



Notice of Decision

Town and Country Planning Act 1990 Permission for Development

To: Mrs A Timms C/O Creative Designs Jason Lapper 1 Butts Close Aynho Banbury OX17 3AE	Application No: WNS/2021/0250/FUL
	Application Date: 5 May 2021
	Date of Permission: 24 August 2021

**THE DEVELOPMENT SUBJECT TO THIS PLANNING PERMISSION IS LIABLE
DEVELOPMENT UNDER THE COMMUNITY INFRASTRUCTURE LEVY
REGULATIONS 2010 (AS AMENDED)**

**WEST NORTHAMPTONSHIRE COUNCIL, in pursuance of powers under the
above mentioned Act, hereby PERMIT:**

Erection of a two storey detached dwelling with a detached double garage. (renewal of planning application number S/2018/0773/FUL) at Orchard End 4 Braggintons Lane Middleton Cheney OX17 2NG

**In accordance with the accompanying plans and particulars and subject to the
conditions specified hereunder :**

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

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

Reason : To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall not be carried out otherwise than in complete accordance with the approved plans Drawing Nos. 0908-01 Rev A, 0313-002 Rev D, 0313-003 Rev D, 0313-004 Rev C and 0313-005 Rev A received 30/03/2021 unless a non-material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Reason : To clarify the permission and for the avoidance of doubt.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES

3. No development shall commence until a noise assessment has been undertaken and a scheme for protecting the proposed dwellings from noise sources affecting the site has been submitted to and approved in writing by the Local Planning Authority. Any assessment method and acoustic criteria used shall be prior agreed in writing with the local planning authority and any proposed mitigation scheme shall meet the design aims of the National Planning Policy Framework and Planning Practice Guidance. Any works which form part of the scheme shall be completed in accordance with the approved details before any of the permitted dwellings to which the scheme relates are occupied.

Reason : To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Policy SS2 of the South Northamptonshire Local Plan.

4. No development shall take place until the applicant (or their agents or successors in title) has submitted to and had approved in writing by the local planning authority a programme of archaeological work consisting of a written scheme of investigation and a timetable for that work. The development shall thereafter proceed in accordance with the approved written scheme of investigation and timetable.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 12).

5. The external walls of the dwelling(s) shall be constructed in natural ironstone which shall be laid, dressed, coursed and pointed using a lime based mortar in accordance with a sample panel (minimum 1 metre squared in size) which shall be constructed on site to be inspected and approved in writing by the Local Planning Authority before the stonework is commenced. The sample panel shall be constructed in a position that is protected and readily accessible for viewing in good natural daylight from a distance of 3 metres. The panel shall be retained on site for the duration of the construction contract.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy G3(A) of the South Northamptonshire Local Plan.

6. Samples of the slates to be used in the covering of the roof of the dwelling shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the samples so approved.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy G3(A) of the South Northamptonshire Local Plan.

7. Prior to the commencement of development, provision of ducting to allow for future installation of EV charging infrastructure will be required, in order to make resident

parking places EV ready for future demand. The details and location of such provision should take into consideration the availability of electrical supply and should therefore be designed making reference to information held by the local distribution network operator. Subsequently, these details and designs should be submitted to and approved in writing by the Local Planning Authority.

Such provision shall be formed and laid out in accordance with these details before usage of the parking spaces commences and shall remain in place thereafter.

Reason : To comply with Policy S10 of the West Northamptonshire Joint Core Strategy and Policy INF4 of the South Northamptonshire Local Plan Part 2, and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE

8. Full details of the siting, appearance and colour of any electricity or gas supply meter housings to be located on the external elevations of the buildings shall be submitted to and approved by the Local Planning Authority prior to the construction of the building above slab level. The development shall thereafter be carried out in accordance with the approved details

Reason : To preserve the character and appearance of the conservation area in accordance with Policies EV9 and EV10 of the South Northamptonshire Local Plan.

CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION

9. The garage, parking area and turning area shown on the approved plans shall be constructed, drained, surfaced and sealed prior to the first occupancy of the dwelling hereby approved and shall not thereafter be used for any purpose other than the garaging/parking of private motor vehicles.
- Reason: To ensure that adequate off-street parking is provided and retained within the site to cater for the needs of residents and visitors to the development in accordance with Policy G3 of the South Northamptonshire Local Plan.
10. Prior to the first occupation of the dwelling hereby permitted pedestrian visibility splays of at least 2.4m by 2.4m (2m x 2m where there is turning space within the site) shall be provided on each side of the vehicular access(es). These measurements are taken from and along the highway boundary. Any features within or affecting the resultant triangular areas shall not exceed 0.6m above the access/footway level.

Reason : To provide adequate visibility of pedestrians for drivers in the interests of safety in accordance with Policy G3(B) of the South Northamptonshire Local Plan.

11. Prior to first use of the development hereby permitted the means of access shall be of a minimum width of 4.5m for a distance of at least 10 metres from the highway boundary.

That area shall be paved with a hard bound surface for the first 5m from the highway boundary and the maximum gradient over that distance shall not exceed 1 in 15.

Reason : To ensure that an adequate and safe access is provided to the site in accordance with policy G3(B) of the South Northamptonshire Local Plan.

12. No construction of any hard surfacing [as shown on the approved plans/including drives and patios] shall commence until details of its method of construction, including any porous materials or provision to direct surface water to a permeable or porous area within the curtilage of the dwellinghouse, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details before the dwellinghouse is brought into use.

Reason : To ensure that the development/site is served by sustainable arrangements for the disposal of surface water and to minimise the risk of flooding to comply with Government advice in the National Planning Policy Framework and Policy G3 of the South Northamptonshire Local Plan.

13. That the existing hedgerow to the western site boundary shall be reinforced by additional planting in accordance with a detailed scheme to be first submitted to and approved in writing by the Local Planning Authority and carried out within the first available planting season following the occupation of the building or on the completion of the development whichever is the sooner. Any plant/tree within the hedgerow which may die within 5 years from the completion of the development shall be replaced and thereafter be properly maintained in accordance with this condition.

Reason: In order to protect the amenities of nearby properties in accordance with Policy G3 of the South Northamptonshire Local Plan.

CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

14. The existing hedge(s) along the northern, western and southern boundaries of the site shall be retained at a minimum height of 2.0 metres for so long as the development hereby permitted is in use; any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the Local Planning Authority gives written consent to any variation.

Reason: In order to protect the amenities of nearby properties in accordance with Policy G3 of the South Northamptonshire Local Plan.

15. Notwithstanding the provisions of Classes A-D (inc) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no enlargement, alteration or improvement of the dwellinghouse shall be undertaken at any time without the prior planning permission of the Local Planning Authority.

Reason : To ensure that the amenities of the adjoining occupier(s) are not adversely affected by loss of privacy and to protect the character of the area in accordance with Policy G3 of the South Northamptonshire Local Plan.

16. All rainwater gutters and downpipes, etc shall be cast iron or aluminium manufacture and painted black unless alternative details are otherwise first approved in writing by the Local Planning Authority.

Reason : To preserve the character and appearance of the conservation area in accordance with Policies EV9 and EV10 of the South Northamptonshire Local Plan.

17. Within 6 months of the completion of the archaeological work in accordance with the written scheme of investigation approved pursuant to condition 4 above the applicant (or their agents or successors in title) shall submit to the local planning authority for its written approval an archaeological report comprising a post-excavation assessment and analysis, preparation of site archive and completion of an archive report together with details of the store at which this is to be deposited

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 12).

18. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Policy SS2 of the South Northamptonshire Local Plan, Policy BN9 of the West Northamptonshire Joint Core and Section 15 of the National Planning Policy Framework.

INFORMATIVES

1. The applicant's and/or the developer's attention is drawn to the requirements of the Control of Pollution Act 1974, the Environmental Protection Act 1990 and the Clean Air Act 1993, which relate to the control of any nuisance arising from construction sites. The applicant/developer is encouraged to undertake the proposed building operations in such a manner as to avoid causing any undue nuisance or disturbance to neighbouring residents. Under Section 61 of the Control of Pollution Act 1974, contractors may apply to the Council for 'prior consent' to carry out works, which would establish hours of operation, noise levels and methods of working
2. Your attention is drawn to the need to have regard to the requirements of UK and European legislation relating to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if

protected species or habitats are affected by the development. If protected species are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution. If any vegetation or trees are to be removed, it should first be ensured that they do not contain nesting birds or roosting bats. For further information or to obtain approval contact Natural England.

