

APPLICATION NO. :

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Town and Country Planning Act 1990

Refusal of Planning Permission

Reference: H14/1105/93

Received:09-DEC-93 Type:FULL

Name: Mr E Fragale
Domenics
17-18 Little London
Spalding
Lincs, PE11 3UE

Agent: Poddingtons
43 Double Street
Spalding
Lincs
PE11 2AA

Description: Proposed change of use and extension to form Fish & Chip
Shop and restaurant

Location : 27 Church Street Pinchbeck
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 development will have a demonstrably harmful effect on this part of the Pinchbeck Conservation Area, owing to the necessity for the existing small filling station building to be demolished. If this building is demolished, it will result in the creation of a large gap in the street scene. The opening of a gap between the two existing properties by the removal of the small forecourt building will open views to a significant area of land and car park. It is considered that the creation of this gap will be detrimental to the appearance of this part of the Conservation Area.

Director of Planning and Building Control Services
01-FEB-94 H14/1105/93

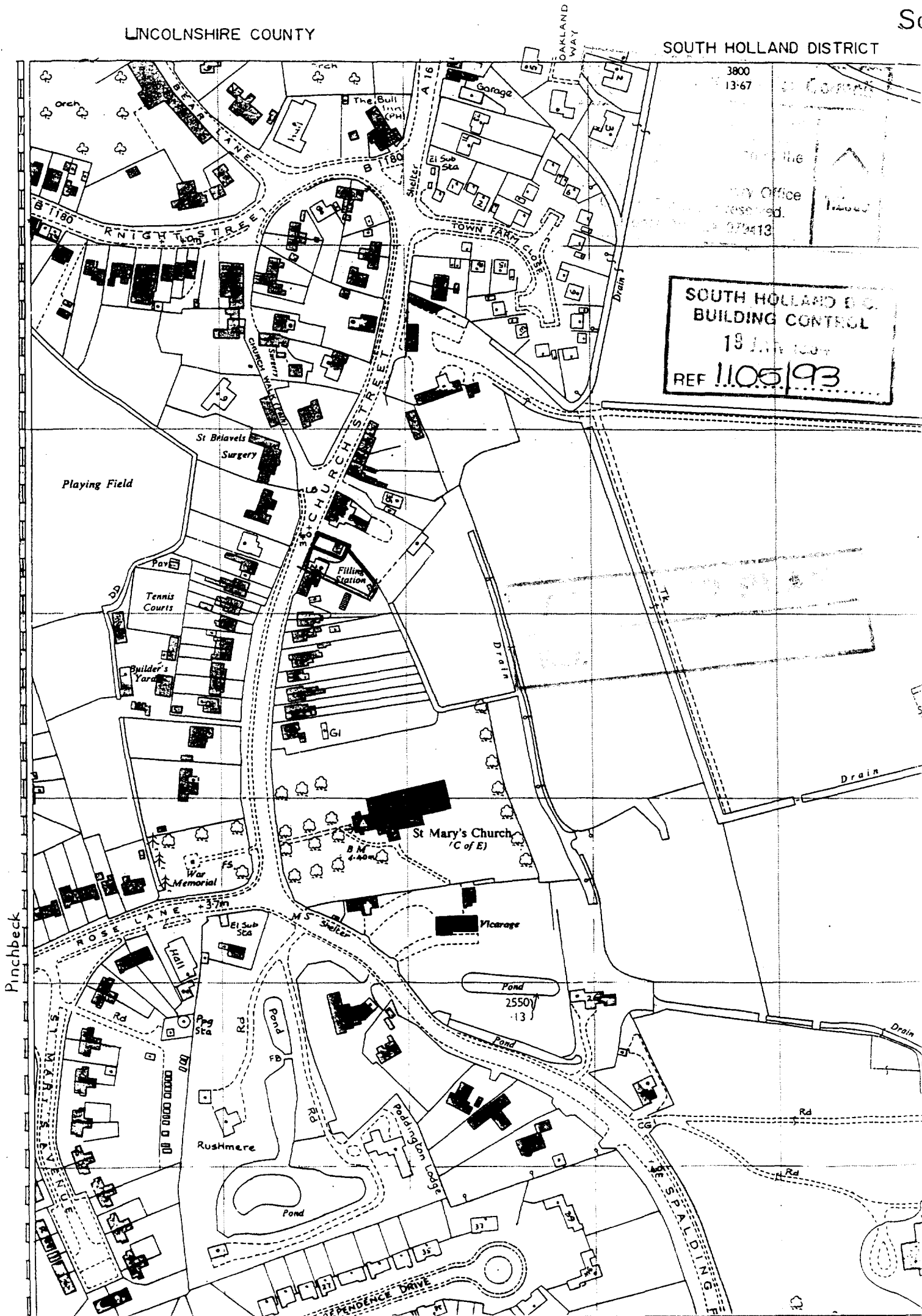
This decision refers only to that required for the purposes of the Town and Country Planning Act and not for Building Regulations or any other legislation. See enclosed notes relating to rights of appeal.

LINCOLNSHIRE COUNTY

SOUTH HOLLAND DISTRICT

3800
13-67

SOUTH HOLLAND B.C.
BUILDING CONTROL
19 JAN 1987
REF 11.05.93



PLANNING APPLICATION

For office use only

Application No. H14/1105/93Date Registered **19 NOV 1993**

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

MR E. FRASALE
DOMENICIS
17-18 LITTLE LONDON
SPALDING
LINES PE11 2UE
Tel. No.

NAME AND ADDRESS OF AGENT

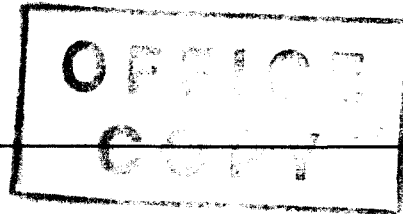
(if form completed by agent)

PODDINGTONS
43 DOUBLE STREET
SPALDING
LINES PE11 2AA
Tel. No. 0775-761856
(Personal contact name) R. Boole

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

27, CHURCH STREET, PINCHBECK.



Please complete in block letters

DESCRIPTION OF PROPOSED DEVELOPMENT

PROPOSED CHANGE OF USE & EXTENSION TO FORM
FISH & CHIP SHOP & RESTAURANT

Please complete

I attach

* Four copies of all plans

* an ownership certificate (see back page)

* a fee of 120.00

If you consider no fee is payable

include a written explanation instead.

Previous application No.

Signed. R. Poddingtons Date 19.11.93Please 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 worksor This is an **outline** application

(✓)
☒
☐

Now complete Parts
3, 4 and 5 and an
Ownership Certificates

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 Dwellings
(ii) Other new building(s)
(iii) Alterations or extension
(iv) Change of use

☐
☐
☒
☒

If so, how many:

4. A. Please state site area (in all cases)

0.079 hectares

B. If building works are proposed, please state extra floor space to be created:

22.8 sq. metres

C. Please state size of any new structure:- (a) max. height:
(b) max. length:
(c) max. width:SEE PLAN metres
metres

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

SEE PLAN

E. Please state type and colour of roofing materials.

F. Has a survey of the site been undertaken? State Yes or No

☒ YES**5. GENERAL INFORMATION** Please complete each section**EXISTING USES**

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

FILLING STATION &
DWELLING**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?

SEE SITE PLAN

TREES Please tick **one** boxA. The proposal does **not** involve the felling of any trees☒

B. The proposal does involve the felling of one or more trees

☐

If so, please show details on plans.

DRAINAGE

Please complete

A. Please state how surface water will be disposed of

B. For estate developments, please state how highway surface water will be disposed of

C. Please state whether a land drain will be affected

D. Foul sewerage will be disposed of to: EXISTING SYSTEM

Mains sewer

☐

Cesspool

☐

Septic tank

☐

TO SOAKAWAY

PLEASE COMPLETE IN ALL CASES

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 right of way

☐ NO

The proposal is known to affect contaminated or filled land

☐ NO

The proposal is for industrial, warehousing, offices, shopping or similar commercial 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)

Is this application related to a previous submission?

☐ NO

Application No.

6. **ANY OTHER INFORMATION** Please add any details you wish in support of your application.
Continue on separate sheet if necessary.

7. **INDUSTRIAL, WAREHOUSING, OFFICES OR SHOPS** Please complete if appropriate

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 floor space 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?			3
If you propose to transfer staff from other premises please give details of the numbers involved and of the premises affected.			
In the case of industrial development, give a description of the processes 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	NO		
Is the proposal related to an existing use on or near the site? If so, please explain the relationship	State Yes or No ☒ NO		
Is this a proposal to replace existing premises in this area or elsewhere which have become obsolete, inadequate or otherwise unsatisfactory? If so, please give details including gross floor area of such premises and state your intentions in respect of those premises.	State Yes or No ☐		
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)	PARKING PROVIDED SEE PLAN.		
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)	/		
What is the nature, volume and proposed means of disposal of any trade effluents or trade refuse?	BY SPECIALIST		
Will the proposed use involve the use of storage of any hazardous materials?	State Yes or No ☒ NO If yes, you may need to apply for Hazardous Substances Consent		
What provision is being made for access to premises for the disabled?	RAMP & WIDE DOORWAY TO COMPLY WITH BUILDING REGULATIONS		

HOURS OF OPENING

TUES, FRIDAY & SATURDAY 11-30 AM TO 2 PM

TUESDAY, WEDNESDAY, THURSDAY, FRIDAY & SATURDAY 11-30 AM TO 10 PM

OWNERSHIP CERTIFICATES

PLEASE COMPLETE ALL THREE TIONS.

1. APPLICANT'S INTEREST

Please state interest in site (e.g. owner, prosp. purchaser)

(Please remember to indicate on the location plan any other land under your control).

