

SUBSTITUTE PLAN

ce/98/0173/coV

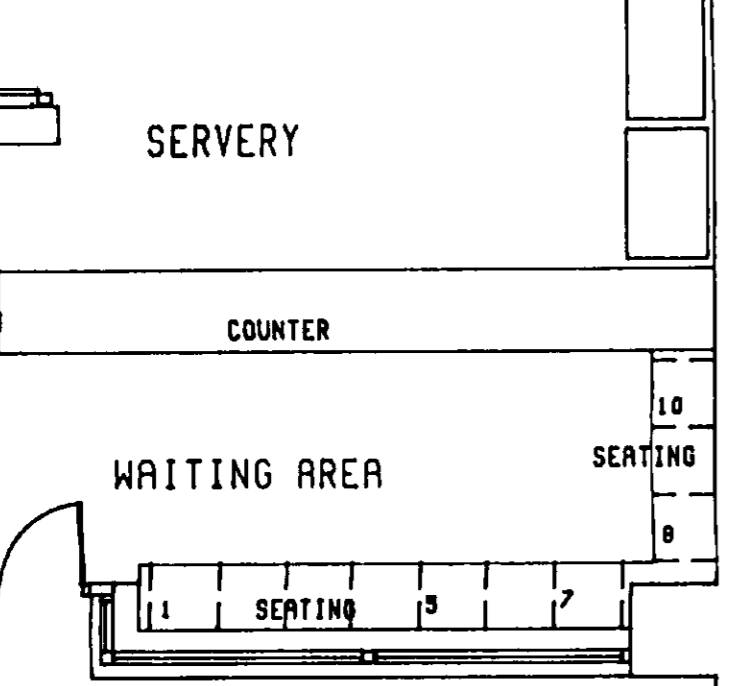
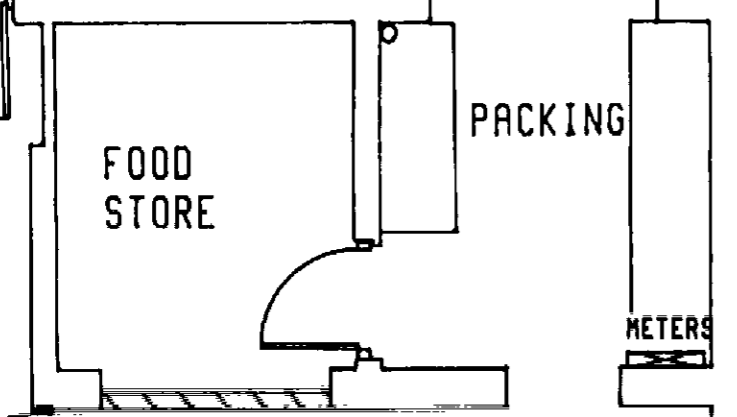
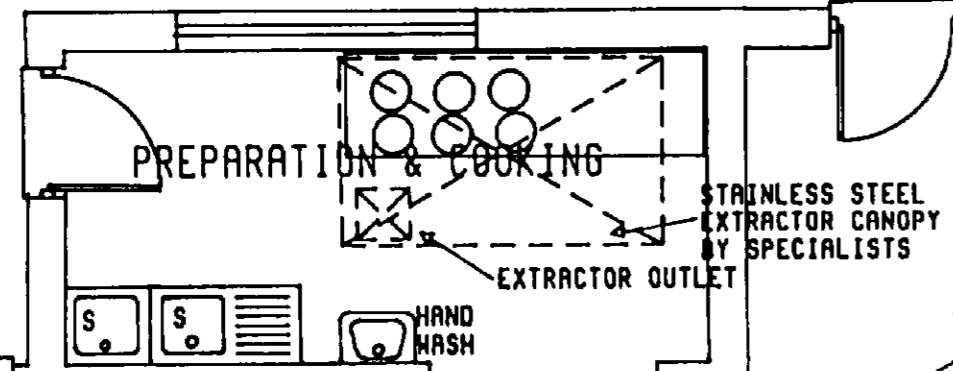
DATE

PROPOSED OPENING TIMES
TO BE WITHIN HOURS OF
11.30am TO 10.30pm
ALL WEEK

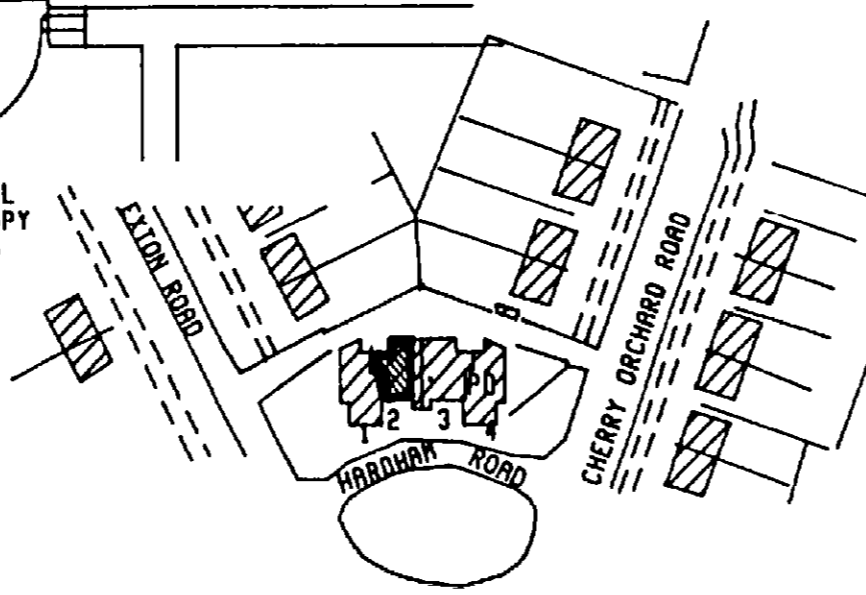
13/09/99

cc 98 0173/coV

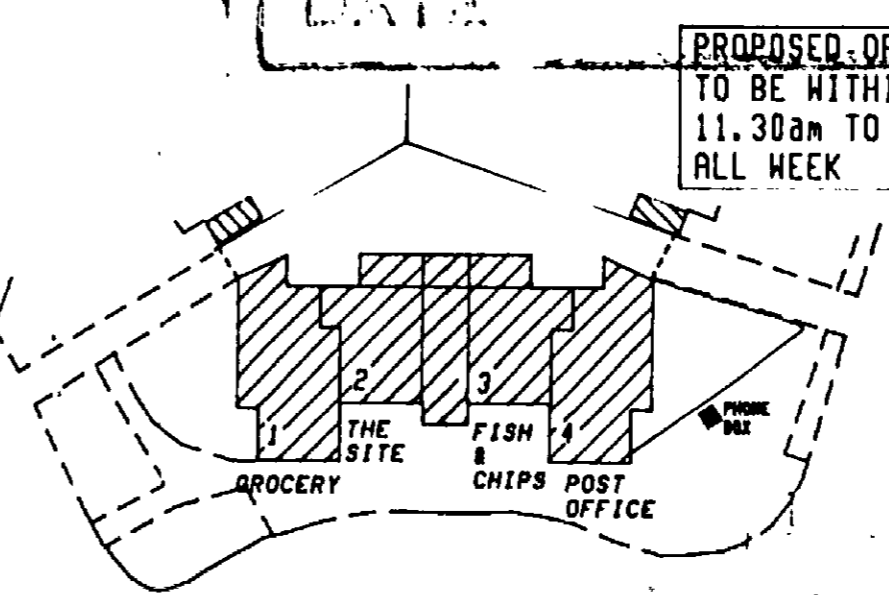
NOTE:
KITCHEN AIR EXTRACTOR
TO INCORPORATE A
CARBON FILTER TO MEET
ENVIRONMENTAL HEALTH
STANDARDS



