

Town and Country Planning Act 1990

## Grant of Full Planning Permission

Applicant:	Amanda Brown	Application Number:	12/00239/FU
Address	Miss Browns Coffee House 152 Chapeltown Road Leeds LS7 4EE	Date Accepted:	5 March 2012
		Date of Decision:	30 April 2012

**Proposed Development At:** 152 Chapeltown Road Chapeltown Leeds LS7 4EE

**Proposal:** Change of use from sandwich shop (A1) to restaurant (A3) and retrospective installation of flue to rear

**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 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.

- 2) The opening hours of the premises shall be restricted to 07.30 hours to 23.00 hours Monday to Friday, Sunday and bank holidays and to 07.30 hours to 23.30 hours on Saturdays.

In the interests of the amenity of nearby residents.

- 3) The hours of delivery, including the collection of refuse, to and from the premises shall be restricted to 07.30 hours to 18.00 hours Monday to Friday and to 08.00 hours to 13.00 hours on Saturdays with no deliveries on Sundays and Bank Holidays.

In the interests of amenity.

- 4) Outdoor dining to the front and rear of the premises shall cease at 9pm every day.

In the interests of the amenity of residential occupiers of the upper floor duplex flat and surrounding residential properties.

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**Plans Schedule** - as referred to in Condition No. 1 above:-

<b>Plan Type</b>	<b>Plan Reference</b>	<b>Received</b>
Site Location Plan/Red Line/OS Plan		05.03.2012
Proposed plan showing all information	1646-20	05.03.2012

**Reason(s) for granting consent:-**

- 1) In granting permission for this development the City Council has taken into account all material planning considerations including those arising from the comments of any statutory and other consultees, public representations about the application and Government Guidance and Policy as detailed in the National Planning Policy Framework and (as specified below) the content and policies within Supplementary Planning Guidance (SPG) and The Development Plan consisting of The Yorkshire and Humber Plan - Regional Spatial Strategy 2008 (RSS) and the Leeds Unitary Development Plan Review 2006 (UDPR).

GP5, N19, T2, and BD6.

On balance, the City Council considers the development would not give rise to any unacceptable consequences for the environment, community or other public interests of acknowledged importance.

**For information:-**

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](http://www.groundstability.com);

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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.

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.

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A fee of £85 per request or £25 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](http://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](mailto:enquiries@pins.gsi.gov.uk) or by phoning 0117 372 6372.

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](mailto:planning.appeals@leeds.gov.uk) or Appeals Administration, Planning Services, Leeds City Council, The Leonardo Building, 2 Rossington Street, Leeds, LS2 8HD as well as to the Planning Inspectorate at the address on the form.