



Notice of Decision

Town and Country Planning Act 1990 Permission for Development

To: Beef Farmers Direct Ltd. C/O Proctor Chartered Surveyors Simon Proctor The Old Farmhouse Hartwell Road, Long Street Hanslope Milton Keynes mk19 7by	Application No: S/2020/1438/FUL
	Application Date: 27 August 2020
	Date of Permission: 16 June 2021

WEST NORTHAMPTONSHIRE COUNCIL, in pursuance of powers under the above mentioned Act, hereby PERMIT:

Single commercial building providing three B1/B8 units with trade counters at Land West Of Oxford Road Brackley NN13 7DF

In accordance with the accompanying plans and particulars and subject to the conditions specified hereunder :

TIME LIMITS AND GENERAL IMPLEMENTATION 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 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 shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:
 - Proposed new trade counter units, drawing no. (08)01, rev.no. D, received 10.6.2021;
 - Proposed Swept Path Analysis 7.5t box van, Final, drawing no.003, revision G, received 10.6.2021;
 - Proposed Swept Path Analysis 12m rigid HGV & refuse, Final, drawing no.002, revision H, received 10.6.2021;
 - Flood Risk Assessment SHF.1148.008.HY.R.002.A, received 4.8.2020

Reason : To clarify the permission and for the avoidance of doubt.

3. The premises shall be used only for purposes falling within Class E(g) & B8 and specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that class in any statutory instrument revoking, amending or re-enacting that order and for no other purpose(s) whatsoever.

Reason : Reason : To clarify the permission and for the avoidance of doubt.

4. The proposed access and parking, turning, waste storage, loading and unloading facilities shall be provided in accordance with the approved plans before first use of the development hereby permitted. The access parking, turning, waste storage, loading and unloading facilities shall thereafter be retained for use in connection with the development for those purposes only.

Reason : In the interests of highway safety, to ensure the provision of adequate off-street car parking and turning/waste storage/loading/unloading to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

5. No goods, materials, plant or machinery shall be stored, repaired, operated or displayed outside the buildings unless otherwise approved in writing by the Local Planning Authority.

Reason : In order to ensure that the parking, waste storage and servicing areas are not obstructed in accordance with Policy SS2 of the South Northamptonshire Local Plan.

6. The operational use of the premises shall be restricted to the following times:-

Monday - Sunday: 7.00 a.m. to 6.30 p.m.

Reason : To protect the amenities of nearby residents and to comply with Policy SS2 of the South Northamptonshire Local Plan.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE

7. A colour scheme for the colouring of the external roof and walls shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. Thereafter, and prior to the first occupation of the development, the roof and walls shall be finished and thereafter maintained in accordance with the approved colour scheme.

Reason : In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan [and Policy BN5 of the West Northamptonshire Joint Core Strategy.

8. Before any above ground works commence a scheme for the provision and

implementation of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The drainage works shall be constructed and completed in accordance with the approved plans before the first occupation of the building hereby approved.

Reason : To ensure satisfactory drainage of the site in the interests of achieving sustainable development, public health, to avoid flooding of adjacent land and property to comply with Policy SS2 of the South Northamptonshire Local Plan Policy BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Government advice in the National Planning Policy Framework.

9. Prior to the first use of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason : In the interests of promoting sustainable transport modes in accordance with Government advice in the National Planning Policy Framework.

10. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

INFORMATIVES:-

1. Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if protected species or habitats are affected by the development. If protected species are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. If any vegetation or trees are to be removed, it should first be ensured that they do not contain nesting birds or roosting bats. For further information or to obtain approval contact Natural England.
2. The site is not readily observable from the road so all units should be fitted with a fit for purpose monitored intruder alarm. All doors and windows should comply with a recognised security standardsuch as LPCB LPS 1175 SR2.

Town and Country Planning (Development Management Procedure) (England) Order 2015 and Section 4 of the National Planning Policy Framework (February 2019)

In accordance with the above, WEST NORTHAMPTONSHIRE COUNCIL has worked with the applicant in a positive and creative way by offering to engage in pre-application discussions and, where possible, by enabling problems to be resolved within applications in accordance with its adopted protocol on 'Negotiating Submitted Applications'. Where the applicant chooses to engage in pre-application discussions, the outcome of these will be referred to in the application report. In responding to pre-application enquires and determining formal applications, WEST NORTHAMPTONSHIRE COUNCIL always seeks to look for solutions rather than problems so that applications for sustainable development can be approved, thereby resulting in improvements to the economic, social and environmental conditions of the area.

CONDITIONS

The applicant's attention is drawn to the need to comply with all conditions imposed on this permission. Failure to do so could result in the council serving a breach of condition notice against which there is no right of appeal.

Under the Town and Country Planning (Fees for Applications, Deemed Application, Requests and Site Visits) (England) Regulation 2012 there is a fee payable each time you make a request to discharge any of the conditions attached to this permission. You can apply to discharge more than one condition at the same time. At the time of this decision the fee is £34 per request for householder development and £116 per request in all other cases. The fee may be more when you come to apply for the discharge of condition if the Regulations have been amended. The fee is payable when you submit the details to discharge the condition(s). The Council has '1app' forms for such applications, but their use is not mandatory.

There is no fee for the discharge of conditions on listed building consents.

The Council has eight weeks to respond to applications to discharge conditions, so you will need to make your application in good time before commencing development.

Material Samples

Please note that where any of the above conditions require the approval of materials, material samples are no longer accepted at the Council offices and should in the first instance be left on the application site for the relevant case officer to view and assess in context with its surroundings. Material samples and sample panels should be placed/erected on the site before an application to discharge that condition(s) is submitted.

Should leaving samples on site be impractical then arrangements should be made with the relevant case officer to view samples on site.



Jim Newton - Assistant Director - Growth, Climate and Regeneration

Checked by:	ESH (Officer initials)
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NOTES TO APPLICANTS :

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 you want to appeal against your local planning authority's decision then you must do so within 6 months (12 weeks in the case of householder or minor commercial development) of the date of this notice **(see exceptions below)*

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 permission for the proposed development or could not have granted it without the conditions it 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](#)

If this decision relates 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 (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.*

PURCHASE NOTICE

If either the local planning authority or the Secretary of State refuse 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 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 in whose area the land is situated. This notice will require the Council to

purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

BUILDING REGULATIONS

Any permission granted by this document relates solely to planning permission. Approval under the building regulations and other legislation may be required before works commence.

Development Monitoring

To inform us of your intention to start development please call, e-mail, or return the tear off slip, at least 14 days prior to the commencement of work on site. This will assist the Council with its policy of monitoring development within the district. Please ensure that you have complied with any pre-commencement conditions, e.g. supplied materials for approval. We will also monitor the development against the approved plans, and compliance with any Conditions imposed on the permission.

Thank you in advance for your assistance in this matter.

Yours faithfully

Paul Seckington
Development Services Manager

Please complete the tear off slip (in block capitals) and return to the address below before commencing work

Development Monitoring
WEST NORTHAMPTONSHIRE
COUNCIL
The Forum
Moat Lane
Towcester
Northants NN12 6AD

From (Name and Address):

Name

Address

Phone:

Please be advised that the following development is due to commence:

Planning Permission Ref: S/2020/1438/FUL

Site Address: Land West Of Oxford Road Brackley NN13 7DF

Commencement Date: _____