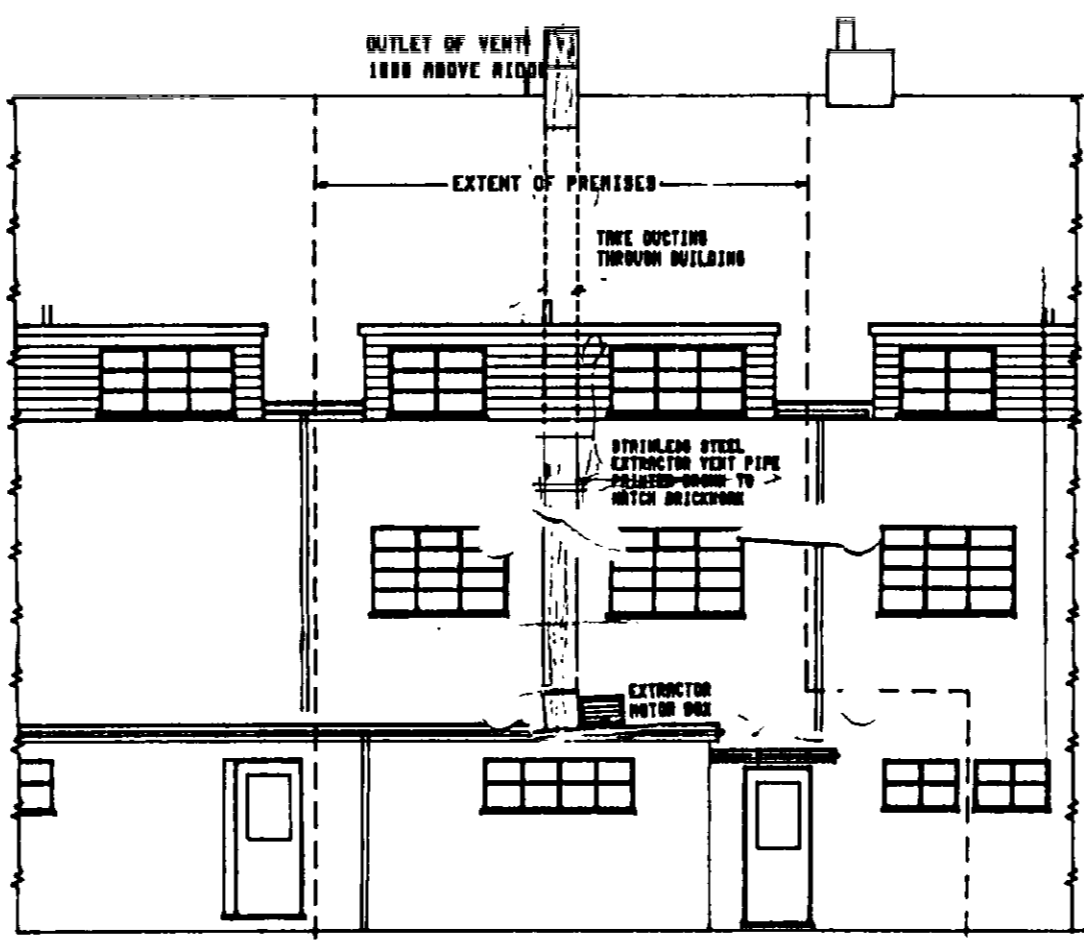
PLAN 1:50



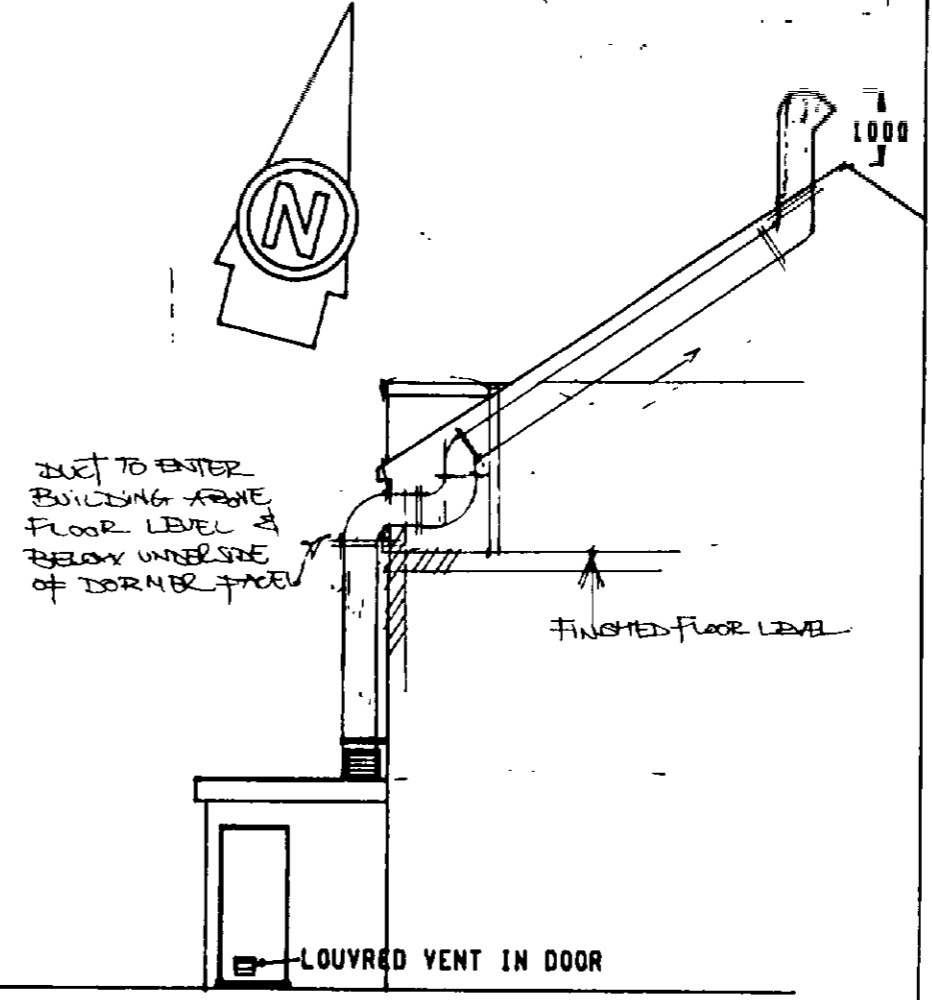
KEY PLAN 1:1250



SITE PLAN 1:500



REAR ELEVATION 1:100



SIDE ELEVATION 1:100

PROPOSED CHANGE OF USE FROM BUTCHER'S SHOP TO HOT FOOD TAKE-AWAY
No. 2, HARDHAM ROAD CHICHESTER

A - duct position ~ 3.0.99

© KENNETH A. A. GREEN 1998
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SEPTEMBER 1998



CHICHESTER DISTRICT COUNCIL

①

DEVELOPMENT CONTROL SECTION

COMMITTEE REPORT FORM

(For guidance on completing this form correctly, refer to "Committee Application Report" in your Systems Manual).

File Ref: CC 198 / 01173 / COU

Committee Date: 14/09/98

Please write your Report under the following headings:

- 1.0 Representations & Consultations
- 2.0 Planning Policy
- 3.0 Planning Comments

1.0	REPRESENTATIONS AND CONSULTATIONS
1.1	City Council No objection (original plans)
1.2	County Surveyor (Highways) No objection
1.3	Environmental Health Division (original plans) Due to close proximity of residential premises, suggests that full details of proposed extractor kitchen + associated ducting + its point of discharge be submitted. Will need to be restrictions on trading hours. Suggests something in line with No 3 (Fish + Chips) would be fair & appropriate. Further ^{Substitute} plans: Concerned about proximity of flue outlet to neighbouring residential property, in particular adjacent dormer window. Concerned at smell nuisance + with proposed ^(extraction) system would require flue to discharge above ridge height. Alternatively, could improve extract system + have lower flue by fitting electrostatic precipitator or odour neutralisation equipment. If ^{system} reused, a specialist report must be compiled by applicant giving recommendations of type of system

CONTINUATION SHEET

2

File Ref: CC 1990/01173 / CV

Committee Date: 14/09/98

most appropriate to this location. With additional persons in area going to a from take away late at night will inevitably be degree of disturbance to nearby residents. It is often persons who may be worse from alcoholic drink who go to takeaways of this sort + cause disturbance. Proposed opening hours more restricted than often the case + may help mitigate this problem. Adjacent fish + chip shop uses unusually early + grocery shop uses at similar time to fish + chip shop. The proposed takeaway will be the main draw of outsiders into the area.

1.4 Estates Section (original plans)

Housing Committee approved Mr Achary's offer to lease the premises on the ground floor. No objection Substitute plans - no objection.

1.5 In House Managed services

No objection in principle subject to the provision of satisfactory food storage facilities etc. which are acceptable to the Environmental Health Division together with any other conditions which may be considered necessary from a health + safety perspective.

1.6 Housing Division

The change of use from Butchers to Hot food takeaway was very carefully considered at this time, with consultation taking place with the local Ward Member + local residents who all considered the change of use to be acceptable. The matter was discussed at the Housing Services Committee. Application is supported.

File Ref: CC / 900 / 01173 / COU

Committee Date: 14/09/90

1.7. Applicant's Supporting Information

Proposed opening times for the above premises would be:

Weekdays 12am to 2:30pm + 6:00pm to 11:00pm

Saturdays 11am to 3:00pm + 5:00pm to 11:30pm

Sundays 6:30pm to 9:00pm.

The manager of the shop will live with his family in the flat above the premises.

2.0 PLANNING POLICY.

This proposal relates to a three-story terraced property on Hardham Road on the ~~the~~ Whyke Estate. The ~~premises are~~ ~~currently vacant~~ but were ~~last~~ used as a shop. The ~~property is~~ ^{site} is within the Settlement Policy Area. Policy BE10 ~~relates~~ of the adopted ~~for~~ Chichester District Local Plan 1991 ^{considers} ~~relates~~ in part to conversions relating sympathetically to the existing buildings + their surroundings. Policy ST1 relates to applications for new development + the effect on the local environment, neighbouring development and a number of other criteria. Policy ST2 relates to highway considerations. Policies BE1, BE2, TR1 and TR6 of the Third Review of the Local Plan are the relevant updated policies.

File Ref: CC 195/01173 /CAV

Committee Date: 14/09/95.

