



EAST NORTHAMPTONSHIRE DISTRICT COUNCIL

Town and Country Planning Act 1990

PLANNING PERMISSION

17/01941/FUL

Location

20 High Street Higham Ferrers Rushden Northamptonshire NN10 8BL .

Proposal

Change of use to B1, B2 and A3. Central distribution centre for Bewiched Coffee, food storage, basic food prep will take up 66% of the floor space. Small coffee shop to front taking up 34% of the floor space.

Applicant

Mr Mr M Fountain - Bewiched Ltd

Bewiched Coffee 34 High Street Kettering nn168su

Date received

13 September 2017

Date valid

15 September 2017

Under the provisions of the Town and Country Planning Act 1990 the Local Planning Authority hereby **GRANT PLANNING PERMISSION** for the above development in accordance with the application and plans submitted, **subject to the following conditions** which are imposed for the reasons noted thereafter:

1. The change of use and development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
Reason: Statutory requirement under provision of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The rear kitchen/preparation area(s) hereby approved shall be used in association with the café area identified on drawing number B41-2F and notwithstanding the provisions of the Town and Country Planning Uses Classes Order 2014 (or any order revoking and re-enacting that Order), the kitchen/rear preparation area(s) shall be used for the purposes stated within the application description and application documents and for no other purpose (including any other activity falling within Class B2 of the Order).
Reason: To ensure that the use of the premises does not change in a manner which could detract from the character and appearance of the area, affect local amenity, and in the interest of highway safety.
3. This permission confers permission for the front area of the premises identified on drawing number B41-2F to be used as a café only and notwithstanding the provisions of the Town and Country Planning Uses Classes Order 2014 (or any order revoking and re-enacting that Order), the front area of the premises shall be used for no other purpose (including any other activity falling within Class A3 of the Order).

Reason: To ensure that the use of the premises does not change in a manner which could detract from the character and appearance of the area, affect local amenity, and in the interest of highway safety.

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4. Notwithstanding any of the submitted details, no roaster(s), air-conditioning unit(s), condenser(s) or any other external ventilation or extraction equipment, shall be installed internally or externally at the premises.

Reason: To prevent odour or noise issues arising from the development, in the interest of residential amenity and local amenity.

5. The windows and doors alterations show on drawing number B41-2F shall be carried out in timber, or an alternative wooden material, as may be agreed in writing with the Local Planning Authority.

Reason: In the interest of conserving the character and appearance of the Higham Ferrers conservation area.

6. Details of the colour scheme for the shop front of the building, including the fascia boards and windows and doors, shall be submitted to and approved in writing by the Local Planning Authority before the building is first brought into use by members of the public. The development shall thereafter be carried out in accordance with the details so approved.

Reason: In the interest of conserving the character and appearance of the Higham Ferrers conservation area.

7. The premises shall not be open to customers or any other visiting member of the public except between the hours of 08:00am to 19:00pm Mondays to Saturdays and 09:00am to 17:00pm on Sundays and Bank Holidays.

Reason: In the interest of neighbouring amenity and local amenity.

8. Except where expressly stated by other conditions on this planning permission, the development hereby permitted shall be carried out strictly in accordance with the following approved drawings, received by the Local Planning Authority:

Drawing number: B41-2F 'As Proposed Plans & Elevations' received on 17.10.2017
Ordnance Survey Location Plan received on 13.09.2017

Reason: In order to clarify the terms of this planning permission and to ensure that the development is carried out as permitted.

Your attention is drawn to the following notes:

1. In reaching this decision the Council has implemented the requirement in the NPPF to deliver sustainable development in a proactive and positive way in accordance with paragraphs 186 and 187.
2. The following additional information was taken into consideration in reaching this decision:
Application Form
Design and Access Statement received 19.10.2017
Supporting Statement received 17.10.2017
Drawing number: B41-1 'As Existing Plans & Elevations' received 13.09.2017
3. The applicant is advised that this planning permission does not confer consent to any signage as this is considered under separate legislation for advertisement consent.
4. The building was previously used as a garage. Whilst no significant risk of contamination has been identified, should the building/site be affected by contamination, the applicant is advised that the responsibility for securing safe usage rests with the developer, operator or owner.

5. The details pursuant to condition 6 are required prior to the commencement of development because they are critical to the material considerations of the scheme. The development would not be acceptable without these details being first approved. Please note: An application will be required to formally discharge these conditions, as well as a fee and the determination period for this application is an 8 week process.

Decision Date
5 December 2017

Signed:



Paul Bland
Head of Planning Services

NOTE: This notice relates only to planning permission and does not include or imply consent under the Building Regulations or any other legislation for which a separate application may be required.

RIGHT OF APPEAL:

Your attention is drawn to the following notes which explain how to submit an appeal should you be aggrieved by the above decision.

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or the grant of permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment, in accordance with Sections 78 and 79 of the Town and Country Planning Act 1990 or Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990, within six months of the date of this notice. However, where an enforcement notice has been served on the same, or substantially the same, development as in the application within 2 years of the date the application was made, the period for receiving an appeal is within **28 days** of the date of the decision notice or of the date by which the Local Planning Authority should have decided the application. Where an enforcement notice was served after the decision notice was issued or after the end of the period the Local Planning Authority had to determine the application, the period for receiving the appeal is within **28 days** of the date the enforcement notice was served (unless this extends the normal 6 months or 12 week deadline) (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN). The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them having regard to the statutory requirements, to the provisions of the development order, and to any direction given under the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of responsibly beneficial use by carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 or Chapter III of the Planning (Listed Buildings and Conservation Areas) Act

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3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990 or Section 27 of the Planning (Listed Buildings and Conservation Areas) Act

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