PROSPECTIVE PURCHASER

2. OWNERSHIP OF THE SITE

This certificate is to make sure that the owners of land are aware of applications made on it.

If the applicant is the **sole owner of the whole site**, complete **Certificate A**.

In **any other case** (i.e. if the applicant is a prospective purchaser, or a tenant, or a joint owner, or the sole owner of only part of the site) then you must give notice to all other owners, and complete **Certificate B**. (An "owner" is a person having a freehold interest, or having a leasehold interest where seven years or more remains unexpired). If you are unable to trace the owner, please contact the Planning Office as a different certificate will be required.

Certificate A Nobody except the applicant was an owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

Signed (Applicant / Agent) Date

Certificate B The applicant has given the required notice to everyone else who were owners of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

Owner's Name: MR T. PRIDMORE

Address of owner at which notice was served:

State Date notice served:

22, CHERRY HOLT LANE
PINCHBECK

19-11-93

Signed *PRIDMORE* (Applicant / Agent) Date 19-11-93

3. AGRICULTURAL HOLDINGS CERTIFICATE

If the land is not in agricultural use complete Certificate 1.

If the land is agricultural, but farmed by the owner and there is no agricultural tenant, complete Certificate 1.

If the site does relate to an agricultural holding, you must give notice to the tenant, and complete Certificate 2. If you are the sole agricultural tenant yourself, sign certificate 2 but insert 'not applicable' in the tenant details.

Certificate 1 None of the land to which the application relates is or is part of any agricultural holding.

Signed *PRIDMORE* (Applicant / Agent) Date 19-11-93

Certificate 2 The applicant has given the required notice to every other person who, at the beginning of the period of 21 days ending with the date of the application, was a tenant of an agricultural holding on all or part of the land to which the application relates.

Tenant's Name:

Address of tenant at which notice was served:

State Date notice served:

Signed (Applicant / Agent) Date

DC INSTRUTION SHEET

APPLICATION REF: H14/1105/93

Directions

Art 7

☐

RM checklist

Previous
Current
Required

Sit

Des

Ext

Acc

Le

EA

Reg4-

Scale dwg:

Highway S/W:

Agric appraisal:

☐
☒

LB

Advt

☐
☐

Details needed: Please clarify the opening hours for Tuesday, Friday & Saturday. The submitted information is unclear & contradictory. (Non-std only)

Other.....

Direction authorised by Senior Officer.....

Date.....26/11

Revalidation after Direction

Information satisfactory ✓

Signed.....

Date.....10-12

Valid date:

Amended description

Superseded plans indicated

☐

Unsatisfactory -
Further direction:
Signed.....
Senior Off.....

Precise details:

Extra Consultations/Publicity Required

☐

None identified initially *PN25-11 RECONSULTS opening hours (revalidated) subject*

Publicity: >>

Consultations:

All

Departure

.....

Setting of LB

.....

Public Right of Way

.....

Discretionary

.....

County

.....

E Heritage

.....

Societies

..... G ROW

Extra Consultations:

Transport

D/Transp A15

..... G* T15

TRA

D/Transp A18

.....

B Rail

.....

Environment/

Env Services

.....

Drainage

NRA

.....

WAT

IDB

.....

Env Assess

☐

G ENV (See separate sheet)

Conservation

LB Demolish

..... G* DEM

LB

Archaeology

..... G ARC Specify:

Eng Heritage

.....

Consultant

.....

Other

.....

Order No:

Specify:

Hazards

HSC Group

..... G* HAZ

Specific

.....

Specify:

Other PLA

.....

Specify:

Case Officer: *PM*

Senior Officer Confirmed *PM*

Date.....25/11

Recorded DC....

Press
PC
WM
Residents

APPLICATION ASSESSMENT

Notes for Case Officer

Pete discuss with NRM.
+ check whether Building to be
demolished require C.A.C.?

YES - need C.A.C.

Site Inspection

Accuracy :
Neighbours :
Boundaries :
Site Features :

Inspected by

Date 17-12

Site Notice posted by

Date
Expiry 17-12

Individual Resident Notices required:

Addresses to be
sent to -

Addresses
delivered to -

Telephone/Visitor Record

Date	Conversation with	Conclusion
13-10-93	Mrs Newham (neighbour)	Sent in letter of objection
10-1-94	Rates Dept	25 Church St is redundantly rated

Case Officer Conclusions

Old petrol SEⁿ Pub next door.
Property is semi detached
large grounds to rear
Toilets etc are not directly adjacent neighbour, rear room & stairs etc
What is next door?
Large gap created by demolishing old building

RECOMMENDATION/DECISION

NON-DETERMINATION

Permitted Dev (or equiv)
Non Development (or equiv)
Non Response after Direction

Senior Officer confirmed

Withdrawn

COMMITTEE

Confirmed as agenda *✓ d rli*

SUB-COMMITTEE

Confirmed as agenda

DPBCS AUTHORISED

Decision Issue confirmed

DELEGATED DECISION

Case Officer

Approve Refuse
(or equiv) (or adverse)

Signed Date.....

Notes:

	Disabled
	Prev conditions
	Amended plans -
	Dwg no:
	Received:

CONDITIONS/REASONS:

Condition monitoring:

non-std expiry
prior submission
prior siteworks

Determined plans indicated

✓

Departure approval confirmed

--

Flag for on-site review

--

ADMIN RECORD SHEET

Initial

Registration

Submitted Fee £ 120.

Reference H14/1105/93

Receipt No P3542

Cross-Ref R

Date first Rec'd 19 NOV 1993

Date 22/11/88

Validation

Site area
No of dwellings
Floorspace

Earlier permission - Ref:
New/Redevelop/Use/Ext/Alt/Works

TYPE FULL

Description
to be recorded

--

Invalid

Site plans
Certificate

--

Fee
Fee (not free)

--

Inaccurate
Incomplete
Unclear

--

Fees

Correct fee £120

Nil fee

--

Previous app - ref:
Type of app
Reason:

Discounted

Additional £
Refund £

Receipt No
Voucher No

Date
Date

Information

Index sheet 145 OS Plots
Grid ref 524140 325720

Ward M Parish PINCHBECK

Inside IBD YES Inside LP area YES

Constraints:

CA Cons Area

LB Listed - Grade:
ARC Archaeology
AM Ancient Mon
SSI Special Int

TR Rural
BP TR proposed 67m
LC Level Cross
FP Footpath
TPO Tree Pres

Hazards -

Linked to site

Ref

Dist Bound

Linked to property

Ref

Other:

HAZ Site
AIR Safeguard
LIN Elect
PIP Pipe
CON Waste/contamin

Planning Records:
Earlier apps

273/81
179/86
1156/931

B Reg Records:
Already submitted - Ref:
Request needed
Requested

Spoke to S. Lawson. + then to E. Frazzelle
locate at point 2, 1m above ridge height
for chimney height PM 15-2.

WHAT IS FLORIGO

BENEFITS

1. Who are we? Florigo Horeca is a Dutch Company, that started manufacturing frying ranges some 40 years ago, Florigo Catering Equipment Limited is a British Company (partly owned by Florigo Horeca) formed with the sole purpose of marketing and selling Florigo Frying Ranges outside the Benelux countries.

In addition to commercial frying ranges, Florigo sells industrial frying equipment to companies such as Golden Wonder, K.P, and McDonalds. This experience has enabled Florigo to establish a clear lead in filtration, extraction and manufacturing techniques, both in mainland Europe and the UK.

2. Who chooses Florigo? Many of the UK's leading Fish and Chip Shops, eg - Harry Ramsdens, Merryweathers, Chez Fred and hundreds of family businesses.

For the last 4 years, the winner of the Seafish Fish and Chip Shop of the Year competition has been a Florigo user - a coincidence? We think not.

3. Why do they choose Florigo?

- a. Safety - Direct vapour extraction through baffles, combined with combustion and exhaust gas separation makes a Florigo range extremely safe. So safe in fact, that two leading insurance brokers - Broadstone and Richardson Hoskens - guarantee savings of at least 10% on premiums in shops fitted with Florigo Ranges.
- b. Maintenance Free - self cleaning, ceramic tipped stainless steel jets and cleansing of the frying extraction by baffles, ensures that the two areas traditionally requiring the most maintenance, namely burners and extraction ducting and fan, need only an annual service.
- c. Ease of use - It is possible to train unskilled persons to operate a Florigo range within a few days.
- d. Consistency - Whether the shop is quiet or busy, a Florigo range will produce the same results - one portion of chips or a pan load. Precise thermostatic controls mean a consistent product at all times.

e. Filtration - the Florigo built-in filtration system ensures clean frying medium and pans, which in turn prolongs the life of your oil or fat and produces clean wholesome food. No more using chips to clean up the dirt left by fish!

f. Round Pans/Square Pans - Separate the products - chips into round pans, with all round heat and fish into square - and make frying easier.

g. Easy to clean - One piece construction, no seams, rivets or joints, all you clean is what you see.

4. What can Florigo do for you? Well, apart from supplying a frying range, we can produce drawings, give guidance on shop design, assist with environmental or planning problems, attend meetings with builders, shopfitters and designers. Assist with marketing and promotional ideas and provide a Florigo Frier for your opening day to train your staff in use of the range. All at no extra cost.

5. Why pay more for a Range? The crunch question! Florigo is more than just a frying range, Florigo is a system, which helps to produce the best possible fish and chips all the time. You choose the oil or fat, batter, fish, and potatoes, we provide a controlled, easy to use and safe means to turn it into money.

Mr. & Mrs. Newham,
23/25 Church St.,
Pinchbeck,
Spalding,
Lincs. PE11 3UA.

