

Tewkesbury Borough Council

TOWN AND COUNTRY PLANNING ACT, 1990

PERMISSION

FOR DEVELOPMENT

*In pursuance of their powers under the above mentioned Act, the Borough Council as Local Planning Authority **HEREBY PERMIT** the development described hereunder in accordance with the submitted application and the accompanying plan(s), but subject to the conditions hereunder stated.*

APPLICATION NO: 18/00767/FUL
APPLICATION DATE: 26.07.2018

TO:

Mr Jason & Mrs Helen Berry & Kenyon
C/O Brodie Planning Associates Ltd
Stable One
Manor Farm Courtyard
Southam
GL52 3PB
FAO Mrs Wendy Hopkins

DESCRIPTION OF LAND: Oak Piece Farm Stanway Road Stanton Broadway WR12 7NQ

DESCRIPTION OF DEVELOPMENT:

Erection of replacement dwelling and detached garage and demolition of existing detached dwelling and barn.

Conditions Attached to Permission:-

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with approved drawing no18.021-100 and 18.021.300 received by the local planning authority on 26th July 2018 and amended drawing nos.18.021.200 Rev.A and 18.021.201 Rev.A received by the local planning authority on 2nd October 2018 and any other conditions attached to this permission.

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

- 3 No footings shall be poured until a detailed plan, showing the levels of the existing site, the proposed levels of the site, the proposed slab levels of the dwelling and garage block approved and a datum point outside of the site, have been submitted to and approved by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In order to define the permission and ensure that the development is of a scale and height appropriate to the site

- 4 Notwithstanding the submitted details, no construction works shall take place above slab level until precise details and where appropriate samples of the following have been submitted to and approved in writing by the local planning authority. The works shall thereafter be carried out in accordance with the approved details and shall be similarly maintained thereafter:-
- External facing and roofing materials,
 - Details including material, profile and colour of the window frames and doors and their reveals.
 - Details of any external lighting to the building and site
 - Details of boundary treatments

Reason: To ensure a high quality finish to the development in the interest of the visual amenities of the area.

Continued..... /

5 The dwelling hereby permitted shall not be brought into beneficial use, until the existing barn/storage building has been demolished and all resulting materials and debris removed from the site.

Reason: To control the extent of development at the site and in the interest of the visual amenities of the area.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, re-enacting or modifying that Order), no development specified within Classes A and E of Part 1 of Schedule 2 to that Order shall be carried out without the prior written approval of the Local Planning Authority.

Reason: Any further development at the site will require consideration in the interest of the character and appearance of the area and neighbouring amenity.

7 No external lighting (other than that approved under Condition 4) shall be installed within the site or upon the dwelling hereby permitted unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To minimise light pollution and conserve the rural amenity of the area.

Note:-

Statement of Positive and Proactive Engagement

In accordance with the requirements of the NPPF the Local Planning Authority has sought to determine the application in a positive and proactive manner offering pre-application advice, detailed published guidance to assist the applicant and published to the council's website relevant information received during the consideration of the application thus enabling the applicant to be kept informed as to how the case was proceeding.

Date: 15.10.2018



Head of Development Services
duly authorised in that behalf

N.B. It is important that you should read the notes on the reverse/attached with this form
**** This decision is not an approval under Building Regulations – refer to Note ****

NOTES

APPEALS TO THE DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT (DCLG)

If the applicant is aggrieved by the decision of the Local Planning Authority to grant permission for the proposed development subject to conditions then you can appeal to the DCLG, under Section 78 of the Town and Country Planning Act, 1990.

If you want to appeal, then you must do so within **six months** of the date of this notice using a form which you can get from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or from the appeals area on www.gov.uk/topic/planning-development/planning-permission-appeals Some personal information will be displayed on this website please contact the Planning Inspectorate on 0303 444 00 00 if you have any concerns

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

The DCLG need not consider an appeal if it seems to him 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 the Development Order and to any directions given under a Development Order.

In practice, the DCLG does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

PURCHASE NOTICES

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State and the owner of the 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, a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act, 1990.

PARTY WALL ACT

Your attention is drawn to the Party Wall Act 1996. The Act will apply where work is to be carried out on the following:

Work on an existing wall or structure shared with another property
Building a free standing wall or a wall of a building up to or astride the boundary with a neighbouring property
Excavating near a neighbouring building.

The legal requirements of this Act lies with the building/site owner, they must find out whether the works subject of this planning permission falls within the terms of the Party Wall Act. There are no requirements or duty on the part of the local authority in such matters. Further information can be obtained from the DETR publication The Party Wall Act 1996 – explanatory booklet

Note

This permission does not imply any rights of entry to any adjoining property nor does it imply that the development may extend into or project over or under any adjoining boundary.

OTHER INFORMATION

This permission relates to planning control only. Any other statutory consent necessary must be obtained from the appropriate authority. Building Regulations consent for the development may be necessary and you should approach the Building Control section on BuildingControl@cheltenham.gov.uk.

If the work authorised by this permission involves the alteration to an access or the crossing of the highway verge or kerb, you are requested to consult the County Highways Divisional Manager before commencing such work. The address of the Gloucestershire Highways, Imperial Gate Business Park, Corinium Avenue, Barnwood, Gloucester, GL4 3BW

If the work authorised by this permission requires the supply of utility or other public services, you are requested to contact the appropriate statutory or other undertaker as soon as possible following the receipt of this decision. Failure to do so may result in a delay in the provision of these services.

Attention is drawn to the fact that any failure to adhere to the details of approved plans or to comply with conditions attached to consents constitutes a contravention of the provisions of the Town and Country Planning Act, 1990 in respect of which enforcement action may be taken.

Any further information concerning this decision can be obtained from the Development Manager, Tewkesbury Borough Council, Council Offices, Gloucester Road, Tewkesbury, Glos, GL20 5TT. Please quote the reference number of this permission in any correspondence.