

TOWN AND COUNTRY PLANNING ACT 1990 PERMISSION FOR DEVELOPMENT

Summerhill Architects
Little Apples
Rowlands Close
Bathford
Bath
BA1 7TZ

APP REF: PK12/0451/F
DATE VALID: 8th February 2012
DECISION DATE: 27th March 2012
PARISH: Pucklechurch Parish
Council

NOTICE OF DECISION

South Gloucestershire Council in pursuance of powers under the above mentioned Act hereby PERMIT:

APPLICATION NO: PK12/0451/F

DESCRIPTION OF DEVELOPMENT: Erection of 1 no. replacement dwelling with attached garage/store and associated works.

APPLICANT: Mr D Light

LOCATION: 150 Westerleigh Road Pucklechurch South Gloucestershire
BS16 9PY

In accordance with the application and accompanying plans, subject to the conditions specified below:

CONDITIONS

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

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990 (as amended).

2. Prior to the commencement of development samples of the roofing and external facing materials proposed to be used shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure a satisfactory standard of external appearance and to accord with Policy D1 of the South Gloucestershire Local Plan (Adopted) January 2006.

South Gloucestershire Council, Environment and Community Services, PO Box 2081, Bristol, BS35 9BP
Telephone: 01454 868004 Email: planningapplications@southglos.gov.uk

3. Notwithstanding the provisions of Schedule 2 of the Town & Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development as specified in Part 1 (Classes A, B, and E) other than such development or operations indicated on the plans hereby approved, shall be carried out without the prior written consent of the Local Planning Authority.

Reason

To prevent extensions or alterations to the dwelling which would have an adverse impact on the Green Belt and to accord with policy GB1 of the South Gloucestershire Local Plan (Adopted) January 2006.

4. Prior to the commencement of development drainage detail proposals incorporating Sustainable Drainage Systems (SUDS) and confirmation of hydrological conditions (e.g. soil permeability, watercourses, mining culverts) within the development shall be submitted for approval in writing to the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason

To ensure that a satisfactory means of drainage is provided, and to accord with policies L17 and EP1 of the South Gloucestershire Local Plan (Adopted) January 2006.

SUMMARY OF REASONS FOR GRANTING PLANNING PERMISSION IN ACCORDANCE WITH ARTICLE 31 OF THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2010

The proposed development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority is not in conflict with the following policies or adopted Supplementary Planning Guidance when read in conjunction with the planning conditions imposed.

The erection of a replacement dwelling would result in a house which could be more energy efficient, than the replacement dwelling previously approved on this site without compromising the openness of the Green Belt, visual, highway safety or residential amenity at this location. The proposal would accord with policies GB1, H4, D1 and T12 of the adopted South Gloucestershire Local Plan.

This represents a summary of the reason for granting planning permission, further details are set out in the application report under the reference number cited at the top of this decision notice.

ADDITIONAL INFORMATION

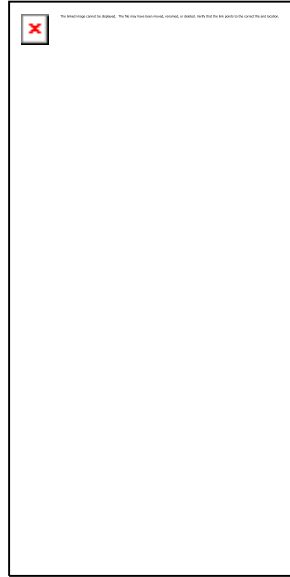
1. This decision relates only to the plans identified below:
Site location plan, SU 01, 1203 P01 to P07 inclusive, 1203 S01 and Design and access statement, all received on 8 February 2012.
2. This permission shall not be construed as granting rights to carry out works on, or over, land not within the ownership, or control, of the applicant.
3. You must obtain the prior written consent of the owner and occupier of any land upon which it is necessary for you to enter in order to construct, externally finish, decorate or in any other way carry out any works in connection with this development including future repairs/maintenance, or to obtain support from adjoining property. This permission does not authorise you to take such action without first obtaining this consent. Your attention is also drawn to the Access of Neighbouring Land Act 1992 and Party Wall Act 1996.
4. This Decision Notice grants planning permission. You are advised that it does not imply compliance with Building Regulations and it is essential that you contact the Council's Building Control Manager with regard to your proposals before proceeding.
5. Any existing buildings on site should be assessed for asbestos materials prior to demolition. Any asbestos shall be removed in full consultation with the Health and Safety Executive.
6. Any temporary oil storage tanks should be safely and securely sited so as to prevent pollution in the event of spills or leakage. It is strongly recommended that any oil storage tank should be surrounded by an impervious oil/ watertight bund having a capacity of at least 110% of the tank.
7. Neighbouring residential premises should be advised of any unavoidable late night or early morning working which may cause disturbance. Any such works should be notified to the Environmental Services Section on 01454 868001 prior to commencement.

PLEASE NOTE: The development hereby permitted must be implemented in accordance with plans hereby approved and any conditions specified above. The conditions may specify that works are to be carried out or details are required to be submitted for further approval, before all or part of the development is otherwise commenced. If the permission is commenced without these requirements being fully met, or in any other manner, the development may be unauthorised and the permission invalidated. The council holds a definitive copy of this planning decision notice. You should be aware of the risk that subsequent copies of the decision notice may be subject to unauthorised alteration and if necessary you are advised to refer to the council for verification. The definitive copy can be viewed via the council's planning website.

