

Our Ref: W/16/01252/PN

The person dealing with this enquiry is: Anna Brindle

14/07/2016

Your ref:

Direct Dial No: 01386 565379

Mr N Healey  
Neil Healey  
3 Aspen Close  
Evesham  
Worcestershire  
WR11 1YY

Dear Mr Healey

**Applicant Name:** Bricks 'N Mortar

**Proposal:** Erection of 4 houses, semi-detached, and all associated works

**Location:** Sandys Arms, Pitchers Hill, Wickhamford, Evesham, WR11 7RT

I am writing to let you know the outcome of your Planning application, under the Town and Country Planning Act 1990, for the proposal detailed above at Sandys Arms, Pitchers Hill, Wickhamford, Evesham, WR11 7RT.

We have **Approved** your application, subject to the conditions set out in the attached **Approval Notice**.

If you have any questions about our decision, please contact Anna Brindle, Planning Officer, on 01386 565379 or by email to [Anna.Brindle@wychavon.gov.uk](mailto:Anna.Brindle@wychavon.gov.uk).

**Please note, before starting works it is important to check your approval to see if there are any pre-commencement condition/s or condition/s that need to be discharged. This means there may be further information we require before works can start.**

**If you do have conditions that need discharging, we always advise that this is done well in advance as this will help in preventing unnecessary delays to the proposed works being started.**

**If so, there is a charge of £97.00 per request or £28.00 on 'householder applications' (but there is no fee for Listed building consent applications). The application form can be found on [www.wychavon.gov.uk/planning-conditions-and-fees](http://www.wychavon.gov.uk/planning-conditions-and-fees). If you do not have access to the internet, a paper copy of the form can also be located at our main reception at the Civic Centre, Pershore for you to complete.**

If you are unhappy with any of the conditions attached to your Approval, you can appeal to the relevant Secretary of State within six months of the date on this letter. Information on how to do this can be found on the Approval Notice.

Please note, if you have not done so already, it is advisable to contact **South Worcestershire Building Control** on 01684 862223, (Mon-Fri 9-5) or email: [mail@southworcestershirebuildingcontrol.gov.uk](mailto:mail@southworcestershirebuildingcontrol.gov.uk) to check if Building Regulations are required for your proposed works.

Yours sincerely



Anna Brindle  
Planning Officer  
Anna.Brindle@wychavon.gov.uk



## PLANNING APPROVAL NOTICE

TOWN AND COUNTRY PLANNING ACT 1990

### Approved - Planning application

Application No: W/16/01252/PN

Parish: Wickhamford

**Agents Address:**

Mr N Healey  
Neil Healey  
3 Aspen Close  
Evesham  
Worcestershire  
WR11 1YY

**Applicants Address:**

Bricks 'N Mortar  
c/o Agent

### **Part I - PARTICULARS OF APPLICATION**

**Statutory Start Date:** 19/05/2016

**Location:** Sandys Arms, Pitchers Hill, Wickhamford, Evesham, WR11 7RT

**Proposal:** Erection of 4 houses, semi-detached, and all associated works

### **Part II - PARTICULARS OF DECISION**

The Wychavon District Council hereby give notice that in pursuance of the provisions of the Town and Country Planning Act 1990 that **PERMISSION HAS BEEN GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions (if any):-

#### **CONDITIONS AND REASONS**

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

Reason - In accordance with the requirements of 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. Notwithstanding the parking and turning areas shown on the approved plans the development hereby permitted shall not commence until an area has been laid out, consolidated, surfaced and drained within each of the four plots for the parking of 2 cars and for vehicles to turn so that they may enter and leave the site in a forward gear. Details of the parking and turning areas to serve each of the units hereby approved shall be submitted to and approved in writing by, the Local Planning Authority prior to the occupation of any of the units hereby approved. These areas shall thereafter be retained and kept available for those uses at all times.

Reason: To minimise the likelihood of indiscriminate parking in the interests of highway safety.

3. Demolition, clearance or construction work and deliveries to and from the site in connection with the development hereby approved shall only take place between the

hours of 08.00 and 18.00 Monday to Friday and 08.00 and 13.00 on a Saturday. There shall be no demolition, clearance or construction work or deliveries to and from the site on Sundays or Bank Holidays.

Reason - To preserve the amenities of the locality.

4. No part of the development hereby approved shall begin until a Construction Management Plan to include details of:

- a. Parking for site operatives and visitors
- b. Area for site operatives' facilities
- c. Parking and turning for delivery vehicles
- d. Areas for the storage of plant and materials
- e. Wheel washing equipment
- f. Boundary hoarding

shall have been submitted to, and approved in writing by, the Local Planning Authority. The approved plan shall be implemented throughout the construction period.

Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety.

