LOCATION: 14 Market Street, Long Sutton

Parish Council: Have reservations about possible noise nuisance which may be caused to residents in Market Street. Otherwise no objections.

Ward Member: Applicants have made first class job of repairing this run-down property. Shops are very difficult to sell. Understand there are objections from neighbours. As this property has been used for the retail sale of food for many years, it would be difficult to refuse permission. The prospective owner is willing to enter into conditions to objections from neighbours. He has lost his job and living accommodation which goes with it. His wife is pregnant and living in temporary accommodation. Support this application.

County Highways: No objections.

Environmental Health: (summarised)

- Whilst site is situated on the main road at the end of a terrace of shops, it abuts a large Listed dwelling on the periphery of the residential area.
- In this position, surrounded by taller buildings, an effective fume extraction system (with a chimney height above the adjoining roof line) and some form of odour control may prove necessary in order to prevent odours.
- Some noise disturbance from late night activities is likely in this location.
- Litter could be controlled under the provisions of the Environmental Protection Act, 1990.

Long Sutton & Distric t Society: Part of Conservation Area and there is already a Chinese take-away and fish shop in close proximity. Will only create further litter problem and parking problems. Also, there is a public house opposite.

ublic Objections:

Letters received from Owner/Occupiers of 8,15, 18 & 22 Market Street (summarised)

- Market Street has lots of listed properties, including No. 18. Any retail venture of a hot/cold food and drink take-away or restaurant would not blend in at all well and would not be an asset to the street.
- Night business would be unacceptable so close to residential properties. Cause disturbance.
- Signs, paintwork associated with such a proposal would adversely affect our property (No. 18), which is a Grade II Listed Building. Cause property devaluation.
- Need good retail shops and not restaurants, Chinese take-aways, etc.
- Cause parking problems and traffic hazard.
- Create considerable amount of litter.
- Cause considerable noise. Already have noisy people leaving the public house.
- Create unacceptable smell.
- Already five eating places in the locality.
- Risk of fire.
- Property not connected to mains drainage.
- Existing septic tank unsuitable, therefore create health problems.
- Create vermin and foresee problems in being able to maintain a correct hygiene and environmentally acceptable condition.
- Premises should be used for something more in keeping with the Conservation Area.

Public Support:

Letters received from Owner/Occupiers of 55 Garnsgate Road, 3 Stonegate (Gedney), Mayfield House (Gedney Dyke) plus Long Sutton & Sutton Bridge Hockey Club & Fenland Financial Services (summarised)

- Express delight at possibility of decent Chinese take-away premises in Long Sutton.
- Prospective purchaser honest, hardworking and would provide a very good service.
- More parking space than with existing Chinese take-away.
- Beg Committee to give prospective purchaser favourable consideration due to his circumstances.

Information from Applicant (summarised) -

- Premises have been disused for over 3 years.
- Within the commercial centre of Long Sutton.
- Minimal alterations to property. Kitchen facility will be to the rear.
- Intend to retain the facade as existing. Any advertisement would be appropriate.
- Business ventures desperately needed.
- Change of use required to make premises more viable and to encourage re-use of the shop.

PLANNING POLICIES/DOE ADVICE

1 Within Conservation Area.

2 Long Sutton & Sutton Bridge Local Plan - Site situated within designated shopping area (Policy S1), outside area covered by Policy S2 which restricts non-retailing activities.

(a) The effects of the proposal (as distinct from shop use) on the amenities of residents by reason of noise, disturbance and smell.
(b) Highway considerations.
(c) The effect of the proposal upon the character of the locality.

2 Application is for a change of use from retail (which can include the sale of cold food for consumption off the premises) to Class A3 (Food and drink). This is essentially use for the sale of food or drink for consumption on the premises or of hot food for consumption off the premises and includes restaurants and take-aways.

3 The site is just within the shopping area of Long Sutton. A terrace can be found to the east, which consists predominantly of retail premises. A large Grade II Listed Building (No.18) is located immediately to the west on the periphery of what is essentially a residential area.

4 The premises are just outside the area where Local Plan Policy S2 applies, which restricts non-retail development.

CONCLUSIONS

1 The County Highways Authority have raised no objections to the proposal on the basis that the site is within the Town Centre Area. As such, public parking facilities are available.

2 After discussions with Environmental Health, it is my opinion that the proposal would adversely affect local residents (particularly the owner/occupiers of No. 18, which is a Grade II Listed Building) through noise and disturbance caused by groups of customers entering or leaving the premises and also the parking of cars. This would be particularly so with a Chinese take-away, which would be open late in the evening.

3 Further, the site is within Long Sutton Conservation Area and a number of Listed Buildings are in the immediate locality. Environmental Health have stated that in this position, surrounded by taller buildings, an effective fume extraction system with a chimney height above the adjoining roof line may well be necessary in order to prevent odours. Such a structure, in my opinion, would be detrimental to the visual amenities of both the Conservation Area and also the adjacent Listed Buildings (particularly No. 18).

Although reference has been made to the circumstances of a possible purchaser, it is stressed that he is not the applicant.

RECOMMENDATION - Refuse permission.

1 In the opinion of the Local Planning Authority, the proposed use would adversely affect the amenities of local residents through noise and disturbance caused by groups of customers entering or leaving the premises and also the parking of vehicles, particularly in the late evening.

2 The proposal would, in the opinion of the Local Planning Authority, adversely affect the amenities of local residents through smell. Although it may be possible to resolve this by an effective fume extraction system, the site's position adjacent to taller buildings would result in a chimney having to exceed the height of the existing roof. [Such a structure would be detrimental to the visual amenities of both Long Sutton Conservation Area and also No. 18 Market Street which is a Grade II Listed Building.]

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89. PLANNING APPLICATIONS (Continued)

Plan No. and applicant		Proposal
H09/1332/91 J Pateman & A Candler	O.A.	Building plot at Creewood Close, Holbeach.

RESOLVED: Planning permission be refused for the above development, contrary to the recommendation of the Director of Planning and Building Control Services on the grounds that, if permitted, the proposal would result in a cramped and incongruous form of development in that part of Holbeach, which would by reason of overlooking and loss of privacy be detrimental to the residential amenities which the neighbouring occupiers and any future occupiers of the proposed dwelling would have a reasonable right to enjoy and which could also set a precedent for similar applications which would be difficult to resist.

H16/0954/91 Mr & Mrs P Chapman	Bungalow with siting of a temporary caravan until building complete (outline planning H16/1519/88) on land adjoining 99 Pinchbeck Road, Spalding.

RESOLVED: Planning permission be refused for the above development, contrary to the recommendation of the Director of Planning and Building Control Services, on the grounds that the proposal, if permitted, would result in an overdevelopment of the proposed site. It was also agreed to advise the applicant that in the opinion of the Sub-Committee the proposals incorporated within outline application H16/1519/88 provided a more appropriate form of development.

H11/1135/91 Broadgate Builders	Change of use from class A1 (shop) to Class A3 (Food & Drink) at 14 Market Street, Long Sutton.

RESOLVED: Planning permission be refused for the above development in accordance with the recommendation of the Director of Planning and Building Control Services subject to the reason for refusal referring to the intrinsic elements of the ground floor layout of the building as it adjoins the application site.

90. ESTATE DEVELOPMENT

Plan No. and Applicant	Proposal
H16/1126/91 Broadgate Homes	Residential development, plots 52/81, Phase 7 (30 plots), terraced houses and bungalows off Aalsmeer Rise, Holland Park, Spalding.

RESOLVED: Planning permission be granted for the above development in accordance with the recommendation of the Director of Planning and Building Control Services.

(End of Minutes)

PLANNING APPLICATION

Notice is hereby given that application has been made to the Council in respect of the following:

PROPOSAL IN CONSERVATION AREAS

The proposal may affect the character or appearance of the Conservation Area of LONG SUTTON .

Reference No: H11/1135/91
Description: Change of use from shop to hot food take-away

Location: 14 Market Street
Long Sutton
Spalding
Lincs

Applications and plans showing the proposal(s) may be seen during office hours at the Planning Department, Council Offices, Priory Road, Spalding. Any observations should be sent to me by 31-DEC-91 quoting the above reference number.

B Smith
District Planning Officer

10-DEC-91

SOUTH HOLLAND DISTRICT COUNCIL

SOUTH HOLLAND DISTRICT COUNCIL

MEMORANDUM

DATE OBS: ...te ...
Salient points highlighted

FROM: DIRECTOR OF ENVIRONMENTAL SERVICES DATE: 6.1.92

OUR REF: JC/SS/PC

TO: DIRECTOR OF PLANNING AND BUILDING CONTROL YOUR REF:

Planning Application H11/1135/91
Change of use A1 to A3 (Food & Drink),
14 Market Street, Long Sutton

Whilst the proposed unit is situated on the main road at the end of a terrace of shops it abuts a large listed dwelling on the periphery of the residential area.

In this position, surrounded by taller buildings an effective fume extraction system with a chimney height above the adjoining roof line and some form of odour control i.e., activated carbon filters, may prove necessary, in order to prevent odours.

Some noise disturbance from late night activities is likely in this location but this could be mitigated for this unit by restricting the opening hours to midnight (Mon - Sat) and 23.30 hrs (Sunday).

