APPLICATION NO:
F/2000/1109

LOCATION:
17 Peach Street, Wokingham.

APPLICANT:
West Cornwall Pasty Co Ltd C/O Laurence Associates

PROPOSAL:
Proposed use of premises for cooking and sale of hot and cold pasties, and for the sale of other cold food items or use for any purpose falling within use class A1.

EARLIEST DATE FOR DECISION: **07/05/2000**

APPLICATION EXPIRY DATE: **19/05/2000**

CASE OFFICER: **Natalie Brown**

RAILEX
Marbleboard

WOKINGHAM DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACTS

Notification of Approval of Permission

West Cornwall Pasty Co Ltd
C/O Laurence Associates
Trevithick House
Trafalgar Wharf
Malpas Road
Truro
Conrwall
TR1 1QH

Application Number: F/2000/1109

Parish: **WOKINGHAM**

Location: **17, Peach Street, Wokingham.**

Proposal: **Proposed use of premises for cooking and sale of hot and cold pasties, and for the sale of other cold food items or use for any purpose falling within use class A1.**

The Wokingham District Council in pursuance of their powers under the above Acts and Regulations hereby **Approve Permission** for carrying out the above development in accordance with the application and the accompanying plans submitted to the Council subject to compliance with the following conditions, the reasons for which are specified hereunder.

Condition
1. The use hereby permitted shall only be open to the public between 9.00am and 9.00pm.

Condition
2. Within one month of the date of this decision the details of a scheme of ventilation and extraction shall be submitted to and approved in writing by the Local Planning Authority. Equipment shall be installed in accordance with that scheme within three months of the date of such approval and shall thereafter be maintained in accordance with the manufacturers instructions.

Reason
1. In the interests of the character of the area.

Reason

2. In the interests of the amenities of the occupants of this property and other properties nearby.

John Mitchell

John Mitchell
Development Control Manager
Date: 04/08/2000

If this notice grants permission to proceed with the proposal the applicant is reminded that it relates to planning permission only and does not constitute approval under any other legislation including Building Regulations.

Tel. (0118) 974 6444 (Direct Line)
Fax. (0118) 974 6484
Email. Mike.Thorp@wokingham.gov.uk
Date 17 November, 2000
My ref. Development Control/MLT
Your ref.

Ms C Chivers
Planning Services
County of Herefordshire District Council
P.O. Box 230
HEREFORD
HR1 2ZB.

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Switchboard Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham
http://www.wokingham.gov.uk

Dear Ms Chivers

RE: WEST CORNWALL PASTY CO. LTD.

I refer to your letter of 15 November 2000, concerning the above.

The above company opened an outlet at 17 Peach Street, Wokingham, without the benefit of planning permission. We received a complaint from another A3 outlet, and requested the submission of a planning application (the authorised planning use of the property was A1 retail). They claimed their use was A1 and submitted an application for a Certificate of Lawfulness. This was refused, went to appeal, and was dismissed on appeal (copy of appeal decision letter attached).

They then submitted a planning application using agreed wording for the description of development, with the option to return to A1 which I understand was a requirement of their landlord. As we considered that their products added to the interest and variety of the town centre, we granted planning permission not withstanding the location of the premises in a main shopping frontage (copy of decision letter attached).

If you wish to discuss this matter further, please contact me on the above telephone number.

Yours sincerely

MLT

Mike Thorp
Principal Development Control Officer

Enclosure: Appeal decision & planning permission

36683

MWT

HEREFORDSHIRE
COUNCIL

Environment
ACK: Director: S. James
FILE:

The Planning Department
Wokingham Council
Council Offices
Shute End
Wokingham
RG40 1BN

Reply
MJA

CLU(E) 130
00 1:09

17 Peach Street

Your Ref:
Our Ref: CE2000/2025/F
Please ask for: Ms C Chivers
Direct Line: 01432 261961
Fax: 01432 261970
E-mail: cchivers@herefordshire.gov.uk

15 November, 2000

Dear Sir/Madam,

RE: WEST CORNWALL PASTY CO.LTD.

I am given to understand from the enclosed brochure, that the above company has an outlet within your administrative area. I should therefore be grateful to receive your Council's thoughts as to whether the nature of their business/operation is considered to fall within A1 (Retail) or A3 (Sale of Hot Food) of The Town & Country Planning (Use Classes) Order 1987 (as amended). My Council is currently discussing this issue with the company concerned.

In addition, any related planning history and/or other relevant details pertaining to the company's use and occupation within your area would be gratefully received.

I look forward to hearing from you in due course.

Yours faithfully,

CLAIRE CHIVERS
PLANNING OFFICER

PLANNING SERVICES

Enc

WEST CORNWALL PASTY CO.



...brings to your High Street the look and taste of Cornwall.

Behind its stylish facade you will find traditional handmade Cornish pasties (baked daily on site), freshly filled baguettes, hot & cold drinks and much, much more.

WEST CORNWALL PASTY CO.

EVESHAM • WOKINGHAM • HEREFORD • CHIPPENHAM • WELLS • READING

was established in February 1998, to exploit a niche retail market selling traditional handmade Cornish Pasties as the 'new take-away' food.



opened its first store on 25 June 1998, and has quickly established itself as one of the leading chains in the UK with outlets in Evesham, Wokingham, Hereford, Chippenham, Wells and Reading.

's expansion plans detail it having in excess of 30 shops within three years.



The Cornish Pasty is the oldest most well known regional food in the UK, dating back centuries. 's pasties are handmade in Cornwall and baked daily on site, ensuring authenticity and quality of its product. The shops also sell a range of Cornish fare alongside its numerous varieties of pasties. Hot & cold drinks are available with a selection of cakes and a baguette counter selling freshly filled rolls.

has been careful to maintain this authenticity in its shop design by capturing the essence of a Cornish seaside Pasty shop under a 'corporate' banner.



Shop exteriors are finished in stylish black with traditional 'Cornish Gold' lettering. The windows display the Cornish pasties fresh from the oven on attractive wooden panelled counters.

Shop interiors follow a running theme with sky blue and sand yellow paint work, handmade wooden counters and fittings with sea blue tiles. A range of hand painted signs compliment the interior and each shop features its own unique painted mural depicting a Cornish fishing village scene.



Each shop has successfully achieved the aim of creating an *inviting and atmospheric food outlet bringing the Cornish Pasty with its traditional surroundings to locations outside the West Country.*

WEST CORNWALL PASTY CO.

West Cornwall Pasty Co Ltd, Hollbrook House, Old Hill, St. Johns, Helston, Cornwall, TR13 9EL. Tel/Fax: 01326 565758

West Cornwall Pasty Co Ltd. Reg No: 3504068. Incorporated in England and Wales. Registered Office: Watchmaker Court, 33 St John's Lane, London EC1M 4DB

For Reference Lynn

The Planning Inspectorate
Tollgate House,
Houlton Street
Bristol BS2 9DJ
☎ 0117 987 8927

21 OCT 1999

Appeal decision

Site visit on 11 October 1999

By John Whalley CEng MICE

An Inspector appointed by the Secretary of State for the Environment, Transport and the Regions

Appeal APP/X/99/X0360/003192

- The appeal is made under Section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against the refusal of Wokingham District Council to issue a lawful development certificate.
- The appeal was brought by West Cornwall Pasty Company.
- The site is located at 17 Peach Street, Wokingham.
- The application is dated 15 December 1998. The Council's reference in CLU(E) 130.
- The application was made under s.192(1)(a) of the Act.
- The use and development for which a certificate of lawful use was sought is the continued use of *retail shop as bakers (A1 use) selling filled sandwiches and baguettes, pastry items, cooked on* the premises and served still hot from the oven i.e. specialist pasties and sale of other normal bakers items, either cold or freshly baked as ancillary to the retail shop.

