



Notice of Decision

PERMISSION WITH CONDITIONS

Mr Richard Lomas
1 Scholey Street
Sheffield
S3 8AP

Town and Country Planning Act, 1990
Town and Country Planning (Development Management Procedure) Order, 2015

THE STRATFORD-ON-AVON DISTRICT COUNCIL, having considered the application for permission to develop land at:-

Park Hill House, Idlicote Road, Halford, Shipston-on-Stour CV36 5DQ

Submitted by: Mr & Mrs Lawrence Adamson

Received by the Council on 27 January 2016

HEREBY GIVE YOU NOTICE that PLANNING PERMISSION is GRANTED for the following development, namely:-

The erection of a four / five bedroom detached dwelling with new access and associated works (re-submission of approved planning application 15/02860/FUL)

Subject to the following conditions and reasons, namely:-

1. The development to which this permission relates must be commenced not later than the expiration of three years from the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in accordance with the following plans and drawings labelled 'Site Location Plan', '1509-103C', '1509-101F' and '1509-102F' and the submitted design statement.

Reason: To define the permission and to ensure that the development meets the design quality and environmental requirements of Policy DEV.1 of the Stratford-on-Avon District Local Plan Review 1996-2011.

Case Officer: Charlotte Dicks
Reference No. 16/00333/FUL



~~3. No development shall take place until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed building, have been submitted and approved in writing by the Local Planning Authority. There shall be no variation in these levels without the written approval of the Local Planning Authority.~~

Reason: In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties in accordance with Policy DEV. 1 of the Stratford-on-Avon District Local Plan Review 1996-2011.

4. No development shall take place until a schedule of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the District Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the development is satisfactory in accordance with policy DEV.1 of the Local Plan Review.

5. Access for vehicles to the site shall not be made or maintained from any public highway other than Idlicote Road, Halford.

Reason: To ensure adequate highway safety in accordance with policy DEV.4 of the Stratford-on-Avon District Local Plan Review 1996-2011

6. Access for vehicles to the site from the public highway, Idlicote Road, shall not be made other than at the position identified on the approved drawing number, 103, revision B at a position whereby the visibility splay requirements stated in condition 12.

Reason: To ensure adequate highway safety in accordance with policy DEV.4 of the Stratford-on-Avon District Local Plan Review 1996-2011

7. The development shall not be commenced until an access for vehicles has been provided to the site not less than 3.0 metres in width for a distance of 7.5 metres, as measured from the near edge of the public highway carriageway.

Reason: To ensure adequate highway safety in accordance with policy DEV.4 of the Stratford-on-Avon District Local Plan Review 1996-2011

8. The gradient of the access for vehicles to the site shall not be steeper than 1 in 15 for a distance of 7.5 metres, as measured from the near edge of the public highway carriageway.

Reason: To ensure adequate highway safety in accordance with policy DEV.4 of the Stratford-on-Avon District Local Plan Review 1996-2011

9. The access to the site for vehicles shall not be used in connection with the development until it has been surfaced with a bound material for a distance of 7.5 metres as measured from the near edge of the public highway carriageway in accordance with details to be approved in writing by the Local Planning Authority.

Reason: To ensure adequate highway safety in accordance with policy DEV.4 of the Stratford-on-Avon District Local Plan Review 1996-2011

~~10. The access to the site shall not be constructed in such a manner as to reduce the effective capacity of any drain or ditch within the limits of the public highway.~~

~~Reason: To ensure adequate highway safety in accordance with policy DEV.4 of the Stratford-on-Avon District Local Plan Review 1996-2011~~

11. The access to the site for vehicles shall not be used unless a public highway verge crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority.

Reason: To ensure adequate highway safety in accordance with policy DEV.4 of the Stratford-on-Avon District Local Plan Review 1996-2011

