

Town & Country Planning Act 1990 (as amended)

NOTIFICATION OF PLANNING DECISION

Application Reference Number: **W/10/00272/FUL**

Applicant:

Mr Kevin Wiltshire
Emmaus School
School Lane
Trowbridge
Staverton
BA14 6NZ

Agent:

Mr Luke Roberts
The Studio
Oak House
21 Broadleas Park
Devizes
Wiltshire
SN10 5JA
United Kingdom

Parish: Staverton

Particulars of Development: Removal of existing mobile classroom and demolition of existing single storey extension, to allow replacement single storey rear extension, and two storey side extension

At: Emmaus School School Lane Staverton Wiltshire BA14 6QR

In pursuance of its powers under the above Act, the Council hereby GRANT PLANNING PERMISSION for the above development to be carried out in accordance with the application and plans submitted (listed below), subject to compliance with the condition(s) specified hereunder:

Permission granted for the following reason:

The proposed development conforms to the Development Plan and the conditions attached to it overcome any objections on planning grounds.

Subject to the following condition(s):

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY: West Wiltshire District Plan 1st Alteration 2004 - Policies C31a and CF1.

- 3 Prior to occupation of the development hereby permitted the parking spaces shown on drawing reference 09014/P011 shall be clearly marked out and available for use.

REASON: in the interests of highway safety.

POLICY: West Wiltshire District Plan - First Alteration 2004 – Policies T10 and CF1.

- 4 Prior to occupation of the development hereby permitted an updated School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: in the interests of road safety and reducing vehicular traffic to the development.

POLICY: West Wiltshire District Plan - First Alteration 2004 – paragraph 3.4.28a and Policy CF1.

- 5 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of the development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure, including details of new walling and fencing;
- (g) other vehicle and pedestrian access and circulation areas;
- (h) hard surfacing materials;
- (i) minor artefacts and structures (eg furniture, play equipment, refuse and other storage units, etc).

REASON: to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

POLICY: West Wiltshire District Plan - First Alteration 2004 – Policies C32 and CF1.

- 6 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings or the completion of the development, whichever is the sooner. All shrubs, trees, and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programmed to be agreed in writing with the Local Planning Authority.

REASON: to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

POLICY: West Wiltshire District Plan - First Alteration 2004 – Policies C32 and CF1.

- 7 No development shall commence with the site area until:
- (a) a written programme of archaeological investigation, which should include on-site work and off-site work such as analysis, publishing and archiving of the results, has been submitted to and approved in writing by the Local Planning Authority; and
 - (b) the approved programmed of archaeological work has been carried out in accordance with the approved details.

REASON: to enable the recording of any matters of archaeological interest.

POLICY: Planning Policy Guidance 16 - Archaeology & Planning.

- 8 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the parking, access and turning areas), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: to ensure that the development can be adequately drained.

POLICY: West Wiltshire District Plan - First Alteration 2004 – Policy U2.

Informative(s):

- 1 You are advised to contact Wessex Water to agree points of connection onto and protection of their apparatus. Please note the grant of planning permission does not, where apparatus will be affected, change Wessex Water's ability to seek agreement as to the carrying out of diversionary and / or conditioned protection works at the applicant's expense or in default of such agreement, the right to prevent the carrying out of any such development proposals as may affect its apparatus.
- 2 You are advised that the archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by the Council's Archaeologist, and that there will be a financial implication for the applicant.

PLEASE NOTE:

This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan Ref : 09014/P001 - received on 02.02.2010
Plan Ref : 09014/P002 - received on 02.02.2010
Plan Ref : 09014/P010 - received on 02.02.2010
Plan Ref : 09014/P011 - received on 02.02.2010
Plan Ref : 09014/P050 - received on 02.02.2010
Plan Ref : 09014/P101 - received on 02.02.2010
Plan Ref : 09014/P100 - received on 02.02.2010

Signed:



Director for Development Services

Dated: 31 March 2010

WILTSHIRE COUNCIL

Town and Country Planning Act 1990

PERMISSION FOR DEVELOPMENT

NOTES

- 1 **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the district and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation. In particular the applicant is reminded of the following matters:-
- 1.1 the need in appropriate cases to obtain approval under Building Regulations. **(The Building Regulations may be applicable to this proposal. Please contact the Council's Building Control team before considering work on site);**
 - 1.2 the need to obtain an appropriate Order if the proposal involves the stopping up or diversion of a public footpath;
 - 1.3 The need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;
 - 1.4 the need to make any appropriate arrangements under the Highways Act 1980, in respect of any works within the limits of a public highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD.

(It is the responsibility of the applicant to ascertain whether his development affects any public right of way or listed building.)

- 2 **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Appeals must be made on a form which is obtainable from the Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0117 372 8000). The Secretary of State has the power to allow a longer period for the giving of a notice of appeal but 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 him that permission of the proposed development could not have been so granted otherwise than subject to the conditions imposed by the local planning authority, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

If the applicant wishes to have any further explanation of the reasons for the conditions imposed on this permission it will be given on request and a meeting arranged if necessary.

- 3 **Purchase Notices.** If permission to develop land is granted subject to conditions, whether by the local planning authority or by 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, he may serve on the District Council a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
- 4 **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.

5. **Discharge of Conditions.** The Government introduced new fees for the discharge of planning conditions from 6th April 2008. The fee is payable per request and not per condition. The fee chargeable is £25 per request for householder development and £85 per request for all other types of development. The fee must be paid when the request is made, and cannot be received retrospectively. It does not matter when the permission was granted as long as it remains extant. The request, identifying the permission (with reference number) and the conditions concerned, should be made by using the 1 APP forms which are available on the Councils Website or the Planning Portal.

You are advised that the as local planning authority has up to 12 weeks to consider the request, that you apply well in advance of when you intend to start work .