3.0 PLANNING COMMENTS

a former butchers shop,

3.1 The application property, forms part of a small shopping parade of four ground floor units, ^{also} comprising a general store, a fish + chip shop + a newsagent. Residential premises are situated above these premises. No 2 Hardham Road is currently vacant. There are residential premises in the vicinity to the north, east and west. The recreation ground or 'green' is to the south.

3.2 The proposal is to change the ground floor of the premises into a hot food take away to operate during the hours given above. Four staff are proposed to be employed. The upper floors of No 2 would be used as residential accommodation by the leasee of the proposed hot food takeaway. An external fire has been proposed to the rear of the premises to be finished 1 metre above the 2nd floor ^{window} corner.

3.3 The main issues to be considered ~~are~~ ~~the~~ in relation to this application are the impact of the proposal on ~~the~~ neighbouring + nearby residential premises and the impact on highway safety.

3.4. As proposed, it is acknowledged that people using the take away would be likely to cause some disturbance in the late evening. The ~~opening~~ of operating hours of the fish + chip shop at No 3 are not restricted, however. It is anticipated that the ^{proposed} hours would also be changed to 10.30pm closing 7 days a week. It is considered that the activity associated with the proposed takeaway if subject to 10.30pm closing will not generate sufficient disturbance to warrant refusal of the application on these grounds.

File Ref: CC / 98 / 01173 / COV

Committee Date: 14/09/98.

- 3.5. The Environmental Health Division has concerns about the proposed fine and the fact that it finishes below the ridge line. This could mean that fumes/draughts would be blown downwards towards adjacent residential windows. Substitute plans have been requested to illustrate a fine finishing above the ridge line. For visual amenity reasons, it is anticipated that the fine will be taken ^{down} through the roof at eaves level + up through the roof near the ridge. If adequate fume extraction can be agreed then refusal on residential amenity grounds is not considered ^{to be} justified.
- 3.6. ~~An extra 3 spaces at maximum~~ An extra 3 ^{carparking} spaces at maximum would be required for the proposed use. The County Surveyor has not raised a highway objection and refusal on highway safety grounds is not considered justified.
- 3.7 The proposal is therefore considered acceptable on its planning merits subject to substitute plans and amended operating hours details being received.
- 3.8 Neighbouring properties have been notified of the application. No written representations have been received at the time of writing this report.

Recommendation Preview

* NB Councillor Atkinson has submitted a letter with red form. I have not included this in the Committee report but please advise as to its status.

CD 25/8/98

Application: CC/98/01173/COU

Recommendation: PERMIT

Decision Type: Committee Decision

1) A01 The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2) B01 There shall be no departure from the submitted plans without the prior written consent of the District Planning Authority.

Reason: To secure satisfactory development.

3) The premises shall not be open for trade or business except between the hours of 0800 and 2230 hours.

Reason: To safeguard the amenities of neighbouring properties.

4) The ground floor only shall be used as a hot food take away and for no other purpose (including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order).

Reason: To ensure the use of the building does not have a harmful environmental effect in the interests of amenity.

5) Notwithstanding the details on the submitted plans, the external flue and associated fittings hereby approved shall be painted within one month of installation in a colour first to be agreed in writing by the District Planning Authority and the colour as agreed shall thereafter be retained.

Reason: In the interests of amenity.

INFORMATIVE

Where any of the conditions of this permission requires approval, agreement or acceptance by the District Planning Authority of any matter, detail or plan, the applicant should note that formal written approval will be required, making specific reference to this permission. 'Approval' which is not written, or is made under legislation other than Town and Country Planning (eg. Building Regulations) is not sufficient.

INFORMATIVE

This decision relates to the substitute plan received 24/07/98 and the amending letter received 31/07/98.

- for Committee Action
- ① Proceed to Council W-3
- ② 4 additional copies - 6,7,8,9

③ Shaded in frame } see attached
 216 } rec. sheet
 (white paper)

CHECKLIST

PROCEDURES:

Compliance with Development Plan

Yes No

Representations considered

Yes No

Statutory Consultee Objection

Yes No

Parish Council

Objection No Objection No Comment *original plans*

Red Card

Yes No

EXPIRY DATES:

Publicity (press, neighbours, site notice)

Yes No

Councillor (weekly list + one week)

Yes No

DO NOT DETERMINE BEFORE

26/08/98 (consultations)

OFFICER CHECK

SIGN

DATE

P ASSISTANT

CAM Dawes

25/08/98

SPO

JP

25/08/98

SECTION HEAD

DECISION

SH/AD/DPSS

ISSUED

SW

17/9/98

Recommendation Preview

Application: CC/98/01173/COU

Recommendation: PERMIT

Decision Type: Committee Decision

1) A01 The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2) B01 There shall be no departure from the submitted plans without the prior written consent of the District Planning Authority.

Reason: To secure satisfactory development.

* 3) The premises shall not be open for trade or business except between the hours of 1130 hours and 2230 hours *Monday to Saturdays and 11-30 hours and 2100 hours on Sundays and Public Holidays*

Reason: To safeguard the amenities of neighbouring properties.

4) The ground floor only shall be used as a hot food take away and for no other purpose (including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order).

Reason: To ensure the use of the building does not have a harmful environmental effect in the interests of amenity.

5) Notwithstanding the details on the submitted plans, the external flue and associated fittings hereby approved shall be painted within one month of installation in a colour first to be agreed in writing by the District Planning Authority and the colour as agreed shall thereafter be retained.

Reason: In the interests of amenity.

* 6) Prior to the commencement of the use, the flue and associated fittings as shown on the approved plan, shall be installed and shall thereafter be operated and maintained in good working order whilst the use is in operation (including during the preparation of food).

Reason: To prevent fumes/odours from detrimentally affecting the residential amenity of occupiers of nearby premises.

* 7) No external doors or windows to the kitchen area shall ~~be~~ be open when the preparation or cooking of food is taking place.

Reason: To prevent fumes/odours from detrimentally affecting the residential amenity of occupiers of nearby premises.

* 8) The ducting to the fume extraction system shall be kept isolated from the main structure of the building in accordance with details first to be

submitted to and agreed in writing by the District Planning Authority and such details as agreed shall thereafter ^{be} provided and retained.

* Reason: To prevent vibration affecting the residential amenity of occupiers of neighbouring premises. 9) The motor to the fume extraction system shall be housed in an acoustically treated box ~~as shown on the approved plan so that the sound of the motor is inaudible in neighbouring residential premises.~~ *in accordance with details to be agreed.*

Reason: In the interests of the residential amenity of occupiers of neighbouring premises.

INFORMATIVE

Where any of the conditions of this permission requires approval, agreement or acceptance by the District Planning Authority of any matter, detail or plan, the applicant should note that formal written approval will be required, making specific reference to this permission. 'Approval' which is not written, or is made under legislation other than Town and Country Planning (eg. Building Regulations) is not sufficient.

INFORMATIVE

* This decision relates to the substitute plan received 10/09/98 and the amending letter dated 30/07/98. *received 31/07/98.*

*Post office charges
and ord. 3 (as above in red).*

Recommendation Preview

Application: CC/98/01173/COU

Recommendation: PERMIT

Decision Type: Committee Decision

1) A01 The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2) B01 There shall be no departure from the submitted plans without the prior written consent of the District Planning Authority.

Reason: To secure satisfactory development.

3) The premises shall not be open for trade or business except between the hours of 0800 and 2230 hours.

Reason: To safeguard the amenities of neighbouring properties.

4) The ground floor only shall be used as a hot food take away and for no other purpose (including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order).

Reason: To ensure the use of the building does not have a harmful environmental effect in the interests of amenity.

5) Notwithstanding the details on the submitted plans, the external flue and associated fittings hereby approved shall be painted within one month of installation in a colour first to be agreed in writing by the District Planning Authority and the colour as agreed shall thereafter be retained.

Reason: In the interests of amenity.

INFORMATIVE

Where any of the conditions of this permission requires approval, agreement or acceptance by the District Planning Authority of any matter, detail or plan, the applicant should note that formal written approval will be required, making specific reference to this permission. 'Approval' which is not written, or is made under legislation other than Town and Country Planning (eg. Building Regulations) is not sufficient.

INFORMATIVE

This decision relates to the substitute plan received 24/07/98 and the amending letter received 31/07/98.

1.0 Representations and Consultations

1.1 City Council

(Original Plans) No objection.

1.2 County Surveyor - Highways

No objection.

1.3 Environmental Health Division

(Original plans). Due to close proximity of residential premises, suggests that full details of proposed extractor to kitchen and associated ducting and point of discharge be submitted. Will need to be restrictions on trading hours. Suggests something in line with no. 3 (fish and chips) would be fair and appropriate.

