



Lucile's Creperie
6A Wilberforce Road
Southsea
PO5 3DR

LOCATION:

106 Marmion Road Southsea PO5 2BB

DESCRIPTION OF DEVELOPMENT:

Application to vary Condition 2 of planning permission 16/00586/PACOU to extend opening hours to between 09:00 to 23:00 Monday to Saturday and 09:00 to 22:00 Sunday.

In pursuance of powers under the above mentioned Acts the City Council, as Local Planning Authority, **APPROVE** the variation of condition in accordance with the application, drawings and other particulars valid on 25 October 2016 **and subject also to compliance with the following conditions:-**

- 1) Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings - Drawing numbers: Amended floorplans received 9.11.16.
- 2) The use hereby permitted shall not operate outside of the hours of 09:00am and 23:00pm Monday to Saturday and 09:00 and 22:00 on Sundays and any recognised bank or public holiday.
- 3) No cooking processes other than the preparation of hot beverages, crepes or waffles; toasting of bread; or the heating of food in a microwave oven, domestic oven or domestic cooking device shall be undertaken within Class A3 premises hereby permitted (unless a suitable kitchen extract ventilation system has been installed in accordance with a scheme submitted to and approved by the Local Planning Authority through a formal planning application).
- 4) Prior to the commencement of any other cooking operation than those described in Condition 3 (as limited to the preparation of hot beverages, crepes or waffles; toasting of bread; or the heating of food in a microwave oven, domestic oven or domestic cooking device), a kitchen extraction system shall be installed to suppress and disperse odour and fumes emitted from cooking operations arising from this use. Prior to installation of the kitchen extraction system, details of the proposed equipment shall be submitted to and approved in writing by the Local Planning Authority; and such approved equipment shall thereafter be operated for as long as the Class A3 use continues.

5) The external seating area (shown as 4 tables of 2 outside on the approved drawings) shall be closed to and vacated by users of the restaurant/cafe with the external doors between the main building and the external seating area kept closed between the hours of 17:00 hours and 10:00 hours the following day.

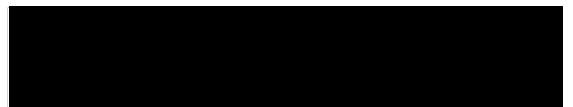
The reasons for the conditions are:-

- 1) To ensure the development is implemented in accordance with the permission granted.
- 2) In the interests of protecting residential amenity from excessive noise and disturbance in accordance with policy PCS23 of the Portsmouth Plan.
- 3) In order to protect users of the surrounding area from nuisance caused by excessive cooking odours and fumes in accordance with policy PCS23 of the Portsmouth Plan.
- 4) To protect the amenities of the occupiers of nearby properties from excessive nuisance from cooking fumes, odours and noise in accordance with policy PCS23 of the Portsmouth Plan.
- 5) In the interests of protecting residential amenity from excessive noise and disturbance having regard to the close proximity of the external terrace to neighbouring properties in accordance with policy PCS23 of the Portsmouth Plan.

PRO-ACTIVITY STATEMENT

In accordance with the National Planning Policy Framework the City Council has worked positively and pro-actively with the applicant through the application process, and with the submission of amendments an acceptable proposal has been achieved.

City Development and Cultural Services
Civic Offices
Guildhall Square
Portsmouth PO1 2AU
Telephone (023) 9282 2251



Assistant Director of Culture & City Development
14 December 2016

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TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

IT DOES NOT CONSTITUTE AN APPROVAL UNDER THE BUILDING REGULATIONS

You should also be advised that you may have obligations under the Party Wall Act 1996

THE APPLICANT IS RECOMMENDED TO KEEP THIS DOCUMENT WITH THE TITLE DEEDS OF THE PROPERTY