HC O'Connor

AREA PLANNING MANAGER

DATE: 27th March 2012



APPEALS AGAINST THE DECISION OF THE LOCAL PLANNING AUTHORITY (LPA)

If the applicant is aggrieved by the decision to refuse permission/consent for this proposal or to grant permission/consent subject to conditions, he may appeal to the Secretary of State for the Department of Communities and Local Government (SOS) in accordance with the provisions below. All appeals should be submitted on a form obtainable from The Planning Inspectorate, at the address below.

- (a) Refusal of planning permission for **Householder applications – within 12 weeks** (Section 78 Town & Country Planning Act 1990 (T & CPA) and Article 26 of the Town & Country Planning (General Permitted Development) Order 1995.
- (b) Refusal of planning permission or permission granted subject to conditions - **within 6 months** (Section 78 Town & Country Planning Act 1990 (T & CPA) and Article 26 of the Town & Country Planning (General Permitted Development) Order 1995.
- (c) Refusal of Listed Building consent or consent granted subject to conditions. Refusal of Conservation Area consent or the decision of the LPA on an application to vary or discharge conditions attached to a Listed Building consent **within 6 months** (Regulation 8 of the Town & Country Planning (Listed Buildings and Conservation Areas) Regulations 1990 and Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- (d) Refusal of consent for display of advertisement or consent granted subject to conditions - **within 8 weeks** of the date you receive the Council's decision - please refer to separate notice attached where necessary.
- (e) Refusal of Tree Preservation Order consent or consent granted subject to conditions. Issuing of an Article 5 certificate on refusing consent or an Article 6 direction on granting consent to fell any part of a woodland – within 28 days Town & Country Planning (Trees) Regulations 1999.

The SOS has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. He is not however required to entertain an appeal if it appears to him that permission for the proposals could not have been granted by the LPA, or could not have been granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development orders and to any directions given under the orders.

In the case of refusal of permission to develop land or refusal of Listed Building consent or the granting of permission or Listed Building consent subject to conditions whether by the LPA or SOS 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 the carrying out of any development works which has been or would be permission, he may serve on the Council in which the land is situated a Purchase Notice (or Listed Building Purchase Notice) requiring the Council to purchase his/her interest in the land in accordance with the provisions of Part VI, Chapter 1 of the Town & CP Act 1990 and Part 1, Chapter III of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In certain circumstances (not applicable to Advertisement proposals) a claim may be made against the LPA for compensation where permission is refused or granted subject to conditions by the SOS on appeal or on reference of the application to him.

NOTES IN RESPECT OF SUBMISSION OF APPEALS

Data Protection: Please note all appeal documentation will appear on the Planning Casework Service website.

When submitting an appeal, please note that an identical set of documents should be sent to both the local authority and The Planning Inspectorate at the following addresses:

Director of Planning, Transportation & Strategic Environment
South Gloucestershire Council
PO Box 2081
Bristol BS35 9BP

The Planning Inspectorate
Room 3/04 Kite Wing
2 The Square
Temple Quay
Bristol BS1 6PN

Please ensure this instruction is complied with in order to avoid any unnecessary delay.

NOTES IN RESPECT OF APPLICATIONS FOR CONSENT TO DISPLAY ADVERTISEMENTS

1. Under the provisions of Paragraph 4 of Schedule 1 of the Town & Country Planning (Control of Advertisements) Regulations 1992 before any advertisement is displayed, the permission of the owner of the land, or building on which the advertisement is to be displayed must be obtained.
2. If a conditions imposing a time limit has been expressly included as part of a consent, then that condition must be observed. If no such condition is imposed Regulation 13 (5) of the 1992 Regulations provides that any consent is granted for a period of FIVE YEARS from the date hereof.
3. Where the Authority grant consent for a period shorter than five years they shall (unless the application required such a consent) state in writing their reasons for doing so, and the limitation in respect of time shall for the purposes of these Regulations be deemed to be a condition imposed upon the granting of consent.
4. At any time within a period of 6 months before the expiry of a consent granted under these Regulations, application may be made for the renewal thereof and the provisions of these Regulations relating to applications for consent and to the determination thereof shall apply where application is made for such renewal.
5. Penalty for Contravention. The amount of the fine to which a person who displays an advertisement in contravention of these Regulations is liable on summary conviction as set out in Section 224 of the Town and Country Planning Act 1990 and Regulation 27 of the 1992 Advertisement Regulations.

NOTES IN RESPECT OF ALL APPLICATIONS

1. Attention is drawn to the need for strict compliance with the approved plan(s), failing which appropriate action will be taken.
2. If planning permission has been granted for the development, please note that should this involve any work within the highway, such as the construction of a vehicular access, the consent of the Highway Authority should be obtained.
3. WHERE PLANNING PERMISSION OR LISTED BUILDING CONSENT HAS BEEN GRANTED, APPROVAL MAY ALSO BE REQUIRED UNDER THE BUILDING REGULATIONS BEFORE ANY WORK IS COMMENCED.
4. Although planning permission may have been granted, should the proposed work involve the demolition, alteration or extension of a Listed Building or the demolition of an existing building in a Conservation Area, Listed Building or Conservation Area Consent will also be required before the work commences.
5. 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 the decision. Failure to do so may result in delay in the provision of these services.
6. If planning permission has been granted this may be subject to condition(s) as listed on the decision notice. Some of these conditions require details to be submitted or other work to be carried out before development commences (conditions precedent). If you start development without complying with any such conditions you may invalidate the permission itself. Requests to discharge or confirm conditions made under Article 31 of the Town and Country Planning (Development Management Procedure) Order 2010 should be submitted on the appropriate forms and with any required fee.

Any further information concerning this decision may be obtained from the Director of Planning, Transportation and Strategic Environment. Please quote the Reference Number of this permission in any correspondence.