(Substitute plans) Concerned about proximity of the outlet to neighbouring residential property, in particular adjacent dormer window. Concerned at smell nuisance and with proposed (extraction) system would require flue to discharge above ridge height. Alternatively, could improve extract system and have lower flue by fitting electrostatic precipitator or odour neutralisation equipment. If system revised, a specialist report must be compiled by applicant giving recommendations of type of system most appropriate to this location. With additional persons in area going to and from take-away late at night will inevitably be degree of disturbance to nearby residents. It is often persons who may be worse from alcoholic drink who go to takeaways of this sort and cause disturbance. Proposed opening hours more restricted than often the case and may help mitigate this problem. Adjacent fish and chip shop closes usually early and grocery shop closes at similar time to fish and chip shop. The proposed takeaway will be the main draw of outsiders into the area.

1.4 Estates Section

(Original plans) Housing Committee approved Mr Acharjee's offer to lease the premises on the ground floor. No objection.

(Substitute Plans) No objection.

1.5 In-House Managed Services

No objection in principle subject to the provision of satisfactory food storage facilities etc which are acceptable to the Environmental Health Division together with any other conditions which may be considered necessary from a health and safety perspective.

1.6 Housing Division

The change of use from butchers to hot food takeaway was very carefully considered at this time, with consultation taking place with the local Ward Member and local residents who all considered the change of use to be acceptable. The matter was discussed at the Housing Services Committee. Application is supported.

1.7 Applicant's Supporting Information

Proposed opening times for the above premises would be:

Weekdays 12.00 am to 2.30 pm and 6.00 pm to 11.00 pm

Saturdays 1.00 am to 3.00 pm and 8.00 pm to 11.30 pm

Sundays 5.00pm to 9.00 pm

The manager of the shop will live with his family in the flat above the premises.

2.0 Planning Policy

This proposal relates to a three storey terraced property on Hardham Road on the Whyke Estate. The site is within the Settlement Policy Area. Policy BE10 of the adopted Chichester District Local Plan 1991 requires conversions to relate sympathetically to the existing buildings and their surroundings. Policy ST1 relates to applications for new development and the effect on the local environment, neighbouring development and a number of other criteria. Policy ST2 relates to highway considerations. Policies BE11, BE12, TR1 and TR6 of the Third Review of the Local Plan are the relevant updated policies.

3.0 Planning Comments

- 3.1 This application property, a former butchers shop, forms part of a small shopping parade of four ground floor units also comprising a general store, a fish and chip shop and newsagent. Residential premises are situated above these premises. No. 2 Hardham Road is currently vacant. There are residential premises in the vicinity to the north, east and west. The recreation ground or 'green' is to the south.
- 3.2 The proposal is to change the ground floor of the premises into a hot food take-away to operate during the hours given above. Four staff are proposed to be employed. The upper floors of no.2 would be used as residential accommodation by the leasee of the proposed hot food takeaway. An external flue has been proposed to the rear of the premises to finish 1 metre above the 2nd floor dormer window.
- 3.3 The main issues to be considered in relation to this application are the impact of the proposal on neighbouring and nearby residential premises and the impact on highway safety.
- 3.4 As proposed, it is acknowledged that people using the take away ^{said that this is in addition to the existing fish and chip shop} would be ~~likely to cause some disturbance in the late evening.~~ ^{Members should note that} The operating hours of the fish and chip shop at no. 3 are not restricted, ^{one to} however. It is anticipated that the proposed hours would also be changed to 10.30 pm closing 7 days a week. It is considered that the activity associated with the proposed takeaway if subject to 10.30 pm closing will not generate sufficient disturbance to warrant refusal of the application on these grounds.
- 3.5 The Environmental Health Division has concerns about the proposed flue and the fact that it finishes below the ridge line. This could mean that fumes/odours would be blown downwards ^{to} forwards adjacent residential windows. Substitute plans have been requested to illustrate a flue finishing above the ridge line. For visual amenity reasons, it is anticipated that the flue will be taken down through the roof at eaves level and up through the roof near the ridge. If adequate fume extraction can be agreed then refusal on residential amenity grounds is not considered to be justified.
- 3.6 An extra 3 car parking spaces at maximum would be required for the proposed use. The County Surveyor has not raised a highway objection and refusal on highway safety grounds is not ~~considered~~ justified.
- 3.7 The proposal is therefore considered acceptable on its planning merits subject to the submission of a substitute plan and amended ~~operated~~ ^{operating} hours details being received.

details of operating hours

3.8 Neighbouring properties have been notified of the application. No written representations have been received at the time of writing this report.

Chichester

hi ✓

6

Application No. CC/98/01173/COU

Location Whyke Butchers 2 Hardham Road Chichester West Sussex PO19 2BU

Development Change of use from Butchers Shop to Hot Food Take Away and addition of external flue.

Applicant Mr K A A Green

History

Constraints

Listed Building	NO
Conservation Area	NO
Settlement Policy	YES
AONB	NO
Strategic Gap	NO

1.0 Representations and Consultations

1.1 City Council

No objection (original plans)

1.2 County Surveyor (Highways)

No objection.

- 1.3 Environmental Health Division (original plans). Due to close proximity of residential premises, suggests that full details of proposed extractor to kitchen and associated ducting and point of discharge be submitted. Will need to be restrictions on trading hours. Suggests something in line with no. 3 (fish and chips) would be fair and appropriate.

(Substitute plans)

Concerned about proximity of the outlet to neighbouring residential property, in particular adjacent dormer window. Concerned at smell nuisance and with proposed (extraction) system would require flue to discharge above ridge height. Alternatively, could improve extract system and have lower flue by fitting electrostatic precipitator or odour neutralisation equipment. If system revised, a specialist report must be compiled by applicant giving recommendations of type of system most appropriate to this location. With additional persons in area going to and from take-away late at night will inevitably be degree of disturbance to nearby residents. It is often persons who may be worse from alcoholic drink who go to takeaways of this sort and cause disturbance. Proposed opening hours more restricted than often the case and may help mitigate this problem. Adjacent fish and chip shop closes usually early and

grocery shop closes at similar time to fish and chip shop. The proposed takeaway will be the main draw of outsiders into the area.

1.4 Estates Section (original plans)

Housing Committee approved Mr Acharjee's offer to lease the premises on the ground floor. No objection.

(Substitute Plans) - No objection.

1.5 In-House Managed Services

No objection in principle subject to the provision of satisfactory food storage facilities etc which are acceptable to the Environmental Health Division together with any other conditions which may be considered necessary from a health and safety perspective.

1.6 Housing Division

The change of use from butchers to hot food takeaway was very carefully considered at this time, with consultation taking place with the local Ward Member and local residents who all considered the change of use to be acceptable. The matter was discussed at the Housing Services Committee. Application is supported.

1.7 Applicant's Supporting Information

Proposed opening times for the above premises would be:

Weekdays 12.00 am to 2.30 pm and 6.00 pm to 11.00 pm

Saturdays 1.00 am to 3.00 pm and 8.00 pm to 11.30 pm

Sundays 6.00pm to 9.00 pm

The manager of the shop will live with his family in the flat above the premises.

2.0 Planning Policy

This proposal relates to a three storey terraced property on Hardham Road on the Whyke Estate. The site is within the Settlement Policy Area. Policy BE10/ of the adopted Chichester District Local Plan 1991 ~~considers~~ *equives* in part conversions relating sympathetically to the existing buildings and their surroundings. Policy ST1 relates to applications for new development and the effect on the local environment, neighbouring development and a number of other criteria. Policy ST2 relates to highway considerations. Policies BE11, BE12, TR1 and TR6 of the Third Review of the Local Plan are the relevant updated policies.

3.0 Planning Comments

3.1 This application property, a former butchers shop, forms part of a small shopping parade of four ground floor units also comprising a general store, a fish and chip shop and newsagent. Residential premises are situated above these premises. No. 2 Hardham Road is currently vacant. There are residential premises in the vicinity to the north, east and west. The recreation ground or 'green' is to the south.

3.2 The proposal is to change the ground floor of the premises into a hot food take-away to operate during the hours given above. Four staff are

proposed to be employed. The upper floors of no.2 would be used as residential accommodation by the leasee of the proposed hot food takeaway. An external flue has been proposed to the rear of the premises to finish 1 metre above the 2nd floor dormer window.

- 3.3 The main issues to be considered in relation to this application are the impact of the proposal on neighbouring and nearby residential premises and the impact on highway safety.
- 3.4 As proposed, it is acknowledged that people using the take away would be likely to cause some disturbance in the late evening. The operating hours of the fish and chip shop at no. 3 are not restricted, however. It is anticipated that the proposed hours would also be changed to 10.30 pm closing 7 days a week. It is considered that the activity associated with the proposed takeaway if subject to 10.30 pm closing will not generate sufficient disturbance to warrant refusal of the application on these grounds.
- 3.5 The Environmental Health Division has concerns about the proposed flue and the fact that it finishes below the ridge line. This could mean that fumes/odours would be blown downwards forwards adjacent residential windows. Substitute plans have been requested to illustrate a flue finishing above the ridge line. For visual amenity reasons, it is anticipated that the flue will be taken down through the roof at eaves level and up through the roof near the ridge. If adequate fume extraction can be agreed then refusal on residential amenity grounds is not considered to be justified.
- 3.6 An extra 3 car parking spaces at maximum would be required for the proposed use. The County Surveyor has not raised a highway objection and refusal on highway safety grounds is not considered justified.
- 3.7 The proposal is therefore considered acceptable on its planning merits subject to substitute plan and amended operated hours details being received. *He Submission of a*
- 3.8 Neighbouring properties have been notified of the application. No written representations have been received at the time of writing this report.

Recommendation

PERMIT

- 1)A01 Time Limit - Full
- A01R A01 reason
- 2)B01 No Departure from Plans
- B01R B01 reason
- 3)U35909 Operating hours
- D02RB D02B reason
- 4)U35911 Use limitation
- D04RB D04B reason
- 5)U35912 Colour of flue
- F02R F02 reason
- 6)W18 Written approval for detailed matters
- U35916 Informative: Amendments

PROPOSED DEVELOPMENT

NOTICE UNDER SECTIONS 55 OF THE TOWN AND COUNTRY PLANNING ACT 1990 AND THE TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995.

NOTICE OF APPLICATION FOR PLANNING PERMISSION

NOTICE IS HEREBY GIVEN that an application has been made to Chichester District Council for the following description of development:

REFERENCE:

(C) CC/98/01173/COU

PROPOSAL:

Change of use from Butchers Shop to Hot Food Take Away + addition of external fence

LOCATION:

Whyke Butchers 2 Hardham Road Chichester West Sussex PO19 2BU

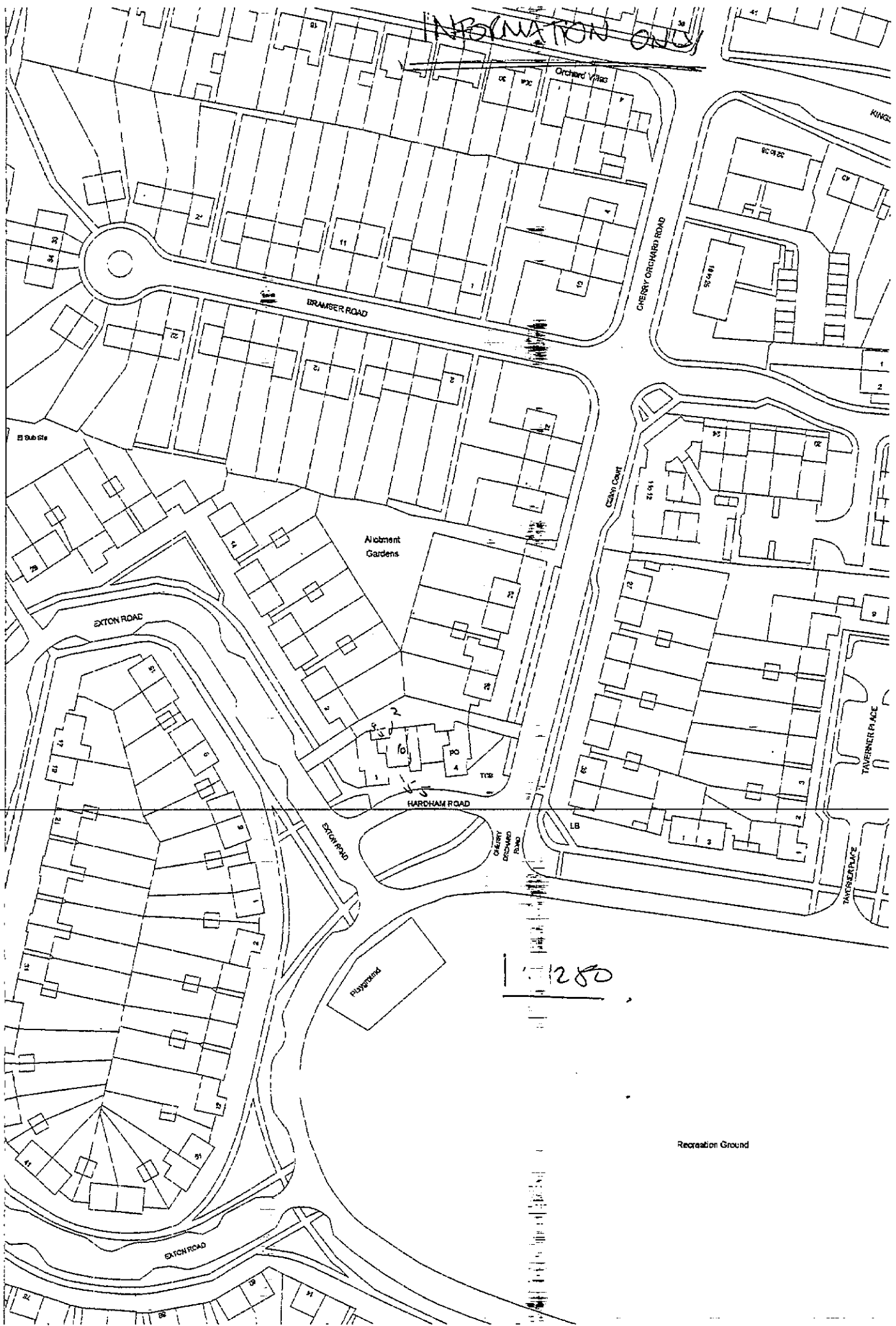
The application and plans may be inspected at the Planning and Building Control Department, East Pallant House, East Pallant Chichester between 8.45am and 5.10pm Mondays to Thursdays and between 8.45am and 5.00pm Fridays. In addition for applications north of the Downs plans are available for inspection at the Council Offices at Midhurst [applications marked (M)] and Petworth [applications marked (P)] between 9.00am and 12.30pm and 1.30pm and 4.30pm Mondays to Thursdays and between 9.00am and 12.30pm and 1.30pm and 4.00pm Fridays.

Any representations should be made to the address below by not later than 17.08.98. Please note that the Council does not acknowledge receipt of your letter but you will be notified of the decision.

A J Howes BA; DipLP; MRTPI
Director of Planning and Strategic Services
East Pallant House
East Pallant
CHICHESTER PO19 1TY

READVERTISEMENT
Additional/~~Substitute~~
Plans/~~Letter~~
Amended Description

INFORMATION ONLY



1:1250

Recreation Ground

PROPOSED DEVELOPMENT

NOTICE UNDER SECTIONS 65 OF THE TOWN AND COUNTRY PLANNING ACT 1990 AND THE TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995.

NOTICE OF APPLICATION FOR PLANNING PERMISSION

NOTICE IS HEREBY GIVEN that an application has been made to Chichester District Council for the following description of development:

REFERENCE:

(C) CC/98/01173/COU

PROPOSAL:

Change of use from Butchers Shop to Hot Food Take Away.

LOCATION:

Whyke Butchers 2 Hardham Road Chichester West Sussex PO19 2BU

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30 Any representations should be made to the address below by not later than 24.06.98. Please note that the Council does not acknowledge receipt of your letter but you will be notified of the decision.

A J Howes BA;DipLP;MRTPI
Director of Planning and Strategic Services
East Pallant House
East Pallant
CHICHESTER PO19 1TY

CHICHESTER DISTRICT COUNCIL
DISTRICT PLANNING OFFICE
Case Officer's Sheet

1. SITE VISIT

Note: Describe the site and any uses and/or buildings on it. Note materials used, the presence of any trees, and what forms the boundaries of the site. Note the position of any windows and the relationship to the neighbours. Note any changes in levels, and describe access/visibility and parking.

Boarded up 3 storey terraced property (includes dormers).
 Central dormer in block to flats/mansardettes above,
 £ Residential estate - some parking at front on road + some in courtyard to rear.

- 1 - General stores
- 2 - Vacant
- 3 - Fish & chip shop - ^{Trusy} opening times 8.30 - Fri./Sat - closing?
- 4 - Residential.

Concern: fire extraction - use of floors above?, of. no. of vehicles.

Parking: A1 -
 21/6 left message, 25/6 ring agent to ask about opening hours.
 Note any relevant conversation with applicant on site.

Parking: Floor area 63.7 m² (measured off submitted plan) = 3 spaces, A1
 Public area: 6.45 x 2.2 = 14.19 m² = 4 spaces (no bar), A3
 or 10 cars = 8 spaces + 2 = 10

3/4 spare to Cllr H Kington - to put in red card + letter; looking at other community use.
 2. **PLANNING ISSUES**

Relevant policies: Structure Plan & Review - relevant environment policies
 Chichester District Local Plan & Review - relevant environment policies
 (loss of shop) ST1, B&E.

Summary of issues:

Impact on residential amenity parking.

Matters to be negotiated:

Fire extraction, opening hours, use of upper floors, no of vehicles.

Your conclusions:

Concerns over opening hours + fire but these could be resolved. No highway objection from County Surveyors. No City Council objection.
 - see committee report
 - Council owned property.

Initials: CD.

Date of visit: 9/6/98.

NOTE FOR GENERAL PUBLIC: The observations expressed on this sheet are the personal views of the Case Officer concerned and are in no way binding on either the Council or its senior officers when making a decision on the application.

NB Two sets of observations from Env. Health - I've taken 1 Bigsford's + put them in report.

