HPK/2013/0505

High Peak Borough Council

working for our community

4 SEP 2013

GLOSSOP RECEPTION

HIGH PEAK

12 NOV 2013

BOROUGH COUNCIL

Application for removal or variation of a condition following grant of planning permission

Town and Country Planning Act 1990.

Planning (Listed Buildings and Conservation Areas) Act 1990

You can complete and submit this form electronically via the Planning Portal by visiting www.planningportal.gov.uk/apply

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the authority's website. If you require any further clarification, please contact the Authority's planning department.

Please complete using block capitals and black ink.
It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

1. Applicant Name and Address

Title:	MRS
First name:	JENNIFER
Last name:	KIERAS
Company (optional):	THE SOUP SELLER LTD
Unit:	
House number:	40
House suffix:	
House name:	
Address 1:	THE AVENUE
Address 2:	HADFIELD
Address 3:	
Town:	GLOSSOP
County:	DERBYSHIRE
Country:	ENGLAND
Postcode:	SK13 2AN

2. Agent Name and Address

Title:	
First name:	
Last name:	
Company (optional):	
Unit:	
House number:	
House suffix:	
House name:	
Address 1:	
Address 2:	
Address 3:	
Town:	
County:	
Country:	
Postcode:	

3. Site Address Details

Please provide the full postal address of the application site.

Unit: | House number: 73 | House suffix:

House name: THE SOUP SELLER

Address 1: HIGH STREET WEST

Address 2:

Address 3:

Town: GLOSSOP

County: DERBYSHIRE

Postcode (optional): SK13 8AZ

Description of location or a grid reference.
(must be completed if postcode is not known):

Easting: | Northing:

Description:

CAFE

4. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? ☑ Yes ☐ No

If Yes, please complete the following information about the advice you were given. (This will help the authority to deal with this application more efficiently).

Please tick if the full contact details are not known, and then complete as much as possible: ☑

Officer name: MR. DARLING

Reference:

Date (DD/MM/YYYY): DATE NOT KNOWN
(must be pre-application submission)

Details of pre-application advice received?

ADVISED VIA IPHONE TO APPLY FOR CHANGE OF CONDITION 4 SO OUTSIDE AREA CAN BE USED AS A PUBLIC GARDEN.

5. Description Of Your Proposal

Please provide a description of the approved development as shown on the decision letter, including the application reference number and date of decision in the sections below:

APPLICATON NO. HPK/2011/0401. DECISION DATE: 23.11.2011. CHANGE OF USE OF PREMISES FROM RETAIL TO A3 CAFE. THIS PROPOSAL IS TO CHANGE CONDITION FOUR SO THAT THE OUTSIDE AREA CAN BE USED AS A PUBLIC GARDEN WITH OUTSIDE SEATING.

Reference number: HPK/2011/0401 | Date of decision (DD/MM/YYYY): 23.11.2011 (date must be pre-application submission)

Please state the condition number(s) to which this application relates:

1.		6.	
2.		7.	
3.		8.	
4.	THERE SHALL BE NO OUTSIDE SEATING AREA FOR THE USE HEREBY APPROVED.	9.	
5.		10.	

Has the development already started? ☑ Yes ☐ No

If Yes, please state when the development started (DD/MM/YYYY): JULY 2012 (date must be pre-application submission)

Has the development been completed? ☑ Yes ☐ No

If Yes, please state when the development was completed (DD/MM/YYYY): JUNE 2013 (date must be pre-application submission)

6. Condition(s) - Removal

Please state why you wish the condition(s) to be removed or changed:

SEE ADDITIONAL *

If you wish the existing condition to be changed, please state how you wish the condition to be varied:

PERMISSION FOR OUTSIDE SEATING AREA TO REAR.

7. Ownership Certificates and Agricultural Land Declaration

One Certificate A, B, C, or D, must be completed with this application form

CERTIFICATE OF OWNERSHIP - CERTIFICATE A

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.*
*** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.*

Signed - Applicant:	Or signed - Agent:	Date (DD/MM/YYYY):
[redacted]		03.09.13

CATE OF OWNERSHIP - CERTIFICATE B

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

I certify/ The applicant certifies that I have/the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land or building to which this application relates.

** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.*
*** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990*

Name of Owner / Agricultural Tenant	Address	Date Notice Served

Signed - Applicant:	Or signed - Agent:	Date (DD/MM/YYYY):

(6) - CONDITION(S) -

* WE (SOUP SELLER) WISH THE CONDITION (4) TO BE CHANGED SO THAT THE OUTSIDE AREA (TO THE REAR OF THE PREMISES) CAN BE ENJOYED AS A PUBLIC, ENCLOSED, SOUTH FACING GARDEN.
THIS IS A COMMUNAL AREA - PREVIOUSLY OVERGROWN, VERY SCRUFFY AND CONSEQUENTLY WAS UNUSED. IT IS NOW A PLEASURE TO BE IN - AND CAN BE ENJOYED BY ALL LOCAL RESIDENTS AS IT IS ENCLOSED BUT NOT LOCKED.
SOUP SELLER CLOSES AT 6PM.
THE GARDEN IS SEPARATED FROM A LARGE ADJACENT BEER GARDEN BY A BRICK WALL ONLY. CLEARLY THIS CREATES MORE POTENTIAL DISTURBANCE TO NEIGHBOURS AND RESIDENTS THAN A SIMPLE GARDEN NEVER COULD.

7. Ownership Certificates and Agricultural Land Declaration (continued)

CERTIFICATE OF OWNERSHIP - CERTIFICATE C

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

certify/ The applicant certifies that:

- Neither Certificate A or B can be issued for this application
- All reasonable steps have been taken to find out the names and addresses of the other owners* and/or agricultural tenants** of the land or building, or of a part of it, but I have/ the applicant has been unable to do so.

"owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

*** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990*

The steps taken were:

Name of Owner / Agricultural Tenant	Address	Date Notice Served

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

CERTIFICATE OF OWNERSHIP - CERTIFICATE D

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

certify/ The applicant certifies that:

Certificate A cannot be issued for this application

All reasonable steps have been taken to find out the names and addresses of everyone else who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land to which this application relates, but I have/ the applicant has been unable to do so.

"owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990*

The steps taken were:

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

8. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

The original and 3 copies of a completed and dated application form: ☐

The original and 3 copies of other plans and drawings or information necessary to describe the subject of the application: ☐

The correct fee: ☐

The original and 3 copies of the completed, dated Ownership Certificate (A, B, C or D – as applicable) and Article 12 Certificate (Agricultural Holdings): ☐

9. Declaration

/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional nformation. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Signed - Applicant: [redacted]

Or signed - Agent:

Date (DD/MM/YYYY): 03.09.13 (date cannot be pre-application)

10. Applicant Contact Details

Telephone numbers

Country code: [redacted] National number: [redacted] Extension number:

Email address (optional):

11. Agent Contact Details

Telephone numbers

Country code: National number: Extension number:

Country code: Mobile number (optional):

Country code: Fax number (optional):

Email address (optional):

12. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? ☐ Yes ☑ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? *(Please select only one)* ☐ Agent ☑ Applicant ☐ Other (if different from the agent/applicant's details)

If Other has been selected, please provide:

Contact name: JENNIFER KIERAS

Telephone number: [redacted]

Email address: [redacted]