24.1.94.

Planning application Ref.: H14/1105/93.

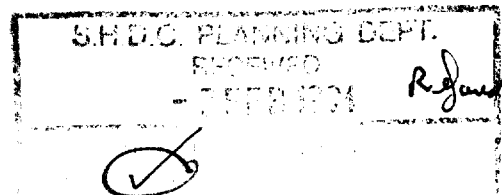
Dear Mr Alcock.

Please find enclosed a copy of our letter, as sent to the Planning office. If you have the time to read through it, we would be most grateful, as the matter in question is of the utmost concern to ourselves and has caused us a considerable amount of worry since the Christmas period. It is regrettable that we are now writing at this late stage however this plan of action has only just been mentioned to us.

Yours sincerely



Michael & Teresa Newham



Mr. & Mrs. Newham,
23/25 Church St.,
Pinchbeck,
Spalding,
Lincs. PE11 3UA.

14.12.93.

Your Ref.: H14/1105/93.

Dear Mr. Smith,

With reference to the recent application to change the use of 27 Church Street we would now like to register our objections, as follows:

1. Number 27 comprises two buildings, one of which has always been residential, the other, business premises. The present intention is to demolish the existing business premises and convert the residential to business. Why not put the fish and chip restaurant and 'take away' in the existing business premises?
2. Numbers 23/25/27 used to be one house. I don't know the age of the property but I should imagine it is 18th century. Surely in a conservation area, as this is, where one cannot change windows or the tiles on a roof. This house does not deserve to have a restaurant stuck on the end of it.
3. The whole intention of this sort of development is surely to make financial gain from the combination of, a choice of attractive location coupled with a necessity to change any feature to what is required for the particular business i.e. we don't need a garden but we do need a car park. Similarly, any part which is not required is ignored i.e. what is to happen to the area behind the car park? Because no money can be made from it, it is ignored. The phrase that springs to mind is exploitation of the environment for financial gain.
4. Fish and chip shops are notorious for the litter and disturbance this particular trade brings. Parking is invariably short term, consequently in continual car movement with accompanying slamming of doors. In this

case the car park is to be gravel which is noisier than tarmac. Comparable litter can be viewed in Spalding outside the chip shops early Sunday morning. Can anybody assure me that this will not be the case here? Presumably as the shop will be closed on Sunday this litter will remain until Monday.

5. I have been told that the production of fish and chips requires continual extraction and there will, therefore, be continual noise. The plan mentions a filtration system 'to protect against emission smells' presumably this is extremely effective as I notice the top of the flue is only just above the window line. I also have been told that the smell, regardless of venting permeates the walls of a building, not particularly downstairs, but upstairs. When this building was divided in to two dwellings there must obviously have been some short cuts because we could actually smell the cigarette smoke of the previous occupants in our bedroom. Therefore we feel we are going to be prone to any smells.

6. In the planning application we notice that the drainage is to a soakaway. In fact number 27's drains run in to ours. According to the pipes running in to our inspection pit these then go along the back of our house and so out to the main sewer. Over the years we have had numerous problems with smells and blockages. It occurs to us that by increasing the number of toilets from two to five will put a strain on an already shaky system. this is not to mention the number of wash basins, unspecified 'preparation area' requirements, and I am also led to believe, the quantities of water required by a chip range.

7. The restaurant dining area is adjacent to our sitting room. The toilets and washing facilities are next to our sons bedroom. The car park will destroy the tranquillity of our garden.

Perhaps the above is all fairly standard, and most points can be categorised in to Dept. of Transport, Parish Council, Environment, Fire etc. But we are very aware that the points mentioned are particular to us, as we are the sole attached neighbour, and so we feel very much a lone voice in this matter. What you decide to do with Pinchbeck is out of my hands but there are other factors which cannot quite fit in to a box or category but in my mind make up the quality of life and these should be mentioned with reference to our individual case. We have three children, the youngest of which is handicapped, Autistic, his bedroom is next to the washing/toilet facilities. He wakes between the hours of 2.30 and 4.00 every morning. Our daughter, who is eight was prescribed by

Adenbrooks clinic last Monday to have a genetic hereditary eye disease and who in the last two months has virtually lost her sight. We are told that there is a possibility that the other two may develop this condition between the ages of eight and fourteen. Now you are telling me that somebody wants to infringe their privacy in the garden, inflict noise, smell, and litter on them. Our fragile family life is not like others and so what may appear tolerable for one is not for others. Therefore may I assure you that no effort on my part will be spared in halting this 'progress' as **nothing** will persuade me, to the contrary, that this is not going to ruin the quality of our life. The minute this is passed, we move. This is not a threat or anything silly like that it is purely a statement of fact concerning my responsibility for the welfare of my family. Hopefully, you have a similar responsibility for the individuals in the community

Yours sincerely

Michael and Teresa Newham.

Northern Area
Aqua House
Harvey Street
Lincoln
LN1 1TF
Tel: (0522) 513100
Telefax: (0522) 512927

PLANNING COMMITTEE - 25th January, 1994

42. PLANNING APPLICATIONS (Continued)

(b) Applications Refused

The undermentioned applications be refused planning permission in accordance with the recommendations of the Director of Planning and Building Control Services, as amended, where indicated:-

Plan No. and Applicant

Proposal

H23/0883/93
Mr & Mrs M Seal

Two dormer windows and single storey extension and conservatory at Laburnham House, Broadgate, Whaplode Drove.

H16/1010/93
Mr & Mrs Varley

Change of use to guest house at The Thorneycrofts, 39 Beaufort Drive, Spalding.

H14/1105/93
Mr E Fragale

Change of use and extension to form fish and chip shop and restaurant at 27 Church Street, Pinchbeck.

(It was also agreed that if an application for the retention and use of the existing building on the application site for the development is submitted the Director of Planning and Building Control Services be authorised to grant planning permission subject to (i) the applicants first entering into a Planning Obligation under the provisions of section 106 of the Town and Country Planning Act 1990 to ensure that the occupation of the existing dwelling on the application site is restricted to the owner, manager or an employee of the proposed fish and chip shop and restaurant; (ii) suitable conditions, including a condition to ensure that any signs erected on the site are in character with that part of the Pinchbeck Conservation Area; and (iii) no further material planning objections being received.)

(Councillors C.J.T.H. Brewis and M.C. White requested that their votes against the above decision be recorded. Councillor C.J.T.H. Brewis requested that his vote in favour of deferring consideration of the application pending a site inspection be recorded.)

H16/1133/93
British Rail Property
Board

Listed Building Consent for the removal of redundant northern leg of footbridge and platform and replacement of security boarding at Spalding Town Station, Station Approach, Spalding.

(It was also agreed that British Rail be told that this Committee would be strongly opposed in the event of there being any proposals to close the Steppingstone footbridge.)

(Councillors T. Barker and N.I. Capes left the meeting during consideration of the above application.)

H11/1074/93
National Westminster
Bank

Advertisement consent for new fascia and projecting logo sign at National Westminster Bank, 25 Market Place, Spalding.

(Councillor B Alcock was out of the meeting during consideration of the above application. Councillor T Bray took the Chair.)

BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161
Fax: (0775) 710772



H14/1105/93

FULL

Applicant: Mr E Fragale
Tel:

Agent: Poddingtons
0775 761856 R Boor

Description: Proposed change of use and
extension to form Fish & Chip
Shop and restaurant

Location: 27 Church Street
Pinchbeck
Spalding
Lincs

Valid date: 09-DEC-93
Target dates:
To case officer 16-DEC-93
Inspected by 23-DEC-93
Extra contacts 30-DEC-93
Report if not clear by 13-JAN-94

Terminal date: 03-FEB-94
Target Committee: 25-JAN-93
Report deadline: 11-JAN-93
Agreed TD Ext:
Case Officer:
P J UDY

DEVELOPMENT/CONSTRAINTS

Size: 22.8 M2
Category: Extension
Listed building:
Conservation Area: PINCHBECK

Other Constraints: TR

CONSULTATIONS CARRIED OUT

	Sent	Expiry
Site/Press Advert CSA	17-DEC-93	07-JAN-94
Clerk to Pinchbeck P 0775 723838	10-DEC-93	24-DEC-93
Dir of Environmental	10-DEC-93	24-DEC-93
Department of Transp 0602 476121	10-DEC-93	24-DEC-93
Cllr T Bray 0775 723794 (Of	10-DEC-93	17-DEC-93
Cllr Mrs P J Buffham	10-DEC-93	17-DEC-93

L.C.C. - No Comments - Thank Royal for CB 16/12/93

Town and Country Planning Act etc

DRAFT REFUSAL

Reference: H14/1105/93

Received:09-DEC-93 Type:FULL

Name: Mr E Fragale
Domenics
17-18 Little London
Spalding
Lincs, PE11 3UE

Agent: Poddingtons
43 Double Street
Spalding
Lincs
PE11 2AA

Description: Proposed change of use and extension to form Fish & Chip
Shop and restaurant

Location : 27 Church Street Pinchbeck
Spalding Lincs

South Holland District Council hereby give notice
that permission has been refused etc
for the following reasons:

- 1 In the opinion of the Local Planning Authority, the proposed development will have a demonstrably harmful effect on this part of the Pinchbeck Conservation Area, owing to the necessity for the existing small filling station building to be demolished. If this building is demolished, it will result in the creation of a large gap in the street scheme. The opening of a gap between the two existing properties by the removal of the small forecourt building will open views to a significant area of land and car park. It is considered that the creation of this gap will be detrimental to the appearance of this part of the Conservation Area.

SC11E

28-JAN-94

AD check.....*N* 3/11.

Authorised to issue (inc Delegation).....*AN*.....