CHICHESTER DISTRICT COUNCIL
Development Control Section
APPLICATION VALIDATION FORM

SITE... 2. Haxham Road CHICHESTER
 PARISH... CC DATE REC'D... 18/5/98 APPLICATION NO... 98/0173/COU

***** <u>FORMS</u> *****	Correct	Incorrect - Information Required
4/6 copies	/	
Signed & Dated	/	
Valid Certificate	/	
Answers	/	
***** <u>PLANS</u> *****	Correct	Incorrect - Information Required
4/6 copies	/	
Location Plan Edged Red 1/2500 or 1/1250	/	
Block Plan 1/500	/	
Detailed Plans (if required)	/	
Metric Scaling	/	
Do not scale?	/	

FEE

Fee required... 190.00 Fee received... 190.00
 Payment Method... Cheq Receipt No... 14543
 Payee APPLICANT / AGENT
 Fee Correct _____ (tick) OR Refund due.....
 Fee Incorrect _____ (tick) Amount due.....

APPLICATION VALID / INVALID (Date Valid)... 18/5/98

UPRN 13830/0002/3/000 CONSTRAINTS IN PDB YES / (NO)
 DEVELOPMENT TYPE NUMBER 12

DATE CHECKED ... 18/5/98
 TARGET DATE... 12/7/98

CHECKED BY... [Signature]
 GRID REF:.....
 FORMS/dcform1(09/02/98)

PLANNING APPLICATION CHECK SHEET

CONSTRAINTS

APPLICATION NO: CC/98/01173/COU Plotted

(Tick)

Reception Screen

Ward

Listed Building Grade

CCS

Consultations Screen (F6,3)

Special Publicity Required Y/N If Y - Publication Date

Forward Planning Screen 1 (F6,0)

Conservation Area - CONARA -

Forward Planning Screen 2 (F6,0,F7 or F7 if from Forward Planning Screen 1)

Grid Reference East North

Constraints Screen (gold (F1), C)

Screen 1

Ancient Monument	Y	<input checked="" type="radio"/> N	P	A	
Archaeological Area	Y	<input checked="" type="radio"/> N	P	A	
Nature Conservation Site	Y	<input checked="" type="radio"/> N	P	A	
SSSI	<input checked="" type="radio"/> Y	<input checked="" type="radio"/> N	P	A	SSSI Consultation Area Y N
Rights of Way					
Trunk Roads					
Classified Road					<u>DSF</u>
Tree Preservation Orders					
Article 4 Directions					
Historic Parks and Gardens	Y	<input checked="" type="radio"/> N	P	A	Name (Coded)

Screen 2

Contaminated Land	Y	<input checked="" type="radio"/> N	P	A	
Waste Disposal	Y	<input checked="" type="radio"/> N	P	A	
Haz Inst and Pipelines	Y	<input checked="" type="radio"/> N	P	A	
Mineral Safeguarding	Y	<input checked="" type="radio"/> N	P	A	
Airport Safeguarding	Y	<input checked="" type="radio"/> N	P	A	
Water Authority Def. Area	Y	<input checked="" type="radio"/> N	P	A	Name (Coded)
Overhead Powerlines					leave blank
Constraints Sheet No.					<u>38B</u>

Screen 4

Settlement Policy Area	<input checked="" type="radio"/> Y	<input checked="" type="radio"/> N	P	A	
A.O.N.B.	Y	<input checked="" type="radio"/> N	P	A	
ASC Adverts	Y	<input checked="" type="radio"/> N	P	A	
Glasshouse Policy	<input checked="" type="radio"/> Y	<input checked="" type="radio"/> N	P	A	
Coastal Footpath	Y	<input checked="" type="radio"/> N	P	A	
Strategic Gap	Y	<input checked="" type="radio"/> N	P	A	
Nature Reserve	Y	<input checked="" type="radio"/> N	P	A	
Harbour Conservancy (AONB Area)	Y	<input checked="" type="radio"/> N	P	A	
Adjoining Authority					(Coded)

BJ

EH 19/5/98
signed and dated
FORMS/dcform2/(04/11/94)



CHICHESTER DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION FOR PLANNING PERMISSION

(6 copies of this form required, together with plans and appropriate fee)

FOR OFFICIAL USE ONLY

Application No: CC/98/01173/000

Date Received: 18/5/98

IT IS IMPORTANT THAT YOU READ THE GUIDANCE NOTES AS INCORRECT COMPLETION INVOLVES DELAY

<p>1. Applicant (in BLOCK CAPITALS)</p> <p>Name: <u>KEN GILBERT</u></p> <p>Address: <u>Wonsley St</u> <u>Combari Ave Chichester</u></p> <p>Telephone Number: <u>7091069</u></p>	<p>Agent (if any) to whom correspondence should be sent (in BLOCK CAPITALS)</p> <p>Name:</p> <p>Address:</p> <p>Telephone Number:</p>
<p>2. Type of Application (see Note 2):</p> <p>(a) Full planning permission (including change of use) <input checked="" type="checkbox"/> <small>State Yes or No</small></p> <p>(b) Outline planning permission <input checked="" type="checkbox"/></p> <p>(c) Approval of Reserved Matters <input checked="" type="checkbox"/></p> <p>(d) Renewal of Temporary Permission <input type="checkbox"/></p> <p>(e) Permission to develop land or for retention of building or continuance of use without complying with a condition imposed on a planning permission <input type="checkbox"/></p>	<p>If yes, state those matters to which this application relates: Tick where Appropriate</p> <p>(i) Siting <input type="checkbox"/></p> <p>(ii) Design <input type="checkbox"/></p> <p>(iii) External appearance <input type="checkbox"/></p> <p>(iv) Means of access <input type="checkbox"/></p> <p>(v) Landscaping of the site <input type="checkbox"/></p> <p>If yes, state the date and number of the permission and where appropriate, outline the particular condition:</p> <p>Date: <u>15 MAY 1998</u></p> <p>Application Number: <u>PLANNING & STRATEGIC SERVICES DIRECTORATE</u></p> <p>Condition Number: <u>15 MAY 1998</u></p> <p>Ack Sent <input type="checkbox"/> Reply Sent <input type="checkbox"/> File <input type="checkbox"/></p>
<p>3. (a) Full Address or Location of the land to which this application relates: <u>21 West Hill Ave Chichester</u></p> <p>(b) State whether applicant owns or controls any adjoining land <input checked="" type="checkbox"/> <small>State Yes or No</small> If yes the land must be edged blue on the location plan</p> <p>(c) Area of site <u>as per</u> Hectares/Square metres</p> <p>Dimensions of the application site and distances from new buildings to boundaries must be clearly indicated on plans.</p> <p>(d) Description of proposed development (If residential development, state number of units proposed and type if known e.g. Houses, Bungalows, Flats) <u>Change of use from Garden Shop to Hot Food Take-Away and addition of external flue.</u></p> <p>(e) State whether the proposal involves:</p> <p>(i) New building(s) or structure(s) <input checked="" type="checkbox"/> <small>State Yes or No</small></p> <p>(ii) Alteration or extension of building(s) <input checked="" type="checkbox"/></p> <p>(iii) Construction of a new access to a highway } Vehicular <input checked="" type="checkbox"/> Pedestrian <input checked="" type="checkbox"/></p> <p>(iv) Alteration of an existing access to a highway } Vehicular <input checked="" type="checkbox"/> Pedestrian <input checked="" type="checkbox"/></p> <p>(v) Closure of existing access <input checked="" type="checkbox"/></p> <p>(vi) Change of use only <input checked="" type="checkbox"/></p> <p>(f) MATERIALS: State Materials to be used in the proposed development <u>as per</u></p>	

4. Particulars of Use of Buildings or Land - State: (a) Present use **VACANT**
 (b) If vacant, the last use: **Shop**

5. Additional Information:

(a) Is the application for Industrial, Office, Warehousing, Storage, Shopping, Commercial purposes or places of public assembly? (see Note 5)	State Yes or No <input checked="" type="checkbox"/>	If yes, complete Part 2 of form CP.1
(b) Is the application for the winning or working of Minerals?	<input checked="" type="checkbox"/>	If yes, complete Part 4 of form CP.1
(c) Is the application for an Agricultural dwelling or building?	<input checked="" type="checkbox"/>	If yes, complete Part 6 of form CP.1
(d) Does the proposed development involve the demolition of any residential units?	<input checked="" type="checkbox"/>	If yes, how many units? Please indicate their positions on plans <input type="text"/>
(e) Does the proposed development involve the felling of any trees?	<input checked="" type="checkbox"/>	If yes, indicate their position on plans
(f) Does the proposed development involve any public right of way within the site?	<input checked="" type="checkbox"/>	If yes, indicate the position on plan
(g) Does the proposed development involve demolition or alteration of a building of Special Architectural or Historic interest or demolition within a Conservation Area?	<input checked="" type="checkbox"/>	If yes, a separate application for: Listed Building Consent or Conservation Area Consent may be necessary

	Existing	Proposed
(h) (i) How will surface water be disposed of?	SA	
(ii) How will foul sewage be disposed of? (e.g. Mains, Cesspit etc.)	Sewer	

6. Plans (see Note 6). List of drawings and plans submitted as part of the application - indicate drawing numbers and scales. 6 Sets of all drawings are required. Additional copies in respect of major applications will assist in determination of such applications.