Decision: The appeal is dismissed.

Appeal property

1. The appeal property is 17 Peach Street, Wokingham. It is in the main shopping area of the town. The premises consist of the following. Outside, there was a window display of food for sale, mostly pasties. Inside there was a sales area, a sales counter with displays of food for sale. Most of the displays were of pasties, in a heated display cabinet and in trays of pasties taken from the oven. There was a small microwave oven in the shop. There was a chilled cabinet of open boxes containing fillings for baguettes. There were no facilities for customers to eat on the premises. To the rear of the sales area, there was a large oven used for cooking pasties. The oven could cook some 10 trays at a time. There was a cold store alongside the oven. This was used to store uncooked pasties.

Planning history

2. The Council said the previous use of the appeal premises was as a printers/retail sales. It was not disputed the historic use of the premises was a lawful Class A1 general retail use.

The s.192(1)(a) application and reason for refusal

3. The s.192(1)(a) application was as described above. The assertion was that use of the premises remained within the lawful A1 retail use. The Council's reason for refusal showed they considered the use to fall within the A3 (Hot Food and Drink) Use Class. The refusal notice said this was because of the cooking of food on the premises and the level of turnover of cooked pasties.

The appeal activity

4. On their behalf, it was said the appellants, West Cornwall Pasty Company, operated a bakers business at 17 Peach Street. All goods sold were said to be items associated with a

baker's shop. It also sold a few sandwiches, filled baguettes, flapjacks and slices. Pasties were made in Cornwall, delivered to this and other company shops, cooked on the premises and sold to customers at those premises for eating elsewhere.

5. Only the pasties were sold hot. They were baked through the day in batches. Between 12 and 18 were kept in a hot display cabinet in the shop. There was a small microwave oven in the shop. This was said to be rarely used for heating cold pasties, because hot pasties from the heated display cabinet were usually available. It was said that the sale of pasties represented some 80% to 85% of turnover.

Inspectors view

Issues

6. The Council said the current use of 17 Peach Street was Class A3, a hot food shop. For the appellants, it was said the use remained within the lawful Class A1 retail use.

7. In my view, the main issue is whether the baking activity is ancillary to the retail use or part of a mixed bakers/retail use; i.e. what is the primary use of the appeal premises at 17 Peach Street? If the primary use is retail, is it a Class A1 use or a Class A3 use?

My considerations

The primary use

8. I consider that the sale of cold foods, such as sandwiches and filled baguettes at 17 Peach Street for eating off the premises is within a Class A1 use, (Town and Country Planning (Use Classes) Order 1987). But sales of pasties was the main part purpose of the use; amounting to 80% to 85% of turnover. The evidence was that the availability of a wide range of different types of hot pasties was the main selling point. Cooking on the premises, allowing availability of fresh hot pasties throughout the day, was a necessary part of this business activity.

9. The appellant's agents pointed out that the Land Use Gazetteer indicated a baker's shop was a Class A1 use. That may be so, if retail sales were the primary use. But baking is not a retail activity. It is a question of fact and degree as to whether the baking is ancillary to the retail use or part of a mixed retail/baking use. Indeed, if baking was the primary use, retail sales from the premises might be ancillary to the baking use.

10. I consider that the primary activity at 17 Peach Street is the cooking and selling of pasties. The main part of the turnover comes from sales of pasties. All pasties sold from 17 Peach Street are cooked on the premises. The cooking is an integral and essential part of the activity. It is not a small part of the business. It is not ancillary to retail sales. It is such that the use of the premises amounts to a mixed retail/baking use. Such a use does not come within any use in the Use Classes Order. The use replaced the lawful Class A1 retail use of 17 Peach Street and is, therefore, unlawful.

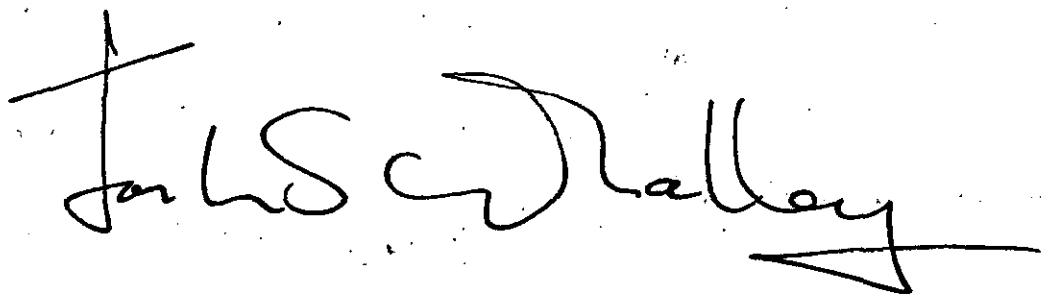
11. Having made this determination, there is no need to consider what class of the Order the retail element of the use may fall within. But for the sake of completeness and because the Council were of the view the use was Class A3 rather than a mixed use, I comment as below.

12. The selling of pasties which are still hot after cooking is ancillary to the primary use. No details were supplied on the proportion of pasties sold hot from trays cooling following cooking, or the proportion of recently cooked pasties which were kept hot. Also, the overall proportion of hot or cold pasties sold was uncertain. For the appellants it was said most pasties were sold cold. On the other hand, the Council said their visits to the premises at lunchtimes showed it was difficult to obtain a cold pasty. All were hot.

13. In my view, although some cold pasties are sold at No. 17, a main selling point is the availability of hot pasties. Many are kept hot following cooking and such pasties are prominently displayed within the shop. This maintains availability of hot pasties and fills gaps between cooked batches. This scale of activity suggests to me, that as a mater of fact and degree, the proportion of sales of hot food are sufficiently high to take the retail use element into a Class A3 use. Had I not found that the cooking on the premises amounted to a baking use not ancillary to retail sales, I would have concluded that the primary use was a Class A3 retail use.

Conclusion

14. I am satisfied, on the evidence before me and for the reasons given, the Council's refusal to issue a certificate of lawfulness of proposed use, dated 15 March 1999, in respect of the use of shop selling sandwiches and pasties at 17 Peach Street, Wokingham, was well founded, and I, accordingly, exercise the powers transferred to me in s.195(3) of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991.



Tel: (0118) 974 6492

Date: 25.7.00

My ref: F/2000/1109

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

CONFIDENTIAL

Councillor R Wyatt
33 Sturges Road
Wokingham
RG40 2HG

Dear Councillor

Application Number: F/2000/1109
17, Peach Street, , Wokingham.
Proposed use of premises for cooking and sale of hot and cold pasties, and for the sale of other cold food items or use for any purpose falling within use class A1.

I write to let you know that the above mentioned application has been recommended for APPROVAL: ☑ ~~REFUSAL~~: ☐ under delegated powers.