25th JANUARY 1994 PLANNING COMMITTEE
PLANNING APPLICATIONS - POST COMMITTEE INSTRUCTIONS

Page No	Application Number	Case Offr	Instructions/ Decision
1	H14/0108/93 G F Scrupps	DJR	Deferred as recommendation "B". Obtain 3 quotations before engaging independent adviser.
6	H13/0109/93 J T Biggadike	NRM	DPBCS Auth as recommended. Recommendation 1 on page 9 to be amended to read "development of the area of the rear two plots"
11	H13/0110/93 J T Biggadike	JB	DPBCS Auth to issue Listed Building consent once planning permission granted.
14	H08/0684/93 Mr & Mrs H Hare	DJR	Deferred for site visit.
17	H14/0712/93 D J Fisher	PJU	Deferred for site visit. Additional plan required showing all relevant decisions in the immediate area.
20	H09/0865/93 Hey & Croft Ltd	JB	DPBCS Auth as recommended.
26	H23/0883/93 Mr & Mrs H Seal	DMG	Refused as recommended. Ltr to agent with copy to applicant explaining that part of the problem was the drawings as submitted which may have done insufficient justice to the proposal.
27	H17/0931/93 Mr J Goodley	DJR	DPBCS Auth subject to 106 obligation as recommended.
30	H14/0948/93 Mr B Flynn	PJU	Grant as recommended.
33	H18/0977/93 Lands Improvement Group	JB	Deferred for site visit. Additional up to date plan required showing development/appeal decisions of other sites in area.
35	H18/0978/93 Sutton Bridge Golf Club	JB	DPBCS Auth subject to 106 obligation as recommended. Look at need for 106 obligation to see if it cannot be satisfactorily covered by condition instead.
37	H16/1010/93 Mr & Mrs Varley	DJR	Refused and enforcement action as recommended.
39	H04/1018/93 Peter Bates	DJR	Deferred for site visit.
43	H13/1030/93 Mr & Mrs Jones	DMG	Grant as recommended.
44	H02/1073/93 P Leo Esq	PJU	DPBCS Auth subject to 106 obligation as recommended.

45	H14/1074/93 National Westminster Bank	DMG	Refused as recommended. Reference to be added to refusal dealing with legal requirement to protect or enhance conservation areas
46	H02/1104/93 Crowland Signmakers	DJR	Grant as recommended. Add note reminding applicant of light industrial condition.
48	H14/1105/94 Mr E Fragale	PJU	Refused as recommended. DPBCS Auth to deal with subsequent application to use garage building for take away provided no additional material planning objections.
51	H16/1133/93 British Rail Property Board	DJR	Refused as recommended. Also refute in the strongest possible terms any suggestion that we might be contemplating any discussion with regards to the demolition of Stepping Stone Bridge.
54	H11/1138/93 W Delahoy	DJR	Grant as recommended.
56	H06/1141/93 Mr W Webb	DMG	DPBCS Auth subject to sect 106 obligation as recommended. Amend recommendation "A" as follows: Line 4: Delete: "from Churchgate up to and including" Insert: "across"
58	H23/1145/93 Mrs J S Vere	DMG	Deferred for site visit. Draft suitable refusal reasons required.
61	H16/1152/93 Guardian Assurance	NRM	DPBCS Auth as recommended.
64	H09/1168/93 Northern Foods Dairy Group	JB	Grant as recommended.

26th Jan 94

Signed:
N Midlen
Principal Planning Officer

TYPE: Full

DESCRIPTION: Proposed change of use and extension to form fish
and chip shop and restaurant

LOCATION: 27 Church Street, Pinchbeck

APPLICANT: Mr E Fragale

AGENT: Poddingtons

REASON FOR COMMITTEE CONSIDERATION

Recommendation of refusal.

RECOMMENDATION

Refuse permission.

- 1 In the opinion of the Local Planning Authority, the proposed development will have a demonstrably harmful effect on this part of the Pinchbeck Conservation Area, owing to the necessity for the existing small filling station building to be demolished. If this building is demolished, it will result in the creation of a large gap in the street scheme. The opening of a gap between the two existing properties by the removal of the small forecourt building will open views to a significant area of land and car park. It is considered that the creation of this gap will be detrimental to the appearance of this part of the Conservation Area.

COMMENTS

- 1 Application in Pinchbeck Conservation Area, so principal planning consideration is whether it protects or enhance character of area. The existing service station building will be demolished in order to provide car parking spaces and this will open up views between the application site and The Bell to land at the rear. Conservation Area consent will be required to demolish this building, owing to its size.
- 2 It is considered that the gap that will appear in the street frontage will not protect or enhance the Conservation Area, but will detract from it.

REPRESENTATIONS**Parish Council:**

Recommend approval, but applicant must be informed that must not fell the trees on site.

Ward Member:

Happy to support application, seems to be enough off-street parking.

Applicant has assured me will consult with Planning Department at every stage of process to be sure problems of noise, fumes, etc, are kept to minimum.

Hope will be kept to reasonable working hours in view of neighbouring residential property.

Hope fish and chip restaurant will compliment and will not be seen as threat to neighbouring pubs, not everyone - young families - want to go and eat at a pub.

Believe previous application was withdrawn and non-determined.

D. O. T:

Comments awaited.

Environmental Services:

Suggest conditions relating to submission of fume extraction details and screening of southern boundaries. Hours of use appear reasonable.

Public:

Three letters received from The Bell, 23/25 Church Street and 7 Gosberton Road, Surfleet (summarised):

The view from Church Walk was considered important in my appeal. Proposed fish and chip shop will not enhance view.

Inadequate car parking, danger to other road users, cause vehicles to use The Bell car park.

Smells: little: disturbance: noise.

Already have take-away facilities in village.

Village was proud to win the best kept village award for 1993. Litter from this proposal will see we don't win again.

Will not enhance the character of Conservation Area.

Will create yet more traffic.

Nos. 23/25/27 used to be one house, surely in Conservation Area this house does not deserve to have a restaurant stuck on end of it.

What will happen to area behind car park?

Parking invariably short term, continual car movements and slamming of doors. Car park to be gravel.

Smell regardless of venting permeates the wall of the building. When this building was divided in two, short cuts must have been made, we could smell cigarettes of previous occupants in our bedroom.

Drainage to soakaway. Drain runs into ours and across back of our house and out to main sewer. Over years have had numerous problems with smells and blockages. Increasing the number of toilets from two to five, extra wash basins, unspecified preparation area requirements and quantities of water required by chip range will put strain on already shaky system.

Restaurant adjacent our sitting room, toilets and washing facilities next to our sons bedroom. Car park will destroy tranquillity of garden.

We are sole attached neighbour. Have three children, youngest is autistic, his bedroom is next to the washing/toilet facilities. Our daughter is eight and has been diagnosed with a genetic hereditary eye disease and has virtually lost her sight. Somebody wants to infringe our privacy, inflict noise, smell and litter.

Applicant:

Opening hours Monday, Tuesday, Wednesday, Thursday, Friday, Saturday 11.30 a.m. to 2.00 p.m. and 4 p.m. to 10 p.m.

21-1

PODDINGTONS

Architectural Design Consultants

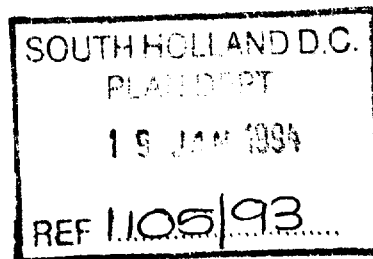
Our ref: TAP/HJW

Your ref:

Date: 19th January 1994

For the attn. of Mr. N. Midlen

South Holland District Council,
Planning Dept.
Priory Road,
Spalding.



Dear Sirs,

PROPOSED CHANGE OF USE - 27 CHURCH STREET, PINCHBECK - TAKE-AWAY FISH
AND CHIP SHOP - MR. E. FRAGALE - APPLICATION REF. H14/1105/93

Following our Clients various discussions with your department and certain
councillors, we are instructed to deposit the attached amendment.

It is now our Client's intention to convert the existing shop area of
the old petrol station into areas for storage, preparation, frying and
take-away shop.

There will not be facilities for customers to sit down and eat. The existing
adjoining house will be retained as a residential unit and a member of
the Fragale family will reside there.

With regard to parking, the site is large enough to provide whatever parking
and turning areas that may be required by either the Lincolnshire County
Council Highways or the D.O.T. Our Client is prepared to carry out these
requirements.

For your information we enclose a copy of a plan deposited with your
Council in December 1991, for the change of use to Chinese take-away
restaurant for Messrs. C.D. & E.H.T. Pridmore. We do not have a copy
of the application form as the Clients prepared the application documents
themselves, utilising our plan.

We understand that the application was looked upon favourably but actually
withdrawn when the Clients were unable to confirm that the dwelling would
be occupied by the person operating the take-away.

continued/.....

Poddingtons,
43 Double Street,
Spalding,
Lincs. PE11 2AA
Tel: 0775 761856
0775 768296
Fax: 0775 710218

VAT Reg. No. 107 0605 13
Principal: T.A. Pridmore

continued/.....

SOUTH HOLLAND DISTRICT COUNCIL

APPLICATION REF. H14/1105/93

19th January 1994

It is hoped that this amendment can be dealt with in conjunction with the current application at the next committee meeting.

The premises are currently vacant, our Client is in a position to purchase immediately, and would hope to make a Building Regulation application quickly and commence internal conversion works.