Litter could be controlled under the provisions of the Environmental Protection Act 1990.

I trust this information is of assistance to you.

pp Director of Environmental Services

DG

S.H.D.C. PLANNING DEPT.
RECEIVED
- 7 JAN 1992

Attention of
DPO NBM
DDPO BS
DC ACP
Action by .....
Discuss with .....
Copy to .....

File Nos.

Acknowledge YES/NO
By
Date

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

FROM: DIRECTOR OF ENVIRONMENTAL SERVICES DATE: 6.1.92

OUR REF: JC/SS/PC

TO: DIRECTOR OF PLANNING AND BUILDING CONTROL YOUR REF:

Planning Application H11/1135/91
Change of use A1 to A3 (Food & Drink),
14 Market Street, Long Sutton

Whilst the proposed unit is situated on the main road at the end of a terrace of shops it abuts a large listed dwelling on the periphery of the residential area.

In this position, surrounded by taller buildings an effective fume extraction system with a chimney height above the adjoining roof line and some form of odour control i.e., activated carbon filters, may prove necessary, in order to prevent odours.

Some noise disturbance from late night activities is likely in this location but this could be mitigated for this unit by restricting the opening hours to midnight (Mon - Sat) and 23.30 hrs (Sunday).

Litter could be controlled under the provisions of the Environmental Protection Act 1990.

I trust this information is of assistance to you.

Director of Environmental Services

Condition

Noise emitted from fixed ~~~~ plant and machinery shall not exceed a level equivalent to Noise Rating NR 25 as measured at the boundary of the site.

BRIAN SMITH Dip TP MRTPI District Planning Officer

Planning Department
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161

SOUTH HOLLAND DISTRICT COUNCIL

S.H.D.C. PLANNING DEPT.
RECEIVED
23 DEC 1991 96

Attention of
DPO NRM
DOPO BS
JC ACP
Action by .....
Discuss with .....
Copy to .....

Acknowledge YES/NO
by
date

Application no: H11/1135/91

Applicant: Broadgate Builders (Spalding)
Broadgate House
Broadgate
Weston Hills
Spalding, Lincs

Agent: Broadgate Builders
Broadgate House
Broadgate
Weston Hills
Spalding, Lincs

Description: Change of use from Class A1 (shop) to Class A3 (Food & Drink)

Location: 14 Market Street Long Sutton
Spalding Lincs

Type: FULL

Date received: 21-NOV-91

12-DEC-91

Dear Cllr D A Tennant

NOTIFICATION TO WARD MEMBER

I have received an application for the above proposal in your ward. The officer dealing with this application is D M GEDNEY

As applications can be determined under delegated powers in many cases, please let me know by 22-DEC-91 if you feel that this proposal should be brought to the attention of the Planning Committee for any reason.

Yours faithfully
B SMITH
Director of Planning and Building Control Services

Cllr D A Tennant
45 Market Street
Long Sutton
Spalding Lincs
PE12 9DD

I request that this application be considered by Planning Committee, because

The applicant Company has made a 1st class job of repairing this run down property. Shops are very difficult to sell. I understand there are objections from neighbours. As this property has been used for the retail sale of food for many years it would be difficult to refuse permission. The prospective owner is willing to enter into conditions to objections from neighbours He has lost his job and living accommodation which go with it. His wife is pregnant and living in temporary accommodation.

I support his application. D A Tennant

Signed:

BRIAN SMITH Dip TP MRTPI District Planning Officer

Planning Department
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H11/1135/91

Applicant: Broadgate Builders (Spalding)
Broadgate House
Broadgate
Weston Hills
Spalding, Lincs

Agent: Broadgate Builders
Broadgate House
Broadgate
Weston Hills
Spalding, Lincs

Description: Change of use from Class A1 (shop) to Class A3 (Food & Drink)

Location: 14 Market Street Long Sutton
Spalding Lincs

Type: FULL

Date received: 21-NOV-91

12-DEC-91

Dear Sir/Madam

CONSULTATION WITH PARISH COUNCIL

I have received an application for the above proposal and enclose a copy for your information. Any observations which the Parish Council wish to make should be set out below and returned to me by 27-DEC-91. If no observations have been received by that date, it will be assumed that the Parish Council have no comments to make. The officer dealing with this application is D M GEDNEY

Yours faithfully
B SMITH
Director of Planning and Building Control Services

Clerk to Long Sutton PC
56 Garnsgate Road
Long Sutton
Spalding Lincs
PE12 9BT

FOR PARISH COUNCIL USE ONLY

Comments: Have reservations about possible noise nuisance which may be caused to residents in Market St. otherwise no objections.

Signed: L. Batchelor

DG

S.H.D.C. PLANNING DEPT.
RECEIVED
19 DEC 1991
Acknowledge
DPO
PDPO
IO
Plan Nos.

…erence 20, 21(part), 26, 86, 87(part), 89, 99, 102, …104, 105, 106, 111, 112, 122, 123, 234, 253, 254, and 279.

Licence se… number 4/30/12/S/41 to abstract …er in the Pa… s of Dowsby and Dunsby in the …rict of South …esteven in the County of Lincoln… The variation applied for is to authorise surface …r between National Grid References TF 123271 TF 130300 to be used for spray irrigation on land …S Reference 20, 21(part), 26, 86, 87(part), 89, 99, 103, 104, 105, 106, 111, 112, 122, 123, 234, 253, 269 and 279.

…py of the application and of any map, plan or …r document submitted with it may be inspected of charge at Haconby Hall, nr Bourne, Lincoln… PE10 0UY during the period beginning on …ember 17, 1991 and ending on January 15, 1992.

person who wishes to make representations …t the application should do so in writing to the …ional Manager, Environment & Fisheries, …onal Rivers Authority, Anglian Region, King… House, Goldhay Way, Orton Goldhay, Peter…ugh PE2 0ZR before the end of the said period.

…ned: JOHN FRANK ATKINSON, *behalf of J. E. Atkinson & Son.* …ed December 6, 1991.

187/607LF17-12

IN THE COUNTY OF LINCOLN

…TY SESSIONAL DIVISION OF THE ELLOES

TO WHOM IT MAY CONCERN

…ER ATKINSON, of Willow Cottage, Redmile …e, Pinchbeck, Spalding, Lincolnshire, having …g the past six months carried on the trade or …g of a General Manager being a person in…ted in the premises described below Hereby …s You Notice that he intends to apply at the …sfer Sessions for the said district to be held at …ons House, Spalding, Lincolnshire on Tuesday, …ary 7, 1992 at 9.30 am for the provisional grant of …tices Licence authorising him to sell by retail …icating liquor of all descriptions for consump… either or or off the premises in the course o… …truction and to be known as Springfields Exhibi… Centre, Camelgate, Spalding, Lincolnshire.

…d the 17th day of December 1991.

ROYTHORNE & CO.
Solicitors for and on behalf of Peter Atkinson.

…beck Road,
…ing, Lincolnshire.

187/607FP17-12

MR EDWARD HENRY HUDDLESTONE DECEASED

…URSUANT TO THE TRUSTEE ACT 1925

…CE IS HEREBY GIVEN that any person … a claim against or an interest in the estate of …dward Henry Huddlestone, deceased, late of …ungalow, Princes Street, Sutton Bridge, Lin…ire, who died on the 9th day of October, 1991, …hose Will was proved at the Ipswich District …e Registry on the 11th day of December, 1991 … P. F. S. Brown and Mr I. F. Stephenson, the …tors named in the said Will, is hereby required …d particulars in writing of his claim or interest to …dersigned, the Solicitors for the said Executors … before the 27th day of February, 1992, after … date the Executors will proceed to distribute …sets of the said deceased amongst the persons …d thereto having regard only to the claims and …t of which they shall then have had notice.

… this 17th day of December, 1991.

MOSSOP & BOWSER,
Solicitors for the Executors.
…hurchyard, Long Sutton,
…PE12 9JH.

187/607LF17-12

LINCOLNSHIRE COUNTY COUNCIL
(SPRING GARDENS — SPALDING)
(PROHIBITION OF WAITING) ORDER 1991

NOTICE IS HEREBY GIVEN that the Lincolnshire County Council has made an Order under Sections 1(1) and (2), 2(1) to (3), 4(2) of the Road Traffic Regulation Act 1984, the effect of which will be to prohibit waiting at any time on the following lengths of road in Spalding.

Spring Gardens
Both sides: from a point five metres west of the western boundary of Spring Street in an easterly direction for a distance of 15 metres.

Spring Street
Both sides: from its junction with Spring Gardens in a southerly direction for a distance of five metres.

Exemptions are included which will permit waiting for disabled persons' vehicles and for the purpose of picking up and setting down passengers, loading and unloading goods, the maintenance of the roads, and works in connection with the supply of gas, electricity and water and any telegraphic line.

The Order will come into operation on December 20, 1991 and a copy of the Order and a plan showing the lengths of road concerned may be inspected at the address given below and the offices of the South Holland District Council, Priory Road, Spalding, during normal office hours.