12. The development shall not be commenced until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4 metres and 'y' distances of 43.0 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.
Reason: To ensure adequate highway safety in accordance with policy DEV.4 of the Stratford-on-Avon District Local Plan Review 1996-2011
13. Gates erected at the entrance to the site for vehicles shall not be hung so as to open to within 5.0 metres of the near edge of the public highway carriageway.
Reason: To ensure adequate highway safety in accordance with policy DEV.4 of the Stratford-on-Avon District Local Plan Review 1996-2011
14. The development shall not be commenced until a turning area has been provided within the site so as to enable vehicles to leave and re-enter the public highway in a forward gear.
Reason: To ensure adequate highway safety in accordance with policy DEV.4 of the Stratford-on-Avon District Local Plan Review 1996-2011
15. No works shall commence until a scheme for foul and surface water disposal has first been submitted to and approved in writing by the Local Planning Authority; the development shall be implemented in accordance with such approved details prior to the first use of the building hereby permitted and shall be retained thereafter.
Reason: In order to safeguard against pollution in accordance with Policies DEV. 8 and PR. 8 of the Stratford-on-Avon District Local Plan Review 1996-2011.
16. Before the first occupation of the building hereby permitted the first floor windows on the south-eastern and north-western elevations shall be fitted with obscured glazing (minimum of level 3 obscure glass) and be top opening only and shall be permanently retained in that condition thereafter.
Reason: To prevent overlooking and loss of privacy to neighbouring properties in accordance with the provisions of Policy DEV.1 of the Stratford-on-Avon District Local Plan Review 1996-2011.
17. Prior to the occupation of the development hereby permitted a scheme of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:
 - a) planting plans,
 - b) written specifications including cultivation and other operations associated with tree, plant and grass establishment.
 - c) a schedule of plants noting species, plant sizes and proposed numbers/densities.
 - d) existing landscape features such as trees, hedges and ponds to be retained accurately plotted (where appropriate).
 - e) existing landscape features such as trees, hedges and ponds to be removed accurately plotted (where appropriate)
 - f) existing and proposed finished levels (to include details of grading and contouring of earthworks and details showing the relationship of proposed mounding to existing vegetation and surrounding landform where appropriate).

The approved scheme shall be carried out concurrently with the development and completed prior to the first occupation of the development hereby permitted.

~~If within a period of five years from the date of the soft planting pursuant to this condition that soft planting is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced by planting as originally approved, unless the Local Planning Authority gives its written approval to any variation. This replacement planting shall be undertaken before the end of the first available planting season (October to March inclusive for bare root plants), following the removal, uprooting, destruction or death of the original trees or plants.~~

Reason: To ensure the environment of the development is improved and enhanced in accordance with Policy DEV.2 of the Stratford-on-Avon District Local Plan Review 1996-2011.

18. The dwelling hereby approved shall not be occupied until 3 bins for the purposes of refuse, recycling and green waste have been provided for each of the approved dwellings, in accordance with the Council's bin specifications.

Reason: To provide appropriate and essential infrastructure for domestic waste management in accordance with the provisions of Policy DEV. 6 of the Stratford-on-Avon District Local Plan Review 1996-2011.

19. The house hereby permitted shall not be occupied until it has been provided with a minimum 190 litre capacity water butt fitted with a child-proof lid and connected to the downpipe.

Reason: In the interest of sustainable development (conservation of water) in accordance with policy DEV.7 of the Local Plan Review.

20. The finished floor levels for the dwelling hereby approved shall be set at least 0.6m above the external ground level. These finished floor levels shall be retained for the life of the development.

Reason: In the interests of residential amenity and flood risk in accordance with policy PR.7 and DEV.7 of the Local Plan Review.

Notes

1. ~~The local planning authority has taken into account the National Planning Policy Framework, including paragraphs 186 and 187 which detail the need to work positively with applicants to secure developments that improve the economic, social and environmental concerns of the area. Consideration has been given to the inclusion of conditions to ensure the scheme is acceptable.~~

2. Work should avoid disturbance to nesting birds (particularly barn owls and swallows). Birds can nest in many places including buildings, trees, shrubs dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. The main nesting season, lasts approximately from March to September, so work should take place outside these dates if at all possible. N.B ~~birds can nest at any time, and the site should ideally be checked for their presence immediately before work starts.~~ Barn Owls are specially protected under Schedule 1 of the Wildlife and Countryside Act and The Countryside and Rights of Way Act 2000 and should not be disturbed even whilst roosting.

3. A. Section 163 of the Highways Act 1980 requires that water will not be permitted to fall from the roof or any other part of premises adjoining the public highway upon persons using the highway, or surface water to flow - so far as is reasonably practicable - from premises onto or over the highway footway. The developer should, therefore, take all steps as may be reasonable to prevent water so falling or flowing.

B. Condition numbers 5-14 require works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must serve at least 28 days' notice under the provisions of Section 184 of the Highways Act 1980 on the Highway Authority's Area Team. This process will inform the applicant of the procedures and requirements necessary to carry out works within the Highway and, when agreed, give consent for such works to be carried out under the provisions of S184. In addition, it should be noted that the costs incurred by the County Council in the undertaking of its duties in relation to the construction of the works will be recoverable from the applicant/developer.

The Area Team may be contacted by telephone: (01926) 412515. In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days' notice will be required. For works lasting longer than 10 days, three months' notice will be required.

C. Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

DATED 22 March 2016

AUTHORISED OFFICER OF THE COUNCIL.....



This permission does NOT give approval under Building Regulations.

This permission does NOT convey any approval or consent which may be required under any enactment, by-law, order or regulation other than planning permission under the provisions of the Town and Country Planning Act 1990.

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS FORM

**STRATFORD-ON-AVON DISTRICT COUNCIL
ELIZABETH HOUSE, CHURCH STREET, STRATFORD-UPON-AVON CV37 6HX**

Reference No. 16/00333/FUL