Yours faithfully,
Poddingtons,

T. A. PRIDMORE

enc. 4 no. 2543/2
4 no. 2468/1

AMENDMENT RECORD SHEET - LIVE APPLICATION

Admin

Validation:

Inadequate/Inappropriate

☐

Appears valid

☒

Clarification/Details required:

Registered

Terminal date/committee
updated

DC Procedural Assessment

Is the information given correct?

Yes/No (If No, state above what
details are needed)

Has this amendment been requested?
If Yes, is it what was asked for?

Yes/No *
Yes/No *

Who do you need to reconsult as a
result of this amendment?

PC None ☐
WM
Press
Residents
Other -

Is it an amendment in principle?

Yes/No

Is it the same character/description
for fee purposes?

Yes/No (Refer to Admin ?)

If No, but Yes to (*) requested :-

Do development objectives outweigh
financial objectives?

Yes/No Confirmed.....

REJECTED as an amendment - new
application needed

Confirmed:

Notes/Advice/Rejection Reason:

☐ Tick if you wish this note to be
a paragraph in the Rejection Notice

AUTHORISED to treat as amendment

Confirmed:

Superseded details removed

Give a revised description if
the details accepted are
different to the submission:

Acceptance issued:
Public register updated:

DC Professional Assessment

NOTES:

PLANNING AMENDMENT

For office use only

Application No. **M14/1105/93**

Date registered **19 JAN 1994**

Case Officer

PU

1. Please complete in block letters

NAME AND ADDRESS OF APPLICANT

M R E KNALE
DOMENICS
17-18 LITTLE LONDON
SPALDING
LINCS PE11 3UE

Tel. No.

NAME AND ADDRESS OF AGENT

(if form completed by agent)

PODDINGTONS
43 DOOLE STREET
SPALDING
LINCS PE11 2AA

Tel. No. **761856**

(Contact) **R. BOOR**

Please complete in block letters

FULL POSTAL ADDRESS OF THE APPLICATION SITE

27 CHURCH STREET PINCHURCH

Please complete

EARLIER APPLICATION No.

This application cannot be considered unless the relevant reference is stated

M14 - 1105 - 93

Building Regulation reference relating to same development.

2. Please tick **one** box only

Amendment is proposed where permission already granted

If yes, submit two forms and two plans

A.

☐

or

Amendment is to a proposal currently being considered

If yes, submit four forms and four plans.

State whether amendment has been requested by the Council

B.

☒

NO

Has a similar amendment been submitted under Building Regulations?

YES / No

Please complete

I attach the necessary plans and request that the changes described below be accepted as an amendment. I understand that the Council may require a fresh application, together with fee if appropriate.

Signed **R. KNALE** **PODDINGTONS** Date **19-1-93**

3. Please complete in block letters

FULL DESCRIPTION OF DEVELOPMENT IN ORIGINAL APPLICATION

As **NOW PROPOSED**, if different

PROPOSED CHANGE OF USE & EXTENSION TO FORM FISH & CHIP SHOP & RESTAURANT

PROPOSED CHANGE OF USE TO FORM TAKEAWAY FISH & CHIP SHOP

State details of amendments proposed

(Give a full detailed list of the changes, and also mark these clearly on the accompanying plans)

SEE ATTACHED LETTER.

State drawing no's of the current submission

2543-2 & M14-2468-1

State Officer dealing with the application, if known.

N. MILDEN

Describe any part of the original development which is excluded by virtue of the amendment, and state any alteration to plot numbers

LK



THE DEPARTMENT OF TRANSPORT

LATE *pm*
Selling point

EAST MIDLANDS REGIONAL OFFICE
NETWORK MANAGEMENT AND
CONSTRUCTION DIVISIONS
CRANBROOK HOUSE CRANBROOK STREET
NOTTINGHAM NG1 1EY
TELEPHONE 0602 350602 Ext. 469
FAX 0602 799743
GIN 6202

The District Planning Officer
South Holland District Council
Council Offices
Priory Road
Spalding
Lincolnshire
PE11 2EX

Your Ref: *H14/1105/93*
Our Ref: *EMRT F242257*
Date: *10th January 1994*

For the attention of *P. J. Udy Esq*

Dear Sir

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988
CONTROL OF DEVELOPMENT ALONGSIDE TRUNK ROADS
PLANNING APPLICATION FOR THE PROPOSED CHANGE OF USE AND EXTENSION TO FORM FISH
AND CHIP SHOP AND RESTAURANT AT 27 HURCH STREET, PINHURCH
A16 NORMAN CROSS - GRIMSBY TRUNK ROAD

I refer to the *Detailed* application dated *10th December* 1993 in respect of the above mentioned development. As you are aware the Department is not issuing directions under Article 14 of the GDO in respect of trunk roads controlled by 30 mph and 40 mph speed limits; however, I would be grateful if you would accept the following advice under Article 18.

I would not wish to raise objection to the development in particular, however, in the interests of trunk road safety I suggest that you impose the following conditions for the reasons stated to any planning permission that you may issue:-

The layout of the site and access arrangements including car parking shall be as shown on the deposited plan drawing number RMB-2543-1 dated November 1993.

REASONS FOR CONDITION ADVISED ABOVE:-
To ensure satisfactory access and parking arrangements such that a minimum of interference is occasioned to the safety and free flow of trunk road traffic.

NOTE:- The Department would recommend refusal in respect of any advance, directional or other sign which is proposed to be erected in the vicinity of the site, respectively, which is considered would in any way distract the passing driver on the trunk road.

I look forward to a copy of the decision notice on determination of the planning application.

Yours faithfully

J J BACH
for Director of Network Management & Construction

S.H.D.C. PLANNING DEPT. RECEIVED 13 JAN 1994 <i>pu</i>	
Attention of DPO <i>MEM</i> DOPO BS JC ACP	File Nos.
Action by	Acknowledge YES/NO
Discuss with	by
Copy to	date

cc: The Director of Highways and Planning, Lincs County Council

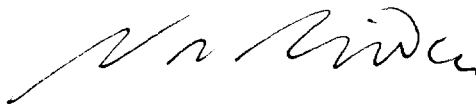
FILE NOTE

NRM/JJ H14/1105/93
18 JAN 94

Meeting with Mr Fragale (Junior) Mrs Fragale and Mr Fragale (Senior).
At 2.00 pm on 18th January 1994.

Proposed fish and chip shop, 27 Church Street, Pinchbeck.

Mr Fragale explained that he had learnt from his Solicitor that a new bidder had appeared, and that he had to decide whether to sign up for this property by tomorrow. I explained our concern over "hole" in Conservation Area. Mr Fragale said he would be happy to change his proposal to keep the "kiosk" as a takeaway premises, abandon the restaurant, and keep the property as a house. I explained that this was virtually identical to the proposal H14/1156/91, which had been approved by the Committee subject to a 106 agreement to link the occupancy of the dwelling to the rest of the premises. However, it would be a radical change in the proposal which whilst I assume the Committee would again accept it, would need to be a new application. It was agreed that if Mr Fragale wrote into the Department with a revised plan and explanatory letter, these would be reported to the Committee with a view to obtaining their authorisation to issue planning permission provided no new issues to this proposal were raised i.e. no objections not submitted in relation to 1156/91. I explained, however, that I could give no guarantee of how matters would go.



N Midlen
Principal Planning Officer
Development Control

Mr Bryan in reception re Bagale.

Application going to cble 25-1-94

Notice posted, 21 days for comments
also in press. He said contacted by letter
previously, legislation has changed + notices
are now required.

Concerned about character of C.A.

Probs of fumes + noise can be overcome by
insulation + good extraction systems.

He's worried about traffic. - we have received 100
comments

Suggested to write to us, receipt of letter
only will be reported unless they ask for it to
be read, + also send copy to Ward members
Cllrs Bray + Boffham

PJS

HOUSEHOLDERS
NO COLLECTION **DOUBLE COLLECTION**
MONDAY, DECEMBER 27, 1993 **MONDAY, JANUARY 3, 1994**
TUESDAY, DECEMBER 28, 1993 **TUESDAY, JANUARY 4, 1994**

Other collections are as normal. Please place refuse on the front curtilage by 7.30 am.

S O U T H

H O L L A N D
D I S T R I C T C O U N C I L

214/WVN 1234

187/507 LF 14-12

PLANNING APPLICATION

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

The following proposals involve, or affect the setting of, a building listed by the Secretary of State for the Environment as a building of special architectural or historic interest, and/or affect the character of a Conservation Area.

H09/1168/93
 Northern Foods Dairy Group **FULL**
 New structure to contain 4 wheat storage bins and alterations to main mill building.
 Barrington Mills, Barrington Gate, Holbeach, Spalding.

H11/1074/93
 National Westminster Bank
 Erection of new fascia and projection logo sign.
 National Westminster Bank, 25 Market Place, Long Sutton, Spalding. Lincs.

ADVERTISEMENT Further Plans Received

H14/1105/93 **FULL**
 Mr E. Fragale
 Proposed change of use and extension to form fish & chip shop and restaurant.
 27 Church Street, Pinchbeck, Spalding, Lincs.

Applications and plans showing the above proposals can be inspected at the Planning Department, Priory Road, Spalding during normal office hours. Any comments should be sent to me within 21 days of this notice, quoting the relevant reference number.

S O U T H **B. SMITH**
 Director of Planning and Building Control Services
H O L L A N D
D I S T R I C T C O U N C I L
 December 17, 1993.
 714/WVN 7821 187/507SG17-12

SUTTON ST JAMES UNITED CHARITIES

STUDENTS GRANTS 1994

Student Grants for Higher Education are available from the above charities. All persons resident in the parish who wish to apply should submit a completed application form (available from The Clerk or the Post Office) no later than 13th January, 1994.