COMMUNITY INFRASTRUCTURE LEVY

The development hereby permitted is Liable Development under The Community Infrastructure Levy (CIL) Regulations 2010 (as amended) please therefore see the CIL Liability Notice, a copy of which is contained on the application details on the Council's Planning Register - <http://snc.planning-register.co.uk/plandisp.aspx?recno=110010>

Town and Country Planning (Development Management Procedure) (England) Order 2015 and Section 4 of the National Planning Policy Framework

In accordance with the above, WEST NORTHAMPTONSHIRE COUNCIL has worked with the applicant in a positive and creative way by offering to engage in pre-application discussions and, where possible, by enabling problems to be resolved within applications in accordance with its adopted protocol on 'Negotiating Submitted Applications'. Where the applicant chooses to engage in pre-application discussions, the outcome of these will be referred to in the application report. In responding to pre-application enquires and determining formal applications, WEST NORTHAMPTONSHIRE COUNCIL always seeks to look for solutions rather than problems so that applications for sustainable development can be approved, thereby resulting in improvements to the economic, social and environmental conditions of the area.

CONDITIONS

The applicant's attention is drawn to the need to comply with all conditions imposed on this permission. Failure to do so could result in the council serving a breach of condition notice against which there is no right of appeal.

Under the Town and Country Planning (Fees for Applications, Deemed Application, Requests and Site Visits) (England) Regulation 2012 there is a fee payable each time you make a request to discharge any of the conditions attached to this permission. You can apply to discharge more than one condition at the same time. At the time of this decision the fee is £34 per request for householder development and £116 per request in all other cases. The fee may be more when you come to apply for the discharge of condition if the Regulations have been amended. The fee is payable when you submit the details to discharge the condition(s). The Council has '1app' forms for such applications, but their use is not mandatory.

There is no fee for the discharge of conditions on listed building consents.

The Council has eight weeks to respond to applications to discharge conditions, so you will need to make your application in good time before commencing development.

Material Samples

Please note that where any of the above conditions require the approval of materials, material samples are no longer accepted at the Council offices and should in the first instance be left on the application site for the relevant case officer to view and assess in context with its surroundings. Material samples and sample panels should be placed/erected on the site before an application to discharge that condition(s) is submitted.

Should leaving samples on site be impractical then arrangements should be made with the relevant case officer to view samples on site.



Jim Newton - Assistant Director - Growth, Climate and Regeneration

Checked by:	LEB
-------------	-----

NOTES TO APPLICANTS :

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 Section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 6 months (12 weeks in the case of householder or minor commercial development) of the date of this notice **(see exceptions below)*

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#)

If this decision relates to the same or substantially the same land and development as is already the subject of an **enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so **within 28 days of the date of this notice.****

If an **enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:*

28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.*

PURCHASE NOTICE

If either the local planning authority or the Secretary of State refuse permission to develop land 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 Council in whose area the land is situated. This notice will require 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.

BUILDING REGULATIONS

Any permission granted by this document relates solely to planning permission. Approval under the building regulations and other legislation may be required before works commence.

Development Monitoring

To inform us of your intention to start development please call, e-mail, or return the tear off slip, at least 14 days prior to the commencement of work on site. This will assist the Council with its policy of monitoring development within the district. Please ensure that you have complied with any pre-commencement conditions, e.g. supplied materials for approval. We will also monitor the development against the approved plans, and compliance with any Conditions imposed on the permission.

Thank you in advance for your assistance in this matter.

Yours faithfully

Paul Seckington
Development Services Manager

Please complete the tear off slip (in block capitals) and return to the address below before commencing work

Development Monitoring
WEST NORTHAMPTONSHIRE
COUNCIL
The Forum
Moat Lane
Towcester
Northants NN12 6AD

From (Name and Address):
Name _____
Address _____

Phone: _____

Please be advised that the following development is due to commence:

Planning Permission Ref: WNS/2021/0250/FUL
Site Address: Orchard End 4 Braggintons Lane Middleton Cheney OX17 2NG
Commencement Date: _____