



South Derbyshire District Council

Civic Offices, Civic Way, Swadlincote, Derbyshire DE11 0AH
Tel: 01283 228706 Email: planning@south-derbys.gov.uk

www.planning.south-derbys.gov.uk/

Mr Michael Congreve
Bi Design Architecture Ltd
79 High Street
Repton
DE65 6GF

Applicant:
Ms Heidi Taylor
C/O Agent

Reg. No. 9/2015/1076

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 REMOVAL OF CONDITION 2 APPROVED DRAWING NUMBER 02J AND REPLACE WITH DRAWING NUMBER 15 OF PLANNING PERMISSION REF: 9/2014/0838 (RELATING TO CHANGE OF USE OF EXISTING PUBLIC HOUSE TO ONE DWELLING INCLUDING EXTENSIONS, ALTERATIONS AND PARTIAL DEMOLITION, ALONG WITH THE FORMATION OF PRIVATE AMENITY SPACE AND THE ERECTION OF GARAGING WITH ASSOCIATED PARKING AND TURNING AREAS (RE-SUBMISSION OF APPLICATION 9/2014/0478) AT YE OLDE PACKHORSE INN PACK HORSE ROAD MELBOURNE DERBY** as shown on the deposited plans and described in the application form received 17/11/2015 is hereby **GRANTED**, subject to the following conditions:

1. The development permitted shall be begun before 7th May 2018.
Reason: To conform with Section 91(1) 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 permitted shall be carried out in accordance with plans/drawings 15 and 03G, and 05F (in so far as the eaves, verge, parapet and garage door details), and the Schedule of Works as consolidated on 3 May 2015, unless as otherwise required or allowed for by way of condition attached to this permission, or allowed by way of an approval of a non-material minor amendment made on application under Section 96A of the Town and Country Planning Act 1990 (as amended).

Reason: For the avoidance of doubt.
3. Notwithstanding the details provided, all rainwater goods to the front roadside elevations shall be cast metal with gutters fixed on rise and fall brackets, and painted to a black gloss finish. Elsewhere all rainwater goods shall be coloured black.

Reason: In the interests of the appearance of the building and the conservation area.

4. Notwithstanding the details provided, all joinery shall be painted and not stained.

Reason: In the interests of the appearance of the building and the character of the area.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, no development under Article 3 Schedule 2 Part 1 Class F (hard surfaces) shall be created on the application site without the prior grant of planning permission on an application made to the Local Planning Authority in that regard.

Reason: In the interests of the setting of the listed building and the appearance of the conservation area.

6. Prior to first occupation of the dwellinghouse hereby approved, details of the proposed hard and soft landscaping shall be submitted and approved in writing by the Local Planning Authority. Such details shall include a method statement for the removal of existing hardstandings and restoration of the ground as part of soft landscaping detail, as well as proposed levels. The approved hard landscaping works shall be completed prior to first occupation of the dwellinghouse hereby approved, whilst all planting, seeding or turfing comprised in the approved details of soft landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, 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 setting of the listed building and the appearance of the conservation area.

7. Prior to the first occupation of the dwellinghouse hereby approved, the access shall be modified in accordance with the approved plans/drawings and shall have a minimum width of 3.5m and, in the event that a footway and dropped crossing have been provided along the site frontage, the excess dropped crossing shall be reinstated as footway in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of safety on the public highway.

8. Prior to the first occupation of the dwellinghouse hereby approved, the access, parking and manoeuvring space shall be laid out in accordance with the approved plans/drawings and maintained throughout the lifetime of the development free of any impediment to its designated use.

Reason: To ensure adequate parking provision on site so to reduce the likelihood of parking on the public highway.

9. Notwithstanding the submitted drawings, any gates shall be set back at least 5m from the highway boundary (not from the carriageway edge) and open inwards only.

Reason: In the interests of safety on the public highway.

10. All external materials used in the development to which this permission relates shall match those used in the existing building in colour, coursing and texture

unless prior to their incorporation into the development hereby approved, alternative details have been first submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the appearance of the existing building and the locality generally.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any statutory instrument amending, revoking and/or replacing that Order; the rooflight window hereby approved serving the dressing room in the south elevation shall be glazed in obscure glass, and permanently maintained thereafter as such.

Reason: To avoid overlooking of adjoining property in the interest of protecting privacy.

In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through quickly determining the application. As such it is considered that the Local Planning Authority has implemented the requirement set out in paragraphs 186 and 187 of the National Planning Policy Framework.

Authorised Officer of the Council

Date: 12/01/2016

YOUR ATTENTION IS DRAWN TO THE ATTACHED NOTES



NOTES

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 the carrying out of building works. Where the highway, including pavement crossing, is to be altered, the Local Highway Authority (01629 580000) should be consulted for its requirements.

APPEALS TO THE SECRETARY OF STATE:

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, 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 this notice.

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 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice. However, if this is a decision to refuse planning permission for a minor commercial application (as defined by Schedule 1A of the Town and Country Planning Development Management Procedure Order 2010 (as amended on 1 October 2013)), if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk/pcs.

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.

If as owner of the land you believe that the 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, 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).

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.

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.

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.

FURTHER INFORMATION: If you have any questions about this notice, please contact Support Services Planning Administration, direct dial (01283) 228706 of the Planning Services Department, South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH.