

Town & Country Planning Act 1990

Notice of Approval of Reserved Matters

Application Reference Number: 19/07938/REM

<p>Agent PlanningSphere Ltd Coworking The Guild High Street Bath BA1 5EB</p>	<p>Applicant - Dammas House Dammas Lane Old Town Swindon SN1 3EF</p>
<p>Particulars of Development: - Reserved matters application for appearance, landscaping, layout and scale, pursuant to outline permission 16/01678/OUT for the erection of 24 dwellings and associated works.</p>	
<p>At: Land at St George's Road Semington Wiltshire</p>	

In pursuance of their powers under the above Act, the Council hereby **PERMIT** the above development to be carried out in accordance with the details of the **RESERVED MATTERS** submitted by you, and subject to compliance with the conditions specified hereunder;-

- 1 No development shall commence above slab level until details of how nest and roosting places for building dependent species such as swift bricks has been incorporated into the dwellings hereby approved has been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of enhancing the local and natural environment

- 2 Plots 15, 16 and 24 shall not be first occupied until the boundary treatment along their eastern boundaries have been erected in accordance with the approved details. The boundary treatment shall thereafter be maintained at all times.

REASON: To prevent overlooking and loss of privacy to neighbouring properties

- 3 No dwelling hereby approved shall be first occupied until the windows serving the en-suites and bathrooms have been glazed with obscure glass only to an obscurity level of no less than level 3. The windows shall thereafter be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, rooflights, doors or other form of openings above ground floor level other than those shown on the approved plans, shall be inserted in the western elevations of plots 1 and 8 and the eastern elevations of plots 15, 16 and 24.

REASON: In the interests of residential amenity and privacy.

- 5 No dwelling hereby approved shall be first occupied until its associated access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garages hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

- 7 All gates shall open inwards only and shall thereafter be maintained at all times.

REASON: In the interest of highway safety

- 8 The development hereby permitted shall be carried out in accordance with the following approved plans:

Received by the Local Planning Authority:

16th August 2019:

823-01 (site location plan), 823-06 (site section), 823-07 (street scenes), 823-39 (93), 823-40 (garages floor plans and elevations), 823-143 (finished levels layout), 823-148-1 (swept path analysis 1), 823-148-2 (swept path analysis 2), 823-148-3 (swept path analysis 3)

19/498/01 (landscape)

823-30 (AG3 floor plans and elevations), 823-32-01 (MN4 floor plans), 823-32-02 (MN4 elevations), 823-34-02 (AM5 elevations), 823-34-03 (AM5 elevations), 823-35-01 (GT5 floor plans), 823-35-02 (GT5 elevations), 823-38 (82 floor plans and elevations)

16th September 2019:

823-36 (M42 floor plans and elevations),

1st October 2019:

823-37A (79), 823-151A (external works details), 823-10 (material finishes)

8th October 2019:

823-09A (swale landscape section)

26th November 2019:

823-34-01A (AM5 floor plans), 823-33-01A (BW4 floor plans), 823-33-02B (BW4 elevations), 823-141B (external works layout)

8th January 2020:

823-05B (site layout), 823-31-01 (WH4 floor plan), 823-31-02 (WH4 elevations)

REASON: For the avoidance of doubt and in the interests of proper planning.

Signed

Sam Fox

Director Economic Development & Planning

Dated: 16 January 2020

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 area 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 right of way or other highway (including highway verge)
- 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 highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD (It is the responsibility of the applicant to ascertain whether the proposed development affects any listed building or public right of way / other highway, including highway verge).

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. (Information and forms relating to the appeals process can be found at the Planning Portal – www.planningportal.gov.uk/planning/appeals). 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

6. If this permission relates to the creation of new dwellings/commercial units or conversion of buildings into dwellings/commercial units, you are required to apply for street naming and numbering to ensure that the new buildings are allocated accurate addresses and registered with the Royal Mail. Relevant application forms, guidance notes and fee sheets are available to download at <http://www.wiltshire.gov.uk/planninganddevelopment/streetnaming> or you can contact the Address Information Team on 01225 770508 or by email at streetnaming@wiltshire.gov.uk
- 7 **Informative** There is a legal duty of care incumbent on the customer and contractor that all commercial waste generated as a result of the works hereby authorised is safely contained, transported and disposed of lawfully in line with the Environmental Protection Act 1990 and Environmental Permitting Regulations 2016 (as well as any other related legislation). Failing to do so can lead to individuals or organisations being prosecuted for unlawful waste management.