

NOTICE OF DECISION
Town And Country Planning Act 1990



Mr Luca Maldacea
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Kingsdown
Bristol
BS6 5UD

Application Number: 23/P/0002/FUH

Category: Full application -
householder

Application No: 23/P/0002/FUH
Applicant: Mr Wayne Lee
Site: The Acorns ,Esplanade Road ,Portishead, North Somerset
Description: Proposed erection of a single storey rear extension with first floor terrace area above together with associated internal and external alterations.
Demolition of existing detached garage and erection of a new double garage with improved gradient vehicular access.

North Somerset District Council in pursuance of powers under the above mentioned Act hereby **GRANTS PERMISSION** for the above development in accordance with the plans and particulars received and subject to the following condition(s):-

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

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

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

1502-22/1000 Site Plan Existing
1502-22/1001 Block Plan Existing
1502-22/1100 Ground Floor Plan Existing
1502-22/1101 First Floor Plan Existing
1502-22/1102 Roof Plan Existing
1502-22/1200 Elevations Existing
1502-22/3000 (Rev C) Site Plan Proposed
1502-22/3001 Block Plan Proposed
1502-22/3100 (Rev B) Ground Floor Plan Proposed
1502-22/3101 (Rev C) First Floor Plan Proposed
1502-22/3102 (Rev C) Roof Plan Proposed
1502-22/3200 (Rev C) Elevations Proposed
1502-22/3201 Garage Elevations Proposed

1502-22/SLP Site Location Plan
TPP-01-2023 Tree Protection Plan

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

- 3 Before the first occupation of the development hereby permitted the windows on the ground floor WC and an-suite, east elevation, as shown on drawing number 1502-22/3100 (Rev B) shall be fitted with obscure glazing. The obscure glazing used shall provide a degree of obscuration no less obscure than that which is provided by privacy level 3 of the Pilkington Group Limited textured glass range as defined in publication "Pilkington Decorative Glass Range" (published November 2017). These windows shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order, with or without modification), neither the obscure glazing nor the method of opening shall be subsequently altered without the prior written permission of the Local Planning Authority.

Reason: To protect the living conditions of occupiers of adjoining properties and in accordance with policies DM32 and DM38 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Residential Design Guide SPD (Section 1: Protecting living conditions of neighbours).

- 4 At no time shall the flat roof of the extension hereby permitted be used as a balcony or raised terrace.

Reason: In the interests of protecting the privacy of neighbouring residents in accordance with policies DM32 and DM38 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Residential Design Guide SPD (Section 1: Protecting living conditions of neighbours).

- 5 The materials to be used in the development hereby permitted shall be in complete accordance with the approved plans and specifications unless details of any alternative material have first been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure that the materials to be used are acceptable in order to maintain the character and appearance of the building and those of the surrounding area, and in accordance with policy CS12 of the North Somerset Core Strategy and policy DM32 of the North Somerset Sites and Policies Plan (Part 1).

- 6 The development hereby permitted shall not be used except for private and domestic purposes and shall at no times be used for any commercial or business purposes whatsoever.

Reason: In the interests of the living conditions of nearby residents and in accordance with policy CS3 of the North Somerset Core Strategy.

Advice Notes:

- 1 Positive and proactive statement: In dealing with the application we have worked with the applicant in a positive and proactive manner and have implemented the requirement in section 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, by publishing local planning guidance on the council's website, offering pre-application written advice and publishing statutory consultee and neighbour comments on the council's website.
- 2 Contact the Network Management Team (01934 888802 or streetworks@n-somerset.gov.uk) for Licences for scaffolding, hoarding & fencing, mobile elevating work platforms (MEWPs) and builders materials that may be required on the highway as soon as possible. The Highway Authority does not accept roll on roll off skips on the highway.

Any works carried out by or for a developer which affects the public highway in any way (affecting the carriageway for vehicles/cyclists or pedestrians on the footway) must be co-ordinated in accordance with the New Roads and Street Works Act 1991 (NSWRA 1991) and the Traffic Management Act 2004 (TMA 2004) to minimize disruption to users. Developers are also required to liaise/seek authorisation from the NSC's Network Management Team (email; streetworks@n-somerset.gov.uk or phone 01934 888802) at least one month in advance of the works affecting the highway. For road closures or formal restrictions required to undertake the works, a minimum of three months' notice will be required.

For advice about how to comply with the conditions above visit

<https://www.n-somerset.gov.uk/my-services/planning-building-control/planning-advice/planning-conditions>

Date: 17 August 2023
Signed: Richard Kent
Head of Planning

Please use our [online contact form](#) on our website at www.n-somerset.gov.uk/contactplanning if you require further information on this decision.

IT IS IMPORTANT THAT YOU SHOULD READ THE NOTES ACCOMPANYING THIS NOTICE

NOTES RELATING TO A DECISION TO GRANT PLANNING PERMISSION

These notes are intended as helpful advice. PLEASE READ THEM CAREFULLY. Make sure everyone has a copy that needs it, including your builder or contractor.

Scope of this decision notice

This decision notice grants planning permission only. It should not be taken to imply that the scheme meets the requirements of any other agency or land owner that may be involved. Please make sure that you have obtained all the approvals you need before starting work. If you are in any doubt, you should obtain professional advice.

Building Regulations

Our surveyors can help you find out if you need building regulations approval and advise you how to proceed. There is no charge for this service, which you can request online or by calling 01275 884550.

LABC Warranty

With policies underwritten by 'A' rated global insurers, you can secure finance more easily and get technical guidance throughout the build to limit the potential for any problems and ensure your reputation is protected. You will benefit from the support of a dedicated Account Manager and Customer Service contact. Visit <https://www.labcwarranty.co.uk/>

Builders and consultants

Many people worry about finding the right builder or consultant. Whilst we don't recommend any business, we do share on our website a list of local professionals that regularly use our building control service and who have won awards.

Conditions

This approval is subject to conditions. They are an integral part of the decision and are important because they describe how the council requires you to carry out the approved work or operate the premises. It is your responsibility to comply fully with them.

Please pay particular attention to those conditions that have to be met before work commences. There is a fee for requests for written confirmation that conditions have been complied with. Details of these fees can be found on our website. When sending us information please include the decision reference number and relevant condition number. Depending on the complexity of the issues involved it can take up to 12 weeks for conditions to be discharged. It is therefore important that you submit any required details to us early.

Applications to discharge planning conditions received from 1st January 2021 will be made available on our website for public inspection. This includes the name, address and contact details of the applicant and their agent. When applying to discharge a planning condition, you should consider very carefully what information about yourself and others you send us. If you do not want information or documents in your application to be shown on our website, please contact us directly when you make your submission so that we can consider your request. The default position is however to make the information public and an exception to this will not normally be agreed.

Appeals

If you are aggrieved by our decision to grant permission subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

As this is a decision for a householder application, if you want to appeal against our decision then you must do so within 12 weeks of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against our decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

Appeals can be made online at: <https://www.gov.uk/appeal-householder-planning-decision>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving 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.

You can learn about how to submit an appeal at <https://www.gov.uk/appeal-householder-planning-decision>

How to get our advice

It is well worth contacting the officer who dealt with your application to see if an alternative solution can be reached which would avoid the need for an appeal. Should you require our written advice prior to submitting a new application please be aware that there is normally a fee for such requests. Details of how to obtain our advice prior to submitting an application can be found on our website.

Protected species

The Wildlife and Countryside Act 1981 (as amended) makes it an offence to intentionally or recklessly disturb a protected species while it is occupying a place which it uses for shelter or protection. This includes, for example, bats or birds in roof spaces or cavities. Obtaining planning permission does not grant permission to disturb protected species. Licences can, however, be issued to allow construction works that would otherwise be prohibited. Applications for licences should be made to Natural England before any construction works commence on site.

Access to further information

Further guidance on Planning and Building regulation information and services can be accessed on our website and on the Planning Portal at www.planningportal.co.uk.

Prepare for floods

If the scheme to which this approval relates is at risk of flooding you should prepare a flood plan to help keep people safe and protect your property. You can find out if your property is at risk of flooding and how to prepare a flood plan on the [Government's website](#). You should also sign up for [flood warnings](#).

Works which affect a Public Highway

Any works/events carried out by or for a developer which affects the public highway in any way must be co-ordinated in accordance with the New Roads and Street Works Act 1991 and the Traffic Management Act 2004 to minimize disruption to users. Developers are required to inform undertakers of their proposed works, to jointly identify any affected apparatus, and to agree diversion or protection measures and corresponding payment.

Developers are also required to liaise/seek permission of North Somerset Council's Street Works Section (01934 888802 or streetworks@n-somerset.gov.uk) at least one month in advance of the works and this must be in line with the requirements of the NRSWA 1991 and TMA 2004. The developer must endeavor to ensure that undertaker connections/supplies are coordinated to take place whenever possible at the same times using the same traffic management. It should be noted that where road closures or formal restrictions are required to undertake works, a minimum of three months' notice will be required.

Public Rights of Way

The grant of planning permission does not entitle developers to interfere or obstruct any public right of way (PROW). The obstruction of a PROW is an offence. If required an application can be made to North Somerset Council to divert the PROW and should be made well ahead of any development.

It is also an offence to drive a mechanically propelled vehicle without lawful authority on any PROW. The grant of planning permission should not be treated as a grant of lawful authority. Please contact the PROW Team for further advice on 01934 888802.

Changes to Plans:

Should you wish to change your plans for any reason, including the need to meet the requirements of other legislation (for example Building Regulations) it is important that you notify us (i.e. 'the planners') before carrying on with work. Amendments to your approved plans may require a fresh application and could even prove to be unacceptable. Details of how to seek formal approval of amendments to a planning approval can be found on our [website](#) or by visiting the planning portal.

Enforcement:

The council has powers to enforce compliance with planning permission and there are penalties for failure to comply. In cases where terms and conditions of planning permission are not adhered to and the Council finds it necessary to take enforcement action, it almost invariably results in delay and additional expense to the applicant. In extreme cases, it can mean that newly erected buildings have to be demolished.

Street Naming

When you receive consent for the building of new a development(s)/property or creating additional flats/units within an existing dwelling, for reasons of public safety and for the allocation of an official postal address, please contact the Street Naming and Property Numbering Section, Town Hall, Weston-super-Mare, BS23 1UJ; Tel: 01275 888761; email: strnames@n-somerset.gov.uk. Learn more on our [website](#).

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Community Infrastructure Levy (CIL)

North Somerset Council adopted the Community Infrastructure Levy (CIL) Charging Schedule on 18th January 2018. If your development is liable for the CIL, this Planning Decision Notice will be followed by a CIL Liability Notice to set out the amount payable and the next steps. You must not commence development until the CIL Team confirms in writing that the requirements and obligations of the CIL have been complied with. It is strongly advised you familiarise yourself with the CIL process prior to commencement of development, you can find out more about the CIL on our website here: [Community infrastructure levy | North Somerset Council \(n-somerset.gov.uk\)](http://Community infrastructure levy | North Somerset Council (n-somerset.gov.uk)) or by contacting the CIL Team on: cil@n-somerset.gov.uk