

APPENDIX 2

SCHEDULE

Variation or Removal of Condition

Location: 2-8 West India Dock Road, London, E14 8JA

Proposal: Variation of condition 1 of planning permission dated 18th October 2010, reference PA/10/1796 to allow the premises to continue to open until 0200 hours for counter sales and for delivery orders on Fridays and Saturdays.

Date: 07/12/2011

Reference: PA/11/02608

Application Received on: 13 September, 2011

Application Registered on: 13 September, 2011

Drawings Approved:

Registered Number: PA/11/02608

Applicant's Number: Site Location Plan, Design and Access Statement & Dominos Management Statement - Use of Rear Yard.

Reason(s) for Grant:

This application was granted for the following reason(s):

The local planning authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Adopted Core Strategy (2010), Saved Unitary Development Plan, the Council's Interim Planning guidance (2007), associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

Subject to conditions, the extension in opening hours would not have significant adverse impact on the amenity of residents above the site in terms of increased noise and disturbance. As such, the proposal is considered acceptable in terms of saved policies DEV2, DEV50, HSG15 and S7 of the adopted Tower Hamlets Unitary Development Plan 1998, and policy DEV1 of the Interim Planning Guidance which seek to protect residential amenity.

Conditions and Reasons:

1. The restaurant/takeaway shall only open for countersales/takeaway deliveries between the following hours:-

10.00am to 2.00am on Fridays and Saturdays

10.00am to Midnight on any other day.

Reason: To ensure that the hours of operation are satisfactory controlled to protect the amenity of residents above the site, in accordance with saved policies DEV2, S7 and HSG15 of the Unitary Development Plan (1998), SP01 of the Core Strategy 2010 and Policy DEV1 of the Interim Planning Guidance (2007).

2. The development hereby permitted shall be carried out in accordance with the Management Statement- Use of Rear Yard document listed in the Schedule to this planning permission, unless agreed in writing by the local planning authority.

Reason: To protect the amenity of residents above the site, in accordance with saved policies DEV2, S7 and HSG15 of the Unitary Development Plan (1998) and Policy DEV1 of the Interim Planning Guidance (2007).

3. No service deliveries to the restaurant/takeaway shall take place between 11pm and 7am on any day.

Reason: To protect the amenity of residents above the site, in accordance with saved policies DEV2, S7 and HSG15 of the Unitary Development Plan (1998) and Policy DEV1 of the Interim Planning Guidance (2007).

Dominos, 2-8 West India Dock Road, London E14 8JA

MANAGEMENT STATEMENT – USE OF REAR YARD

The Dominos unit uses the yard at the rear of the premises to keep mopeds for use in delivering food and drink to customers off-site. Up to 6 mopeds are stored in the rear yard at any time. From 1000hrs to 2200hrs, delivery staff use the access door between the rear yard and the pizza shop to carry food and drink items to the mopeds for onwards delivery. At 2200hrs each night, no mopeds are used to deliver goods and the gates to the rear yard in Beccles Street are locked to prevent access for security reasons.

The cessation of use of mopeds for delivery purposes at 2200hrs each day is a voluntary condition offered by the pizza shop operators.

After 2200hrs, there is no need for staff access into the rear yard and the door from the building into the yard is locked for the night. The door is unlocked prior to start of operations on site at 1000hrs each morning.

After 2200hrs, only motor vehicles (cars or small vans) are used by staff to deliver to customers. Up to 5 vehicles may be in use at any one time and each delivery driver takes food and drink orders from the unit via the front entrance door to where the vehicles are parked, in West India Dock Road. The no parking restriction on West India Dock Road applies only between 0700hrs to 1900hrs each day, therefore delivery vehicles are allowed to park on the road between 2200hrs and closing time. Delivery vehicles only park for a temporary period on West India Dock Road to allow drivers enough time to pick up orders and load the vehicle. No delivery motor vehicles are kept on site overnight, other than the mopeds.



