Town and Country Planning Act 1990

PLANNING PERMISSION

Name and address of applicant
Wincanton Group Ltd
Methven Park
Chippenham
Wiltshire
SN14 0WT

Name and address of agent
Toorc Consulting
The Warren
Caunton Road
Bathley
Newark
Nottinghamshire
NG23 6DN

Part I - Particulars of application

Date of Application
Received: 24th September 2008
Valid: 24th September 2008

Application No.: NCC Ref: 08/00080/WAS
DDC Ref: DA/2008/1040

Particulars and location of development

Change of use of existing show house buildings to offices, in relation to a proposed WEEE facility, including the removal of a condition requiring the demolition of these buildings, On land at Unit 15, Fawsley Drive, Heartlands Commerce Park, Daventry NN11 8UG.

Part II - Particulars of decision:

The Northamptonshire County Council

Hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 that permission has been granted for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following conditions:-

Commencement

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

**Scope of Permission**

2. This planning permission shall only relate to the area edged in red on the submitted plan, titled 'Unit 15 Site Location Plan', Job Number 1380, Drawing Number 50, Revision A. The development hereby permitted shall only be carried out within the site in accordance with the details set out in the submitted application form, drawings and supporting information.

Reason: To define the scope of the permission and in the interest of clarity.

**Landscaping**

3. Any trees or other plants located along the boundary with the fencing proposed in this application which die or become diseased, shall be replaced with a plant or plants of similar size and species, within the next planting season.

Reason: To ensure the amenity of the site is retained and the show house buildings are sufficiently screened from public areas in order to ameliorate the effects of the inconsistent design and appearance of the buildings.

**Lighting**

4. No external lighting shall be installed until a scheme of all lighting provision related to the development hereby permitted has been submitted to, and approved in writing by the Waste Planning Authority. The scheme shall include details of the types and height of lights and/or light columns, their location, technical specification, means of preventing or minimising light spillage and the proposed hours of use.

Reason: In the interests of neighbourhood amenity.

**Informative(s)**

1. For the avoidance of doubt the drawings and documentation to which this decision refers are as follows: -

   - Application Form (dated 24 September 2008); Design and Access Statement (date 24 September 2008); Issue Sheet and Document Register (dated 24 September 2008); Document No. 1380 - 50 - Revision B: Location Plan; Document No. 1380 - 200 - Revision D: Proposed Site Plan; Document No. 1380 - 150 - Revision A: Existing Show House Details.

**Note:** This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
Summary of Reasons for Approval

The continued use of these buildings is considered appropriate and a sustainable use of resources. The degree to which the buildings are inconsistent in design with an industrial location is not significant. The development is considered acceptable in terms of the saved policies GN1, GN2 and EN42 of the Daventry District Local Plan, saved policy GS5 of the Northamptonshire County Structure Plan, and the sustainability principles of Planning Policy Statement 1.

Date: 16th December 2008 Signed ..............................................................

For Chief Planning Officer

Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.
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 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 within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/08a Kite Wing, 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 (a), 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 reasonably 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.

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.

(a) The statutory requirements are those set out in Section 79(6) of the Town and Country Planning Act 1990, namely sections 70 and 72(1) of the Act.


Note: This permission only relates to planning permission and does not include consent under the Building Regulations for which separate permission may be required. The requirements of the Chronically Sick and Disabled Persons Act 1970, the Disability Discrimination Act 1995 and the Special Education Needs and Disability Act 2001 should also be adhered to wherever appropriate.