



APPROVAL - Full Planning Permission

AGENT

Mr D Johnson-Rose
UK Surveyors Ltd
4 Thorn Tree
Elmhurst Business Park
Lichfield
WS13 8EX

APPLICANT

Mrs & Mrs Poupinel
V & B
Mr Grants House
10 St Giles Square
Northampton
NN1 1DA

TOWN & COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

PROPOSAL: CHANGE OF USE FROM RESTAURANT (USE CLASS E) TO MIXED USE DRINKING ESTABLISHMENT (SUI GENERIS) AND RETAIL (USE CLASS E), TO INCLUDE PLACING OF TABLES, CHAIRS, PARASOLS AND PLANTERS WITHIN CURTILAGE OF SITE.

LOCATION: MR GRANTS HOUSE, 10 ST GILES SQUARE, NORTHAMPTON, NN1 1DA

DRAWINGS (No.): Location Plan, 004377 B External Seating Plan and Floor Plans, 004372 Existing floor plans, 004384 Existing and proposed site plans

WEST NORTHAMPTONSHIRE COUNCIL HEREBY GRANTS FULL PLANNING PERMISSION FOR THE ABOVE DEVELOPMENT FOR THE FOLLOWING REASON:

The proposed change of use and associated positioning of a small amount of external seating would have no adverse impact on the character of the area, the setting of any listed building, or the amenities of neighbouring and nearby residents and businesses. The proposals thereby comply with Saved Policy 1 of the Central Area Action Plan, Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

Subject to the following conditions:

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 004377B External Seating Plan and Floor Plans.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

3. All external seating and tables shall be removed from the outdoor area between the hours of 23:00pm and 08:00am and stored securely.

Reason: To protect the amenities of nearby occupants and for the prevention of crime and disorder, in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

4. The premises shall be open only between the hours of 09:00 and 24:00 on any day.

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

5. The practice of "bottling out" shall not take place between the hours of 23:00 and 08:00.(Note, Bottling out is the tipping of empty bottles or cans into refuse bins.)

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

6. No amplified sound, music or speakers shall be used outside the premises nor positioned or used to provide sound to the outside area.

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.



Jim Newton
Assistant Director Economic Growth & Regeneration
Planning Service

IMPORTANT NOTES:

The Local Planning Authority has worked positively and proactively with the applicant to seek solutions to problems arising from the application and as such planning permission/consent is granted on the basis of amendments to the originally submitted application.

Please note that any works carried out without compliance with the conditions attached to this approval will be entirely at the risk of the persons involved and may result in formal action being taken by the Local Planning Authority.

End of Decision.

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 this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

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 can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 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 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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

Purchase Notices

If either the local planning authority or The Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part IV of the Town and Country Planning Act, 1990.

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by The Inspectorate on appeal or on reference of the application to him.

These circumstances are set out in sections 114 and related provisions of the Town and Country Planning Act, 1990.

NOTES: This decision notice relates solely to planning control. If the development includes the erection or alteration of a building or a change of use the work must not be carried out nor the change of use take place until the Building Regulations have been complied with.

WHERE by any act of Parliament, statutory instrument or other authority, other CONSENTS, LICENCES, PERMISSIONS OR APPROVALS IN ADDITION TO THOSE SPECIFIED IN THIS PERMISSION ARE REQUIRED in respect of the development or notice thereof is required to be given to any person, (including a local authority), THE APPLICANT MUST COMPLY with such requirements BY SEPARATE APPLICATION OR NOTICE. This includes applications for ADVERTISEMENT CONSENT and LISTED BUILDING CONSENT.