**Horsham
District
Council**

serving our towns and villages

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RECEIVED 16 APR 2012

Mr Jonathan Phillips
JWPC Ltd
1 The Quadrangle
Banbury Road
Woodstock
Oxon
OX20 1LH

Application Number: DC/12/0328

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995

On behalf of: Dominos

In pursuance of their powers under the above-mentioned Act and Order the Council hereby notify you that they PERMIT the following development, that is to say:

Permanent planning permission is sought for the variation of Condition 1 of permission HU/225/99 to extend opening hours for counter sales between 07:30 to 23:00 hours Monday to Saturday and 10:00 to 23:00 Sundays and Bank Holidays and to extend delivery hours until 00:00 Sunday to Thursday and 01:00 Friday and Saturday

41 Springfield Road Horsham West Sussex RH12 2PG

to be carried out in accordance with Application No. DC/12/0328 (as modified by the under-mentioned conditions, if any) submitted to the Council on 14/02/2012 and subject to compliance with the plans/documents and conditions specified hereunder.

ROD BROWN
HEAD OF PLANNING
AND ENVIRONMENTAL SERVICES

Date: 10/04/2012

- 1 The premises shall not be open for trade or business except between the following hours:

Counter sales

07:30 - 23:00 Monday to Saturday;

10:00 - 23:00 Sundays and Bank Holidays

For Deliveries

07:30 - 00:00 Monday to Thursday

07:30 - 01:00 Friday and Saturday
10:00 - 00:00 Sundays and Bank Holidays

Reason: To safeguard the amenities of neighbouring properties in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

- 2 No external handling of waste/refuse shall take place on the site between the hours of 23:00 and 07:00.

Reason: In the interests of amenity and to ensure the use of the site does not have a harmful environmental effect and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

- 3 The hours of operation hereby approved shall be implemented in accordance with the approved operations management plan received by the Council on the 19th March 2012 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests in residential amenity and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

- 4 Deliveries to the premises shall be received between the hours of 08:00 - 18:00 Monday to Saturday and 10:00 - 16:00 Sundays and Bank Holidays.

Reason: In the interests of residential amenity and in accordance with policy DC9 of the Horsham District Local Development Framework: General Development Control Policies (2007).

- A. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule below.

Reason: For the avoidance of doubt and in the interest of proper planning.

Schedule of plans/documents:

Unnumbered Location plan Received 14/02/12
Design and Access Statement Received 14/02/12
Supporting Letter Statement Received 14/02/12
Unnumbered Operational plan Received 19/03/12

Note to Applicant:

In making this decision, the Council has had regard to the following policy(ies) from the South East Plan/Local Development Framework Core Strategy/Local Development Framework General Development Control Policies:

CP1 CP2 CP3 CP13 DC9

Note to Applicant:

You are advised that this permission does not constitute an approval under the Building Regulations. Before you proceed with your proposal you should ensure that a Building Control

application is not required, or has been submitted. The Building Control Department can be contacted on 01403 215151.

REASONS FOR GRANTING PLANNING PERMISSION:

- 1 The proposal does not materially affect the amenities of neighbouring occupiers or the character and visual amenities of the locality.

N.B. PLANNING APPEAL PROCESS

If you are aggrieved by the decision 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.

You must appeal within 12 weeks of the date of the decision notice for a householder application and within 26 weeks for other types of planning applications. Please note, only the applicant possesses the right of appeal.

The details of how to appeal together with the form which must be used can be obtained from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or on-line at www.planningportal.gov.uk/pcs

DOMINO'S PIZZA, 41 SPRINGFIELD ROAD, HORSHAM

OPERATIONAL PLAN

Definition

This Plan is designed to make the maximum contribution (by using pro-active measures), to reduce disturbance or nuisance to neighbours, both residential and business, and to make the minimum impact upon the neighbourhood in relation to potential noise nuisance.

This Plan is specific to Domino's Pizza, 41 Springfield Road, Horsham and its locality, but it includes a number of measures which are common to other Dominos.

This Plan has been formulated by Dominos in conjunction with senior representatives of the unit. It will be discussed with the licensing officers of the local council and police where necessary.

This Plan is subject to review and will address problems and concerns as they are identified in order to establish a permanent reduction or elimination of noise and nuisance.

