

RECEIVED 2 1 APR 1989

# Town and Country Planning Act 1971

## Town and Country Planning General Development Order 1977

Peter J. Williams  
Pistyll  
Llanfair Caereinion  
Nr Welshpool  
Montgomeryshire

Acting on behalf of:-  
Mr & Mrs R.I. Brown  
Croeso  
Mount Road  
Llanfair Caereinion, Nr. Welshpool

This Permission does not give  
no authority to commence  
Site Works.

In pursuance of its powers under the above-mentioned Act and Order the MONTGOMERYSHIRE DISTRICT COUNCIL (hereinafter called "the Council") as Local Planning Authority hereby give you notice that OUTLINE PERMISSION IS GRANTED for the following development, namely:

Outline application for erection of a dwelling and formation of vehicular access land adj. Croeso, Mount Road, Llanfair Caereinion, Nr. Welshpool

13.3.1989

in accordance with the application and plan submitted to the Council on

subject to the conditions specified hereunder:-

- (1) This permission is granted under the provisions of Article 5(2) of the Town and Country Planning General Development Order, 1977, on an outline application and the further approval of the District Planning Authority shall be required with respect to the undermentioned matters hereby reserved before any development is commenced:-
  - (a) the siting, design and external appearance of the proposed buildings or other structures to be erected on the site, including fences, walls and other means of enclosure.
  - (b) details of the access arrangements, including car parking and vehicle turning areas.
  - (c) details of landscaping of the site, including the size and species of all proposed planting and existing species to be retained.
- (2) In the case of the reserved matters specified above, application for approval, accompanied by all detailed drawings and particulars, must be made to the District Planning Authority not later than the expiration of three years beginning with the date of this permission.
- (3) The development to which this permission relates must be begun not later than the expiration of five years from the date of this permission or within the expiration of two years from the final approval of all reserved matters whichever is the later.

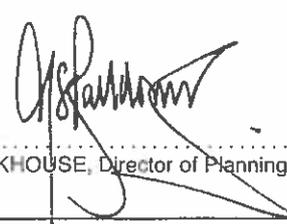
The date on which this permission is granted is

(4) No development shall take place until there has been submitted to and approved by the local planning authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of those to be retained, together with measures for their protection in the course of the development.

(5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development 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 the local planning authority gives written consent to any variation.

Conditions continued overleaf

DATED the 19th day of April 1989

  
M. S. BACKHOUSE, Director of Planning

(6) The access shall be so constructed that there is clear visibility from a point 1.05 metres above ground level at the centre of the access and 5.5 metres distant from the adjoining edge of carriageway, for a distance of 6 metres in each direction along the County Road, measured from the centre of the access along the adjoining edge of carriageway. Nothing shall be planted, erected or allowed to grow on the triangular area of land so formed which would obstruct the visibility described above.

(7) Provision shall be made within the curtilage of the site for the parking of not less than one car in addition to any garage space provided together with a turning space such that all vehicles serving the site may both enter and leave the site in a forward gear.

(8) The entrance gates shall be set back at least 5.5 metres distant from the edge of the adjoining carriageway and the gradient from the back of the footway or verge to this point shall be no steeper than 1 in 15.

(9) Any entrance gates shall be constructed so as to be incapable of opening towards the highway.

The reasons for the Council's decision to grant permission for the development subject to compliance with the conditions hereinbefore specified are:-

Conditions (1)(3) — Conditions imposed in compliance with Section 42 of the 1971 Act.

Condition Nos. (4) and (5) To preserve and enhance the visual amenities of the area.

Condition Nos. (6), (7), (8) and (9) To safeguard highway interests.

#### NOTES

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 Secretary of State for Wales in accordance with Section 36 of the Town and Country Planning Act, 1971 within six months of receipt of this notice. Appeals must be made on a form which is obtainable from the Welsh Office. The 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. The 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 to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any direction 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 Secretary of State for Wales, 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 development which has been or would be permitted, he may serve on the district council 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, 1971.
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 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 169 of the Town and Country Planning Act, 1971.
4. Failure to adhere to the details of the approved proposals for development contained in this application or to comply with any conditions or limitations subject to which this permission was granted will constitute a breach of planning control which may result in the local planning authority serving an enforcement notice requiring the breach to be remedied under Section 87 of the Town and Country Planning Act, 1971.