
Town and Country Planning Act 1990

PLANNING DECISION NOTICE

1 Details of the application

Reference: F/YR10/0457/F
Registered: 16 June 2010

Applicant: Mr R Thomas
c/o Hydroholics
24 East Coast Business Park
Clenchwarton Road
Kings Lynn
Norfolk PE34 6LW

Agent: Mr Mark Prior
Accubuild Ltd
The Lewes
47 Salts Road
West Walton
Wisbech
Cambs
PE14 7EJ

2 Address to which this permission relates

Barn At Black Lane Farm Black Lane Gorefield Cambridgeshire

3 Details of this decision

Permission is **GRANTED** to carry out the **Conversion of barn to 3-bed dwelling including single-storey extensions to front and rear elevations** in accordance with the details set out below.

4 Conditions

This permission is subject to the following conditions:

- 1 The development permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Where applicable, the development hereby approved shall be finished externally in materials to match the existing building, unless the Local Planning Authority otherwise agrees in writing prior to commencement of development.

Reason - To safeguard the visual amenities of the area.

- 3 Prior to the commencement of use hereby approved the permanent space shown on the plans hereby approved to be reserved on the site to enable vehicles to:

1. enter, turn and leave the site in forward gear;
2. park clear of the public highway;

shall be levelled, surfaced and drained and thereafter retained for no other purpose in perpetuity.

Reason - In the interests of satisfactory development and highway safety.

- 4 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, (or any Order or Statutory Instrument revoking and re-enacting that Order with or without modification), planning permission shall be required for the following developments or alterations:
 - i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas, or raised decks (as detailed in Schedule 2, Part 1, Classes A and E);
 - ii) the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D);
 - iii) alterations including the installation of replacement or additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B);
 - iv) alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C);
 - v) the erection of any walls, fences or other means of enclosure to all boundaries of the site (as detailed in Schedule 2, Part 2, Class A).

Reason - To ensure that the character of the proposed dwelling is retained and in order to minimise the impact on the surrounding open character of the area.

- 5 The screen walls and fences shall be constructed in accordance with the details approved under approval notice F/YR10/0323/EXTIME unless otherwise agreed in writing by the Local Planning Authority. All such works shall be erected concurrently with the development of the dwelling.

Reason - In the interests of the visual character and amenity of the area.

- 6 The bat and barn owl precautionary measures and recommendations, as described in the survey by Adonis Ecology date stamped 16 June 2010, shall be adhered to prior, during and post development. Should any subsequent advice be given from Natural England in respect of this issue, then that advice shall be strictly followed.

Reason - To ensure that any protected species are not harmed.

- 7 The development hereby permitted shall not be commenced until a scheme and timetable to deal with contamination of land and/or groundwater has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

1. A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. This should include a conceptual model, and pollutant linkage assessment for the site. Two full copies of the desk-top study and a non-technical summary shall be submitted to the Local Planning Authority.

IF during development any previously unsuspected contamination is discovered then the LPA must be informed immediately. A contingency plan for this situation must be in place and submitted with the desk study. If a desk study indicates that further information will be required to grant permission then the applicant must provide, to the LPA:

2. A site investigation and recognised risk assessment carried out by a competent person, to fully and effectively characterise the nature and extent of any land and/or groundwater contamination, and its implications. The site investigation shall not be commenced until:
 - (i) A desk-top study has been completed, satisfying the requirements of paragraph (1) above.
 - (ii) The requirements of the Local Planning Authority for site investigations have been fully established, and
 - (iii) The extent and methodology have been agreed in writing with the Local Planning Authority. Two full copies of a report on the completed site investigation shall be submitted to the Local Planning Authority.

Following written LPA approval of the Site Investigation the LPA will require:

3. A written method statement for the remediation of land and/or groundwater contamination affecting the site. This shall be based upon the findings of the site investigation and results of the risk assessment. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

4. The provision of two full copies of a full completion report confirming the objectives, methods, results and conclusions of all remediation works shall be submitted to the Local Planning Authority.

Reason - To control pollution of land or water in the interests of the environment and public safety.

Please note this condition requires action prior to the commencement of works on site. Please read this condition carefully and ensure that you comply in full.

5 Informatives

The following points are also relevant to this permission:

- 1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 this application has been determined in accordance with the development plan which consists of the Cambridgeshire and Peterborough Structure Plan adopted September 2003, the Fenland District Wide Local Plan adopted August 1993 and the Fenland District Wide Interim Statement Of Proposed Changes approved January 2001.

Policies of relevance to the decision include: H19 and E9

All material planning considerations have been taken into account and none are individually or cumulatively of such significance as to outweigh the decision reached on this application.

- 2 I enclose a copy of the comments received from Natural England, for your information.
- 3 It may not always be necessary to carry out all the above stages to satisfy the Council's requirements to discharge condition 07. In some cases the Local Planning Authority may be minded to discharge this condition on the findings of the Desk Study.

For further information and technical guidance regarding the requirements of this condition applicants should refer to the document entitled "Advice on Site Investigations" which can be found on the District Council's website at <http://www.fenland.gov.uk/ccm/content/planning/downloads/advice-on-site-investigations.en>

6 Application form, plans and documents

The following application form, plans and documents approved form part of this permission. They are as follows and include any clarifying or amending information submitted by or on behalf of the applicant:

Reference	Title	Date stamped
	Application form	16/06/2010
003	Location Plan	16/06/2010
004	Proposed Site Layout (Block plan)	16/06/2010
001	Existing elevations and floor plans	16/06/2010
002	Proposed elevations and floor plans	16/06/2010

7 Authorisation

Authorised by: Nigel Brown
Development Delivery Manager

Signature:



Date the decision was made: 11 August 2010

Fenland District Council
Development Services
County Road
March
Cambridgeshire
PE15 8NQ

Phone: 01354 654321
Fax: 01354 606908
E-mail: planning@fenland.gov.uk

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 the provisions of the Town and Country Planning Act 1990 and/or the Planning (Listed Buildings and Conservation Areas) Act 1990.

If you want to appeal, then you must do so within **6 months** of the date of this notice, using a form which you can get from the Planning Inspectorate at Room 3/03 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN

The Secretary of State can allow a longer period for giving notice of an appeal, but he 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 him that the local planning authority could not have granted planning permission or consent 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.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission or listed building consent or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been, or would be, permitted.

In these circumstances, the owner may serve a Purchase Notice on the District Council. This notice will require the Council to purchase his interest in the land in accordance with the provisions the Town and Country Planning Act 1990 and/or the Planning (Listed Buildings and Conservation Areas) Act 1990.

Compensations

In certain circumstances compensation may be claimed from the local planning authority if permission or consent is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990 and Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.