K. SAVAGE
 (Clerk to the Trustees)
 50 High Street, Holbeach PE12 7ED

817844

PLANNING (HAZARDOUS SUBSTANCES) ACT 1990

The Planning (Hazardous Substances) Regulations 1992
 Notice of Application for Hazardous Substances Consent
 (Continuation of Hazardous Substances Consent)

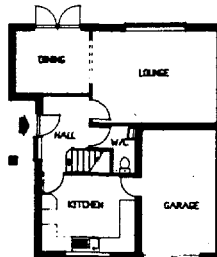
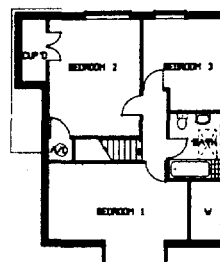
I GIVE NOTICE that Lowland Grain and Feed Ltd is applying to the South Holland District Council for hazardous substances consent.

HOME, SWEET HOME.

HOEKMAN WAY SPALDING



THE WILLOWGATE
 CONTINENTAL STYLED THREE BEDROOMED HOUSE
£61,950



Lounge	16'0" x 12'0"
Dining Room	9'7" x 8'3"
Kitchen	12'0" x 10'0"
Bedroom 1	18'0" x 10'0"
Bedroom 2	15'4" x 11'10"
Bedroom 3	12'0" x 10'3"

Also available:
 Three bed bungalows at £89,950
 Three bed houses from £61,950
 Four bed houses from £74,950



Holland Park Showhouse and Sales Office
 Open daily 10.30 am-4.00 pm
 Telephone: 0775 711637

Broadgate House, Weston Hills, Spalding, Lincolnshire PE12 6DB
 Telephone: Holbeach (0406) 380532

3d7248

DAVID PARKER HOMES LTD

"BRAYFIELDS", ROSE LANE, PINCHBECK

A Superb Development of Two Bedroom Terraced Houses from **£38,500** and Two Bedroom Flats from **£36,000**

SHOWHOUSE NOW OPEN

VIEWING: 7 days per week from 10 am-4 pm.
 Detailed Brochures and Prices available from the Showhouse or by Telephoning SPALDING 722255

8d5a6319

Accommodation To Let

BEDSIT to let, Spalding town, share bathroom and kitchen, £35 pw. 0733 210430.
TO LET: Quadding, 2 bedroomed house, c/h, 6 months let, unfurnished. Refs: £250 pcm. (0775) 723421.
TO LET: Large single bedsit, Sutton Bridge. Tel: (0406) 350635.
TWO BEDROOM house to let, furnished to couple or 2 singles, near town centre. Tele: Spalding 713623.
WORKING SINGLE female wanted to share pretty cottage, own room, female owner, £40 pw. Shared facilities, plus shared utility bills. Fleet, (0406) 23479.

BEDSIT TO LET

Spalding town centre. Colour TV. Central heating £35 per week
 Phone Spalding 766511 after 6 pm 97845

Vehicles Wanted

Public Notices

Removals & Haulage

SEVEN DAY NOTICE
3 BOWGATE, GOSBERTON
 As Agents for the Mortgage

VAN & DRIVER
 25 cwt Luton Van
 Available for light

★ REMOVALS
 ★ STORAGE
 ★ HOUSE CLEARANCE
 Telephone:

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 PINCHBECK .

Reference No: H14/1105/93

Description: Proposed change of use and
extension to form Fish & Chip
Shop and restaurant

Location: 27 Church Street
Pinchbeck
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 07-JAN-94 quoting the above reference number.

B Smith
Director of Planning and Building Control Services

17-DEC-93



S O U T H



H O L L A N D
DISTRICT COUNCIL

BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE

Telephone: (0775) 761161
Fax: (0775) 710772

BS



Application no: H14/1105/93

Applicant: Mr E Fragale
Domenics
17-18 Little London
Spalding
Lincs, PE11 3UE

Agent: Poddingtons
43 Double Street
Spalding
Lincs
PE11 2AA

Description: Proposed change of use and extension to form Fish & Chip Shop and restaurant

Location: 27 Church Street Pinchbeck
Spalding Lincs

Type: FULL

Date received: 09-DEC-93

10-DEC-93

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 24-DEC-93. 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 P J UDY

Yours faithfully

B SMITH

Director of Planning and Building Control Services

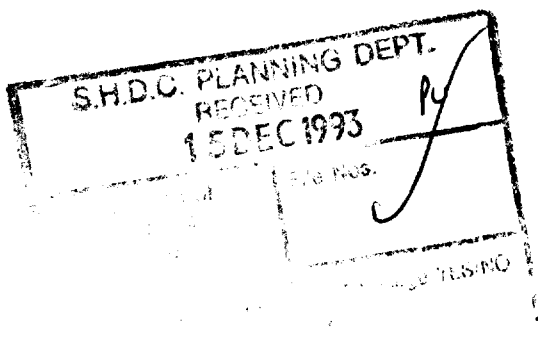
Clerk to Pinchbeck PC
17 Rotten Row
Pinchbeck
Spalding Lincs
PE11 3RQ

FOR PARISH COUNCIL USE ONLY

Comments: Recommend approval but applicant must be informed in strong terms that he must not fell the trees on the site.

Signed:

M H [Signature]



From: NAME Mr Mis P J Butthara
ADDRESS WARD MEMBER
Tel no 640464

Planning
Reception

MESSAGES

ENQUIRIES

SUBJECT :

Please advise me regarding the following...

SEARCHED	INDEXED
SERIALIZED	FILED
APR 1993	
PU	
✓	

COMMENTS ON APPLICATION

APPLICATION NO : H14/1105/93.

SUBJECT :

My comments are as follows... I am happy to support this application. My reservations have been answered by the applicant whose approach seems very businesslike & well thought out.

- 1) Traffic: there seems to be enough off street parking provision not to cause problems on the A16 & this seems satisfactory.
- 2) Sensitivity of ~~area~~ site within the Pibek Conservation ~~area~~. Applicant has assured me that he will consult locally



APPOINTMENTS

You must leave a telephone no for the office to contact you.

Please make an appointment for me to come and discuss the following with an officer of the department.

SUBJECT :

State any times or dates when you will not be able to visit the office :

with the Planning Dept at every stage of the process -
to ensure that ^{a new function will be} problems are kept to a minimum.

3) Opening hours: I hope will be kept to a reasonable hours
in view of the neighbouring residential properties

I hope the fish/chip restaurant will ~~complement~~
complement & not ~~be~~ be seen as a threat to the
neighbouring pubs which also serve food. Not everyone, especially
those with ^{young} families always want to go to eat at a
pub.

I believe previous application for a Chinese takeaway here was withdrawn

I am ^{very} happy

non determined

14/12/93

SOUTH HOLLAND DISTRICT COUNCIL

M E M O R A N D U M

FROM: DIRECTOR OF ENVIRONMENTAL SERVICES DATE: 6.12.93
OUR REF: JC/SS/PC
TO: DIRECTOR OF PLANNING AND BUILDING YOUR REF:
CONTROL SERVICES

Planning Application H14/1105/93
Fish and Chip Shop/Restaurant, 27 Church Street, Pinchbeck

I write in response to the above and would suggest conditions relating to the submission of details of fume extraction and screening of the southern boundary. The hours of use appear reasonable.


Director of Environmental Services

Handwritten initials

S.H.D.C. PLANNING DEPT. RECEIVED - 7 DEC 1993	
Attention of DPO <i>(initials)</i> DPPD <i>(initials)</i> JC <i>(initials)</i>	File Nos. <i>(checkmark)</i>

BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161
Fax: (0775) 710772



Application no: H14/1105/93

Applicant: Mr E Fragale
Domenics
17-18 Little London
Spalding
Lincs, PE11 3UE

Agent: Poddingtons
43 Double Street
Spalding
Lincs
PE11 2AA

Description: Proposed change of use and
extension to form Fish & Chip
Shop and restaurant

Location: 27 Church Street
Pinchbeck
Spalding
Lincs

Type: FULL

Date received: 19-NOV-93

29-NOV-93

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
REQUIREMENT FOR ADDITIONAL INFORMATION ETC

Your submission for the above has been received, but I regret that it cannot be dealt with as it stands.

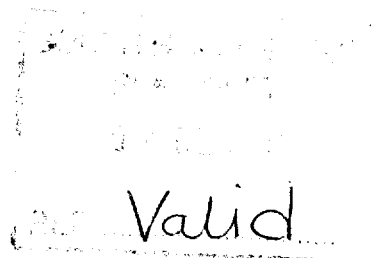
The Council is of the opinion that the information contained in the application is insufficient to enable the Authority to determine it, and under the provisions of Regulation 4 of the Town and Country Planning (Applications) Regulations 1988, you are therefore requested to supply the following:

Please clarify the opening hours for Tuesday, Friday and Saturday. The submitted information is unclear and contradictory.

Please return one copy of this letter with your reply to enable me to deal with this application without further delay.
If you have been sent a Notice of Receipt, the time limit for determining the application should be ignored as this will have to be recalculated from the date when I receive the above. If you wish to contact the department at any time, the officer dealing with the application at present is P J UDY

Yours faithfully

Principal Planning Officer





Our ref: RMB/HJW

Your ref:

Date: 8th December 1993

For the attn. of Mr. P. Udy

South Holland District Council,
Planning Dept.
Priory Road,
Spalding.

