

## PLANNING PERMISSION

### Part I- Particulars of application

<b>Application No:</b> 11/0137	<b>Date of application:</b> 17th February 2011
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<b>Agent :</b> Mr Kurt Mytt c/o Mr Nigel Lassetter 28 Sledmore Rd Dudley West Midlands DY2 8DX	<b>Applicant :</b> Mr Kurt Mytt 44 Richmand Rd Rubery Birmingham B45 9UN
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<b>Site and particulars of development:</b> Garages E:396493 N:281087, Red Hill Place, Hunnington, Worcestershire - Conversion of an existing garages into a domestic dwelling.
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### Part II- Particulars of decision

Bromsgrove District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act 1990 and the Town and Country Planning General Development Procedure Order 1995 that **permission has been granted** for the carrying out of the development referred to in part I hereof in accordance with the application and plans submitted subject to the following

#### Conditions:

1 The development must be begun not later than the expiration of one year beginning with the date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004

2 The development hereby permitted shall be carried out in accordance with the Approved Plans/ Drawings listed in this notice:

Location Plan at scale 1:1250, Drawing no. 022011KHS002 - received 17/02/2011  
Block Plan at scale 1:200, Drawing no. 1:200 022011KHS003 - received 17/02/2011  
Location Plan, Existing & Proposed Site Plan, Proposed Floor Plan & Elevations at scales 1:1250, 1:200, 1:100, 1:50, Drawing no. 022011KHS001 - received 17/02/2011

Reason: For the avoidance of doubt and in the interests of proper planning.

3 Notwithstanding the plans hereby approved, the windows to be installed at on the northern elevation of the dwelling hereby approved shall be fitted with obscure glazing and any opening lights shall be at high level and top hinged only. The obscure glass shall be maintained in the said window in perpetuity.

Reason: To protect the amenities of neighbouring residents in accordance with policy DS13 of the Bromsgrove District Local Plan January 2004.

## Town and Country Planning Act 1990

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no development included within Schedule 2, Part 1, Classes A to E shall be carried out without the prior approval of the local planning authority to an application in that behalf.

Reason: To protect the visual amenity of the area and the openness of the Green Belt in accordance with policy DS13 & DS2 of the Bromsgrove District Local Plan January 2004, policy CTC.1, D.38 & D.39 of the Worcestershire County Structure Plan 2001 and the guidance contained in PPG2: Green Belts.

5 Before the commencement on site of any works which are the subject of this permission, a scheme of landscaping and planting shall be submitted to, and approved by the Local Planning Authority in writing. The scheme shall include the following:-

- a) full details of all existing physical and landscape features on the site including the position, species and spread of all trees and major shrubs clearly distinguishing between those features to be retained and those to be removed;
- b) full details of all proposed fencing, screen walls, hedges, floorscape, earth moulding, tree and shrub planting where appropriate.

The approved scheme shall be implemented within 12 months from the date when the building hereby permitted is first occupied. Any trees/shrubs/hedges removed, dying, being severely damaged or becoming seriously diseased within 5 years of the date of the original planting shall be replaced by plants of similar size and species to those originally planted.

Reason: To protect the visual amenity of the area and the openness of the Green Belt in accordance with policy DS13 & DS2 of the Bromsgrove District Local Plan January 2004, policy CTC.1, D.38 & D.39 of the Worcestershire County Structure Plan 2001 and the guidance contained in PPG2: Green Belts.

6 The disposal of storm and foul water shall be by means submitted to and approved in writing by the Local Planning Authority and be operational before building works commence.

Reason: In order to secure the satisfactory drainage conditions in accordance with policy DS13 of the Bromsgrove District Local Plan 2004.

### **Informative(s)**

This decision has been taken having regard to the policies within the West Midlands Spatial Strategy, the Worcestershire County Structure Plan (WCSP) June 2001 and the Bromsgrove District Local Plan January 2004 (BDLP) and other material considerations as summarised below:

WMSS: QE3.  
WCSP: CTC.1, D.16, D.38, D.39  
BDLP: DS2, DS13, C27  
Draft CS: CP3, CP14  
Others: PPS1, PPG2, SPG4

It is the Council's view that the proposed development complies with the provisions of the development plan and that, on balance; there are no justifiable reasons to refuse planning permission.



## Town and Country Planning Act 1990

### Notes

The granting of planning consent does not supersede the applicant's responsibilities for biodiversity under the Wildlife and Countryside Act 1981 (as amended), the Countryside and Rights of Way Act 2000, the Natural Environment and Rural Communities Act 2006 and the Badgers Act 1992.

This consent does not absolve the applicant for complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licences required, as described in Part IV of Circular 06/2005.

DATED

14 APR 2011

Signed



Ruth Bamford  
Head of Planning and Regeneration

It is important that you read the following notes

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development or to grant permission or approval subject to conditions, they may appeal to the Department of the Minister for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice (appeals must be made on a form which is obtainable from The Planning Inspectorate, Registry/Scanning, Room 3/01 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Minister for Communities and Local Government is not required to entertain an appeal if it appears that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. The Minister does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by the Minister.
2. If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Minister for Communities and Local Government 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 carrying out of any development which has been or would be permitted, the owner of the land may serve on the Council of the District on which the land is situated a purchase notice requiring that Council to purchase their interest in the land on accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
3. 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 Minister for Communities and Local Government on appeal or on a reference of the application to the Minister. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

