



South Derbyshire District Council

Reg. No. 9 2001 0143 R

Agent:

**L Hodson-Walker Ltd
Church Street
Coton In The Elms
Swadlincote
Derbyshire
DE128EZ**

Applicant:

**L Hodson - Walker Ltd
Church Street
Coton-in-the-elms
Swadlincote
Derbyshire
DE128EZ**

Local Government Act 1972

Town and Country Planning Act 1990

GRANT OF PLANNING PERMISSION

In exercise of its powers as the Local Planning Authority under the above Acts and related subordinate legislation, the Council hereby gives notice that your application for **The variation of condition one of planning permission 9/1197/0689/R to permit continued limited working on Sundays and Bank holidays at the workshop at the rear of the premises of L Hodson Walker 29 Church Street Coton-in-the-Elms Swadlincote** as shown on the deposited plans and described in the application form received 16/02/2001 is hereby GRANTED, subject to the following conditions:

1. This permission shall be for a limited period only, expiring on 30th April 2006 on or before which date the activities and operations undertaken on Sundays and Public Holidays shall be discontinued unless, prior to that date, a further permission has been granted for an extended period.

Reason: To maintain control in the interest of the character and amenity of the area, having regard to the setting of the development, the site area and potential effect upon neighbouring properties.

2. Notwithstanding the submitted details, this permission shall relate to the use of the workshop on Sundays and public holidays for a maximum of four hours on each permitted day between the hours of 10 am to 4 pm unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that only those tasks necessary are carried out, therefore limiting the impact on the amenity of the occupiers of nearby dwellings to a minimum.

3. Notwithstanding the submitted details, this permission shall relate to the use of the building for no more than 15 Sundays or public holidays per calendar year during the temporary period set out in condition 1 above (i.e. a total of 65 days) unless specifically otherwise agreed in writing by the Local Planning Authority. In accordance with this condition, notification of at least three working days shall be given to the Local Planning Authority prior to the Sunday or public holiday to be worked.

Reason: For the avoidance of doubt and to ensure that only those tasks necessary are carried out, therefore limiting the impact on the amenity of the occupiers of nearby dwellings to a minimum.

4. Noise from operations conducted on the premises shall not exceed 40 dBA sound pressure level measured at 3.6 metres from the nearest wall of the nearest adjacent dwelling to the building, the subject of this application.

Reason: To ensure that the use does not prejudice the enjoyment by neighbouring occupiers of their properties.

5. Within the first planting season following the date of this permission, additional planting shall take place to fill the gaps in the hedge running along the boundary with the adjoining residential dwellings in accordance with a plan previously submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the area.

6. Any trees or plants, planted in accordance with the requirements of condition 5 above, which within a period of five years from the date of planting, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the appearance of the area.



Authorised Officer of the Council

Date: 12 April, 2001

YOUR ATTENTION IS DRAWN TO
THE ATTACHED NOTES

NOTES

1. **WARNING:** This is a planning decision notice. It conveys no approval under any other legislation and does not override or supersede or negate that legislation or the need to comply with restrictive covenants under the Civil Law. In particular the necessary approval under the Building Regulations and the Public Health Acts must be obtained before carrying out building works. There the highway, including pavement crossing, is to be altered, the Local Highway Authority on (01332) 842244 should be consulted for its requirements.

2. **APPEALS:** If you are aggrieved by the decision of the Local Planning Authority to grant permission subject to any conditions which you find unacceptable, you may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice. Appeals must be made on a form which is obtainable from the Department of the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ.

If as owner of the land you believe that refusal of permission or approval subject to an unacceptable condition causes the land to become incapable of beneficial use in its existing state and it cannot be made capable of beneficial use by carrying out any development which has been or would be permitted, you may serve on the Council a purchase notice requiring that the Council purchases your interest in the land. (Part VI of the Town and Country Planning Act 1990).

3. **BREACH OF CONDITIONS:** Once the permission has been implemented, carrying on the development in breach of any of the conditions imposed on it becomes a prosecutable offence. Therefore you are advised to take careful note of each condition with a view to compliance.

4. **INACCURATE PLANS:** If the submitted plans or other information contained in the application referred to in this Notice prove to be inaccurate, the development could be rendered impracticable and any permission granted be made invalid. A further application will be required.

5. **CHANGES IN INTENTION:** Any intended variation from the approved plans should be notified to the Council well in advance: a further permission, approval or consent may be necessary. Unauthorised variations may result in enforcement proceedings.

6. **FURTHER INFORMATION:** If you have any questions about this notice, please contact Support Services Planning Administration, Direct Dial (01283) 595751 or 595752 of the Department of Planning at South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH.