



South Staffordshire Council

Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1995

GRANT OF PLANNING PERMISSION

This permission does not carry any approval or consent which may be required under any enactment, bylaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act, 1990.

Application Number: 09/00069/FUL
Proposed At: Detached replacement dwelling
Orchard Cottages Union Lane Trysull South Staffordshire

In pursuance of their power under the above mentioned Act, South Staffordshire Council hereby **GRANT** planning permission for the development described above in accordance with the details given in the application numbered above,

Subject to the following condition(s):

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. Before the development commences details of the facing materials to be used for the external elevations shall be submitted to the Local Planning Authority for approval. The development shall be carried out in the approved materials.
3. At least two parking spaces shall be provided within the curtilage of the site, concurrently with the development, and thereafter retained as such throughout the life of the development.
4. Before the development commences details of all boundary treatment around and within the site shall be submitted to the Local Planning Authority for approval. The approved boundary treatment shall be built/erected concurrently with the development and shall thereafter be retained in the approved form and position throughout the life of the development.
5. Before the development commences a landscape scheme, including the floorscape treatment of the access, parking and courtyard areas, shall be submitted to the Local Planning Authority for approval. The approved scheme shall be implemented concurrently with the development and completed within 12 months of the completion of the development. The Local Planning Authority shall be notified when the scheme has been completed. Any failures shall be replaced within the next available planting season and the scheme shall be maintained to the satisfaction of the Local Planning Authority, and the Local Planning Authority shall be notified when the agreed scheme has been completed.
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any other subsequent equivalent order, no development within the following classes of development shall be carried out to the dwellings hereby approved without the prior approval of the Local Planning

Authority:

- a. Schedule 2, Part 1, Class A - enlargement, improvement or other alteration
 - b. Schedule 2, Part 1, Class B - addition or alteration to the roof
 - c. Schedule 2, Part 1, Class C - any other alteration to the roof
 - d. Schedule 2, Part 1, Class D - porches
 - e. Schedule 2, Part 1, Class E - garden buildings, enclosures, pool, oil or gas storage container
 - f. Schedule 2, Part 1, Class F - hardsurfacing
 - g. Schedule 2, Part 1, Class G - chimney, flue or soil and vent pipe
 - h. Schedule 2, Part 1, Class H - microwave antenna
 - i. Schedule 2, Part 2, Class A - gate, wall, fence or other means of enclosure
 - j. Schedule 2, Part 2, Class B - means of access
 - k. Schedule 2, Part 2, Class C - painting of exterior
7. Before the dwelling hereby approved is occupied, the existing dwelling on the site shall be demolished, all materials shall be removed, and the site reinstated to use as garden.
 8. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct or via soakaways.
 9. The development shall be carried out in accordance with the amended plans received on 16th March 2009 as numbered Rev B.
 10. Before development commences details of the finished floor levels of the buildings shall be submitted to the Local Planning Authority for approval. The development shall be carried out to the approved levels.
 11. No existing trees, shrubs or hedges on the site or its boundaries shall be lopped, topped or cut down without the prior consent of the Local Planning Authority. If any existing trees, shrubs or hedges are cut down or die, they shall be replaced with the same species (unless otherwise agreed with the Local Planning Authority) within the next available planting season and shall be maintained to the satisfaction of the Local Planning Authority.
 12. Before the development commences the existing trees, shrubs and hedges on the site shall be protected by fencing constructed in accordance with BS5837:2005 in positions to be agreed with the Local Planning Authority which shall be retained throughout the development of the site in the approved positions.

The reasons for the Council's decision to grant permission for development subject to compliance with the conditions hereinbefore specified are:-

1. The reason for the imposition of these time limits is to comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
2. To safeguard the visual amenity of the area and the existing building in particular in accordance with policy BE26 of the adopted Local Plan.
3. In the interest of public and highway safety and convenience and to conform to the requirements of policy TR3 of the adopted Local Plan
4. The site is within the Green Belt within which, in accordance with the planning policies in PPG2 and policy GB1 of the adopted Local Plan, there is a presumption against inappropriate development.

5. To safeguard the amenity of the area in accordance with policy BE26 of the adopted Local Plan
6. The site is within the Green Belt within which, in accordance with the planning policies in PPG2 and policy GB1 of the adopted Local Plan, there is a presumption against inappropriate development.
7. In order to define the permission and to avoid doubt.
8. To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimize the risk of pollution, in accordance with policies BE27 and BE28 of the adopted Local Plan and PPS25.
9. In order to define the permission and to avoid doubt.
10. In order to define the permission and to avoid doubt.
11. To safeguard the amenity of the area in accordance with policy BE26 of the adopted Local Plan
12. To protect the existing trees on the site during construction work in accordance with policy LS2 of the adopted Local Plan.

Signed

Dated: 1 April 2009



Sarah Poxon
Development Control Manager

Mr P Simmons
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Nr Wolverhampton
South Staffordshire
WV5 8HS

NOTES

1) APPEALS

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development, or to grant permission subject to conditions, she/he may appeal to the Secretary of State for Communities and Local Government in accordance with Section 78(I) of the Town and Country Planning Act 1990. Any appeal must be made within **6 months** of the date of the decision. The Secretary of State has power to allow a longer period for giving of a notice of appeal, but she/he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to her/him that permission for the proposed development could not have been so granted otherwise then subject to the conditions imposed by them, having regard to the statutory requirements, to the provision of the development order and to any directions given under the order.

Appeal forms are obtained from The Planning Inspectorate, 3/07 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6NP or online at www.planningportal.gov.uk.

2) PURCHASE NOTICE

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or the Secretary of State for Communities and Local Government, 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 which has been or would be permitted, she/he may serve on the Borough Council or District Council or County Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

3) COMPENSATION

In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Compliance with Conditions

In accordance with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations 2008, there is now a fee payable for the request for written confirmation of compliance with a condition or conditions attached to the grant of planning permission:

£25 for each request that relates to a permission for householder development.
£85 for all other requests relating to a permission for development