5. No part of the development shall be occupied until full details of soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. The details submitted must include:

- i) a plan(s) showing details of all existing trees and hedges on the application site. The plan should include, for each tree/hedge, the accurate position, canopy spread and species, together with an indication of any proposals for felling/pruning and any proposed changes in ground level, or other works to be carried out, within the canopy spread.
- ii) a plan(s) showing the layout of proposed tree, hedge and shrub planting and grass areas.
- iii) a schedule of proposed planting - indicating species, sizes at time of planting and numbers/densities of plants.
- iv) a written specification outlining cultivation and other operations associated with plant and grass establishment.
- v) a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting.

All planting and seeding/turfing shall be carried out in accordance with the approved details in the first planting and seeding/turfing seasons following the completion or first occupation/use of the development, whichever is the sooner.

Any trees or plants which, within a period of five years from the completion of the planting, 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 otherwise agreed in writing by the Local Planning Authority.

Reason - To protect and enhance the visual amenities of the area and to ensure the satisfactory development of the site - in accordance with SWDP25 of the South Worcestershire Development Plan

6. Prior to the first occupation of the dwellings hereby permitted, details of renewable or low carbon energy-generating facilities to be incorporated as part of the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that at least 10% of the predicted energy requirements of

the development will be met through the use of renewable/low carbon energy-generating facilities. The approved facilities shall be provided prior to the new building hereby permitted being first used/occupied.

Reason - To ensure the proposed development includes sufficient renewable/low carbon energy-generating facilities to comply with South Worcestershire Development Plan policy 27.

7. Prior to the first occupation of any dwelling hereby approved secure parking for 4 cycles to comply with the Council's standards shall be provided within the curtilage of each dwelling and these facilities shall thereafter be retained for the parking of cycles only.

Reason: To comply with the Council's parking standards.

8. Prior to the first occupation of the development hereby permitted engineering details of the proposed 2.0 metre wide footway, to include vehicular crossings, across the site frontage and that of Sandys Arms as indicated on the approved drawings shall be submitted to, and approved in writing by, the Local Planning Authority, and the development shall not be occupied until the scheme has been constructed in accordance with the approved details.

Reason: To ensure the safe and free flow of traffic onto the highway.

9. Surface water run-off from the proposed development shall be disposed of as described in the submitted Water Management Statement.

Reason - To ensure that surface water run-off is dealt with in an appropriate and sustainable manner.

10. The finished ground floor levels of the dwellings hereby approved shall be built at the level set out in the submitted Flood Risk Assessment (i.e. 37.64m AOD).

Reason - To ensure that the development is adequately protected from flood risk.

11. A) No development shall take place until a programme of archaeological work, including a Written Scheme of Investigation, has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording.
2. The programme for post-investigation assessment.
3. Provision to be made for analysis of the site investigation and recording.
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and records of the site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under part (A) of this condition.

C) The development shall not be occupied until the site investigation and

post-investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under part (A) of this condition and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason - To protect archaeological interest on the site.

12. Prior to the occupation of the dwellinghouses, details shall be submitted to the Local Planning Authority concerning proposed ecological enhancements, including bat roosting and bird nesting features, along with lighting information in relation to bat roosting habitat. The approved ecological enhancement scheme shall thereafter be carried out in full and retained.

Reason - To make appropriate provision for protected species and natural habitat within the development in accordance with paragraph 118 of the National Planning Policy Framework.

13. Unless where required/allowed by other conditions attached to this permission, the development hereby permitted shall be carried out in accordance with the following approved plans:

Location and Existing site plan (992-01), Amended Block Plan (992-02A), Proposed Ground Floor Plan (992-03), Proposed first floor plan (992-04), Proposed elevations (992-05), Street scene (992-06)

Reason - To define the permission.

#### **NOTES TO APPLICANT**

1. Should ground conditions prove unsuitable for the use of soakaways then the applicant will need to submit an alternative means of disposal for surface water from the development. Where possible sustainable drainage systems should be incorporated into the design and additional flow should not be discharged downstream so that flooding problems are not exacerbated or created. Further advice on this matter can be obtained from the District Council Drainage Engineering section, Wychavon District Council, The Civic Centre, Queen Elizabeth Drive, Pershore, WR10 1PT, Tel: 01386 565000.
2. This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor following the issue of a license under Section 184 and 278 of the Highways Act, 1980.

The applicant should contact Worcestershire County Council's Highways Community and Response Unit, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), regarding the issue of the necessary license authorising the access works to be carried out by the County Council's Approved Contractor at the applicant's expense. The applicant should give the County Council sufficient notice to enable, as far as possible, the licence procedure to be carried out so that there is no disruption to the applicant's programme of works.

3. The attention of the applicant is drawn to the need to keep the Highway free from any mud or other material emanating from the application site of any works pertaining thereto.

4. This permission does not authorise the laying of private apparatus within the confines of the public highway.  
The applicant should apply to the Worcestershire County Council's Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway.  
Precise details of all works within the public highway must be agreed on site with the Highway Authority.
5. This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email [worcestershirevehicle.crossing@ringway.co.uk](mailto:worcestershirevehicle.crossing@ringway.co.uk). The applicant is solely responsible for all costs associated with construction of the access.
6. No work on the site should be commenced until engineering details of the improvements to the Public Highway have been submitted to and approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into.

