

In pursuance of its powers under the Acts and Orders referred to below, the County Borough Council as Local Planning Authority, hereby determines your application in accordance with the particulars and plans comprising the application

Applicant	MR PHILIPPE KALKWARI	Code No	HOL P/2015/0475
Agent	MR PHILIPPE KALKWARI CLEOPATRAS FOODS THE CROSS HOLT WREXHAM LL13 9YG	Date Received	25/06/2015
		Decision Date	07/09/2015

Town and Country Planning Act, 1990
Section 73

Location of application

CLEOPATRAS FOODS, THE CROSS, HOLT, WREXHAM, LL13 9YG

Description of application

APPLICATION TO VARY CONDITION 6 OF PLANNING PERMISSION P/2011/0432 (CHANGE OF USE OF PREMISES AS CAFE AND FOOD AREA) TO ALLOW OPENING TIMES TO BE EXTENDED)

In reaching this decision the Council has had regard to the relevant policies in the Wrexham Unitary Development Plan which are as follows:-

EC7	Conservation Areas
GDP1	Development objectives
PS2	Development and the environment
S5	District shopping centres
T8	Parking

Particulars of decision that permission be GRANTED
Subject to the following:-

Condition(s)

1. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any statutory instrument revoking and re-enacting that Order with or without amendment), no part of the premises shall be used except for the precise purposes described in the application plans and documents.
2. The development shall only be carried out in accordance with the details shown on the approved drawing(s) dated 22 June 2011 as contained within the application documentation.
3. Commercial usage of the driveway onto Cross Street shall be confined to the period of 0700 to 1800 on weekdays and between the hours of 0700

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and 1200 on Saturday. There shall be no commercial usage on Sundays or public holidays.

4. The premises shall not be used as a hot food takeaway or food manufacturing premises.
5. No use shall be made of the cafe before 0830 or after 2300 on any day.
6. No external alterations shall be carried out without the prior permission of the Local Planning Authority.
7. Within 3 months of the date of this permission, details of the means of ventilation for the extraction and dispersal of cooking smells, including details of its method of construction, odour control measures, its appearance and finish have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to first use of the development and shall thereafter be permanently retained in an effective condition.
8. The rating level of any noise generated by air handling plant associated with the development shall not exceed the pre-existing background level by more than 5dB(A) at any time. The noise levels shall be determined at the nearest noise sensitive premises, and measurements and assessment shall be made in accordance with BS4142:1997 Method of Rating Industrial Noise Affecting Mixed Residential and Industrial areas.
9. In the event of the Highway Authority granting consent for use of the public highway, no food or drink shall be served outside the premises before 08.30 or after 21.30 on any day.

Reason(s)

1. To protect the amenities of the occupiers of nearby properties.
2. To ensure that the development fully complies with the appropriate policies and standards.
3. To protect the amenities of the occupiers of nearby properties.
4. To protect the amenities of the occupiers of nearby properties.
5. To protect the amenities of the occupiers of nearby properties.
6. To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area.
7. To protect the amenities of the occupiers of nearby properties.
8. To protect the amenities of the occupiers of nearby properties.
9. To protect the amenities of the occupiers of nearby properties.

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Note(s) to applicant

The applicant is advised that the Council is not in receipt of details required by condition no. 8 of planning permission P/2011/0432. Condition no. 7 of this planning permission reflects this and you are advised to contact the Council's Public Protection section on 01978 813700 for details regarding a suitable specification.

The use of the pavement area in front of the premises as an external seating and eating area is not authorised by this permission, and this area forms part of the highway and consequently a separate consent is required from the Highway Authority. Condition 9 above reflects the need for this consent.

You are advised that this permission does not authorise the use of other external areas within the area as edged blue as part of documents submitted with P/2011/0432 to be used in connection with the retail use as a café. The area is strictly limited to the red edged area only.



Officer Appointed for this purpose
Head of Community Wellbeing and Development

Refer to the Statement of Applicant's Rights and General Information enclosed or refer to the following link:-

http://www.wrexham.gov.uk/english/planning_portal/publications/info_sheets.htm