Plan

7. Fees (see Note 7). If a fee is submitted please give the amount £ 190 (Please complete & return a fee form)

8. I/WE APPLY FOR PLANNING PERMISSION AS DETAILED ABOVE
 SIGNED [Signature] DATE 2 05 98
 on behalf of
 (insert applicant's name if signed by an agent)

9. Certificate under Section 66 of the Town and Country Planning Act 1990 and Article 7 of the Town & Country Planning (General Development Procedure) Order 1995.

N.B. A signed certificate MUST accompany this application (see Note 9). If the applicant is the sole owner (a) the following certificate should be completed and signed.

CERTIFICATE A
 (a) Owner means a person having a freehold interest or a tenancy the unexpired term of which was not less than seven (7) years.

CERTIFICATE A (a) I certify that:-
 1. At the beginning of the period of 21 days ending with the day of the accompanying application nobody, except the applicant, was the owner of any part of the land to which the application relates.
 * 2. None of the land to which the application relates is or is part of an Agricultural holding.
 * 3. * I have / * The Applicant has given the required notice to every person other than * myself / * himself / * herself who, at the beginning of the period of 21 days ending with the date of the application was a tenant of any Agricultural holding on all or part of the land to which the application relates as follows. (Delete where inappropriate *).

Name of Tenant	Address	Date of Service Notice
----------------	---------	------------------------

SIGNED.....
 On behalf of Date:



CHICHESTER DISTRICT COUNCIL

TOWN & COUNTRY PLANNING ACT 1990

Certificate under Section 66

CC/98/01173/00

Certificate B

Full address or location of the land to which the application relates

2 HAROLLAM ROAD
CHICHESTER

(a) 'Owner' means a person having a freehold interest or a leasehold interest the unexpired term of which was not less than 7 (seven) years.

I certify that:

I HAVE
~~I have / *The applicant has~~ given the required notice to everyone else who, at the beginning of the period of 21 days ending with the date of the accompanying application was the owner (a) of any part of the land to which the application relates, as listed below.

Owner's name (b)	Address at which notice was served	Date on which notice was served
C. D.C	East pallant House Chichester	15-0598

Agricultural Holdings Certificate

Whichever is appropriate of the following alternatives must form part of Certificates A, B, C or D. If the applicant is the sole agricultural tenant he or she must delete the first alternative and insert 'not applicable' as the information required by the second alternative.

* None of the land to which the application* relates is, or is part of, an agricultural holding.

or

*I have / *The applicant has given the required notice to every person other than my / him / her* self 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, as follows:

Tenant's name	Address at which notice was served	Date on which notice was served

*Delete where inappropriate

Signed

* On behalf of Date 15-0598

TO ESTATES DEPT



CHICHESTER DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

NOTICE UNDER SECTION 66 of APPLICATION FOR PLANNING PERMISSION

(to be published in a local newspaper or to be served on an owner)

NOTICE NUMBER 1 AND 2

Proposed development at (a) Nº 2 GARDHAM ROAD CHICHESTER

I give notice that (b) I

Am applying to the (c) CHICHESTER DISTRICT Council

for planning permission to (d) CHANGE USE FROM BUTCHER'S
SHOP TO HOT FOOD TAKE-AWAY

Any owner * of the land who wishes to make representations about this application should write to the Council at (e) East Pallant House Chichester

within 21 days of the date of service/publication* of this notice.

* 'Owner' means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than 7 (seven) years, or, in the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

Signed [Signature]

*On behalf of A GREEN

Date 15-05-98

Statement of owner's rights
The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants' rights
The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

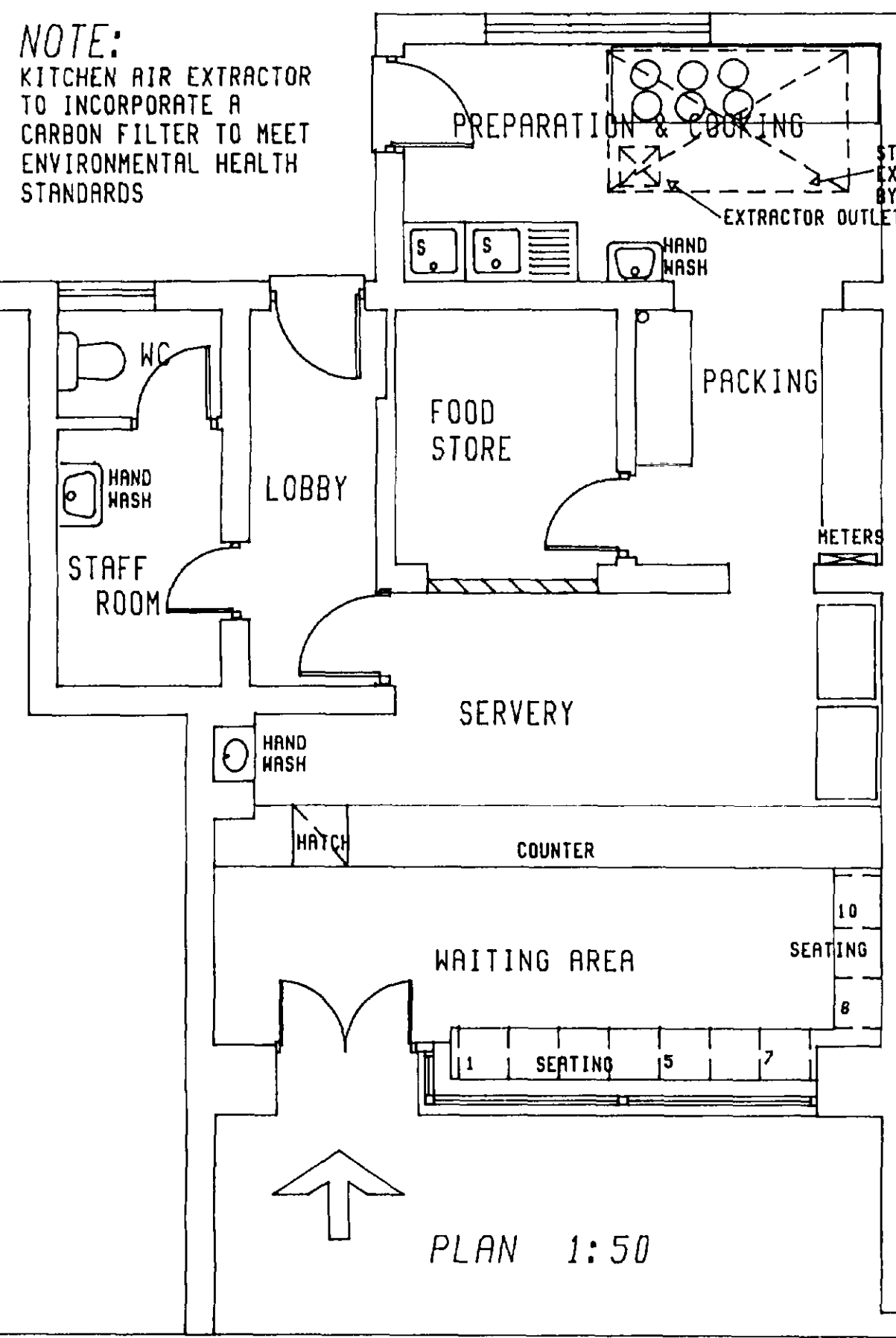
*Delete where inappropriate

- Insert:
- (a) address or location of the proposed development
 - (b) applicant's name
 - (c) name of Council
 - (d) description of the proposed development
 - (e) address of Council

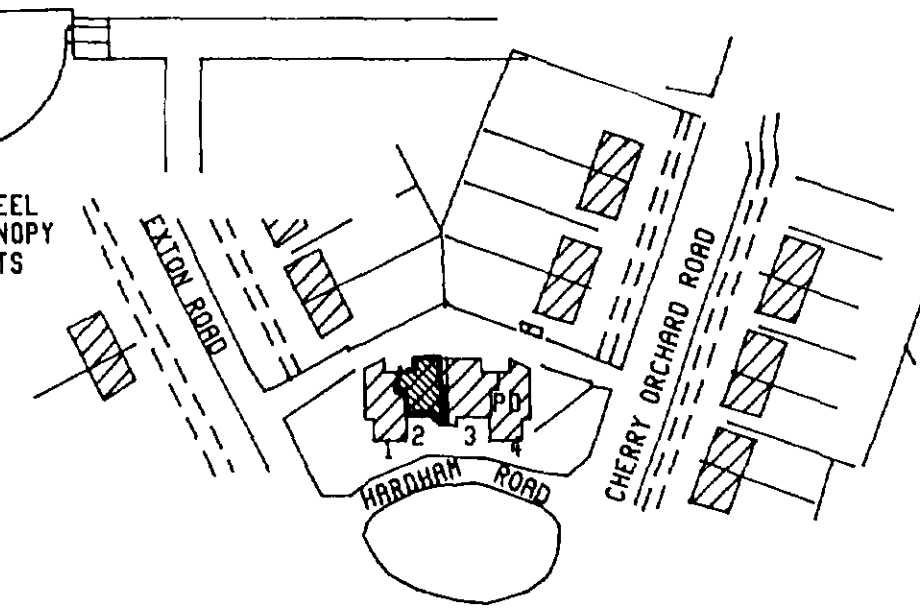
SUBSTITUTE PLAN
 DATE 10/9/98 cd/98/0173/cou