Any person who desires to question the validity of the Order or of any provision contained therein on the grounds that it is not within the powers conferred by the Road Traffic Regulation Act 1984 or on the grounds that any requirement of the Act or of any instrument made under it has not been complied with in relation to the Order may within six weeks after December 9, 1991 make application to the High Court for this purpose.

J. EMMERSON,
Director of Highways and Planning.
Lincolnshire County Council,
4th Floor, City Hall,
Lincoln LN1 1DN.
December 9, 1991.

187/607LF17-12

(PARKING RESERVED FOR DISABLED MOTORISTS ONLY)

Market Place — west side between points 28.5 and 34 metres south of its junction with High Street (one space parallel to the kerb).

Market Place — east side between points 95 and 98 metres south of its junction with High Street (one space at right angles to the kerb).

TWO HOUR LIMITED WAITING, RETURN PROHIBITED WITHIN ONE HOUR
8 am to 6 pm
MONDAY TO SATURDAY INCLUSIVE

High Street — north side between points 97 metres and 180 metres south-east of its junction with Park Lane.

Exemptions are included which will permit waiting for disabled persons' vehicles and for the purpose of picking up and setting down passengers, loading and unloading goods, the maintenance of the roads, and works in connection with the supply of gas, electricity and water and any telegraphic line.

The Order will come into operation on December 20, 1991, and a copy of the proposed Order and a plan showing the lengths of road concerned may be inspected at the address below and the offices of the South Holland District Council, Priory Road, Spalding, during normal office hours.

Any person who desires to question the validity of the Order or of any provision contained therein on the grounds that it is not within the powers conferred by the Road Traffic Regulation Act 1984 or on the grounds that any requirement of the Act or of any instrument made under it has not been complied with in relation to the Order may within six weeks after December 9, 1991 make application to the High Court for this purpose.

J. EMMERSON,
Director of Highways and Planning.
Lincolnshire County Council,
4th Floor, City Hall,
Lincoln LN1 1DN.
December 9, 1991.

8383 187/607FP17-12

PLANNING APPLICATIONS

NOTICE IS HEREBY GIVEN that application has been made to the Council in respect of the following:

PROPOSALS IN CONSERVATION AREAS

The proposal may affect the character or appearance of the Conservation Area —

Erection of bungalow and garage
35 Church Lane, Moulton.
(Application H13/1270/91)

Shop and projecting sign
16 Market Place, Long Sutton.
(Application H11/1272/91)

Change of use from Class A1 (shop) to Class A3 (Food & Drink)
14 Market Street, Long Sutton.
(Application H11/1135/91) (Re-advertisement)

LISTED BUILDING IN CONSERVATION AREA

The proposal affects a building which is listed by the Secretary of State for the Environment as a building of special architectural or historic interest and may affect the character or appearance of the Conservation Area of LONG SUTTON

Proposed fascia sign with logo's
Fenland House, 39-41 Market Place, Long Sutton.
(Applications H11/1248/91 and H11/1249/91)

Applications and plans showing the proposal(s) may be seen during office hours at the Planning Department, Council Offices, Priory Road, Spalding. Any observations should be sent to me within 21 days of the date of this notice.

SOUTH HOLLAND DISTRICT COUNCIL

B. SMITH
Director of Planning & Building Control Services
Council Offices
Priory Road
Spalding
17th Dec, 1991.

mmE WVN 5415

GOODS VEHICLE OPERATOR'S LICENCE

MR J. W. SWEPSTONE, trading as E. J. Swepstone and Son, Washway Road, Saracens Head, Holbeach, Lincs PE12 8AY, is applying for a licence to use Washway Road, Saracens Head, Holbeach, Lincs PE12 8AY as an operating centre for one goods vehicle.

Owners and occupiers of land (including buildings) in the vicinity of the operating centre or centres, who believe that their use or enjoyment of that land will be prejudicially affected, may make written representations to the Licensing Authority at Eastern Traffic Area, Terrington House, 13-15 Hills Road, Cambridge, CB2 1NP within 21 days following the publication of this notice.

Representors must at the same time send a copy of their representations to the applicant at the address given at the top of this notice.

WVN 5367 187/607LF17-12

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LPP 17/12/91

PLANNING APPLICATION

Notice is hereby given that application has been made to the Council in respect of the following:

PROPOSAL IN CONSERVATION AREAS

The proposal may affect the character or appearance of the Conservation Area of LONG SUTTON .

Reference No: H11/1135/91
Description: Change of use from Class A1 (shop) to Class A3 (Food & Drink) (Re-advertised)

Location: 14 Market Street
Long Sutton
Spalding
Lincs

Applications and plans showing the proposal(s) may be seen during office hours at the Planning Department, Council Offices, Priory Road, Spalding. Any observations should be sent to me by 7-JAN-92 quoting the above reference number.

B Smith
District Planning Officer

17-DEC-91

SOUTH HOLLAND DISTRICT COUNCIL

Les Pugh, Customer Services Manager, British Coal, Hobart House, Grosvenor Place, London, SW[illegible]7AE. Mark your letter fo[illegible]ntion of Santa.

his members

h- Marks; Joanne Okerika, Lutton Gowts.
d- SUNDAY Katie Wrig-
:h glesworth (9) Gosberton; Simon Hall (8) Weston Hills.
ill MONDAY Richard Wesley
il- (5) Crowland; Christopher
h; Chamberlain (8) Holbeach;
St Stephen Brown (1) Spalding.



puplis at the school. (G3351/11)

ncer charity

coins from members of their family and known neighbours, and put the money into the tube."

Those who did not take part returned the sweets or donated 20p to cover costs.

"I would like to thank the children, their parents and friends for their generous support," said Mr Atkins.

(HOLBEACH — PENNY HILL ROAD)

(PROHIBITION OF WAITING) ORDER 19

NOTICE IS HEREBY GIVEN that the Lincolnshire County Council propose to make an Order under Sections 1(1) and (2), 2(1), to (3) and 4(2) of the Road Traffic Regulation Act 1984, the effect of which will be to prohibit waiting between 8 am and 6 pm each Monday to Friday inclusive on the east side of Penny Hill Road, Holbeach, extending from its junction with the A17 generally southwards for a distance of approximately 140 metres.

Exemptions are included which will permit waiting for disabled persons' vehicles and for the purpose of picking up and setting down passengers, loading and unloading goods, the maintenance of the roads, and works in connection with the supply of gas, electricity and water and any telegraphic line.

A copy of the proposed Order and a plan showing the lengths of road concerned with a Statements of Reasons for proposing to make the Order may be inspected at the address given below and the offices of the South Holland District Council, Priory Road, Spalding, during normal office hours.

Objections to the proposals, together with the grounds on which they are made, must be sent in writing to the undersigned by January 6, 1992.

J. EMMERSON,
Director of Highways and Planning.
Lincolnshire County Council,
4th Floor, City Hall,
Lincoln LN1 1DN.
November 29, 1991.

187/607/LF10-12

PLANNING APPLICATIONS

NOTICE IS HEREBY GIVEN that application has been made to the Council in respect of the following.

PROPOSALS IN CONSERVATION AREAS

The proposal may affect the character or appearance of the Conservation Area

References. H11/1135/91

Description. Change of use from shop to hot food take-away

Location. 14 Market Street, Long Sutton, Spalding, Lincolnshire.

Reference: H16/1137/91

Description: Alterations to form two flats.

Location: 53 Love Lane, Spalding, Lincolnshire.

Applications and plans showing the proposal(s) may be seen during office hours at the Planning Department, Council Offices, Priory Road, Spalding. Any observations should be sent to me within 21 days of the date of this notice.

B Smith
District Planning Officer
Council Offices
Priory Road
Spalding
December 6 1991

SOUTH HOLLAND DISTRICT COUNCIL

cc# WVN 5263

POTATOES

ABERTAY for potato sacks. For a better deal tel Wisbech 585901.

LIVESTOCK

WARREN Pullets, 18 week old, East Kirkby 296 (STD 07903).

(PROHIBITION OF WAITING) ORDER 19

NOTICE IS HEREBY GIVEN that the Lincolns County Council propose to make an Order under tions 1(1) and (2), 2(1), to (3) and 4(2) of the R Traffic Regulation Act 1984, the effect of which will b prohibit waiting at any time on the following length road in Pinchbeck:

Knight Street — North side from its junction with Ro Row for a distance of 10 metres in a n westerly direction and for 35 metres in an east direction.

Knight Street — South side from its junction with Ro Row in an easterly direction to a point 140 me east of its junction with Guildhall Drive.

ROSE LANE — South side from its junction Church Street (A16) in a westerly direction f distance of about 75 metes.

Exemptions are included which will permit waiting disabled persons' vehicles and for the purpose of pic up and setting down passengers, loading and unloa goods, the maintenance of the roads, and work connection with the supply of gas, electricity and w and any telegraphic line.

A copy of the proposed Order and a plan showing lengths of road concerned with a Statements of Rea for proposing to make the Order may be inspected a address given below and the offices of the South Hol District Council, Priory Road, Spalding, during no office hours.

Objections to the proposals, together with the ground which they are made, must be sent in writing to undersigned by January 6, 1992.

