

The co-operative

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www.co-operative.coop/estates

Prem 03622/001
SA

28/05/2015

Entertainment Licencing Section
Leeds City Council
Civic Hall
Leeds
LS1 1UR

Dear Sir

Leeds Premier Fitness Centre Ltd, 401 Selby Road, Leeds, LS15 7AX

I am writing regarding the Premises Licence Application seeking consent to sell alcohol at the above address submitted by Michael Tattershall.

The Co-operative Funeralcare operate a Funeral Home located at 1 Hollyshaw Lane, Whitkirk, Leeds LS15 7BA directly below the Fitness Centre.

We wish to object on the grounds that selling alcohol at the premises will cause disturbance to staff and customers at our premises by virtue of additional customer numbers and noise.

The proposed operational hours as applied for in the License Application exceed the trading hours of the Fitness Centre as permitted by Planning Permission 13/05709/FU (attached).

Specifically the permitted trading hours under the Planning Permission – Condition 3 are:

08:00 to 22:00 Monday to Saturday and 09:00 to 22:00 on Sunday. These restrictions are to protect residential amenity with the inference of the condition being additional hours would cause loss of amenity and disturbance to neighbors.

- 3) The hours of opening of the use shall be restricted to 08 00 hours to 22.00 hours (Mon-Sat) and 09.00 hours to 20.00 hours (Sun)

In the interests of amenity in accordance with UDP Review (2006) policy GP5

The Licence application shows intended opening to 23:00 Friday and Saturday and 22:30 on Sunday. The hours applied for the the Licence Application would breach the Planning Conditions.

This would lead to unacceptable levels of disturbance and would constitute a breach of Planning control.

Yours Faithfully

[Redacted Signature]

ENTERTAINMENT LICENSING

15 JUN 2015

RECEIVED

Town and Country Planning Act 1990

Grant of Full Planning Permission

Applicant: Mr Michael Tattersall

Application Number: 13/05709/FU

Address



Date Accepted: 13 January 2014

Date of Decision: 10 March 2014

Proposed Development At: 401 Selby Road Halton Leeds

Proposal: Change of use of first floor from showroom to karate club (D2 use)

Full planning permission granted in accordance with the approved plans and specifications and subject to the condition(s) set out below:-

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

Imposed pursuant to the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

For the avoidance of doubt and in the interests of proper planning.

- 3) The hours of opening of the use shall be restricted to 08.00 hours to 22.00 hours (Mon-Sat) and 09.00 hours to 20.00 hours (Sun).

In the interests of amenity in accordance with UDP Review (2006) policy GP5.

- 4) The total number of participants within any class, or classes, proposed to be held within the premises shall not exceed 20 on site at any one time and these classes shall only be held between the hours of 17.00 hours to 22.00 hours on weekdays (Mon-Fri) or at weekends.

To ensure the free and safe use of the highway in accordance with the UDP Review (2006) policies GP5 and T2.



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- 5) No development shall commence until details of a sound insulation scheme designed to protect the amenity of nearby occupants (incl. occupiers of the lower floor and adjacent residential properties) from noise emitted from the activities associated with the proposed use have been submitted to and approved in writing by the Local Planning Authority. The use hereby approved shall not commence until the sound insulation works have been completed, and any such noise insulation as maybe approved shall be retained thereafter.

In the interests of amenity in accordance with UDP Review (2006) policy GP5.

Plans Schedule - as referred to in Condition No. 2 above:-

Plan Type	Plan Reference	Received
Site Location Plan/Red Line/OS Plan		13.01.2014
Block Plan/Layout Plan		13.01.2014
Proposed floor plan(s)		13.01.2014

For information:-

- 1) In reaching a decision the case officer dealing with the application has worked with the applicant/agent in a positive way to produce an acceptable scheme in accordance with paragraphs 186 and 187 of the National Planning Policy framework.
- 2) This permission does not absolve the applicant(s) from the requirements for compliance with a Building Regulation approval, or the duty of compliance with any requirements of any Statutory Body, Public Utility or Authority.

The applicant is advised that where any of the following apply, The Party Wall Act 1996 provisions are relevant, and you may well need to serve notice and get agreement from adjoining owners/neighbour(s) to carry out the work;

- work carried out directly to an existing party wall or structure
- new building at or astride the boundary line between properties
- excavation within 3 or 6 metres of a neighbouring building or structure depending on the depth of the hole or proposed foundations.

- 3) This notice of decision does not grant consent or imply any grant of consent for the applicant to enter onto any adjoining land, to either construct or subsequently to maintain the proposed development.

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- 4) This permission does not give consent to any advertisement intended to be displayed on the site for which separate express consent may be necessary under the Town and Country Planning (Control of Advertisements) Regulations 2007.

The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to the Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of the Coal Authority. Property specific summary information on coal mining can be obtained from the Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

Applicants are requested to remove any site notices related to this application from outside the property to which the application relates.

Important Information about Your Planning Permission

Town and Country Planning (Development Management Procedure) (England) Order 2010

This decision notice only relates to the grant of planning permission. It does not give any approval or consent which may be needed under any legislation, enactment, bye-laws, order or regulation other than the Town and Country Planning Act 1990 as amended. You may need other approvals, consents or licenses for the development eg building regulations approval.

This permission is granted in strict accordance with the approved plans. It should be noted however that:

- (a) A variation from the approved plans following commencement of the development is likely to constitute unauthorised development and may be liable to enforcement action.
- (b) Variation to the approved plans will require the submission of a new planning application.



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This planning permission is granted subject to conditions. Please read the conditions carefully and make sure that you understand what is required to comply with them. It is the responsibility of the owner(s) and the person(s) implementing the development to ensure that the approved plans and these conditions are complied with throughout the development and beyond. Failure to comply with any of the conditions may result in enforcement action.

Conditions which require work to be carried out or details to be approved prior to commencement are very important and are called '**conditions precedent**'.

This means:

- (a) If a condition precedent is not complied with, the whole of the development might be unauthorised and you may be liable to enforcement action.
- (b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify this is by the submission of a new application to obtain a fresh planning permission.

A fee of £97 per request or £28 if the request relates to a householder application is payable to discharge condition(s). The request needs to identify the planning application number and the condition(s) concerned; a form is available from our website www.leeds.gov.uk/planningforms titled Approval of Details application form.

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to grant permission for the proposed development subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 as amended.

If you want to appeal, you must do so within **six months** of the date of this notice, using a form which you can obtain from <http://www.planningportal.gov.uk/planning/appeals> or by email from enquiries@pins.gsi.gov.uk or by phoning 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to do so unless there are special circumstances which excuse the delay in giving notice of appeal.

You must send one copy of the completed form to planning.appeals@leeds.gov.uk or Appeals Administration, Planning Services, Leeds City Council, The Leonardo Building, 2





Decision Notice

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Rossington Street, Leeds, LS2 8HD as well as to the Planning Inspectorate at the address on the form.

