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**Strategic Planning and
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5 October 2023

Dear Mr Smith

Town and Country Planning Act 1990

APPLICATION NO: 23/00926/FUL
SITE: 28 Athenaeum Street Plymouth PL1 2RQ
PROPOSAL: Proposed rear garage

Please find enclosed the Planning Decision Notice for the above site. This permission relates to the submitted plans which are listed and the development should be carried out in accordance with the details shown unless prior consent has been obtained in writing from the Local Planning Authority. Failure to comply with the approved drawings or to comply with the conditions contravenes the Town and Country Planning Act 1990 and could result in enforcement action being taken.

CONDITIONS

Your planning permission may carry conditions. Conditions are included to enable your development proposals to be acceptable. Your Decision Notice will identify whether these conditions will need to be discharged and at what stage in the development stage this is appropriate. Please speak to the case officer if you are unsure. By not discharging your conditions in a timely manner you may come across problems later, for example if you want to sell your property. You may also face an Enforcement investigation from the Council which could result in formal Enforcement action being taken against you. All discharge of planning conditions are by application and do carry a fee.

BUILDING REGULATIONS

It is important to note that applications for approval under the Building Regulations are dealt with separately from applications for Planning Permission. You should not commence works until all necessary consents have been obtained. To ascertain if your proposed works require Building Regulations approval or to discuss any Building Regulations issues please call 01752 304343 or go to <http://www.plymouth.gov.uk/planningandbuildingcontrol/buildingcontrolandregulations>

OFFICIAL

APPEAL

If you are aggrieved by a decision to refuse permission or to grant subject to conditions, you can appeal in writing to The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BSI 6PN

Or, online at:

Householder Planning Application - <https://www.gov.uk/appeal-householder-planning-decision>

Full Planning Application - <https://www.gov.uk/appeal-planning-decision>

For further guidance on making an appeal, to search for an appeal or general information on the appeal process, please use the below link:

<https://www.gov.uk/government/organisations/planning-inspectorate>

Appeals must be made on the correct form relating to the type of application you submitted. Information provided as part of the appeal process will be published online. In some circumstances the Planning Inspectorate may refuse to consider an appeal.

- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate at least 10 days before submitting the appeal.

Householder Planning Application

<https://www.gov.uk/appeal-householder-planning-decision>

Full Planning Application

<https://www.gov.uk/appeal-planning-decision>

Planning Appeals (Section 78 of the Town and Country Planning Act 1990).

- Householder appeals must be submitted within 12 weeks of the date of this notice
- Appeals related to shop fronts must be submitted within 12 weeks of the date of this notice
- Advertisement consent appeals must be submitted within 8 weeks of the date of this notice
- All other planning appeals must be made within 6 months of the date of this notice

Certificate of Lawfulness Appeals (Section 195 of the Town and Country Planning Act 1990)

- There is no time limit for submission of an appeal.

Listed Building Consent Appeals (Section 20 of the Planning (Listed Building and Conservation Areas) Act 1990).

- Appeals must be made within six months of the date of this notice.

If the local planning authority has failed to determine an application for express consent to display an advertisement or an appeal is being made against the grant of consent subject to conditions to which the applicant objects.

- within 6 months from the date on the decision notice, or within 6 months from the expiry of the period which the local planning authority had to determine the application.

For more information on the permitted timeframes for submitting an appeal, guidance is available online on the below link:

<https://www.gov.uk/guidance/appeals>

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 your local planning authority's 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.

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.

COMPENSATION

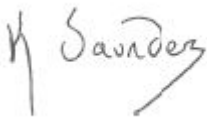
In certain circumstances compensation may be claimed from the Local Planning Authority if permission is granted subject to conditions by the Planning Inspectorate on appeal or on reference to the application to him.

These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.

CONTACT DETAILS

If you have any enquiries please do not hesitate to contact **Mr Mike Stone** on **01752 304994**.