Dear Sirs,

PROPOSED CHANGE OF USE AND EXTENSION TO FORM FISH AND CHIP SHOP AND
RESTAURANT AT 27 CHURCH STREET, PINCHBECK, FOR MR. E. FRAGALE
REFERENCE H14/1105/93

Further to your letter of 29th November 1993, we confirm that
the times of opening will be as follows:

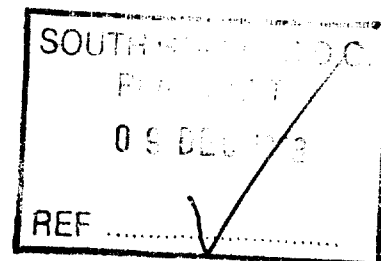
Monday, Tuesday, Wednesday, Thursday, Friday, Saturday.
11.30 am to 2 p.m. and 4 p.m. to 10 p.m.

Please disregard the opening times stated on the planning application
form.

Yours faithfully,
Poddingtons,

A handwritten signature in black ink, appearing to be "R.M. Boor".

R.M. BOOR.



Poddingtons,
43 Double Street,
Spalding,
Lincs. PE11 2AA
Tel: 0775 761856
0775 768296
Fax: 0775 710218

VAT Reg. No. 107 0605 13
Principal: T.A. Pridmore

BRIAN SMITH Dip TP MRTPI
Director of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
Telephone: (0775) 761161
Fax: (0775) 710772



VAT Reg No 121 5277 01

OFFICIAL RECEIPT - APPLICATION FEES

Receipt No : P3542
Date received : 19-NOV-93

Received from

A D Fragale & J Cordes

Address

27 Church Street
Pinchbeck
Spalding

Fee paid	£	120.00
VAT	£	0.00

Total received £ 120.00

Cash/Cheque : Cheque

Signed.....*K. Lowe*.....
(Authorised Collector)



BRIAN SMITH Dip TP MSc
Director of Planning & Building Control Services
Planning & Building Control Department,
Council Offices,
Priory Road, Spalding,
Lincolnshire. PE11 2XE
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Applicant: Mr E Fragale
Domenics
17-18 Little London
Spalding
Lincs, PE11 3UE

Agent: Poddingtons
43 Double Street
Spalding
Lincs
PE11 2AA

Description: Proposed change of use and extension to form Fish & Chip
Shop and restaurant

Location: 27 Church Street Pinchbeck
Spalding Lincs

Type: FULL

03-FEB-94

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

Copy to:

S & G F Bryan
32 Church Street
Pinchbeck
Spalding
Lincs.

Mrs P Rogers
Waterside Cottage
Tydd Road
West Pinchbeck
PE11 3PZ

Mr + Mrs Koga
7 Gosberton Road
Surfleet
Spalding
Lincs

J Watson
The Bell Public House
Church Street
Pinchbeck

Mr + Mrs Newham
23/25 Church Street
Pinchbeck
PE11 3UA

COLLECTION

Waterside Cottage,
Tydd Road,
West Pinchbeck,
Spalding,
Lincs.
PE11 3PZ

The Planning Committee,
South Holland District Council,
Council Offices,
Priory Road,
PE11 2XE

24th January 1994

1105/93

S.H.D.C. PLANNING DEPT.	
RECEIVED	
25 JAN 1994 PSJ	
Attention of	File Nos.
DPC NRM	
LOPO BS	
ACP	
By	Assessors YES/NO
Discuss with	by
Copy to	date 25/1

Dear Sirs,

Change of Use of 27 Church Street, Pinchbeck
Planning Application Meeting 25th January 1994

I am writing in support of my friends Mr. and Mrs. Newham and their family who live at 23/25 Church Street, adjoining the above mentioned property.

I am in full agreement and sympathy with all the comments and observations contained in their letter of oppositions.

I lived in Knight Street, Pinchbeck for two years until 1978. I then moved to Gosberton and back to Spalding in 1982. In 1989 I moved to my present address.

During the whole of this period I have been a frequent visitor to the village of Pinchbeck. I enjoy the friendly and excellent service that the local shopkeepers provide and indeed I have recommended several friends from Spalding to use the Knight Street centre.

I feel that Pinchbeck is a very attractive village and I cannot believe that a fish and chip shop will enhance the conservation area on the main road. In addition, fish and chips are available in Knight Street and frankly I cannot see the need for a second shop, and particularly not on the busy A16 thoroughfare through the village.

When visiting Mr. and Mrs. Newham, I have found it very difficult to leave the premises in my car due to the continual stream of heavy traffic. A fish and chip shop would increase the likelihood of accidents.

In my opinion the shopping amenities of Pinchbeck should be confined to the Knight Street area.

One day I hope to see a library, health centre, chemists and perhaps ladies clothes shop in the village. This would make Pinchbeck very self sufficient. Another fish and chip shop, particularly adjoining a private residence is neither desirable nor necessary.

- 2 -

Many people in Pinchbeck are unaware of the change of use application due to the notice being attached to the agents board and not readily noticable.

Although I was delighted to read that the planning officer has recommended refusal of the application, I am concerned that the residential part of the property should remain as such and change of use should not be considered.

Yours faithfully,

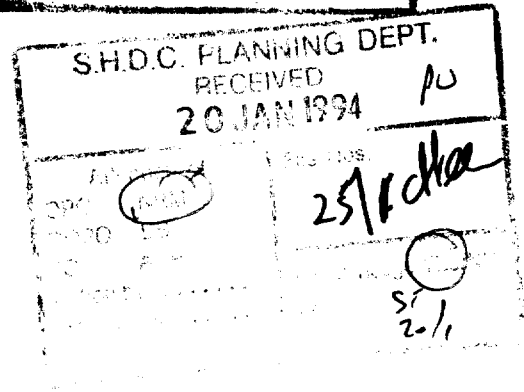
A handwritten signature in cursive script, appearing to read 'P. Rogers', written in black ink.

Mrs. P. Rogers

20th January 1994

OBJECTION

Mr B. Smith Dip TP MRTPI
District Planning Officer,
South Holland District Council,
Priory Road,
Spalding
Lincs.



Dear Mr Smith,

I am writing as we are most concerned regarding Application No 1105.93 Fish and Chip Shop, Church Street, Pinchbeck, and object most strongly to the proposal.

Our property No 32 Church Street directly overlooks this proposal and would not have been purchased by us had a Fish Cafe been opposite then, because of this reason consent cannot be permitted.

We are concerned because of the tremendously busy main road location, consider the Surfleet Fish and Chip Shop having the advantage of a wider road as well as a lay by to facilitate large vehicles which in the Pinchbeck situation could not pull off the road .

I have personally witnessed the hideous situation of petrol tankers at the side of the road to the garage, the danger caused by hold ups and frustration from just occasional parking least of all box vans even articulated lorries stopping to purchase from this proposed shop.

What of the adjoining property from which the proposed extends. This residential property belonging to Mr & Mrs Newham who would find the already depressed value of his property diminish again at a stroke with the accolade of living 'under the same roof as a fish and chip shop'

Surely this a conservation area, encouragement to convert this existing obscene site into a craft shop or complementing village dwellings 'as builders achieved just further along Church Street some months ago', cannot this be promoted.

How to do we consider the controversy over the neighbouring Bell public house windows and the scar of a Fish and Chip shop.

We already have a Fish and Chip Shop in the general retail section of the village

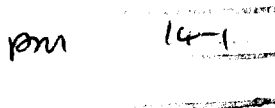
The question of the smell would be a continual nuisance causing ongoing aggravation with neighbours, solicitors and planners for years to come leading to animosity and bad will for the business.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Steve Bryan', with a stylized, flowing script.

S & G. Bryan
32, Church Street,
Pinchbeck.

11th January 1994



South Holland District Council
Planning Dept.,
Priory Road,
Spalding,
Lincs.

OBJECTION

Dear Sir,

Re: Planning Application H14 1105 93

We write to object to this proposal.

Church Street, Pinchbeck is totally out of the question, to allow a second Fish & Chip Shop or Restaurant to try to establish a business on the grounds of high volume of traffic, lack of off road parking and turning, noise, litter, smell, also this business would be totally out of context and detrimental to the conservation area.

Yours sincerely,

S & G.F. Bryan
G.F. Bryan

S & G.F. Bryan
32, Church Street,
Pinchbeck,
Spalding.
Lincs.

SHDD. PLANNING DEPT.	
RECEIVED	
13 JAN 1994	
APPROVED	☒
REJECTED	☐
SIGNED	
13/1	

OBJECTION

S.H.D.C. PLANNING DEPT. RECEIVED - 4 JAN 1994	
Attention of DPO <u>NRM</u> DOPO <u>BS</u> JC <u>ACP</u> Action by Discuss with Copy to	File no. <u>✓</u> ACKNOWLEDGE TEL by <u>ST</u> date <u>5/1</u>

1105/93

The Bell
Church Street
Pinchbeck
Spalding
Lincs

4 January 1994

OBJECTION TO THE PROPOSED FISH AND CHIP SHOP DEVELOPMENT NEXT DOOR TO THE BELL PUBLIC HOUSE NOS 29 - 31 CHURCH STREET.

Dear Sirs,

Having just completed an appeal against refusal of planning permission at The Bell Public House, I must object to the proposal to build a Fish and Chip shop at this site.

1. One of the main bones of contention in my appeal was that the view from Church Walk opposite would be spoilt by the retention of windows at The Bell ! Surely the proposed Fish and Chip shop will not enhance this view, furthermore it will obstruct the same view that the planning instructor is so keen to preserve.
2. Inadequate car parking at the proposed site will be a danger to other road users and is sure to cause vehicles to use The Bell car park to visit the shop. Car parking is already a problem here.
3. SMELL ! This is not something I would want to add to smells we have to put up with from time to time from the sewerage works !
4. Pinchbeck is already adequately served by a Fish and Chip shop and Take - Away in Knight Street.
5. The village was proud to win "The Best Kept Village" award for 1993 and so litter from this proposed development will surely see that we don't win again.
6. An important issue in this now " conservation area " is the character of all developments within the same ... surely a Fish and Chip shop will not enhance the character of Pinchbeck ?