If you have any questions please do not hesitate to contact **Natalie Brown** on **(0118) 974 6492.** If you then feel the application needs to be transferred to the next available Development Control Sub-Committee for decision please fill in the form below.
This form must be received no later than 3.8.2000

Yours faithfully

John Mitchell pp

Head of Planning and Transportation

LISTING FORM
Case officer: **Natalie Brown** Application Number: **F/2000/1109**
17, Peach Street, , Wokingham.
Proposed use of premises for cooking and sale of hot and cold pasties, and for the sale of other cold food items or use for any purpose falling within use class A1.

Transfer: Yes ☐ No ☐
Reason for Transfer:

_____

_____

Signed: _____ Date: _____

Councillor R Wyatt

NB. It would be helpful for speedy decision making if you could respond, even if you do not wish this application to be transferred.

Tel: (0118) 974 6492

Date: 25.7.00

My ref: F/2000/1109

CONFIDENTIAL

Councillor J Green
102 Arnett Avenue
Finchampstead
RG40 4EE

Environmental Services Department
Planning Services
P.O. Box 157
Shute End, Wokingham
Berkshire RG40 1WR
Tel: (0118) 974 6000
Fax: (0118) 974 6484
Minicom No: (0118) 974 6991
DX: 33506 – Wokingham

Dear Councillor

Application Number: F/2000/1109
17, Peach Street, , Wokingham.
Proposed use of premises for cooking and sale of hot and cold pasties, and for the sale of other cold food items or use for any purpose falling within use class A1..

I write to let you know that the above mentioned application has been recommended for APPROVAL: ☑ REFUSAL: ☐ under delegated powers.

If you have any questions please do not hesitate to contact **Natalie Brown** on **(0118) 974 6492**. If you then feel the application needs to be transferred to the next available Development Control Sub-Committee for decision please contact the Councillor for your area responsible for planning matters as soon as possible

Yours faithfully

John Mitchell p/p

Head of Planning and Transportation

Received by Wokingham District Council

Application No: F/2000/1109

Proposal:
Proposed use of premises for cooking and sale of hot and cold pasties, and for the sale of other cold food items or use for any purpose falling within use class A1.

Location:
17, Peach Street, , Wokingham.

The application is available for inspection at Wokingham District Council's offices during the following times:

PLANNING DEPARTMENT, SHUTE END, WOKINGHAM TEL (0118) 974 6428
8.30 - 5.00 Monday - Thursday & 8.30 - 4.00 Friday

WOODLEY LIBRARY HEADLEY ROAD WOODLEY (9.30am - 7.00pm Mon, Thurs & Fri. 9.30am - 5.00pm Tues, 9.30am - 1.00pm Saturday. closed all day Wednesday). If you intend to view this application at Woodley Library (see details above) please allow 4 days from the date of this letter for delivery of plans.

Comments should be sent in writing QUOTING THE APPLICATION NUMBER to the Case Officer Natalie Brown P.O. Box 157 Council Offices, Shute End, Wokingham Berkshire, RG40 1WR to arrive on or before 07/05/2000. Written comments submitted will become available for public inspection.

In view of the very large number of planning applications and letters of comment received, it will not normally be possible for an individual reply to observations made. However any comments will be taken into account when the application is determined and you will be notified of the decision.

Head Planning and Transportation

WORK SHEET FOR : Natalie Brown

Application Number : F/2000/1109

Applicant : West Cornwall Pasty Co Ltd C/O Laurence Associates.

Location : 17, Peach Street, , Wokingham.
Proposal : Proposed use of premises for cooking and sale of hot and cold pasties, and for the sale of other cold food items or use for any purpose falling within use class A1.

see agents letter dated 22/3/2000.

Site Notice Displayed ? :

YES	NO	DATE
✓		

Date of Neighbour Notifications : .....

Date of Site Visit : May.....

Date Registered : 24/03/2000

Earliest Date for Decision : 07/05/2000

Latest Consultation Date/Site Notice Expiry Date : 07/05/2000

Application Expiry Date: 19/05/2000

Consultation Responses :
Wokingham TC: 8/5 - no objections subject to Env. Health Regs.
Cons officer: 8/5 - comments.

Env. Health: 27/6 - condition.

SN: none received.
Not town centre management initiative (27/6)

Planning Issues : (cons area, LDd settl, historic core, principal business area)

1) Impact upon the ~~character~~ ~~appearance~~ character of the area. WSH15 + WSH16.
2) Env Health issues
3) Policy issues

CLU(E) 130 - use for selling sandwiches & pasties - refused 15/3/99.
appeal for the above CLU(E) dismissed 21/10/99 (copy of statement in file)

Application Number: F/2000/1109

Appraisal :

Development :

copy of appeal attached on file.

• ~~For~~ the change of use from A1 to any use within A1 & for the sale of hot & cold pasties. This description ensures that A3 use is not granted. There was a CLU(E) (N° 130) submitted for the selling of hot & ~~cold~~ pasties & sandwiches which was refused, a subsequent appeal was dismissed. The Inspector stated cooking was not ancillary to retail sales & that the use of the premises was retail/baking not covered by any uses within the use classes order.

The site lies both within the Wokingham town conservation area & ~~[illegible]~~ id'd sett & is also a principal business area.

Under WDLP policy WSH16 - the site is a primary shop frontage.

1) Impact upon the character of the area.

It is considered that the site at present fits in with Wokingham Town centre. The Cons. Architect had no objections save what extract/ventilation systems would be req'd to facilitate the change.

2) Environmental Health issues.

An Environmental Health Officer visited the site and had no objections to the proposal - but requested a condition be added for suitable ventilation & filtration equipment to be installed.

3) Policy issues.

Policy WSH16 says that uses outside of class A would not normally be permitted along 1° frontages - the proposed use would still be within class A. Policy WSH15 says that the change of use from A1 (retail) to non-retail needs to meet a list of criteria.

A shop selling cold foods can be within A1 - so the use to sell hot pasties only whilst retaining the A1 use would not sufficiently detract from the policy to warrant a refusal.

Item (i) talks about whether any environmental disturbance would occur as a ~~[illegible]~~ result of the use & if it could be mitigated by condition. A condition has been added re ventilation (as there is currently none in place).

Recomendation : Approval: ☑ ~~**Refusal:**~~ ☐

(tick appropriate box)

Application Number F/2000/1109
Conditions/~~Reasons for Refusal~~

No	Std Con	Std Reas	Non Std Conditions ~~/ Reasons for Refusal~~
(1)			Suitable ventilation and filtration equipment shall be installed to suppress and disperse smell and odour created from cooking operations on the premises. [The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the proposed use continues]. Details of the equipment shall be submitted to and approved by the Local Planning Authority in writing. [Details to include outlet height, which in general should be at least 1m above ridge height of the nearest building].
		SR24	
1	2		The use hereby permitted shall only operate between the hours of 9.00 am and 9 pm Mondays
			Reason: in the interests of the character of the area
2	3		Within one month of the date of this decision details of a scheme of ventilation and extraction shall be submitted to and approved in writing by the Local Planning Authority. Within the Equipment shall be installed in accordance with that scheme, (and maintained ~~in accordance with the manufacturers instructions~~) within three months of the date of such approval and shall thereafter be maintained in accordance with the manufacturers instructions
		SR24	

RECORD OF SITE VISIT

SITE ADDRESS: 17 Peach Street Wokingham. APPLICATION NUMBER: F/2000/1109	OFFICER: Natalie Brown DATE OF SITE VISIT:.....

1 SITE/STATUTORY NOTICE DISPLAYED ? Yes in shop window

2. DESCRIPTION OF SURROUNDINGS
Retail (principal business area). 1° shop frontage.
ID'd sett & cons area.

3. DESCRIPTION OF SITE/BUILDING
Pasty shop fronting Peach street. (can smell the food as walk past).

4. RELATIONSHIP TO ADJOINING PROPERTIES
terraced with other shops
See plan.

5. SITE CONSTRAINTS

TREES

ACCESS/PARKING

LEVELS

BOUNDARY TREATMENT

OTHERS

WOKINGHAM D.C. DEVELOPMENT CONTROL

Start date: 24 ~~X~~ MAR 2000	Map No. 75B Site 0-01
Officer: NAB Application No. F/2000/1109	Easting: ..... Flood Pln .....
	Northing: ..... Mineral .....

Level: ☐ Sub Committee ☑ Delegated ☐ Sec. State
☐ Incorrect Fee ☐ Invalid ☐ PD

Description:
~~PROPOSED CHANGE OF USE FROM A1 SHOP TO A3 TAKEAWAY (RETROSPECTIVE)~~
(F) USE OF PREMISES FOR COOKING AND SALE OF HOT AND COLD PASTIES, AND FOR THE SALE OF OTHER COLD FOOD ITEMS, OR USE FOR ANY PURPOSE FALLING WITHIN USE CLASS A1.
Proposed

Location: 17 PEACH STREET

Parish: WOKINGHAM Ward: Wescott
13.4.2000

Applicant: WEST CORNWALL PASTY CO Ltd

Fee Received 190-00 Required ..... Additional ..... Refund .....

Enforcement Section (3) to be notified ☑ tick if required PW

Make sure copies letters go with all application forms

Additional information required for validation

		Reason	Requested	Received
1	1:2500 OS location plan showing property edged in blue/red			
2	1:500 block plan showing existing & proposed dev. + adj. Properties	~~Q2 – column A instead of column 1.~~		
3	Forms unsigned			
4	Correct S 66 certificate			
5	Elevation plans			
(6)	Floor plans	~~Floor plan required showing existing & proposed use~~ (former)		
7	Metric scale disclaimer			
8	Encroachment letter			
9	Miscellaneous			

APPLN NO. _____

ACTION REQUIRED BY DEVELOPMENT CONTROL

Conservation Area ..... Wokingham .....

Listed Building 1 2 2*

Advertisement Required ..... Non-listed in conservation area.

Date Site Notice Sent : 13.4.2000 Parish Council Informed - YES / NO

INTERNAL CONSULTATIONS

Building Control	NF: .....
Landscape	NK: .....
Trees	NK: .....
Conservation Officer	NK: ..... ✓
Environmental Health	NA: .....
Housing	NA: .....
Leisure & Cultural services	PA: .....
Public Rights of Way	PA: .....
Property	NG: .....
District Secretary (only if called in by SOS)	MA: .....
Policy & Plans	QA: .....
Strategic Planning (JSPU)	HA: .....
Minerals (BABTIE)	GA: .....
Archaeological Site (BABTIE)	: .....
Education	AP: .....
Social Services	BT: .....
Highways	XA: .....

EXTERNAL CONSULTATIONS

Adjacent D P A	: .....
Adjacent Parish	: .....
Southern Electricity Board	BN: .....
British Gas	BM: .....
PSA Oil Pipeline	BD: .....
Transco	: .....
Environment Agency	BP: .....
Rail Track	BI: .....
Police Arch. Liaison Officer	PC: .....

HERITAGE BODIES

The Georgian Group	KC: .....
Ancient Monuments Society	KA: .....
Council for British Arch.	KB: .....
RCHME	KF: .....
Telecommunications (NRPB)	: .....
Sport England	: .....

OTHERS:

.....

.....

.....

NEIGHBOURS:

S/N+ 17 Peach Street, Wokingham ✓

15, 19, 16a, 16b Peach Street

BY HAND 27/06/00

Tel. 978 2732

Fax

Date 26 June 2000

NB

WOKINGHAM TOWN CENTRE MANAGEMENT INITIATIVE

Please reply to:

Peter W.J. Leigh,
c/o TCM Office, Town Hall,
Wokingham, RG40 1AS

The Planning Officer,
Environmental Services Department,
Wokingham District Council,
P O Box 157, Shute End,
Wokingham, RG40 1WR

31087

COPIES TO:

FILE:

For the attention of Natalie Brown

Ref: F/2000/1109 - 17 Peach Street, Wokingham

Dear Natalie Brown,

You may know that it was agreed with the former Planning Officer that representations would be welcomed from the T C M I on relevant planning applications affecting Wokingham town centre.

This case was considered at a recent meeting and I apologise for the lateness in expressing the following views.

TCMI would have recommended refusal of an application for a change of use or a certificate of lawful use of these premises had such an application been made before West Cornwall Pasty Co. took its lease - which would have seemed appropriate - for the reason that, although such uses are required for the users of shopping centres, there are considered already to be very adequate Class A3 facilities - more than 20 existing outlets, excluding 13 public houses in Wokingham town centre [see Wokingham Independent Traders letter to the Planning Inspectorate regarding this property].

Being aware of the Inspector's decision, TCMI recommends refusal of the current application and would support the Planning Authority if it elected to take that decision.

If, however, there were reasons whereby the Planning Authority was minded to grant retrospective permission, TCMI would strongly recommend that such permission should be made personal to the applicant in order to prevent any other, possibly less desirable, Class A3 use becoming established in the premises at any later date.

Yours sincerely,

Peter W.J. Leigh,
Chairman, Commercial Sub-Group for WTCMI

WOKINGHAM DISTRICT COUNCIL

MEMORANDUM

From: John Mullaney
Environmental Health

My Ref: JRM

To: Natalie Brown
Planning Department

Date: 26/06/00

WEST CORNWALL PASTY LTD, 17 PEACH STREET, WOKINGHAM

Following a site visits to this premises, I was surprised to find that there is no ventilation equipment whatsoever installed in the premises. The current ventilation consists of the back door being wide open and a draught travelling between the front door which is also open. For this reason I recommend that the following condition be applied to the planning consent.

1. Suitable ventilation and filtration equipment shall be installed to suppress and disperse smell and odour created from cooking operations on the premises. [The equipment shall be effectively operated and maintained in accordance with manufacturer's instructions for as long as the proposed use continues]. Details of the equipment shall be submitted to and approved by the Local Planning Authority in writing. [Details to include outlet height, which in general should be at least 1m above ridge height of the nearest building].

J Mullaney

John Mullaney
Environmental Health Officer

	TLS
	ENF
APP	
CS	
27 JUN 2000	
COPIES TO:	ACK:
	FILE:

LAURENCE ASSOCIATES
Town Planning Consultants

Chartered Town Planners

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30558

Our ref: 0016
Your ref: F/2000/1109

12 June 2000

FAO: Natalie Brown

Wokingham District Council
Environmental Services Department
Planning Services, PO Box 157
Shute End, WOKINGHAM
Berkshire RG40 1WR

Dear Madam

PROPOSED CHANGE OF USE FROM CLASS A1 TO CLASS A3:
17 PEACH STREET, WOKINGHAM

I refer to my client's application for the above, and to your acknowledgement letter dated 13 April 2000. I note that you have amended the description of the proposal in your acknowledgement letter, without any reference to me. However, for the avoidance of any doubt, I would confirm that the amended description is acceptable, and will not prejudice my client's position in any way, although I would remind you that a change of use from Class A3 to Class A1 is permitted development.