J. EMMERS
Director of Highways and Plann
Lincolnshire County Council,
4th Floor, City Hall,
Lincoln LN1 1DN.
November 29, 1991.

WVN 5220

187/607/

PARK FARM FOODS LIMITED

NOTICE IS HEREBY GIVEN pursuant to Section 98 Insolvency Act 1986 that a Meeting of Creditors of the above named Company will be held at 69/75 Lincoln Road, Peterborough, PE1 2SQ on December 20, 1991 at 11.30 am for the purposes mentioned in Sections 100 and 101 of the said Act. A list of the names and addresses of the company's creditors will be available for inspection on the two business days next preceding the meeting at 69/75 Lincoln Road, Peterborough, PE1 2SQ.

Dated this 4th day of December, 1991.

D. J. LAWRENCE,
Director.

WVN 5261 LF10-12

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LFP 10/12/91

AN SMITH Dip TP MRTPI District Planning Officer

Planning Department
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161

SOUTH HOLLAND DISTRICT COUNCIL

Application no: H11/1135/91

Applicant: Broadgate Builders (Spalding)
Broadgate House
Broadgate
Weston Hills
Spalding, Lincs

Agent: Broadgate Builders
Broadgate House
Broadgate
Weston Hills
Spalding, Lincs

Description: Change of use from Class A1 (shop) to Class A3 (Food & Drink)
Location: 14 Market Street Long Sutton
Spalding Lincs

Type: FULL

10-MAR-92

Dear Sir/Madam,

PLANNING APPLICATION

The above application for planning permission has now been considered, together with your comments, and it has been decided that permission should be refused in this case.

The full reasons for refusal can be seen by inspecting the register of applications which is available in this Department.

Yours faithfully
B SMITH
Director of Planning and Building Control Services

Mr J W Talbot
15 Market Street
Long Sutton
Spalding
Lincs. PE12 9DD

← TO ALL ATTACHED

Broadgate Builders (Spalding) Limited
Broadgate House, Weston Hills, Spalding, Lincolnshire. PE12 6DB.
Telephone: (0406) 380532
Fax: (0406) 380014

Our Ref: AJF/hmr

21 NOV 1991
REF ...1135/91...

Director of Planning and Building Control Services
South Holland District Council
Council Offices
Priory Road
Spalding
Lincs
PE11 2XE

20th November 1991

Dear Sir,

Re: Proposed Change of Use, 14 Market Street, Long Sutton

I submit for your consideration a full Planning Application for a change of use to the above premises. We seek Local Authority Approval to provide a hot food take-away business from a property which is currently a disused shop. I understand the property lies within the Conservation Area for Long Sutton. I therefore, enclose an application for Conservation Area Consent.

The premises have been disused for over 3 years. It is hoped that a successful application will re-introduce 14 Market Street to the essential amenity provision for Long Sutton residents. I consider that the site is wholly suitable for such an intended use, being within the predominantly commercial centre of Long Sutton. Inspection of the plans will show minimal alteration to the property. The kitchen facility will be to the rear of the ground floor with refuse storage to the side of the property in an existing service area. Obviously the technical requirements of providing such a business would be subject to discussion and approval from the Environmental Health Department.

It is our intention to retain the facade as existing with no out of character aluminium shop front proposals. Being aware of the shops location I would assure the Council that any subsequent advertisement for the business would be appropriate in character and positioning. Indeed, the existing moulded timber fascia will be most appropriate for signage. The relevant application would be made at an appropriate time.

continued....

continued...

I trust this application can be considered favourably particularly at a time when new business ventures are desperately needed. Should you require any further information please do not hesitate to contact me.

Yours faithfully,
BROADGATE BUILDERS (SPALDING) LIMITED

Alan J. Finch.

ALAN J. FINCH

BRIAN SMITH Dip TP MRTPI District Planning Officer

Planning Department
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161

SOUTH HOLLAND DISTRICT COUNCIL

VAT Reg No 121 5277 01

OFFICIAL RECEIPT - APPLICATION FEES

Receipt No : P278
Date received : 21-NOV-91

Received from

Broadgate Blds (Spalding) Ltd.

Address

14 Market Place
Long Sutton
Spalding

Fee paid	£	92.00
VAT	£	0.00
Total received	£	92.00

Cash/Cheque : Cheque

Signed..... M. Lowe .....
(Authorised Collector)

Broadgate Builders (Spalding) Limited
Broadgate House, Weston Hills, Spalding, Lincolnshire. PE12 6DB.
Telephone: (0406) 380532
Fax: (0406) 380014

Our Ref: AJF/hmr

Director of Planning and Building Control Services
South Holland District Council
Council Offices
Priory Road
Spalding
Lincs
PE11 2XE

10th December 1991

For the attention of Mr D. Gedney

Dear Sir,

Re; H11/1135/91 Change of use, 14 Market Street, Long Sutton

I refer to a telephone conversation of 10th December with regard to the above current application.

I confirm our request that the application description be corrected to read "...Change of use from A1 to A3 (food & drink).

We seek approval for change of use in order that these premises may become more viable and encourage the re-use of the shop. At this time we have no specific intended use and therefore it is appropriate to correct the description accordingly.

Yours faithfully,
BROADGATE BUILDERS (SPALDING) LIMITED

Alan J. Finch

ALAN J. FINCH

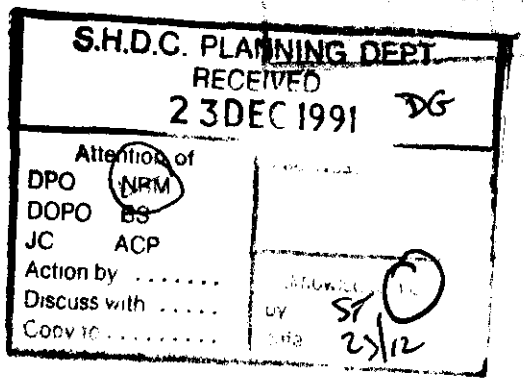
DG

S.H.D.C. PLANNING DEPT.
RECEIVED
10 DEC 1991

Attention of
DPO NRM
DOPO BS
JC ACP
Action by .....
Discuss with .....
Copy to .....

File Nos.

Acknowledge YES/NO
by
date



PINS & NEEDLES,
8 MARKET STREET,
LONG SUTTON,
SPALDING,
LINCS..
PE12 9DF.
19th DECEMBER 1991

Dear Sir,

With reference to planning application No: H11/1135/91, change of use of 14 Market Street, Long Sutton.

When we started our buisness at 8 Market Street in 1989 within six months we found ourselves the only shop left in the street and Market Street became very dirty with rubbish everywhere, (we have photographs to back this statement and the newspaper comments also).

Afew months later saw the opening of two new shops, and once again the street became a little tidier and cleaner!, so obviously now reading the application for change of use from shop to food and drink, and the fact as reported in the Spalding Guardian that the shop will be a Chinese Take-away, makes us feel that a retregrade step is about to take place, if the said plans are passed.

In the mornings we do still have to clear our doorsteps and gutters of food containers and other rubbish,because the application is worded Take-away,does not mean that the food and its wrappings are going to be taken away and consumed where all the remains of the meal are going to be disposed of in the correct manner. No we are certian that some of the containers will be left underneath departing vehicles like the present ones we find. Why also should the situation be any diffrent in Market Street than it is in High Street, they still have rubbish to clear from the existing Chinese Take-away!.

Other than the litter problem, on mentioning the fact of the other Chinese Take-away does Long Sutton really need another one?. With two Fish & Chip shops, a Restuarant,(plans passed for another shop in the town to become a restuarant if the buyer so wishes), a Public House, and a Wine Bar serving food, we are sure there is no need for more food outlets fast or otherwise.

Please tell Broadgate try and sell the very nicely renovated premises as a shop, as it was so intended!.

Yours faithfully,

W. JEFFRIES. MRS.

S. OSBORN. MRS.

Proprietors of the above address.

D.M. GEDNEY,
PLANNING DEPARTMENT,
COUNCIL OFFICES,
PRIORY ROAD,
SPALDING,
LINCS..
PE11 2XE.

S.H.D.C. PLANNING DEPT. 3
RECEIVED
23 DEC 1991
Attention of
DPO NEM
DOPO BS
JC ADP
File Nos.

Stonegate
GEDNEY
Lincs PE12 0BY

7th December, 1991

Dear Sirs

Re Planning Application H11/1135/91

With reference to the above planning application, we would like to say that we are in favour of a hot food take away at the location of 14 Market Street, Long Sutton, as it would be better for parking there than the one in operation at the moment, making it more easily accessable. Also we feel that the existing one has gone down very much in Standard since the present owners have been in. We also feel that there would be enough

OBJECTION

Y~~ref HII/1135/91

S.H.D.C. PLANNING DEPT.
RECEIVED
-6 JAN 1992 DG

2nd January 1992

Mr Brian Smith
Planning Department
Council Offices
Priory Road
SPALDING
Lincs

Attention of: DPO NGM DOPO BS JC ACP
Action by .....
Discuss with .....
Copy to .....
File Nos
Acknowledge YES/NO
by ST
Date 6/1

Mr & Mrs Hilliam
18 Market Street
Long Sutton
SPALDING
Lincs

Dear Sir

Further to my letter of objections to the above planning application I wish to add the following.

