

Application Number: 18/02037/NMC01
Date of Application: 28 January 2021
Date Decision Issued: 10 February 2021

Service Director for Planning and
Transportation: Bronwen Knight
Wakefield One
PO Box 700
Burton Street
Wakefield
WF1 2EB
Typetalk calls welcome

C Matei
c/o SSA Architects
1 Cardale Park
Beckwith Head Road
Harrogate
HG3 1RZ

**Section 96a of the Town and County Planning Act 1990
(as amended)**

**Approval of Non Material Change
to Planning Permission**

Description and Location of Application

Non material amendment to approved planning application 18/02037/FUL dated 17 May 2019 (for the Erection of 30 bed care home and 4no extra care units (C2) with ancillary parking) to increase the head heights of all windows and moving the art stone band in line with this and amend the window transom height.

at: Ash Grove House Ash Grove South Elmsall Pontefract WF9 2TF

Particulars of Decision

Approval of Non Material Change to Planning Permission for the development in accordance with the plans and specifications hereby approved subject to the following condition(s) and reason(s), if any:-

1. Condition 2 of approved application 18/02037/FUL (dated 17.05.2019) is hereby amended to read as follows:

The development hereby approved shall be carried out strictly in accordance with the following approved plans as listed below and at the end of this decision notice unless required otherwise by this decision or its attached conditions:

Application form 06/09/2018
 Location plan received 06/09/2018
 Existing site plan DRG 1 06/09/2018
 Proposed Site Layout DRG DR10C received 15/02/2019
 Proposed Site Layout DRG DR10C received 15/02/2019 (survey added)
 Proposed floor plans and elevations Plan DRG 3 06/09/2018
 Proposed Ground Floor Plans DRG 20B 13/12/2018
 Proposed First Floor Plans DRG 21B 13/12/2018
 Proposed second floor plans DRG 22B 13/12/2018
 Proposed elevations SK103 Rev A
 Proposed elevations DRG 3 06/09/2018
 Proposed section B-B DRG 27A 13/12/2018
 Proposed section DRG 5 23/01/2019
 Drainage plan 43297/102 Rev C received 19/02/2019
 Drainage statement 19/02/2019
 Phase 2 site investigation 43297-005
 Landscape Documentation AGS L1 received 22/01/2019
 Energy Statement 14/11/2018
 Design and Access Statement

Any material change to the approved plans will require a formal planning application to vary this condition and any non-material change to the plans will require the submission of details and the agreement in writing by the Local Planning Authority prior to any non-material change being made.

Reason: For the avoidance of doubt as to what is authorised by this permission and in accordance with the National Planning Practice Guidance (Use of Planning Conditions, paragraph 022).

This decision is based on the following plans(s):-

Plan Type	Reference	Version	Date Received
Application Form			28.01.2021
Drawing	elevations	18.060 . 25	28.01.2021
Drawing	proposed elevations	S+SA_649 8_SK103 A	28.01.2021
Drawing	location plan		28.01.2021

Notes

The applicant is advised that the decision notice for this non-material amendment hereby approved should be read in conjunction with the decision notice for approved planning application reference 18/02037/FUL (dated 17.05.2019) and does not constitute a re-issue of the original planning permission.

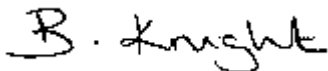
The Local Planning Authority worked proactively and positively to issue the decision without delay. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the NPPF.

The applicant is advised that this permission does not authorise excavations within or abutting the public highway. If any such works are required in connection with this permission, the PRIOR APPROVAL of the Council is required as Highway Authority. Works to the public highway undertaken without the necessary approval would be an unlawful interference with the public highway in respect of which, legal action may be taken under the Highway Act 1980 and related statutes.

The applicant is advised that, even if no building work is proposed, approval may also be required under Building Regulations. The advice of the Building Control Service should be sought before the use commences. If any amendments are proposed to the drawings approved herewith when making application under the Building Regulations, a note to that effect should be made on the revised drawings.

Please refer to the accompanying Statutory Provisions and Notes, which form part of this Notice.

Service Director for Planning

A handwritten signature in black ink that reads "B. Knight". The signature is written in a cursive style with a large initial 'B'.

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FURTHER INFORMATION

Now that your application has been determined, this information sheet is intended to inform you of your options.

If you wish to talk to someone about your application, please contact Development Control and quote your Application Number: 0345 8 506 506 or devcontrol@wakefield.gov.uk

GRANTED

If your application has been granted, please be aware that the following may apply to you.

TIMESCALES

- If you do not begin the development within the period specified on your decision notice, the permission will lapse.
- If the development is begun but not completed we can, in certain circumstances, require that it is completed within a specified period.

CONDITIONS

If your application has been granted subject to conditions you may be required to submit information to discharge of conditions these conditions. Some conditions must be discharged before development can commence.

The form for discharge of condition applications can be found using the following link https://ecab.planningportal.co.uk/uploads/appPDF/X4725Form027_england_en.pdf a fee will also be payable.

OTHER CONSENTS

This is only a Planning Permission; it does not necessarily mean you can start your development. You must also assess the impact of the following on your development:

- It may be necessary to obtain approval under the Building Regulations. This is handled by our Building Control Department.
- This permission does not entitle you to obstruct a Right of Way. If you need to stop up or divert a footpath or bridleway to enable you to carry out the development you should contact our Public Rights of Way office.
- Any applications for Council grants towards the costs of the development will need to be approved before work starts.
- Your development may come under the jurisdiction of two different pieces of Civil Legislation: the Party Wall Act and Right to Light: see the MHCLG website for more information
- If your development requires you to alter any existing utilities (Drainage, Water, Electricity, Gas, Phone, Cable, etc.) then you will need to liaise with the appropriate organisation.

Do not start your development until you have all the applicable consents

GROUND STABILITY

- This Planning Permission does not constitute any guarantee as to the stability of the site.

GRANTED WITH CONDITIONS, SPLIT DECISION OR REFUSAL

If your application has been refused, in part or in full, or if there are conditions attached to the grant, then you may wish to consider making a resubmission or an appeal.

APPEALS

If you are aggrieved by this decision, then you may be able to make an appeal. Appeals in England and Wales are handled (on behalf of the Secretary of State for the Ministry of Housing, Communities and Local Government) by the Planning Inspectorate in Bristol.

There are strict time limits on when Appeals can be made and you are urged to visit <https://www.gov.uk/government/organisations/planning-inspectorate>. Alternatively information about all aspects of the Appeal Process are available from the Planning Inspectorate, and the Planning Portal.

INFORMATION

BUILDING CONTROL

01924 306557

buildingcontrol@wakefield.gov.uk

www.wakefield.gov.uk/Planning/BuildingControl

PUBLIC RIGHTS OF WAY

0345 8 506 506

prowteam@wakefield.gov.uk

www.wakefield.gov.uk/CultureAndLeisure/ParksAndOpenSpaces/Footpaths/default.htm

PLANNING INSPECTORATE

<https://www.gov.uk/government/organisations/planning-inspectorate>

The Planning Inspectorate,
Temple Quay House,
2 The Square, Temple Quay,
Bristol BS1 6PN

PLANNING PORTAL

The Planning Portal is the UK Government's online planning and building regulations resource. Use this site to learn about planning and building regulations, and appeal against a decision and research government policy.

www.planningportal.co.uk

MHCLG (MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENT)

MHCLG is the central Government Department responsible for planning policy and building regulations.

<https://www.gov.uk/government/organisations/ministry-of-housing-communities-and-local-government>