It is now considerably in excess of eight weeks since the application was registered. I should be most grateful, therefore, if you could advise me when a decision is likely to be issued. If there are any problems with my client's application, please do not hesitate to contact me and I will endeavour to deal with any outstanding issues at the earliest possible opportunity.

Yours faithfully

Laurence P Osborne

Trevithick House • Trafalgar Wharf • Malpas Road • Truro • Cornwall TR1 1QH
Telephone: 01872 225259 Fax: 01872 223436
email: lpo@laurence-assoc.co.uk Website: www.laurence-assoc.co.uk
Laurence P. Osborne DipTP MRTPI Principal

PLANNING SERVICES | RPT 29096
POL | FLS
DC | ST
APP |
08 MAY 2000
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WOKINGHAM TOWN COUNCIL CONSULTATION SHEET

Case officer: Natalie Brown

Application Number: F/2000/1109

Proposal: Proposed use of premises for cooking and sale of hot and cold pasties, and for the sale of other cold food items or use for any purpose falling within use class A1.

Site Address: 17 Peach Street, Wokingham

Applicant: West Cornwall Pasty Co Ltd C/O Laurence Associates

Your observations are required in respect of this application by **07/05/2000**

No objections – subject to Environmental Health regulations.

SIGNED: _____ **DATE:** 05/05/00

CLERK TO Wokingham Town Council

18 APR 2000

To:
Harold Sanders
Urban Design And Conservation Officer

From: Natalie Brown

Date: 13 April 2000

Application Number: F/2000/1109

Proposal: Proposed use of premises for cooking and sale of hot and cold pasties, and for the sale of other cold food items or use for any purpose falling within use class A1..

Site Address:
17, Peach Street, , Wokingham.

Applicant:
West Cornwall Pasty Co Ltd C/O Laurence Associates.

Your observations are required in respect of this application within **7 days** of the above date.

No 17 PEACH STREET IS NOT A LISTED BUILDING BUT WITHIN THE CONSERVATION AREA.

PLEASE ADVISE WHAT ADDITIONAL EXTRACT AND VENTILATION SYSTEMS, IF ANY, WILL BE REQUIRED TO FACILITATE THIS CHANGE OF USE

Harold Sanders,

05.05.00

LAURENCE ASSOCIATES
Town Planning Consultants

Chartered Town Planners

24.MAR2000 T09

Our ref: 0016
Your ref: PIW/2/RFS/98/1512

WITHOUT PREJUDICE

9 March 2000

FAO: P I Wratten Esq

Environmental Services Department
Planning Services
Wokingham District Council
PO Box 157, Shute End
WOKINGHAM
Berkshire RG40 1WR

Dear Sir

17 PEACH STREET, WOKINGHAM, BERKSHIRE

Thank you for your letter of 21 February and various enclosures in respect of the above.

On behalf of my client, the West Cornwall Pasty Co Ltd, I now enclose an application for planning permission for change of use from Use Class A1 to Class A3 in respect of the above. **The application is made without prejudice to my client's position that the current use of the building is considered to fall within Use Class A1.** However, my client is anxious to co-operate with the Local Planning Authority in such matters, and would prefer to concede the point, on a without prejudice basis, rather than become embroiled in a protracted diatribe.

The application comprises as follows:

1. Four copies of the application form.
2. Five copies of a site location plan, to a scale of 1:1250.
3. Certificate under Article 7.
4. My client's cheque for £190.00, being the appropriate application fee.

I am aware that my client has submitted an application for a Certificate of Lawfulness under Section 192(1)(a), and following your Council's failure to issue a positive Certificate, a subsequent appeal by my client was unsuccessful. Having regard to the

Trevithick House • Trafalgar Wharf • Malpas Road • Truro • Cornwall TR1 1QH
Telephone: 01872 225259 Fax: 01872 223436
email: lpo@laurence-assoc.co.uk Website: www.laurence-assoc.co.uk
Laurence P. Osborne DipTP MRTPI Principal

appeal decision, I have to say that I find difficulty in equating an application made under Section 192 (proposed use) being described in the appeal decision as '*the **continued** use of retail premises...* '.

It would appear that both sides, i.e. my client and your Council, disagree with the conclusions of the appeal Inspector. For its part, my client Company still maintains its position that the use falls within Use Class A1, whereas your Council maintains its position that the use is A3. However, the appointed Inspector took the view that the use was *sui generis*. The point on which the Inspector took issue was that he considered the baking element of the use to be not ancillary to retail sales. Needless to say, my client disagrees with this view. I would concur with my client's view.

As you know, there has been an exchange of correspondence between us prior to the submission of the current application. It would appear, on the face of it, that my client's use is unobjectionable in planning terms, and that your Council is simply seeking to regularise the situation. However, in correspondence, your Council has indicated that '*an application for personal consent would receive more favourable consideration*'. There has been a subsequent exchange of correspondence regarding that point. Having considered the matter further, I would confirm that, notwithstanding the advice in Circular 11/95 in respect of personal conditions, my client would be prepared to accept a 'personal' condition regarding its use of the premises **provided that** if such a condition is imposed on any permission granted, the permission contains a caveat to the effect that the 'personal' condition shall only apply to my client's use of the premises for Use Class A3 purposes, and that, in particular, in the event of my client vacating, any subsequent Use Class A1 use would be unfettered. This point is of crucial importance given that a change from Class A3 to Class A1 use does not amount to a material change of use requiring planning permission. It would, of course, be wholly unreasonable to 'roll-forward' a 'personal' condition to any subsequent A1 use.

With regard to previous correspondence, I note that your Council's letter to me of 8 February indicates that an application for an A3 use, personal to my client '*would be more likely to receive favourable consideration*', and that your subsequent letter of 15 February again states '*when taking into account the Wokingham District Local Plan, that since the premises of 17, Peach Street, form part of a primary shopping frontage, an application for personal consent would receive more favourable consideration*'.

You have kindly provided me with copies of Policies WSH6, and subsequently WSH5 of the emerging Local Plan. It seems to me that these Policies allow your Council considerable flexibility in dealing with applications of this nature. The reasons why certain types of Use Class A2 and A3 uses may not be considered as acceptable within primary shopping frontages are well documented, and no issue is raised with them. However, in this particular case, irrespective of your Council's view as to the appropriate Use Class, there can be no doubt that my client's use, in terms of location within the primary shopping frontage, demonstrates all the attributes commonly found in a retail shop. In particular, having regard to Policy WSH5 of the

emerging Local Plan, my very firm view is that my client's use does '*maintain and enhance the vitality, viability and essential retail character*' of Wokingham town centre. In such circumstances, and in the light of the emerging Local Plan policies, my very firm view is that my client's use of the premises should be unobjectionable in planning terms.

I trust that the application is in order, and I look forward to receiving your acknowledgement, and, subsequently, formal decision in due course. In the meantime, if there are any matters that require further clarification, please do not hesitate to contact me.