As this is a contentious point I would hope that you would use your discretion and not allow it to be reported by the local media or national media. I and other residents in Market Street have seen alleged drug use in vehicles absolutely opposite our premises. The Police are aware of these incidents as we ourselves have seen it and reported the incidents. I am bringing this to your attentionas we feel a late night business is only going to make matters worse. Although it is a Police matter it is also an enviromental one insomuch that a family can witness this or children can see it going on. It is frightening to hear shouting which wakes us up so for a potential family living close by it can only be harmful. With a late night food takeaway these problems in the long run would become worse with a public houseproblems as well.

If unfortunately for this conservation area permission were granted then I strongly request for the peace of residents that an official closing time should be imposed.

As I have mentioned any late night business such as a food takeaway could be detromental to anyone wishing to live next door or close by in the same street. I can only forsee a gradual and sad decline in of the pride and maintainance of several listedbuildings of character in Market Street through more late night businesses in the same street.

Yours sincerely

Mrs Hilliam

copy to Mr

Mr R Sissons
Public Health
South Holland County Council
SPALDING
Lincs

Mrs Hilliam
Connaught House
18Market Street
Long Sutton
SPALDING
Lincs

Dear Sir

...ECTION

Re Planning Application H11/1135/91

Further to my letter of objections to the planning application as above I wish to add the following.

As this is a contentious point I would hope that you would use your discretion and not allow this to be reported by the local or national media. I and other residents in Market Street have seen alleged drug use in vehicles absolutely opposite our premises and immediately outside our premises. The Police are aware of these incidents as we report them as and when they arise. I am bringing this point to your notice as we feel a late night business will give the residents less peace of mind than we already have. It is also an enviromental problem insomuch that a family living next door to a food take away or very close to one will have to put up with a considerable increase in people hanging around eating food in their cars as they already do and witnessing anti scocial habits as mentioned already. Children could find it frightening to be awakened by shouting etc; late at night as is already experienced by us. With a late night food takeaway these problems will in the long run become worse as any more encouragement to stay after closing time would be intolerable.

If unfortunately for this conservation area permission were grnted I strongly request that for the peace of mind for the residents in Market Street that an official closing time be imposed.

As I have mentioned any late night business such as a takeaway could be detromental to anyone living close to or next door as I can only see a gradual in the long run of the pride of maintainance of several listed buildings of character in Market Street through more late night business in the same road.

Yours sincerely Mr. & Mrs. Hilliam

LA... DMG Dat... 10.1
Salient points h...lighted

Already have similar letter

ST 7/1

DG

S.H.D.C. PLANNING DEPT.
RECEIVED
- 7 JAN 1992
Attention of
DPO NPM
DC/PO BS
... ACP
...tion by .....
...ence with .....
Copy to .....
File Nos.
Acknowledge YES/NO
by
Date

LATE OBS: C... Date ...
Salient points ...ted 17/2

Mr. Brian Smith Dip T.P MRTPI
Planning Department
Priory Road
Spalding
Lincolnshire

S.V.

S.H.D.C. PLANNING DEPT.
RECEIVED
22 JAN 1992

Attended ✓
DPO ✓
DDPO BS
JC AGP
Action by .....
Discuss with .....
Copy to .....

P10 to the ...
Acknowledge YES/NO
DC
date

Connaught House
18 Market Street
Long Sutton
Spalding
Lincolnshire.

22nd January 92.

Dear Sir,

Reference H11/1135/91. Broadgate.

When the sub-planning committee members make a site visit on 3rd February to No 14 Market Street Long Sutton would they please note that they are welcome to view the back of No 14 from my property No 18. The access being straight through a large wooden gate, if closed, into the yard as far as possible then turn right and they can have an uninterrupted view of where steel chimney is planned etc. I infact would like them to take this trouble to actually see

Yo ref. Planning application H11/1136/91

M S Smith Planning Officer
South Holland District Council
Planning Department
Council Offices
Priory Road
SPALDING
Lincs

S.H.D.C. PLANNING DEPT.
RECEIVED
30 JAN 1992
DG

LATE OBS: Offr. D.M.G Date. 3/2
Salient points highlighted

30/1

Connaught House
18 Market Street
Long Sutton
SPALDING
Lincs

27 January 1992

Dear Mr Smith

May we respectfully ask that the following points are given to the sub planning committee for their considerable and proper consideration.

1) The type of extraction unit which we are only led to believe which is proposed to be installed at No 14 will have to be of considerable height for the extracted smells to clear all the windows of the adjacent building. The proposed position of this extraction unit is almost surrounded by much taller buildings and trees. We have it on first hand Knowledge that extraction units of this type are not wholly successful in subduing the lingering and obnoxious smells and fumes. I have been made aware that even with a tall flue above the roof level there is smell lingering. This information was gleaned from a person who actually lives next door to such a proposed planning application for No14. in the same town we live in. Fumes and smells are a problem from a Class3 establishment.

   We can forsee great difficulty in putting the situation right if planning permission were to be given for this low level extraction unit. If the trunking for the this unit were to be extended to a sufficient height to clear the adjacent dwellings it would not only be unstable but even more of an eyesore to us. This should not be allowed to happen in a conservation area.

2) Number 14 is not connected to the main drains. The set up at the moment can only be described as temporary. The soak aways have actually proved to be totally inadequate for family use.and constantly overflowed near our boundary..With the extra waste expected from the proposed change of use to a Class3 shop this drainage set up would be totally inadequate and unacceptable.

3) the extraction unit proposed can only be an eyesore for the residents of No18. viewed from windows and garden. There can be no means of screening such a structure above the olow and extended building of No 14.

In conclusion a Class 3 shop can mean anything absolutely anything in the food business. Operating perhaps 7 days a week and or 7 late nights a week.

Thank you for your valid points made at the actual meeting in Spalding of the Planning committee. I hope this will get very careful consideration.

Yours sincerely

Mrs. J. Dillon

Copies to Mr R Sissons Enviromental health
Mr B Smith Planning Officer
Mr J Chapman Enviromental health

LATE OBS
patient pain
S.H.D.C. PLANNING DEPT.
RECEIVED
3 FEB 1992
Attention of
DPO (NRM)
DDPO BS
AO AGP
File Nos.
Acknowledge YES/NO

3/2 Sub ltr

PINS& NEEDLES,
8 MARKET STREET,
LONG SUTTON
SPALDING,
LINCS..
PE12 9DF..

2nd February 1992

Dear Sir,

My partner and myself felt very strongly about councillor Tennants comments regarding Market Street Long Sutton,in last Tuesdays Lincolnshire Free Press, the report from the planning meeting concerning the Chinese Take-away. We have sent him a letter of our feelings towards his comments, and now enclose a copy of same with this letter to you.

We had very strong feelings in the first instance when we read of the application, and sent a letter of objection to Mr Gedney with our views on Market Street, as we see it today,and once again we would say that life is back in the street, and as we have said in the letter to Mr Tennant, day life is what is needed not night life!.

Once again we will say we could only see this as a retrograde step for the street in more ways than one.

Yours faithfully,

W. JEFFRIES (MRS)
PARTNER PINS & NEEDLES

MR B. SMITH
CHIEF PLANNING OFFICER
COUNCIL OFFICES,
PRIORY ROAD
SPALDING,
LINCS..
PE11 2XE

PINS & NEEDLES
8 MARKET STREET,
LONG SUTTON,
SPALDING,
LINCS..
PE12 9DF.

1st February 1992

Dear Mr Tennant,

I write this letter on behalf of my partner and myself with deep concern, regarding the report in last Tuesdays Lincolnshire Free Press. We would like to take you to task on one or two points on this report.

NO1

Eighteen months perhaps two years ago we would agree that Market Street was dirty and dead, (a newspaper at that time reported this fact), and we were the only retail shop on the north side of the street, but the rususcitation of the street began last year with the opening of Daphne's Shoe Shop and Little Boppers.

NO 2

We cannot speak for the afore mentioned business'es Daphne's and Little Boppers, but do take exception ourselves to your comment you would like to see some first class retail shops open in Market Street, are we to take it that these relatively new business'es are not first class in your opinion?.

All three of these shops are owned and managed by local born and bred hard working people, we thought that retail shops like ours and the other two are the kind one would expect to find near the centre of a village or town,a change these days from financial emporiums and fast food take-aways that in the past have been taking over prime retail positions.

Life in our streets is needed, day life not night life.

NO 3

The point that the premises had been used for the retail of food, we all know that this was many years ago, and certainly a diffrent situation altogether. Oh how we would like to see Oldershaws serving again over that old wooden counter, the Arkwrights of Long Sutton!. Those days are gone and the new proposal is far removed from a grocer's shop.

NO 4

Now I the writer like yourself have had connections with Market Street for the past thirty years.working and living, and it would have been appreciated if you had approached myself or my partner, for our views on the possibility of a Chinese take-away opening along the street..We are pleased that our letter of objection was sent to the planners.

Having now given you our views on your comments, might we just ask one thing of you, take a walk along our street today, for we can only see two empty retail shops. Mr Tennant are you wearing blinkers and planing to supply same to the councillors who are due for the site visit. Market Street through our eyes looks very diffrent to what it did a few months ago!.