Yours sincerely



J Watson (The Bell)

OBJECTION

S.H.D.C. PLANNING DEPT.
RECEIVED
A. J. JAMES
Mr. & Mrs. Newham,
23/25 Church St.,
Pinchbeck,
Spalding,
Lincs. PE11 3UA.
14.12.93.

Mr. & Mrs. Newham,
23/25 Church St.,
Pinchbeck,
Spalding,
Lincs. PE11 3UA.

14.12.93.

Your Ref.: H14/1105/93.

Dear Mr. Smith,

With reference to the recent application to change the use of 27 Church Street we would now like to register our objections, as follows:

1. Number 27 comprises two buildings, one of which has always been residential, the other, business premises. The present intention is to demolish the existing business premises and convert the residential to business. Why not put the fish and chip restaurant and 'take away' in the existing business premises?
2. Numbers 23/25/27 used to be one house. I don't know the age of the property but I should imagine it is 18th century. Surely in a conservation area, as this is, where one cannot change windows or the tiles on a roof. This house does not deserve to have a restaurant stuck on the end of it.
3. The whole intention of this sort of development is surely to make financial gain from the combination of, a choice of attractive location coupled with a necessity to change any feature to what is required for the particular business i.e. we don't need a garden but we do need a car park. Similarly, any part which is not required is ignored i.e. what is to happen to the area behind the car park? Because no money can be made from it, it is ignored. The phrase that springs to mind is exploitation of the environment for financial gain.
4. Fish and chip shops are notorious for the litter and disturbance this particular trade brings. Parking is invariably short term, consequently in continual car movement with accompanying slamming of doors. In this

ca¹⁶ the car park is to be gravel which is noisier than tarmac. Comparable litter can be viewed in Spalding outside the chip shops early Sunday morning. Can anybody assure me that this will not be the case here? Presumably as the shop will be closed on Sunday this litter will remain until Monday.

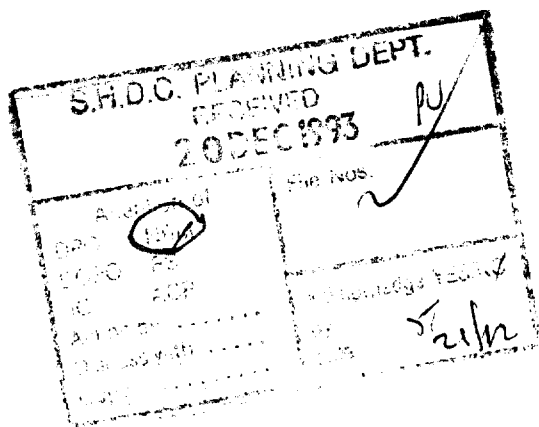
5. I have been told that the production of fish and chips requires continual extraction and there will, therefore, be continual noise. The plan mentions a filtration system 'to protect against emission smells' presumably this is extremely effective as I notice the top of the flue is only just above the window line. I also have been told that the smell, regardless of venting permeates the walls of a building, not particularly downstairs, but upstairs. When this building was divided in to two dwellings there must obviously have been some short cuts because we could actually smell the cigarette smoke of the previous occupants in our bedroom. Therefore we feel we are going to be prone to any smells.

6. In the planning application we notice that the drainage is to a soakaway. In fact number 27's drains run in to ours. According to the pipes running in to our inspection pit these then go along the back of our house and so out to the main sewer. Over the years we have had numerous problems with smells and blockages. It occurs to us that by increasing the number of toilets from two to five will put a strain on an already shaky system. this is not to mention the number of wash basins, unspecified 'preparation area' requirements, and I am also led to believe, the quantities of water required by a chip range.

7. The restaurant dining area is adjacent to our sitting room. The toilets and washing facilities our next to our sons bedroom. The car park will destroy the tranquillity of our garden.

Perhaps the above is all fairly standard, and most points can be categorised in to Dept. of Transport, Parish Council, Environment, Fire etc. But we are very aware that the points mentioned are particular to us, as we are the sole attached neighbour, and so we feel very much a lone voice in this matter. What you decide to do with Pinchbeck is out of my hands but there are other factors which cannot quite fit in to a box or category but in my mind make up the quality of life and these should be mentioned with reference to our individual case. We have three children, the youngest of which is handicapped, Autistic, his bedroom is next to the washing/toilet facilities. He wakes between the hours of 2.30 and 4.00 every morning. Our daughter, who is eight was prescribed by

H14/1105/93,



MR & MRS A KOGA
7 COMBARTON ROAD
SURFLEET,
SPALDING,
Lincs.

20 TH DEC 93

Dear Sir / Madam,

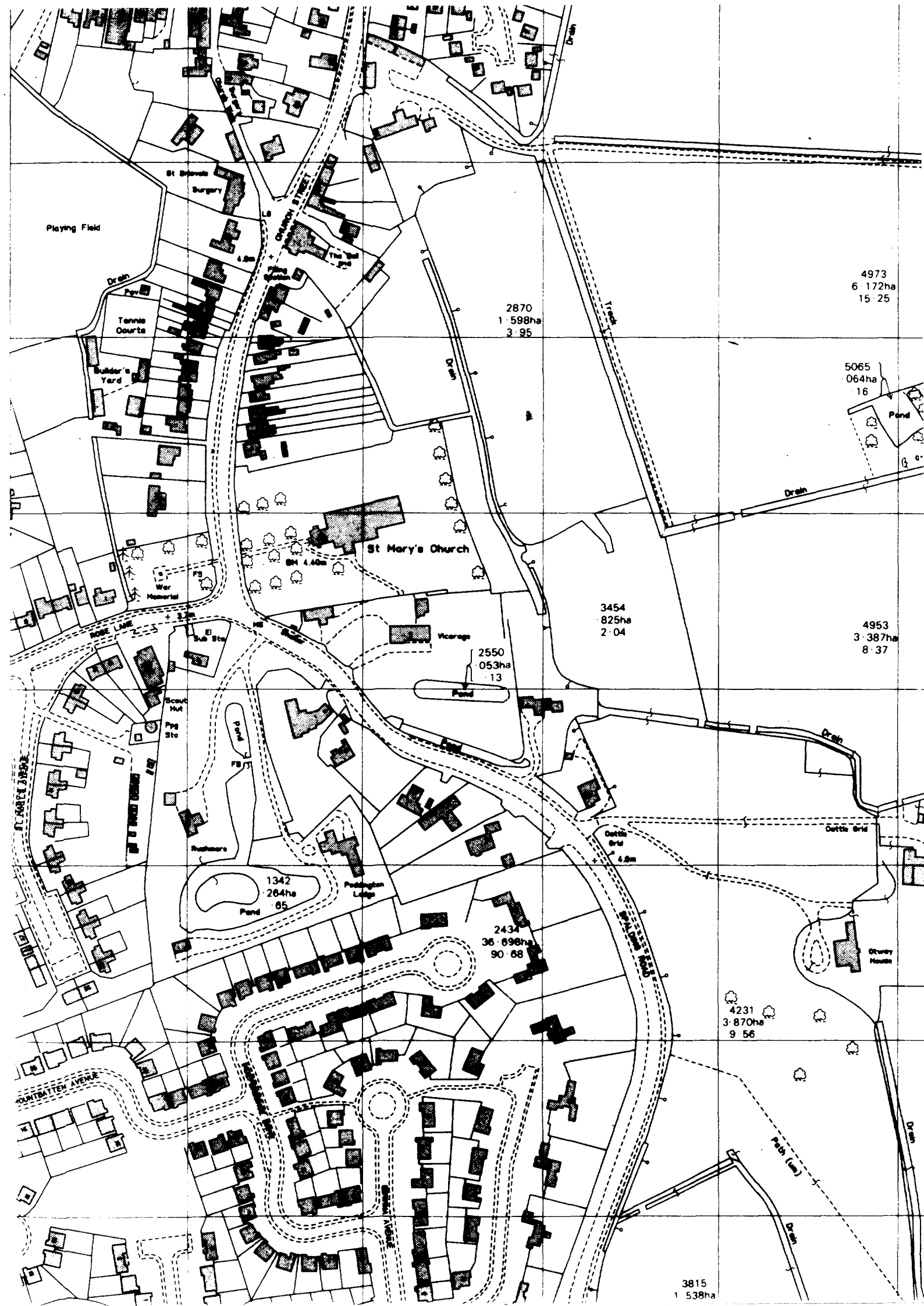
OBJECTION

with objection to the proposed plans for
a fish & chip shop & cafe at 27, Church Street,
Punchbeck.

Being a village fish & chip shop ourselves
at Surfleet, we know that the call for yet
another fish & chip shop in the small village
of Punchbeck is unsuitable, as the present
up & running fish & chip / chinese, should have
no problems catering for such a small village.
From Spalding to Donington there is less than
20 catering establishments which is more than
enough for that small stretch of road.
Also it would create yet more traffic
problems on such a busy road, probably
leading to another accident spot.

Yours sincerely

A Koga



Playing Field

St. Mary's Church

Tennis Courts

Builder's Yard

War Memorial

Sub Sta

Scout Hut

Pg Sta

Post Office

Pond

Pond

Pond

Pond

Pond

Pond

Pond

St Mary's Church

Vicarage

Pond

Pond

Pond

Pond

Pond

Pond

Pond

Pond

Pond

Pond

2870
1.598ha
3.95

3454
825ha
2.04

2550
053ha
13

1342
264ha
65

2434
36.698ha
90.68

4231
3.870ha
9.56

3815
1.538ha

4973
6.172ha
15.25

5065
064ha
16

4953
3.387ha
8.37