NOTE:
 KITCHEN AIR EXTRACTOR
 TO INCORPORATE A
 CARBON FILTER TO MEET
 ENVIRONMENTAL HEALTH
 STANDARDS

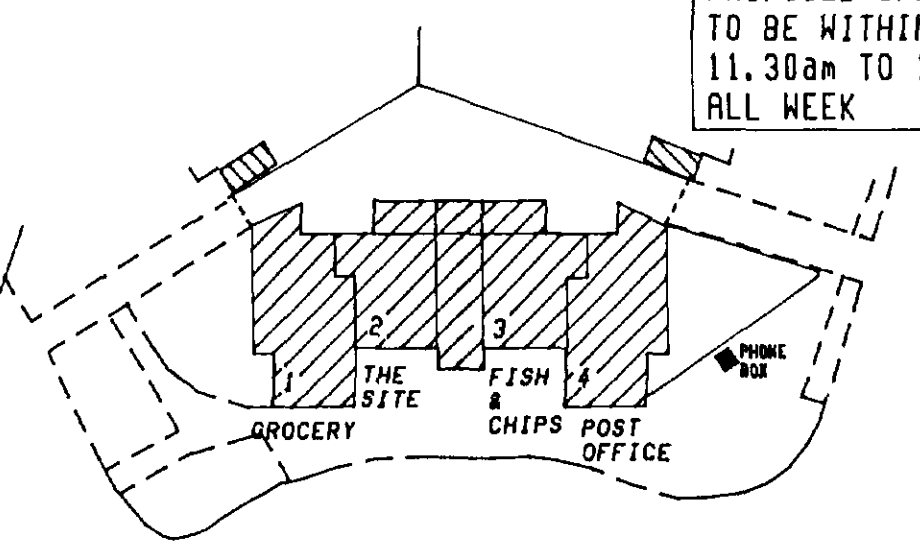
PROPOSED OPENING TIMES
 TO BE WITHIN HOURS OF
 11.30am TO 10.30pm
 ALL WEEK



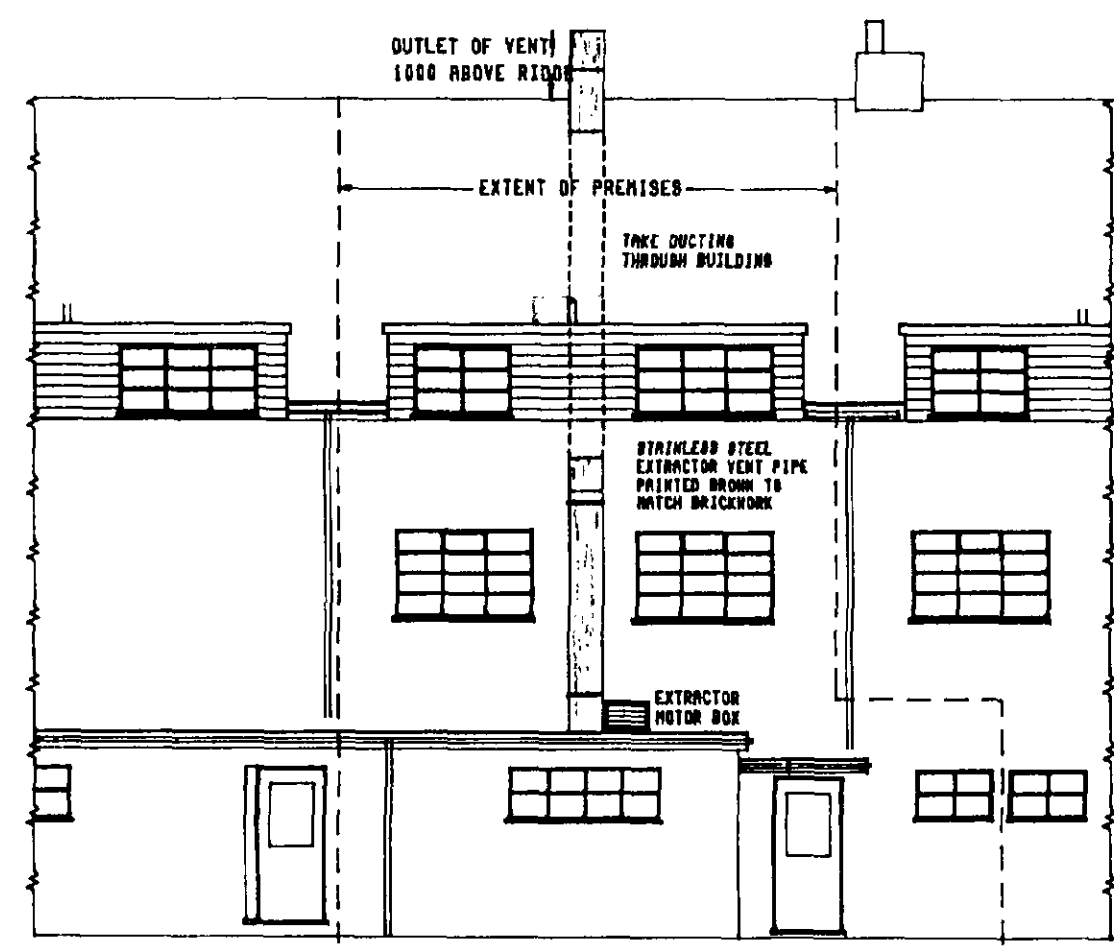
PLAN 1:50



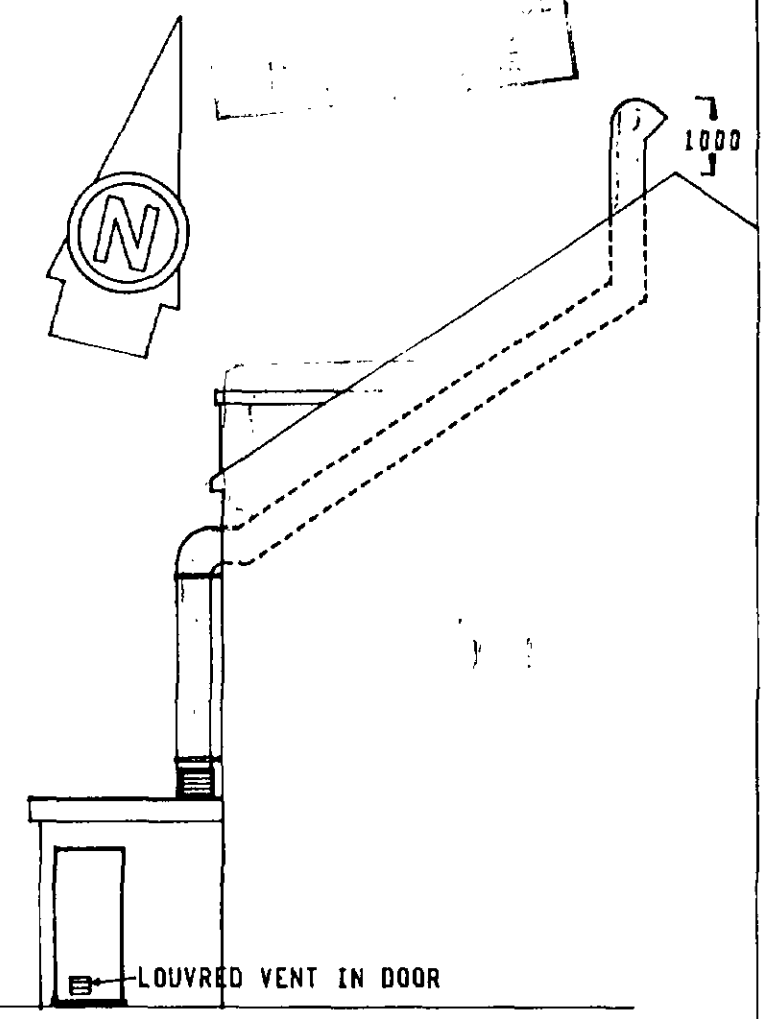
KEY PLAN 1:1250



SITE PLAN 1:500



REAR ELEVATION 1:100



SIDE ELEVATION 1:100

PROPOSED CHANGE OF USE FROM BUTCHER'S SHOP TO HOT FOOD TAKE-AWAY
 No. 2, HARDHAM ROAD CHICHESTER

© KENNETH A. A. GREEN 1998
KENNETH GREEN
 WANESCROFT, CAMBRAI AVENUE
 CHICHESTER, SUSSEX PO19 2LB
 Telephone. 01243-789869
 E-MAIL: THEGREENS@COMPUSERVE.COM

SEPTEMBER 1998