We even had lights in the street this Christmas!.

Yours sincerely.

W,JEFFRIES (MRS)

OBJECTION

DG

S.H.D.C. PLANNING DEPT.
RECEIVED
19 DEC 1991

Attention of: DPO NBM; DOPO BS; JC ACP; Action by .....; Discuss with .....; Copy to .....
File Nos.
Acknowledge YES/NO
by SF
date 17/12

Mr & Mrs N Hilliam
'Connaught House'
18 Market Street
Long Sutton
Spalding
Lincolnshire

Your Ref H11/1135/91

16th December 1991

Mr B Smith Dip TPMRTPI
District Planning Officer
Planning Department
Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2XE

Dear Mr Smith

RE: PLANNING APPLICATION

Further to your second notice dated 12th December 1991 and received 13th December 1991, we wish to formerly protest most strongly to the planning application for No 14 Market Street, Long Sutton, to be changed from a Class A1 (shop) to a Class A3 (food and drink). This would mean if it were to go ahead it could be a hot/cold food and drink take-away of any type whatsoever, or a restaurant of any type.

We object for the following reasons:

1. Listed Buildings

a) Conservation Area

Our property is a particularly elegant Grade II listed house, positioned in a designated conservation area of Long Sutton. The property (No 14) in question has been tastefully refurbished and restored, retaining its period character amongst the other listed shops and private residences on Market Street. The discerning residents of Market Street and others were fully appreciative. No 18 + 14 are semi detached.

Market Street was dreadfully run down and neglected. There are still a few pockets of dereliction, but the street is now looking much better. Market Street has lots of listed properties, starting at Park Lane end No's 2, 4 and 6, my home 18, 20, 24 and 26, 28, 30, 32, 34 and 21. For any retail venture of a hot/cold food and drink take-away or restaurant, which Class A3 food and drink can mean, to be amongst such unchanged character properties will not blend in at all well. It would therefore, be no asset to the street as such.

A night business would be unacceptable so close to residenial properties particularly ourselves.

16th December 1991

Mr B Smith Dip TPMRTPI

Most retail ventures of hot/cold food and drink take-aways or restaurants are in most cases subjected to signs, lights, gaudy paintwork and posters, and indifferent signs. Their features alone can be of no help to the enhancement to the immediate listed and non listed properties, especially those who have tastefully refurbished over the latter yeas and returned to retail use of non inconvenient type.

We are in full agreement of the conservation areas designated in Long Sutton and we strongly urge that every consideration be given to retaining the character of Market Street in this very old Market Town.

b) I must stress that to keep a Grade II listed house as an attractive home takes a lot of effort, time, care and money. We have put our all into this family home for a good many years. If permission were to be granted for a Class A3 food and drink venture other than Class A1 (shop) so physically close to our property, then it would detract and make less desirable our property for further home and family ownership, and so the slippery slope to run down listed property begins!

The people who can afford and maintain a large building as a home will be in the main put off by undesirable ventures such as Class A3 (food and drink) premises and all that it can and could entail.

We do need good retail shops in Long Sutton, <u>but</u> we already have 2 fish and chip shops, 2 restaurants and a chinese take-away. One fish and chip shop is some 60 yards approximately away from No 14 and some further 60 yards approximately from that is the chinese take-away.

2. <u>Inconvenience</u>

a) <u>Parking</u>

Our drive way is frequently blocked by casual parkers and customers frequenting the public house almost apposite. This is of constant inconvenience as our drive is in constant use for both private and business use. Any increase in parking traffic day or late night would be unacceptable. Being unable to turn into our driveway with a large van and trailer does create a traffic hazard, when confronted by a completely or partially blocked access.

The traffic is going considerably faster through Long Sutton since it was by-passed. This alone has added to the dangerous hazard of being unable to proceed into our own drive way.

NB

(c) Noise factor

Our business is such that we use our front room as our office and my husband is usually working in the evenings from 7pm onwards telephoning and writing a good deal. Further noise of cars stopping and doors slamming would be an unwelcome extra disturbance on top of sleep being disrupted.

This sort of night business does not affect anyone either noise or litter wise as letter writing and telephoning are contained in ones home and not heard anywhere else.

NB. I believe there are plans afoot to build private homes or flats in the grounds behind the property (No 14) in the future. Thinking ahead it would affect there residents too.

16th December 1991

Mr B Smith Dip TPMRTPI

b) Litter

We are already experiencing a considerable amount of fish and chip and chinese take-away food and drink containers left in our street, or carefully placed under cars. There will undoubtably be an increase in this with yet another fast food and drink take-away (Class A3). This would be unacceptable to the residents who have to clear up after these non residents of Market Street.

c) Noise

As to be expected with a Class A3 (food and drink) business there will be constant noise of cars/lorries stopping and starting - doors slamming and the pipping of horns. This would obviously go on until late at night. We already have noisy people leaving the public house between 11.30 pm and midnight or 1.00 am, shouting and pipping horns etc. More would be intolerable immediately beneath our front bedrooms windows.
It is to be expected that once the retail side of a Class A3 premises has closed there could still be considerable noise experienced by us, with the usual clearing up and packing away.

We had hoped for a more peaceful life after the by-pass opened. Please help us to keep it at the level it is, otherwise it would be intolerable for Market Street.

d) Smell

The smell from the fish and chip shop approximately 60 yards from us can be smelled on occasions over our premises. Even the best venting systems do not allow for atmospheric changes.
Living next door to constant cooking smells would mean not being able to open windows wide when wishing to do so, as bedroom and living room windows are but, 2 - 3 feet away from No 14. We are used to opening our windows at every opportunity, this this includes summer evenings especially.

3. Site Situation

No 14 is but, 60 yards approximately from the first late night fish and chip and drink take-away. Continuing yet another 60 yards approximately, is a chinese take-away. Inbetween these 2 take-away premises there is a public house offering food and a very nice restaurant. In the Market Place itself, there is a restaurant and another fish and chip shop. Planning permission has, I believe, been given to another premises to be a restaurant if required in the Market Place. Therefore there are 5 eating places already here and planning has been granted I believe for another!

FIRE There is always the risk of fire with cooking in such a place this would place another worry on our shoulders. One of the fish & chip shops has already experienced a fairly serious fire.

4.

16th December 1991

Mr B Smith Dip TPMRTPI

4. Health

The property in question No 14, is at present not connected to mains drainage. When under ordinary domestic use in the past the sceptic tanks approximately 10 feet away, were subjected to overflowing, creating a most intolerable condition and smell.

With limited access to the rear of the property we could forsee problems in being able to maintain a correct hygiene and environmentally acceptable condition.

The storage however, temporary of any perishable foods, vegetables etc, can only increase the possibility of vermin next to our homes. At present we are rat free and enjoy a relatively clean air and smell free environment, and we wish it to continue so.

The introduction of a Class A3 premises would only have a detrimental and unacceptable change to our living conditions.

We would hope, as do the residents in close proximity of No 14, that considerable considerate and sympathetic thought is given to this planning application. Property value would also be affected if this application were successful. It would most definitely have a detrimental long term affect on the issues put before you. As a Class A1 (shop) it would be most acceptable and wanted.

Yours sincerely

J. Hilliam

Mr & Mrs N Hilliam

* No date

Dr. & M C.C. Fung Stamp

ACK: Mayfield House
Main Street
Gedney Dyke
Nr. Spalding, Lincs.
PE12 0AJ

18th Dec., 1991.

Dear Mr. Gedney,

Re: Application Ref. No 113519.

Mr. & Mrs. Kan are personal friends of mine who are submitting the above application through Boardgate Builders.

Both Mr. & Mrs. Kan are accomplished chefs and had been working at Dragon Pearl Restaurant at Holbeach. Unfortunately, Mr. Kan has lost his job and housing due to the conflict of interest and the couple is now in a very difficult situation. Mrs. Kan is also recently diagnosed to be pregnant. They are both of sound character and intend to enrich the food trade of Long Sutton by establishing a good Cantonese food shop. They wish to start a food shop which will be harmonised with the local environment and I am sure that this will be most welcomed by the local residents.

I understand that their application will be considered on the 21st of Jan 92. In view of their extremely difficult circumstances I beg the Committee to give them a favourable consideration and early recommendation to enable them to move into a stable environment as soon as possible.

Thanks for your attention.

Yours Sincerely,

CCCFUNG, Ben.

DK.

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JC ACP	
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Discuss with	by
Copy to	date 23/12

3. Car parking, obstructing access to my retail shop opposite.

4. Do not see the need for another Take-away food shop when there is a Fish & chip shop 50 yds away and another Hot food Take-away 50 yds from that.

5. Shop does not lend itself to this type of business, as it has an attractive frontage and should be used for something more in keeping with the conservation ~~by~~ area by which it is surrounded.

Yours faithfully

J. W. Talbot. (M.D.)

22 Market Street,

Long Sutton.

Spalding. Lincs.

PE12 9DF.

Dec.15.1991.

DG

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19 DEC 1991
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by
date 19/12

Brian Smith.DipTP MRTPI.
District Planning Officer.
Planning Dept. Council Offices.
Priory Rd. Spalding. Lincs.PE11 2XT.

