

## TOWN AND COUNTRY PLANNING ACT 1990 Prior Approval Scenario 42, 48, 49, 50, 64

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**APP REF:** P23/03449/PNMD  
**DATE VALID:** 15th December 2023  
**DECISION DATE:** 2nd February 2024  
**PARISH:** Patchway Town Council

Mr Metcalfe

South Gloucestershire Council in pursuance of powers under the above mentioned Act hereby GRANT PRIOR APPROVAL FOR:

**APPLICATION NO:** P23/03449/PNMD

**DESCRIPTION OF DEVELOPMENT:** Prior notification for the change of use of ground floor from commercial (Class E) to 2 no. flats (Class C3) as defined in the Town and Country Planning (Use Classes) Order 1987 as amended.

**APPLICANT:** Mr Dan Price

**LOCATION:** 81A Gloucester Road Patchway South Gloucestershire BS34 5JQ

I refer to your notification received as valid on 15th December 2023 for a determination as to whether the prior approval of the Council will be required.

Prior Approval is **GRANTED** in accordance with the application and accompanying plans subject to the conditions within the Town & Country Planning (General Permitted Development) (England) Order 2015.

This decision is also subject to the additional conditions below.

Strategic Planning, South Gloucestershire Council, Department For Place, PO Box 1954, Bristol, BS37 0DD  
Telephone: 01454 868004 Email: [planningapplications@southglos.gov.uk](mailto:planningapplications@southglos.gov.uk)

P23/03449/PNMD

## **CONDITIONS**

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

Reason

To satisfy condition (5) under subparagraph MA.2, class MA, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2. The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below:

Received by the Council on 14th December 2023:

SITE LOCATION PLAN  
EXISTING AND PROPOSED GROUND FLOOR PLANS  
EXISTING ELEVATION PLANS  
EXISTING BLOCK PLAN  
PROPOSED ELEVATION PLANS  
PROPOSED BLOCK PLAN

Reason:

To define the terms and extent of the permission.

## **ADDITIONAL INFORMATION**

1. This Decision Notice does not permit the proposed external alterations to the building, only the proposed change of use. The proposed external alterations should be applied for under a separate planning application.
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

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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. You are advised that this decision 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.

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. For further information regarding the discharge of Planning Conditions and the relevant forms please view "compliance with conditions" on our website, [www.southglos.gov.uk](http://www.southglos.gov.uk) 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.



**DEVELOPMENT MANAGER**

**DATE:** 2nd February 2024

## **PRIOR APPROVAL THE NEXT STEPS**

**Your Decision could be subject to conditions. It is essential that you comply with these conditions in order to protect your planning permission. If you have conditions requiring details to be submitted prior to the commencement of development then failure to discharge these conditions could invalidate your approval and result in enforcement action being taken against the development.**

### **HOW TO APPLY TO DISCHARGE CONDITIONS ON YOUR APPROVAL**

If the condition requires you to agree something in writing with the Authority before development commences then you will need to consider submitting these details at least 8 weeks prior to starting work. In order to submit your application, you can do so by one of the following options:

- Submit an online application using the Planning Portal online application service [www.planningportal.gov.uk/](http://www.planningportal.gov.uk/)
- Complete an application form online via the Planning Portal online Application service, [www.planningportal.gov.uk/](http://www.planningportal.gov.uk/) printing it off and enclosing it with the correct plans, fee and details before sending it to Development Services.
- Download a copy of the application form from the South Gloucestershire website on [www.southglos.gov.uk/planning](http://www.southglos.gov.uk/planning).
- Request a paper copy from our PT&SE Customer Contact Centre by calling 01454 868004.
- Visit one of the Council One Stop Shop receptions to collect a paper copy of the application form.

The fee amount is £34 per request relating to 'householder' applications and £116 for any other full planning applications. The fee is payable for each submission (a single submission may be for more than one condition to be discharged).

### **BUILDING REGULATIONS**

You might require separate Building Control approval and you can also secure this through the Council. For advice on development requiring Building Regulations approval please visit the Planning Portal or contact our Team on 01454 868271

### **ACTING AS AN AGENT?**

Please forward the full copy of this decision to your client and advise them of any conditions. The Council continues to be involved with enforcement action taken against applicants who claim not to have been passed the decision by their Agent.

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

If the applicant is aggrieved by the decision to refuse this proposal – or to grant subject to conditions – they may appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 or section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If they are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on 0303 444 5000.

Appeals must be made to the Planning Inspectorate in accordance with the provisions below:

- (a) for a **householder application**, an appeal must be made within 12 weeks of the date of this notice;
- (b) for a **minor commercial application**, an appeal must be made within 12 weeks of the date of this notice;
- (c) for the **display of an advertisement**, an appeal must be made within 8 weeks of the date of receipt of this notice;
- (d) for **works to trees** subject to a Tree Preservation Order or part of a woodland, an appeal must be made within 28 days of the date of this notice;
- (e) if this planning application relates to the same, or substantially the same, land and development as is **already the subject of an enforcement notice**, an appeal must be made within 28 days of the date of this notice;
- (f) if an **enforcement notice is served** relating to the same or substantially the same land and development as in this application an appeal must be made 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;
- (g) in **all other cases**, an appeal must be made within 6 months of the date of this notice.

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/listed building consent for the proposed development/works or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) and local planning authority ([registrationteam@southglos.gov.uk](mailto:registrationteam@southglos.gov.uk)) at least 10 days before submitting the appeal. Further details are available on [GOV.UK](https://www.gov.uk) website.

When submitting an appeal, it is a requirement that an identical set of documents be submitted to the local planning authority. A copy of all appeal documents (and any subsequent documents required to validate the appeal) should be sent to [registrationteam@southglos.gov.uk](mailto:registrationteam@southglos.gov.uk) when the appeal is made. Please ensure this instruction is complied with in order to avoid any unnecessary delay.