
Town and Country Planning Act 1990

PLANNING DECISION NOTICE

1 Details of the application

Reference: F/YR12/0050/F
Registered: 23 January 2012

Applicant: Mr J Taylor
Poplar Tree Farm
Bailey Lane
Clenchwarton
Kings Lynn
Norfolk PE34 4AZ

Agent: Mr Grahame Seaton
Grahame Seaton Design &
Planning Consultant
67 St Peters Road
Upwell
Wisbech
PE14 9EJ

2 Address to which this permission relates

Arcadia House Nettle Bank Elm Cambridgeshire PE14 0SA

3 Details of this decision

Permission is **GRANTED** to carry out the **Erection of a 2-storey 3-bed dwelling involving demolition of existing dwelling and shed and siting of temporary mobile home** 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 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the amended remediation strategy.

Reason - To control pollution of land and controlled waters in the interests of the environment and public safety.

- 3 Prior to the first occupation of the dwelling the proposed on-site parking and turning area shall be laid out in accordance with the submitted plan and thereafter be retained for that specific use.

Reason:

In the interests of 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.

- 4 A satisfactory scheme of external finishes shall be submitted to and approved in writing by the Local Planning Authority before any development commences on the site, and the work executed in accordance with the approved scheme.

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.

- 5 Within 4 weeks of the first occupation of the dwelling hereby approved, or within 18 months from the date of this decision (whichever is sooner), the temporary caravan accommodation as shown on drawing no. 07/2/1450 Rev A received on 23 January 2012 shall be removed from the site in its entirety and the land shall be encompassed within the garden area serving the dwelling.

Reason:

The stationing of a mobile caravan is considered to be a temporary use in order to allow the development of the site hereby approved and as such cannot be regarded as a permanent development as it would conflict with other policies of the Development Plan.

- 6 The development hereby permitted shall not be commenced until such times as a scheme to ensure the safety of the temporary home has been submitted to and approved in writing by the local planning authority.

The scheme shall include:

- a) a site plan showing the location and type of the mobile home,
- b) confirmation and details of the mobile home to ensure that it will be securely fastened to the ground,
- c) finished floor levels of the mobile home in metres Above Ordnance Datum (mAOD),

Reason:

To reduce the impact of flooding on the occupants of the temporary mobile home and to prevent inappropriate development within a high flood risk area.

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 |
|-----------|--------------------------------------|--------------|
| | Application form | 23/01/2012 |
| 07/2/1450 | Proposed Composite Plan (revision A) | 23/01/2012 |

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 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 East of England Plan adopted May 2008, 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: E8, H18, ENV7

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 the Environment Agency, for your information.
- 3 I enclose a copy of the comments received from the Middle Level Commissioners, for your information.
- 4 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.
- 5 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: 17 April 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.