Yours sincerely

A handwritten signature in black ink, appearing to read 'H. Sanders', with a stylized flourish at the end.

Strategic Planning and Infrastructure

Dated: 5 October 2023

PLANNING DECISION NOTICE

GRANT OF PLANNING PERMISSION



Town and Country Planning Act 1990 Planning (Listed Building & Conservation Areas) Act 1990

In correspondence please quote application number: **23/00926/FUL**

APPLICANT: Mr J Smith

SITE: 28 Athenaeum Street Plymouth PL1 2RQ

PROPOSAL: Proposed rear garage

Under the provision of the above act, Plymouth City Council hereby grants permission to carry out the development described in your application dated **26 June 2023**,

The development hereby permitted shall be carried out in accordance with the following conditions;

1 **CONDITION: APPROVED PLANS**

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

Proposed I241-02A received 15/09/23

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

2 **CONDITION: COMMENCE WITHIN 3 YEARS**

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

3 **CONDITION: USE OF NATURAL SLATE**

PRE-COMMENCEMENT

The pitched front section of the garage roof shall be clad using natural slate, fixed with nails, not clips. A sample of the slate shall be submitted to and

PLANNING DECISION NOTICE

GRANT OF PLANNING PERMISSION



approved in writing by the Local Planning Authority before any works commence. The slates shall also comply with the Climate Emergency Planning Statement hierarchy for slate which is;

- o Reclaimed UK or European slates where available with proof of origin from supplier
- o New UK derived slates with proof of origin from supplier
- o New European derived slates with proof of origin from supplier
- o No other natural slate products will be considered acceptable.

All new roof slates must be covered by a minimum warranty period of 50 years. The works shall accord with the approved details.

Reason:

To ensure that the details of the proposed work do not conflict with Policy DEV21 of the Plymouth and South West Devon Joint Local Plan (2014-2034) 2019, the Plymouth and South West Devon Climate Emergency Planning Statement (2022) and the National Planning Policy Framework.

Justification:

To ensure that that the roofing materials are acceptable to the local planning authority in this important historic location.

4 **CONDITION: REAR PEDESTRIAN DOOR**

The rear pedestrian door facing the service lane behind Athenaeum Street shall be natural timber unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the details of the proposed work do not conflict with Policy DEV21 of the Plymouth and South West Devon Joint Local Plan (2014-2034) 2019 and the National Planning Policy Framework.

5 **CONDITION: GARAGE DOOR**

The garage door shall be metal unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the details of the proposed work do not conflict with Policy DEV21 of the Plymouth and South West Devon Joint Local Plan (2014-2034) 2019 and the National Planning Policy Framework.

6 **CONDITION: ELECTRICAL VEHICLE CHARGING PROVISION**

PLANNING DECISION NOTICE

GRANT OF PLANNING PERMISSION



PRE-USE

Prior to first use of the garage hereby approved 1 no. standard electrical vehicle dedicated charging point shall be provided. The electrical vehicle charging point shall remain available for its intended purpose and shall not be used for any other purpose without the written consent of the Local Planning Authority.

Reason:

In order to promote sustainable modes of transport in accordance with policy DEV29 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019).

INFORMATIVES

1 **INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION**

The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

2 **INFORMATIVE: CONDITIONAL APPROVAL (NEGOTIATION)**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and the National Planning Policy Framework, the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

3 **INFORMATIVE: SUPPORTING DOCUMENTS**

The following supporting documents have been considered in relation to this application:

- o Heritage Statement, Design and Access Statement received 22nd June 2023 .

Yours sincerely

PLANNING DECISION NOTICE

GRANT OF PLANNING PERMISSION



H Sanders

Strategic Planning and Infrastructure

Dated: 5 October 2023

Your experience of the planning process is important, Plymouth City Council are always looking for ways to improve customer service. We may get in touch with you to find out about your experience once you have a decision on your application.