Dear Sir.

Re Planning Application No.H11/1135/91.
14 Market Street. Long Sutton.

I gather application has been made for a Fast Food Outlet at the above address.

I would point out that this is in a Conservation Area. 1.)

2.) That there are already several restaurants in the village, including two Fish and Chip shops and a Chinese Takeaway..

3.) That a former shop in the Market Square has permission for use as a restaurant.

4.) Couldn't this nicely refurbished shop be put to better use,

5.) Does Long Sutton need more Fast Food shops, surely the By-Pass would be a more suitable and profitable area.

Yours Sincerely,

Susan.B.Rogoyska (Mrs)

I think the wishes of the homes and shops near No.14 should be considered. (We are not in that position)

Long Sutton & District Society

The Secretary,
Long Sutton & District Society,
"Connemara",
4, Wrights Lane,
Sutton Bridge,
Nr. Spalding,
Lincs. PE12 9RH.

Application no : H11/1135/91

Mr. B.Smith Dip TP MRTPI
District Planning Officer,
Planning Department,
Council Offices,
Priory Road,
Spalding,
Lincs. PE11 2XE

12th. December 1991.

Dear Sir,

The Society has been informed that planning application has been submitted to change the use of a shop at 14, Market Street, Long Sutton into a hot food take-away. As this is part of the conservation area of the town, also there is already a Chinese Take-away and a Fish Shop in close proximity to this location, in the direction of the town centre, it will only create a further litter problem and parking problem. It is very close to a double yellow line parking restriction and a busy local junction to Park Road and Bull Lane, plus there is also a Public House opposite.

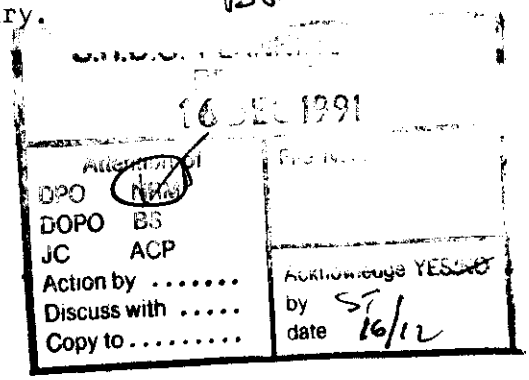
We hope you will take the Societies comments into consideration on this planning application.

Yours Sincerely,

JRBarker

Mr. J.R.Barker
Secretary.

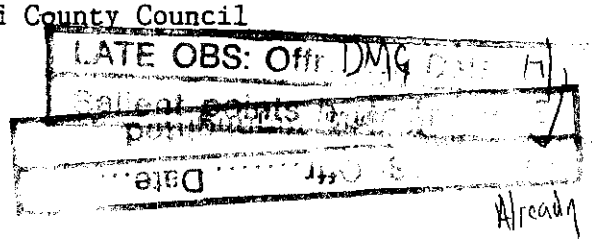
DG



Registered Charity No. 700438

Mr R Sissons
Public Health
South Holland County Council
SPALDING
Lincs

Mrs Hilliam
Connaught House
18Market Street
Long Sutton
SPALDING
Lincs



Already have a copy

Dear Sir

Re Planning Application H11/1135/91

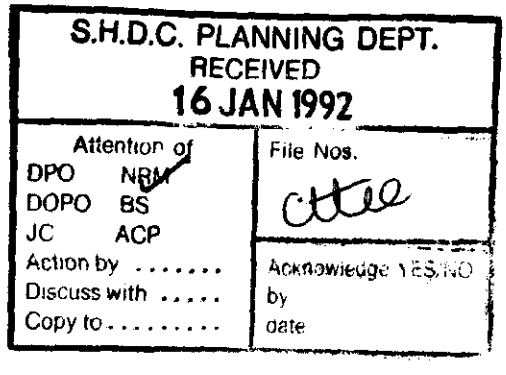
Further to my letter of objections to the planning application as above I wish to add the following.

As this is a contentious point I would hope that you would use your discretion and not allow this to be reported by the local or national media. I and other residents in Market Street have seen alleged drug use in vehicles absolutely opposite our premises and immediately outside our premises. The Police are aware of these incidents as we report them as and when they arise. I am bringing this point to your notice as we feel a late night business will give the residents less peace of mind than we already have. It is also an enviromental problem insomuch that a family living next door to a food take away or very close to one will have to put up with a considerable increase in people hanging around eating food in their cars as they already do and witnessing anti scocial habits as mentioned already. Children could find it frightening to be awakened by shouting etc; late at night as is already experienced by us. With a late night food takeaway these problems will in the long run become worse as any more encouragement to stay after closing time would be intolerable.

If unfortunately for this conservation area permission were grnted I strongly request that for the peace of mind for the residents in Market Street that an official closing time be imposed.

As I have mentioned any late night business such as a takeaway could be detromental to anyone living close to or next door as I can only see a gradual in the long run of the pride of maintainance of several listed buildings of character in Market Street through more late night business in the same road.

Yours sincerely Mr. & Mrs. Hilliam



Telephone:
0406-362028
Fax:
0406-362008
Mobile:
0860-657695
Proprietor: Sandra V. Worts

FENLAND FINANCIAL SERVICES

Fenland House
39/41 Market Place
Long Sutton
Spalding, Lincs.
PE12 9JE

Your Ref:
Our Ref: SW/JS
Date: 21.12.91

To Whom It May Concern

Dear Sir or Madam

REF: Application- Chinese Take Away 14 Market Street
Long Sutton.

With reference to the above application for a chinese take away at 14 Market Street Long Sutton.

We would like to give our support for this venture, as knowing the parties concerned, their experience and knowledge of the area, all of the signing parties would frequent the premises on a regular basis.

We thank you for your attention in this matter and hope sincerely permission will be granted.

Yours faithfully

Sandra Worts.

Sandra Worts

Sandra Worts

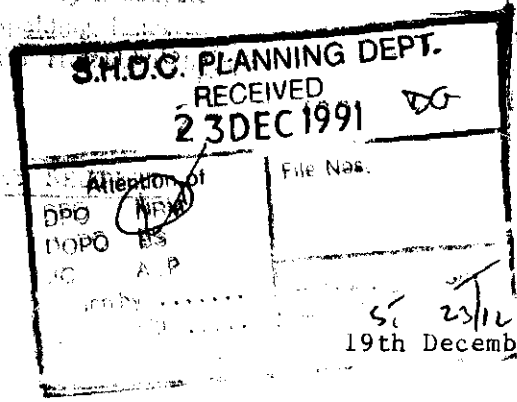
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by SW
date 27/12

Appointed Representative of the following LAUTRO Members:-
The Colonial Mutual Life Assurance Society Limited
Colonial Mutual Life (Pension Annuities) Limited
Colonial Mutual Life (Unit Assurances) Limited
Colonial Mutual Unit Trust Managers Limited (also a member of IMRO)

Consumer Credit Licence No 277972

Long Sutton Cricket and Hockey Club

Chairman G.N. Johnson
Gedney Road
Long Sutton
Spalding, Lincs
Tel Holbeach 362134



The Planning Officer,
South Holland District Council,
Municipal Offices,
SPALDING,
Lincs.

19th December, 1991

Dear Sir,

Re: Planning Application H11-1135-91

Having seen this application in our local newspaper several of our Club Members have approached me expressing their delight at the possibility of a decent Chinese Take-Away premises in Long Sutton.

Although there is already one near the Post Office there is very limited parking facility available, the service is poor and the food not always up to expectation. Our Club Members therefore travel to Holbeach or Sutton Bridge to partake of this particular type of food.

It is rumoured that the potential proprietor of the premises under application is someone known to me personally, namely a Mr. Eric Kan.

I have known Mr. Kan for approximately six years and have found him to be of impeccable character, honest and a very sound businessman. He is not the kind of man to accept a planning consent with conditions and ignore those conditions. He would either agree or disagree at the first instance.

His ability in the culinary field would definately be of benefit to all who would use his facilities, and there seems to be more parking space available also.

On behalf of our Members and myself, I hope that you will look upon this application favourably.

Yours faithfully,

(D.W. Oldfield),
Chairman - Hockey Section.

18th December 1991

Mr & Mrs D.J. Newton,
55 Garnsgate Road,
Long Sutton,
Spalding.
Lincs.

Planning Department,
Council Offices,
Priory Road,
Spalding,
Lincs. PE11 2XE

96
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JC ACP
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File Nos.
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23/12

Dear Sirs,

Re: Application No. H11/1135/91

After observing the above application in our local paper for a new Chinese Take-Away we would like to say how pleased we were at the idea of a decent take-away in the Long Sutton area, as the present take-away next to the post office gives poor service and the food is not always to our liking.