Yours faithfully

Laurence P Osborne

Encs

LAURENCE ASSOCIATES
Town Planning Consultants

Chartered Town Planners

24 MAR 2000 * T109

Our ref: 0016

22 March 2000

PLANNING SERVICES	HPT
POL	TLS
DC	ENF
APP	
CS	
24 MAR 2000	
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	FILE:

FAO: Mr M Thorpe

Wokingham District Council
Environmental Services Department
Planning Services, PO Box 157
Shute End, WOKINGHAM
Berkshire RG40 1WR

Dear Sir

17 PEACH STREET, WOKINGHAM, BERKSHIRE

I refer to my client's planning application, dated 9 March, in respect of the above, and to my most useful telephone conversation with your Mr Thorpe today.

I have discussed the matter with my client who has agreed to accept the advice which has been provided.

In the light of the above, I should be most grateful if you would take this letter as my authority to amend the description of the application to something along the lines of:

> '*Use of premises for the cooking and sale of hot and cold pasties, and for the sale of other cold food items, or use for any purpose falling within Use Class A1*'

It would appear that your Council's position is now to follow the line taken by the appeal Inspector, in his decision on a Certificate of Lawful Use application, dated 21 October 1999; that my client's use was *sui generis*. This is despite your Council's letter to me of 8 February 2000 inviting an application for a change of use from A1 to A3.

The reason for amending the description of the application to provide alternative uses is that Class A of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 states that a change of use from Class A3 to Class A1 is permitted development. However, a change of use from a *sui generis* use to Class A1 would require express planning permission.

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Laurence P. Osborne DipTP MRTPI Principal

As my client is a leaseholder of the premises, he is keen to protect the interests of his landlord. By couching the application in the manner indicated above, in the event that my client vacates the premises within 10 years of the date of any permission granted, a change of use from my client's use to Class A1 would be permitted development under the provisions of Class E of Part 3 of Schedule 2 to the 1995 Order.

I trust that the contents of this letter, and the proposed amendments to the description of the application, will be acceptable to you and that my client can now look forward to a favourable decision on his application. However, if there are any matters that require further clarification or amendment, please do not hesitate to contact me.

Yours faithfully

Laurence P Osborne

ADDRESS 14 PEACH STREET PARISH LOOK

PLOT No. 'LEE' TOY SHOP ORD. SHEET No. 75B

BUILDER

Plan No.	Applicant	Description of Development	Date of Decision	Decision
TP 220	W H Lee	New shop front etc.	12/10/50	Unc
TP 1315	do	Reinst. of shop & new shop front	11/4/57	Unc
3/323	"	FLAT TO OFFICE / NEW FLAT	29.9.88	R

DATE OF COMPLETION

MINISTRY DECISION APPEAL DISMISSED - 21/10/99 - CLU(E) 130

SPECIAL ORDERS CLU(E) 130 - Use for selling sandwiches & hot pastries - 15/3/99 - REF.

DRAINAGE

091074

1789/a

SECTION 66 CERTIFICATE

Application No.

24.MAR2000* 1109

Please fill in both Certificate A, B, C or D and the Agricultural Holdings Certificate. Delete sections not relevant.

(a) "Owner" means a person having a freehold interest or leasehold interest the unexpired term of which is not less than 7 years.

OR

+ See Note (a) to Certificate A

OR

(b) Insert description of steps taken.

(c) Name of local newspaper circulating in the area where the land is situated.

(d) Date of publication (which must be not earlier than the beginning of the period of 21 days ending with the date of the application).

CERTIFICATE A

I certify that:

at the beginning of the ~~period~~ of 21 days ending with the date of the accompanying application, nobody, except the applicant, was the owner of (a) of ~~any part~~ of the land to which the application relates.

CERTIFICATE B

I certify that:

I have/~~The applicant has~~* given the required notice to everyone else who, at the beginning of the period of 21 days ending with the date of the accompanying application was the owner (a) of any part of the land to which the application relates, as listed below.

Owner's(a) name	Address at which notice was served	Date on which notice was served
MR+ MRS LEE	17 PEACH STREET WOKINGHAM	9 MARCH 2000

CERTIFICATE C

I certify that

- I/The applicant* cannot issued a certificate in accordance with either paragraph (a) or paragraph (b) of Section 66(1) of the Act in respect of the accompanying application.

- I have/The applicant has* given the required notice to the persons specified below, being persons who at the beginning of the period of 21 days ending with the date of the application were owners (a) of any part of the land to which the application relates.

Owner's(a) name	Address at which notice was served	Date on which notice was served

- I have/The applicant has* taken all reasonable steps open to me/him/her* to find out the names and addresses of the other owners (a) of the land, or of a part of it, but have/has* been unable to do so. These steps were as follows:

(b) .....

.....

- Notice of the application as attached to this Certificate, has been published in

the (c) .....

on (d) .....

1789/b

CERTIFICATE D

I certify that

- I/The applicant cannot issue a certificate in accordance with paragraph (a) of Section 66 of the Act in respect of the accompanying application.

- I/The applicant have/has taken all reasonable steps open to me/him/her to find out the names and addresses of everyone else who, at the beginning of the period of 21 days beginning with the date of application was the owner (a) of any part of the land to which the application relates, but have/has been unable to do so. These steps were as follows:

(b) . . . . . .

. . . . . .

- Notice of the application as attached to this Certificate, has been published in

the (c) . . . . . .

on (d) . . . . . .

OR

(b) Insert description of steps taken

(c) Insert name of local newspaper circulating in the area where the land is situated.

(d) Insert date of publication (which must not be earlier than the beginning of the period of 21 days ending with the date of the application).

ALL APPLICANTS MUST COMPLETE THIS SECTION

If any of the site is part of an area of land which is let or there is an agreement to let the land for agricultural purposes to a tenant, it may be an agricultural holding. Further advice may be obtained from the Department.

Agricultural Holdings Certificate

One or other section must be crossed through as not applicable.

If the applicant is the sole agricultural tenant he or she must delete the first alternative and insert "not applicable" as the information required by the second alternative.

- None of the land to which the application relates is, or is part of, an agricultural holding.

OR

- I have/The applicant has given the required notice to every person other than my/him/herself who, at the beginning of the period of 21 days ending with the date of the application, was a tenant of an agricultural holding on all or part of the land to which the application relates, as follows:

Tenant's name	Address at which notice was served	Date on which notice was served

Signed Lawrence [signature]

On behalf of WEST CORNWALL PASTY CO LTD

Date 9 MARCH 2000

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN & COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988
Certificate under Section 66

1769a

WOKINGHAM DISTRICT COUNCIL
PLANNING APPLICATION

PART 1

APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT - TOWN AND COUNTRY PLANNING ACTS

Please answer **ALL QUESTIONS** in **BLOCK LETTERS**. If a question is not applicable, answer **N/A** in space. Please submit **SIX** copies of this form and plans to:-

THE DISTRICT PLANNING OFFICER
WOKINGHAM DISTRICT COUNCIL
PLANNING DEPARTMENT
P O Box No. 157
COUNCIL OFFICES
SHUTE END
WOKINGHAM
BERKSHIRE, RG40 1WR

FOR OFFICE USE ONLY

24 MAR 2000 1109

1. APPLICANT'S NAME WEST CORNWALL PASTY CO LTD

ADDRESS HOLBROOK HOUSE OLD HILL
ST JOHNS HELSTON CORNWALL

POST CODE TR13 8HT **PHONE**

2. If the applicant has an agent, all correspondence will be sent to the agent

AGENT'S NAME

ADDRESS *LAURENCE ASSOCIATES*
TREVITHICK HOUSE
TRAFALGAR WHARF
MALPAS ROAD
TRURO CORNWALL TR1 1QH

POST CODE **PHONE** 01872-225259

3. On the plans show the SITE outlined in RED Show also OTHER land in the applicant's ownership or control in BLUE.

SITE LOCATION 17 PEACH STREET WOKINGHAM

4. WHAT IS THE APPLICATION FOR ? Give brief details and state for what purpose this site and any buildings will be used.

CHANGE OF USE FROM CLASS A1 TO CLASS A3 SEE AGENTS LETTER DATED 22 MARCH 2000.

