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Head of Place Development



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**Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) (England) Order
2015**

Proposal: Retrospective application for the Variation of Condition 2 (Approved Plans) of planning permission 21/00629/FLH to increase the roof height of the approved single storey rear extension from 2.83m to 3m

Location: 3 Ceres Crescent, Epsom, Surrey, KT17 1FF, .

Application Number: 22/00017/RES

Epsom & Ewell Borough Council as the local planning authority has **GRANTED PERMISSION** for the above development subject to the following conditions:

- 1 The development hereby permitted shall be commenced no later than 11.08.2024.

Reason: In order to comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

HM Land Registry Current Title Plan - received on 12.07.2021
Site Location Plan - received on 14.04.2021
Block Plan - received on 14.04.201

Proposed Plans (1:100), Drawing No.LIVARCH/3CC/102 Issue A
Proposed Front and Rear Elevations (1:100), Drawing No.LIVARCH/3CC/105 Issue

A

Proposed Side Elevations (1:100), Drawing No.LIVARCH/3CC/106 Issue A
- all received on 14.01.2022

3 The materials and finishes of the external walls, roof and windows of the development hereby permitted shall match in colour and texture those of the existing building, unless otherwise specified on the application form and approved plans, or such other materials shall have been approved in writing by the Local Planning Authority, and thereafter shall be retained as such.

Reason: To ensure a satisfactory appearance on completion of the development in accordance with Policy CS5 of the Core Strategy 2007 and Policies DM9 and DM10 of the Development Management Policies Document 2015.

4 The roof of the extension hereby permitted shall not be covered or used as a balcony or sitting area, and no access shall be gained except for maintenance purposes.

Reason: To protect the amenities and privacy of the adjoining residential properties in accordance with Policy DM10 of the Development Management Plan 2015.

Informatives

1 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably

2 Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts.

A completed application form together with detailed plans must be submitted for approval before any building work is commenced.

3 You have been granted planning permission to build a residential extension. When undertaking building work, please be considerate to your neighbours and do not undertake work before 8am or after 6pm Monday to Friday, before 8am or after 1pm on a Saturday or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Health Department Pollution

Section.

4 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

- o carry out work to an existing party wall;
- o build on the boundary with a neighbouring property;
- o in some circumstances, carry out groundwork's within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "The Party Walls etc. Act 1996 - Explanatory Booklet".

5 No part of the development including foundations or guttering, shall encroach upon the adjoining property.

Dated: 31 March 2022

Signed:



Head of Place Development

Your attention is drawn to the notes below and any accompanying letter(s).

Notes for the applicant

This permission relates only to planning legislation. It is your responsibility to seek authorisation required under other legislation. Please contact Customer Services on 01372 732000 for further advice.

In particular, Building Regulations approval may be required for this work. Applicants are advised to contact the Building Control Service at the Town Hall, Epsom, (telephone 01372 732000) to ascertain whether it is necessary for permission to be given under the building regulations.

Attention is drawn to Section 20 of the Surrey Act 1985 which requires that when a building is erected or extended, proper provision shall be made for the fire brigade to have means of access to the buildings and any neighbouring building.

Appeals to the Secretary of State

If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed

development, or to grant it subject to conditions, then you may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 within the following timescales:

Householder applications

If you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Full applications

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Enforcement applications (land already the subject of an enforcement notice)

A planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

Enforcement applications (land which has an enforcement notice served)

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice whichever period expires earlier.

Appeals must be made using a form which you can get from the Secretary of State online at <https://www.gov.uk/planning-inspectorate> or by writing to Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (tel: 0303 444 5000).

The Secretary of State can allow a longer period for the giving of a notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order, and to any directions given under a development order.

Purchase Notices

If either the local planning authority or the Secretary of State refuse permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the Council. This notice will require the Council to purchase the owner's interest in the land in accordance with the provision of the Town and Country Planning Act 1990.