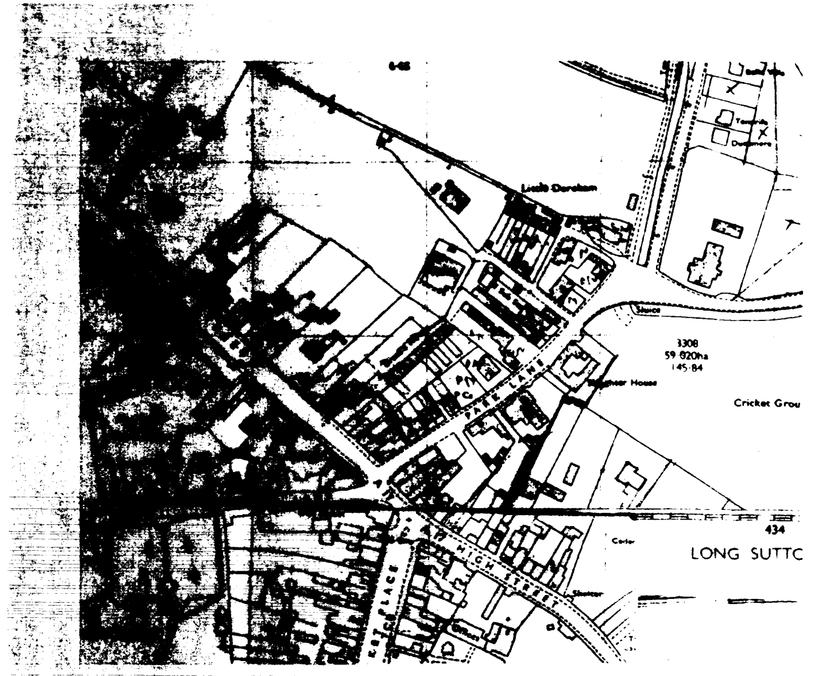
We often travel to Holbeach for a chinese take-away but doing this can be costly and is very inconvenient.

We recently spoke to Mr Kan at his previous place of employment and knew that he was applying for the above application through Broadgate Builders. We have known Mr Kan for two years and we found him very hardworking and also we believe his Cantonese style cooking would be much appreciated by all the local people.

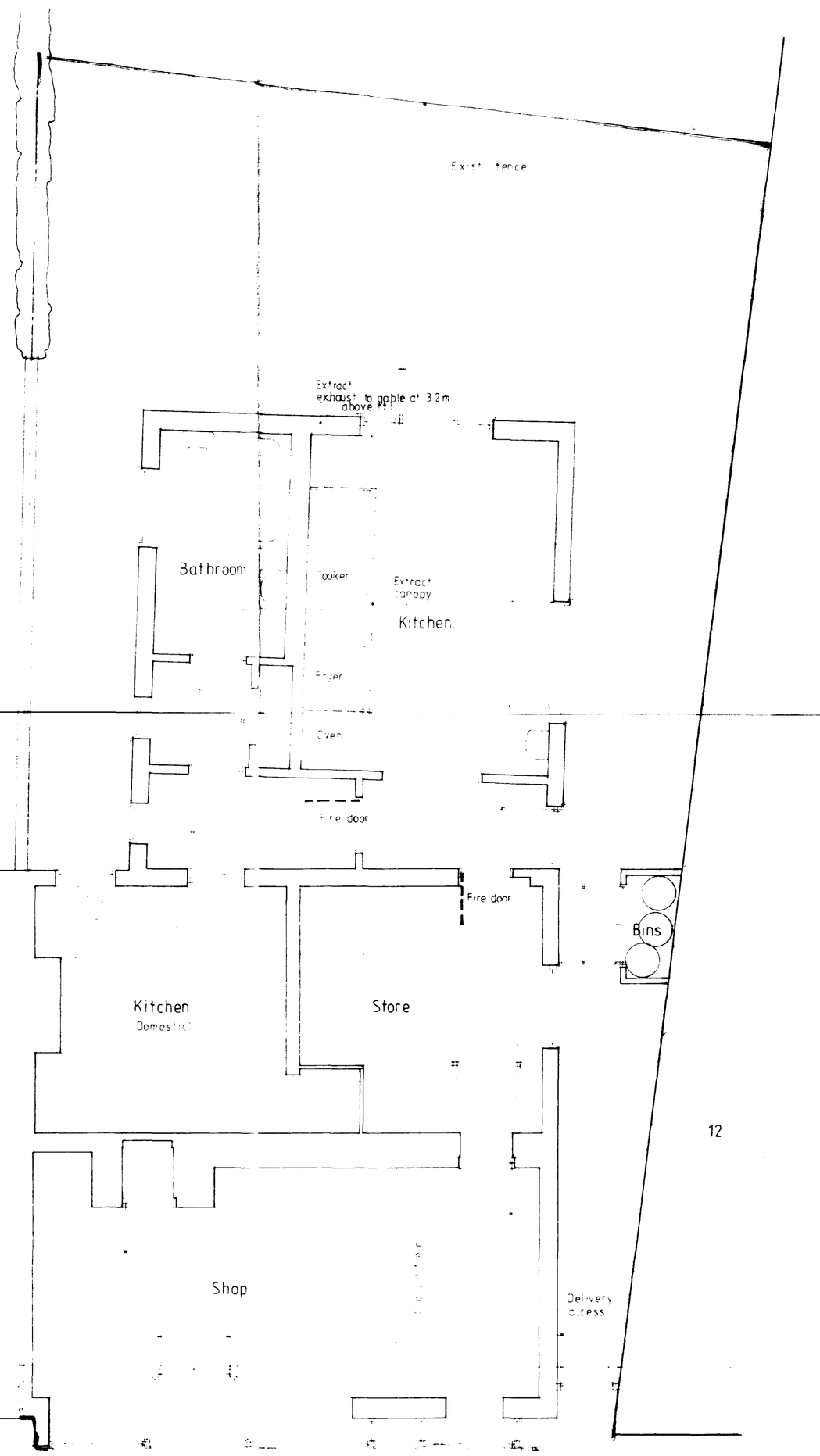
My husband and myself hope and look forward to the application being approved.

Yours faithfully.

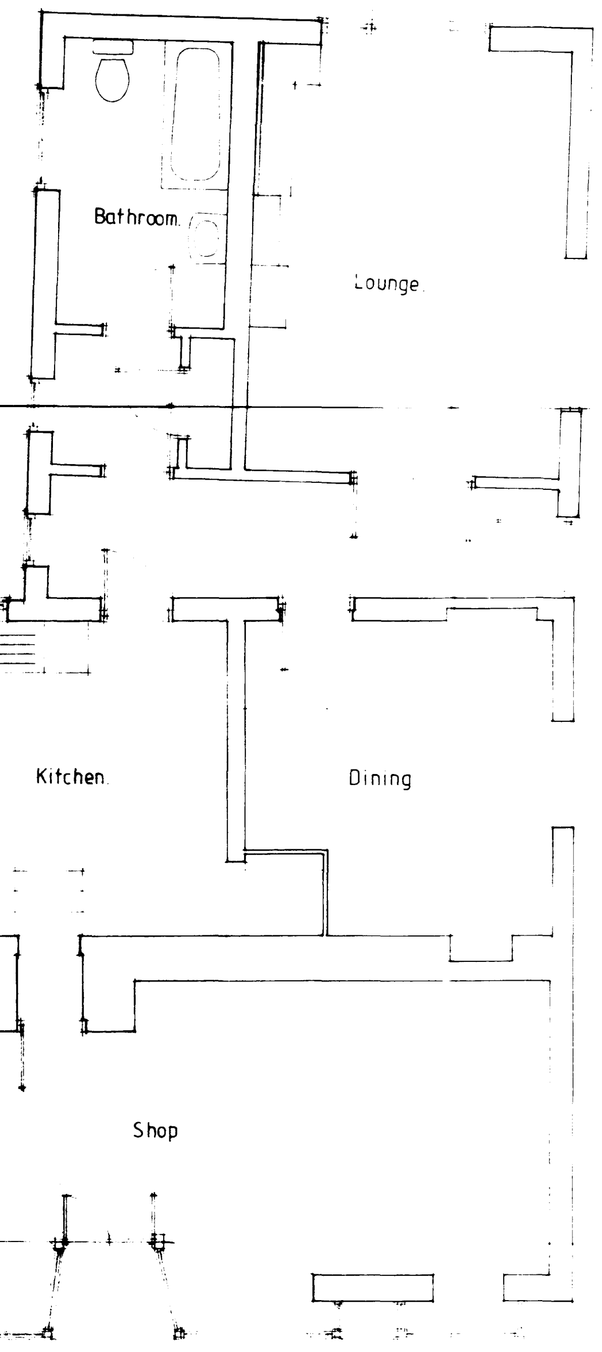
Mr P A Denton



Location Plan. 1:2500



Plan Proposed



Plan Existing.

Notes & Schedules

CONTRACTOR TO CHECK ALL DIMENSIONS ON SITE BEFORE WORK COMMENCES
COPYRIGHT RESERVED

revision	date	init	revision details

COOPER ARCHITECTURAL DESIGN
9a MARKET PLACE LONG SUTTON
TEL 0406 363780
FAX 0406 364291

client
BROADGATE BUILDERS

project
CHANGE OF USE RETAIL OUTLET TO TAKEAWAY FOOD OUTLET
14 MARKET STREET
LONG SUTTON
LINCS

drawing
1135/91

scale	drawing no
1:50	
date	drawn
NOV '91	

SUMMIT