5. Give the area in hectares or part of a hectare **AREA OF SITE** 0.006

6. State the applicant's interest in the land e.g. owner, prospective purchaser, lessee **OWNERSHIP** LESSEE

7. List all the plans and drawings submitted with the application **PLANS/DRAWINGS** 0017/1

8. DOES THE APPLICATION INVOLVE ANY OF THE FOLLOWING ?

Tick the boxes(x)

CHANGE OF USE	☑	REDEVELOPMENT	☐	
ERECTION OF NEW BUILDING	☐	ALTERATION or EXTENSION	☐	

9. WHAT TYPE OF APPLICATION IS THIS ? Tick one box only

OUTLINE PERMISSION	☐	See question 10	
FULL PERMISSION	☑		
APPROVAL OF DETAILS/RESERVED MATTERS	☐	State relevant outline permission number Also complete Question 10	
TEMPORARY PERMISSION	☐	State period required	
RELAXATION OF CONDITIONS	☐	State relevant application number Conditions to be relaxed	

10. IF THIS IS AN OUTLINE APPLICATION OR AN APPROVAL OF RESERVED MATTERS, which details, if any, do you wish to be considered as part of this application ?

		SITING	☐
EXTERNAL APPEARANCE	☐	DESIGN	☐
MEANS OF ACCESS	☐	LANDSCAPING	☐

11. WHAT IS THE EXISTING USE OF THE LAND AND/OR BUILDING(S) e.g. residential, industrial, etc. If the site is vacant say so, and also state its previous use and when that ceased.

BAKER'S SHOP / SANDWICH BAR

12. DOES A PUBLIC RIGHT OF WAY CROSS OR ABUT THE SITE OR THE PROPOSED ACCESS? ~~YES~~/NO — If yes, show existing route(s) and any proposed alternatives on the plans

13. ARE THERE ANY TREES ON THE SITE? IF YES, ARE ANY TO BE FELLED? ~~YES~~/NO — If yes, please show their positions, spread and species on the plans and which, if any, are to be felled.

14. STATE EXTERNAL MATERIALS TO BE USED.

AS EXISTING

15. HOW WILL THE SITE BE ENCLOSED? Say whether walls, fences or hedges, and give height, colour and materials. If the site is divided into plots, say how each is to be enclosed.

N/A

16. HOW WILL SURFACE WATER BE DISPOSED OF?

AS EXISTING

17. HOW WILL FOUL SEWAGE BE DISPOSED OF?

To existing system YES/~~NO~~

If no, please give details

18. WHAT ARE THE ACCESS ARRANGEMENTS?
AS EXISTING
AS PROPOSED
Give details of pedestrian and vehicular access

PEDESTRIAN ACCESS FROM PEACH STREET
" " "

19. HAS PROVISION BEEN MADE FOR THE DISABLED? See notes for applicants

YES.

20. IF THIS PROPOSAL INVOLVES RESIDENTIAL DEVELOPMENT OR THE LOSS OF RESIDENTIAL UNITS, COMPLETE THE FOLLOWING TABLE

	No. OF DWELLINGS/HABITABLE ROOMS PROPOSED		TO BE RETAINED		TO BE LOST	
HOUSE	/	*	/	*	/	*
BUNGALOW	/	*	/	*	/	*
FLAT/MAISONETTE	/	*	/	*	/	*
OTHER	/	*	/	*	/	*

* STATE No. OF HABITABLE ROOMS

21. DOES THE PROPOSAL INVOLVE ANY NON-RESIDENTIAL BUILDING OR USE? YES/~~NO~~ — If YES, complete Part 2 of the form

22. DOES THE PROPOSAL INVOLVE THE WINNING, WORKING OR PROCESSING OF MINERALS: THE DISPOSAL OF MINERAL WASTE, OR THE DEPOSIT OR PROCESSING OF REFUSE AND WASTE MATERIALS? ~~YES~~/NO — If YES, please ask for and complete Part 3 of the form

23. STATE THE FEE ENCLOSED WITH THIS APPLICATION The current scale of fees is enclosed. If you believe a reduced fee or no fee is payable, say why.

£190

I hereby apply for permission in respect of the particulars described above and in the attached plans and drawings. If planning permission is granted, the development must be carried out strictly in accordance with the approved plans. Failure to do so could result in enforcement action being taken. Permission under the Town & Country Planning Acts does not obviate the possible need to apply for Building Regulations approval.

SIGNED [signature] ON BEHALF OF WEST CORNWALL PASTY CO LTD DATE 9 MARCH 2000

Before submitting the application check that it is complete, that all questions have been answered and that the site boundary and the new work are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate and fee. See "NOTES TO HELP APPLICANTS".

1769c

PLANNING APPLICATION

PART 2

This part of the form need only be completed if the application involves non-residential development. Please answer all questions in print or block letters. If the answer is not applicable, write N/A in the space. You may wish to amplify your answers in a covering letter.

24. STATE THE GROSS FLOOR SPACE (by external measurement) OF ALL BUILDINGS TO WHICH THIS APPLICATION REFERS. Please give all floor areas in SQUARE METRES.

	USE CLASS	Existing floor space		Proposed additional floorspace created by	
		Retained in existing use	Lost by change of use or demolition	New building	Change of use
A1	SHOPS	N/A	50m²		
A2	FINANCIAL AND PROFESSIONAL SERVICES	N/A	N/A		
A3	FOOD AND DRINK	50m²	N/A		
B1(a)	OFFICE (other than A2)				
B1 (b)	RESEARCH AND DEVELOPMENT				
B1 (c)	LIGHT INDUSTRIAL				
	GENERAL INDUSTRIAL				
B3-7	SPECIAL INDUSTRIAL			N/A	
B8	STORAGE OR DISTRIBUTION				
C1	HOTELS AND HOSTELS				
C2	RESIDENTIAL INSTITUTIONS				
D1	NON-RESIDENTIAL INSTITUTIONS				
D2	ASSEMBLY AND LEISURE				
OTHER	Please Specify				
OTHER	Please Specify				
	TOTAL	50m²	50m²		

25. IF C1 OR C2 USE IS PROPOSED, PLEASE STATE NUMBER OF BED SPACES —

26. WHAT PROVISION IS BEING MADE FOR PARKING?

	Cars	Lorries
Existing	NONE	NONE
Proposed	NONE	NONE

27. DESCRIBE THE ACTIVITY OR PROCESSES TO BE CARRIED ON
Please provide details of any equipment, plant or machinery to be installed and any end products. You may wish to amplify your answers in a covering letter.

BAKER'S SHOP / SANDWICH BAR
OVEN - USED FOR BAKING PASTIES
SOLD ONLY BY RETAIL FROM
APPLICATION PREMISES
APPLICANT

28. WHO WILL OCCUPY THE PREMISES?
a) Give the name and current operating address of the proposed occupier
b) Will these premises be vacated?

