



SOUTH STAFFORDSHIRE COUNCIL

Town and Country Planning Act 1990
Town and Country Planning (General Development Procedure) Order 1995

GRANT OF PLANNING PERMISSION

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (eg in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Application Number: 05/01235/COU
Proposed: Change of use of the premises from a restaurant (A3) to a mixed use restaurant and takeaway (A3 and A5) collection and delivery service
At: 29 High Street Wheaton Aston Stafford South Staffordshire ST19 9NP

In pursuance of their power under the above mentioned Act, South Staffordshire Council, hereby **GRANT** planning permission for the development described above in accordance with the details given in the application numbered above,

Subject to the following condition(s):

1. The premises shall be used as a restaurant with takeaway and delivery service and for no other purposes within the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005.
2. The premises shall be closed between 23:30 hours and 17:00 hours the following day on Sunday to Thursday inclusive and between midnight and 17:00 hours the following day on Friday and Saturday.

The reasons for the Council's decision to grant permission for development subject to compliance with the conditions hereinbefore specified are:-

1. In order to define the permission and to avoid doubt.
2. To safeguard the amenity of the area in accordance with policy BE26 of the adopted Local Plan

Signed

Dated: 25 January 2006

W G Meredith
Head of Development and Building Control

PLEASE REFER TO NOTES ENCLOSED

To:
Olivur Rahman Khan
38 Cuin Road
Smethwick
B66 3TU

TIME LIMIT CONDITION

The development to which this permission must be begun not later 3 years from the date on which permission was granted.

NOTES

1) APPEALS

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, or to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment, Transport and Regions in accordance with Section 78(1) of the Town and Country Planning Act 1990. Any appeal must be made within **6 months** of the date of the decision. The Secretary of State has power to allow a longer period for 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 so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provision of the development order and to any directions given under the order.

Appeal forms are obtained from The Planning Inspectorate, 3/07 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6NP

2) PURCHASE NOTICE

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions, 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 the carrying out of any development which has been or would be permitted, he may serve on the Borough Council or District Council or County Council in which the land is situated, as the case may be, 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) COMPENSATION

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.