#### **7. Positive and Proactive Statement**

In dealing with this application, the Council has worked with the applicant in the following ways:-

- seeking further information following receipt of the application;
- seeking amendments to the proposed development following receipt of the application;
- considering the imposition of conditions and or the completion of a s.106 legal agreement

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

**Signed:**



David Hammond  
Housing and Planning Services Manager

**Date: 14/07/2016**

**Note:** - This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. **In particular this permission is not a Building Regulation Approval. Advice should be sought from the South Worcestershire Building Control on 01684 862223 to ascertain if approval is required under the Building Regulations for the proposed development. Failure to make a Building Regulations application, if required, prior to work commencing on site is an offence under Section 35 of the**

**Building Act 1984 and may result in the authority taking further action.**

## **APPROVAL NOTICE**

**Note 1.** Listed Building Consent

**Note 2.** Outline Planning Permission  
Approval of Reserved Matters

**Note 3.** Planning Consent

**Note 4.** Consent to Display Advertisements

**Note 5.** Approved Plans

**Note 1.** Note: Attention is drawn to Section 8(2)(b) of the Act the effect of which is that demolition may not be undertaken (despite the terms of any consent granted by the Local Planning Authority) until notice of the proposal has been given to the Royal Commission on Historical Monuments, Fortress House, 23 Savile Row, London W1X 1AB and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it. A form of notice is enclosed, if appropriate.

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building Consent for the proposed works, or to grant consent subject to conditions, he may appeal to the relevant Secretary of State in accordance with paragraph 8 of Schedule 11 to the Town and Country Planning Act, 1990 within six months of the date on this decision notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate.) The relevant Secretary of State has 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.

2. If listed building consent is refused or granted subject to conditions, whether by the Local Planning Authority or by the relevant Secretary of State 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 works which have or would be permitted, he may serve on the district council in which the land is situated a listed building purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

**Note 2.** 1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to condition, he may appeal to the relevant Secretary of State in accordance with Section 78 of the Town and Country Planning Act, 1990 within six months of the date on this decision notice. (Appeals must be made on a form which is obtainable from Customer Support, Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Tel: 0303 444 5000 or email: [enquiries@planning-inspectorate.gsi.gov.uk](mailto:enquiries@planning-inspectorate.gsi.gov.uk). Appeal forms and guidance can also be downloaded from web site <https://acp.planninginspectorate.gov.uk>.) The relevant Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise his power unless there are special circumstances which excuse the delay in giving notice of appeal. The relevant Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements (a) 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.

2. If permission to develop land is refused or granted subject to conditions whether by the Local Planning Authority or by the relevant Secretary of State and the owner of the land 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 council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act, 1990.

**Note 3.** 1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the relevant Secretary of State in accordance with section 78 of the Town and Country Planning Act, 1990 within six months of the date on this decision notice. (Appeals must be made on a form which is obtainable from Customer Support, Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Tel: 0303 444 5000 or email: [enquiries@planning-inspectorate.gsi.gov.uk](mailto:enquiries@planning-inspectorate.gsi.gov.uk). Appeal forms and guidance can also be downloaded from web site <https://acp.planninginspectorate.gov.uk>.) The relevant Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise his power unless there are special circumstances which excuse the delay in giving notice of appeal. The relevant Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject of the conditions imposed by them, 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.

2. If permission to develop land is refused or granted subject to conditions whether by the Local Planning Authority or by the relevant Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and he claims that the land has become incapable of reasonably beneficial use by carrying out of any development which has been or would be permitted, he may serve on the council of the district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act, 1990.

3. 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 relevant 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.

**Note 4.** (a) The regulations provide that every grant of express consent shall be for a fixed period which shall not be longer than 5 years from the date of grant of consent without the approval of the relevant Secretary of State and if no period is specified the consent shall have effect as consent for five years.

(b) It is a condition of this consent that before any advertisement is displayed on land in pursuance of the consent granted, the permission of the owner of that land or other person entitled to grant permission in relation thereto shall be obtained.

(c) A person who displays an advertisement in contravention of the regulation will be liable on summary conviction to a fine of £100 and in the case of a continuing offence to a fine of £50 for each day during which the offence continues after conviction.

(d) Where the Local Planning Authority grant consent subject to conditions, the applicant may by notice given in writing within 8 weeks of the date of receipt of this notice or such longer period as the Secretary of State may allow, appeal to the relevant Secretary of State, in accordance with Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992. The relevant Secretary of State is not required to entertain such an appeal if it appears to him having regard to the provisions of the regulations, that consent for the display of advertisements in respect of which application was made could not have been granted by the Local Planning Authority otherwise than subject to the conditions imposed by them.

**Note 5.** Applicants are reminded that they must adhere to the approved plans when carrying out the works authorised by this permission. If it is necessary to make further amendments they are requested to contact the Local Planning Authority prior to commencement of building operations at The Civic Centre, Queen Elizabeth Drive, Pershore, Worcs WR10 1PT