Measures

1. **Relevance of Planning and Licensing Conditions:**

The store will ensure that the conditions of the Planning Permission and Premises Licence are strictly adhered to. The store will be operated to encourage customers to leave as quietly as possible and deliveries to be made as quietly as possible.

2. Notices at Exit:

Highly visible notices will be placed at the entrance asking customers to leave quietly and to respect neighbours and their property.

3. Delivery vehicles:

- After 23:00 all deliveries are taken out of the delivery door to the front of the premises;
- After 23:00 all vehicles will be cars or vans;
- After 23:00 all delivery cars are parked to the front of the store in designated parking spaces;
- All drivers have a label in their car stating "*Do not slam car doors, rev engines or play loud music*";
- Any member of staff found to be contravening any of the above policies or otherwise creating a nuisance will be subject to the Company's disciplinary procedures.

4. Internal Noise:

- No amplified music is played in the store;
- All doors and windows are kept shut except for access and egress.

5. Contact Name:

The name and contact number of the Store Manager is displayed in a position where it can be seen by the public without having to enter the store.

6. Staff:

Staff breaks after 2300hrs will take place within the building. Staff will only be able to smoke at the front of the premises. Consideration will be given to procedures for staff departures at the end of the evening. Staff will be managed in order to minimise noise and activity at closing time.

7. Training:

Training at all levels will be conducted to ensure understanding and implementation of this plan. A signed record will be kept at the store confirming that staff have received such training.

Disciplinary measures will be introduced to ensure that staff do not contravene the requirements of the operational plan.

8. Counter Sales:

Counter sales to visiting customers shall cease at 2300hrs each day. After 2300hrs there will be no public access to the building.

9. Deliveries:

Any deliveries from the premises shall only be made to the customer's place of residence or place of business. Deliveries to customers will cease at midnight on Sundays to Thursdays and at 0100hr on Fridays and Saturdays.

10. Plant and Machinery:

Noise from plant or machinery shall be inaudible at the nearest noise sensitive premises during the operation of the plant or machinery. Plant and machinery shall be regularly serviced and maintained in accordance with manufacturer's recommendations to meet this level.

TOWN AND COUNTRY PLANNING ACT 1990

DECISION NOTICE

Mr Stephen Matthews
JWPC Ltd
1 The Quadrangle
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Woodstock
Oxfordshire
OX20 1LH

Application No : 11/00522/FP
Location : Domino's Pizza 107 - 109 High Street Stevenage Herts
Proposal : Variation of condition 3 of planning permission 2/0047/98/FP for a temporary period of 12 months to extend trading hours to 0100 hours the following day on Fridays and Saturdays for home delivery purposes only.

Grant Planning Permission

In pursuance of their powers under the above mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council have considered your application received with sufficient particulars on 16 September 2011, as shown on the plans accompanying the application.

Planning Permission is GRANTED

Subject to the following condition(s);

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
SITE LOCATION PLAN;
REASON:- For the avoidance of doubt and in the interests of proper planning
- 2 The variation of condition hereby granted shall be for a temporary period only, expiring on 30 November 2012.
REASON:- To allow the Local Planning Authority to make a full assessment of the impact of the extended opening hours hereby permitted upon the residential amenity of neighbouring properties in accordance with policy EN27 of the Stevenage District Plan Second Review 1991-2011.
- 3 The use shall operate only between 0600 and 2400 except for Fridays and Saturdays when the use shall operate, for home deliveries only, until 0100 the following day.
REASON:- To protect the residential amenity of neighbouring properties in accordance with policy EN27 of the Stevenage District Plan Second Review 1991-2011.

Planning, Regeneration And Transport

Head of Planning, Regeneration & Transport: Viv Evans

- 4 Prior to the implementation of this permission the doors located on the front and side elevation of the applicant's premises shall be fitted with neoprene compression seals, details of which shall be submitted to and approved in writing by the Local Planning Authority. The seals shall be retained and maintained thereafter.
REASON:- To protect the residential amenity of neighbouring properties in accordance with policy EN27 of the Stevenage District Plan Second Review 1991-2011.
- 5 Between the hours of 2400 and 0100 on Friday nights/Saturday mornings and between the hours of 2400 and 0100 on Saturday nights/Sunday mornings no mopeds shall be used by delivery drivers delivering outgoing goods from the premises.
REASON:- To protect the residential amenity of neighbouring properties in accordance with policy EN27 of the Stevenage District Plan Second Review 1991-2011.
- 6 Prior to the implementation of this permission the kitchen ventilation/extract supply system shall be fitted with an acoustic attenuator to be located between the fan and the atmosphere and selected to provide a minimum reduction of 15dB (A). The attenuator required should also be selected to match the duct/fan system.
REASON:- To protect the residential amenity of neighbouring properties in accordance with policy EN27 of the Stevenage District Plan Second Review 1991-2011.
- 7 Prior to the implementation of this permission staff notices shall be displayed at prominent locations within the store premises to remind staff of the potential for noise disturbance and to warn them not to engage in noisy activities. These notices shall be retained thereafter. Details of the location and number of these notices shall be submitted to and approved in writing by the Local Planning Authority.
REASON:- To protect the residential amenity of neighbouring properties in accordance with policy EN27 of the Stevenage District Plan Second Review 1991-2011.
- 8 Prior to the implementation of this permission the box room ventilation system, located in the courtyard area, shall be removed and the hole bricked up to match the surrounding wall.
REASON:- To protect the residential amenity of neighbouring properties in accordance with policy EN27 of the Stevenage District Plan Second Review 1991-2011.
- 9 All servicing of the premises with incoming goods shall take place only from Church Lane, and all delivery service of outgoing goods shall take place only from High Street.
REASON:- To protect the attractive shopping environment from servicing problems and to protect residential amenity by preventing outgoing delivery vehicles using Church Lane.
- 10 The storage of refuse within the curtilage of the site and its disposal shall only be in accordance with the scheme shown on drawing reference number 2607/1B, and the measures shall be permanently retained thereafter unless otherwise agreed in writing by the Local Planning Authority.
REASON:- In the interests of the amenity of neighbouring residents and business occupiers.
- 11 The customer service area shall front the High Street and shall be restricted to 30 square metres of public area.
REASON:- To prevent an intensive use of the premises which could result in an increase in on-street car parking to the detriment of neighbouring traders and the High Street as a shopping and commercial centre.

Planning, Regeneration And Transport

Head of Planning, Regeneration & Transport: Viv Evans

Stevenage
BOROUGH COUNCIL

Daneshill House, Danestrete, Stevenage, Herts, SG1 1HN • Tel: 01438 242242 • Textphone: 01438 242555 • Fax: 01438 242566 • stevenage.gov.uk

- 12 No mopeds shall be moved from the moped storage area at the rear of the property as indicated on drawing number 2607/1B after 1800 hours.

REASON:- To protect the amenities of neighbouring residents.

- 13 The premises shall be used for a hot food takeaway shop only in accordance with Class A5 of The Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purposes.

REASON:- To prevent an intensive use of the premises which could result in disturbance to neighbouring residents and an increase in on-street car parking to the detriment of neighbouring traders and the High Street as a shopping and commercial centre in accordance with policy EN27 and policy T15 of the Stevenage District Plan Second Review 1991-2011.

- 14 The existing filtration and venting equipment designed to cleanse cooking fumes before discharge shall be permanently retained in good working order unless otherwise agreed in writing by the Local Planning Authority.

REASON:- In the interests of the amenity of neighbouring residents and business occupiers.

For the following reason(s):-

- 1 The proposal(s) would not harm the amenities of the occupiers of neighbouring residential properties and would not worsen on street parking in the locality in accordance with policy EN27 of the Stevenage District Plan Second Review 1991-2011, which relates to noise pollution and policy T15 which relates to car parking provision.



Dated : 28 November 2011

VIV EVANS

Head of Planning, Regeneration and
Transport

**ATTENTION IS DRAWN TO THE ATTACHED NOTES REGARDING APPEALS
TO THE SECRETARY OF STATE**