
Town and Country Planning Act 1990

PLANNING DECISION NOTICE

1 Details of the application

Reference: F/YR12/0374/F
Registered: 11 May 2012

Applicant: Mr Y Cheung
112 High Street
March
Cambridgeshire
PE15 9LP

Agent: Mr H Chapman
Brand Associates
2A Dartford Road
March
Cambs PE15 8AB

2 Address to which this permission relates

112 High Street March Cambridgeshire PE15 9LP

3 Details of this decision

Permission is **GRANTED** to carry out the **Conversion of attached outbuildings to 1 x 2-storey 2-bed dwelling and erection of 1 x 2-bed 2-storey dwelling involving the demolition of existing garage and replacement of dormer window to velux to rear of existing dwelling/chip shop** 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 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);

Reason

To safeguard the visual amenities of the area.

- 3 Prior to the commencement of the development hereby approved full details of all external finishes, including joinery, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be executed in accordance with the approved scheme and retained in perpetuity thereafter.

Reason - To safeguard the visual amenities of the area.

Please note this condition requires action Please read this condition carefully and ensure that you comply in full.

- 4 No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme and timetable of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site.

Reason

To enable the inspection of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme of investigation.

Please note this condition requires action Please read this condition carefully and ensure that you comply in full.

- 5 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.

Please note this condition requires action prior to the first use of the development. Please read this condition carefully and ensure that you comply in full.

- 6 No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.

(a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses, the proposed site usage, and include a conceptual model. The site investigation strategy will be based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.

(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.

No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f).

(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(e) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

(f) Upon completion of the works, this condition shall not be discharged until a validation/closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site, and what has been brought on to site.

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

Please note this condition requires action Please read this condition carefully and ensure that you comply in full.

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

Reference	Title	Date stamped
CHE.12 L	Location Plan	11/05/2012
CHE.12:3.1	Proposed Elevations (revision E)	18/06/2012
	Application form	11/05/2012
CHE.12 1.2	Proposed Site Layout (Block plan) (revision A)	11/05/2012
CHE.12 2	Existing Elevations and Floor Plans (revision A)	11/05/2012

Reason - For the avoidance of doubt and in the interest of proper planning.

5 Informatives

The following points are also relevant to this permission:

- 1 The Local Planning Authority has had regard to the provisions of the Development Plan comprising the East of England Plan (2008), the Cambridgeshire and Peterborough Structure Plan adopted September 2003, the Fenland District Wide Local Plan adopted August 1993, the Fenland District Wide Interim Statement of Proposed Changes approved January 2001 and the remaining saved policies from the Local Plan (2007), so far as they are material to the application, and the emerging Fenland Communities Development Plan Core Strategy Draft Consultation July 2011, and to all other material considerations.

Policies of relevance to the decision include: ENV7, E8 and H3

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

- 2 It may not always be necessary to carry out all the above stages to satisfy the Council's requirements to discharge condition 06. 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>

- 3 Prior to the occupation of a dwelling a bin charge is payable in accordance with the leaflet accompanying this planning permission. Please contact environmentalservicerequests@fenland.gov.uk for further information.
- 4 You are reminded that this project may require approval under Building Regulations prior to work commencing, it is recommended that you make enquiries in this respect direct to the Local Authority Building Control Team.

6 Authorisation

Authorised by: Graham Nourse
Chief Planning Officer (Delivery)

Signature:



Date the decision was made: 6 July 2012

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.