N/A

29. IF KNOWN, HOW MANY PEOPLE ARE LIKELY TO BE EMPLOYED ON SITE AFTER COMPLETION OF THE DEVELOPMENT?

Existing Staff	Transferred Staff	New Staff	Total
3	—	—	3

30. DOES THE PROPOSAL INVOLVE THE USE OR STORAGE OF ANY OF THE HAZARDOUS SUBSTANCES LISTED IN THE NOTES?
If so, state this material, the quantity and method of storage.

NO

Before submitting the application check that it is complete, that all questions have been answered and that the site boundary and the new work are clearly edged in red on the plans. Every application must be accompanied by the appropriate certificate and fee. See "NOTES TO HELP APPLICANTS".

1769d

YOUR PLANNING APPLICATION

WHY DO YOU NEED TO MAKE A PLANNING APPLICATION ?

New buildings, major alterations and enlargement of existing buildings, and many changes in the use of buildings and land need planning permission.
The Town and Country Planning Acts impose a duty on Local Authorities to control these changes, and this means that a balance has to be found between the need and pressure for change, and the desire to protect the character of settlements and the countryside.
The merits of each application are, therefore, carefully examined.

WHAT ELSE MAY YOU HAVE TO DO ?

Listed Building Consent:	for works to a Listed Building; or for demolition works on land within the curtilage of a Listed Building or within a Conservation Area.
Advertisement Consent:	for the display of advertisements or signs
Building Regulation Approval:	for most new building or construction work.

Special forms are available for these types of applications.

You should also check whether there are any other regulations with which you may need to comply.

WHAT HAPPENS TO THE APPLICATION ?

It will first be checked to see if it is complete and if it is, it will be registered.

Consultations will be carried out with public and other bodies, such as the Highway Authority, or Local Parish Councils.

Publicity may be given to allow local people the opportunity to comment on your proposals.

The application will be considered in relation to the Council's planning policies and guidelines, the past history of decisions on that site or in the locality, other standards (such as parking, or visibility at road junctions), and any other material considerations.

The site will be visited by a Planning Officer You may be asked to submit more information, or to amend your application.

The application will then be considered either by a Planning Committee or Sub Committee (made up of Councillors) or by the Chief Officer responsible for planning matters. Objections to an application will be taken into consideration by the Committee or the Chief Officer.

Shortly after the application has been determined, you will receive a Decision Notice.

HOW LONG WILL IT TAKE ?

An application will generally be determined within eight weeks although a longer period may sometimes be required for a complicated application.

WHAT SORT OF DECISION CAN BE MADE ?

Your application may be approved.

Your application may be approved subject to certain conditions. These could impose restictions on the use of land or buildings, or require further details to be approved at a later stage, (e.g. materials or landscaping).
You may appeal against the conditions, but this opens the entire permission to review by the Secretary of State.

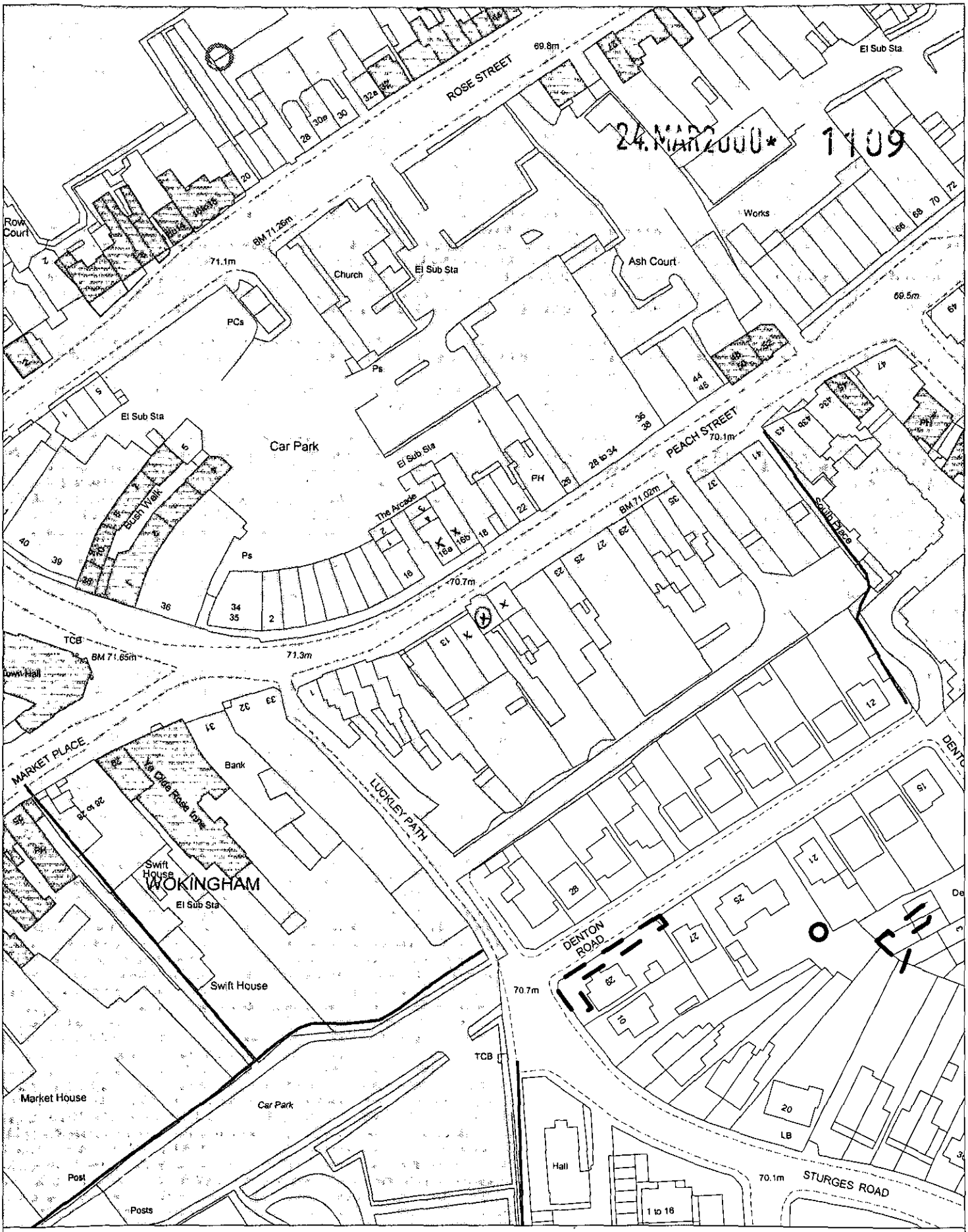
Your application may be refused. The reason will be listed on the Decision Notice.

WHAT HAPPENS IF THE APPLICATION IS REFUSED ?

You have the right to appeal against the refusal to the Secretary of State, but you have to do that within six months. Appeals can be dealt with by written representations by both sides, or by a Public Inquiry.
You may ask the Planning Officer whether an amended application would be more likely to receive planning permission.

DATA PROTECTION ACT 1984

'Information contained in this form is likely to be personal data within the terms of the Data Protection Act 1984, and as such will be held by the Council on computer (such as the PLANAPS applications processing system) and may be used by the Council only for purposes registered under the terms of the Data Protection Act.'



Site Plan, Scale: 1 to 1250

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Date: 31 March 2000

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