



Town and Country Planning Act 1990

Application P/2008/1717 for Full Planning Permission

Richard Gittins
The Old Chapel House
Milverely
Oswestry
Shropshire SY10 8PF

Applicant: Mr J T Jones

In pursuance of its powers under the above-mentioned Act and Order Powys County Council (hereinafter called "the Council") as local planning authority hereby gives you notice that **FULL PLANNING PERMISSION** is **GRANTED** for the following development, namely:-

Change of use and alterations to redundant chapel to form additional living accommodation/annex to Penycae at Salem Chapel Llansilin Oswestry

In accordance with the application and plan submitted to the Council on 12/12/2008 subject to the conditions specified hereunder:-

1. The works hereby permitted shall be begun before the expiration of five years from the date of this consent.
2. The development shall be carried out strictly in accordance with the plans stamped as approved 13/07/09.
3. The ancillary accommodation hereby authorised shall solely be used incidentally to the dwelling house within the same curtilage at Pen Y Cae and shall at no time be severed therefrom to form a separate residential unit or for any other purpose.
4. Development shall not begin until an appropriate photographic survey of the existing buildings on the site has been carried out in accordance with details to be submitted to, and approved by, the local planning authority. The resulting photographs should be deposited with the County Sites and Monuments Record, operated by the Clwyd-Powys Archaeological Trust (7a Church Street, Welshpool, Powys, SY21 7DL tel: 01938 553670)
5. The roof of the building shall be covered with natural slates of a type, texture and colour to match the existing.
6. Any entrance gates shall be set back at least 5.5 metres distant from the edge of the adjoining carriageway and shall be constructed so as to be incapable of opening towards the highway.
7. Prior to the occupation of the ancillary accommodation hereby permitted the existing access shall be improved so that there is clear visibility above a height of 0.6 metres above the C2005 carriageway level, to points 20 metres distant in each direction measured from the centre of the access along the edge of the adjoining carriageway and 5.5 metres distant from the edge of the adjoining carriageway and 6 metres in each direction. Nothing shall be planted, erected or allowed to grow on the areas of land so formed that would obstruct the visibility and the visibility shall be maintained free from obstruction thereafter.

8. Prior to the occupation of the ancillary accommodation hereby permitted the area of the access to be used by vehicles is to be constructed to a minimum of 450mm depth, comprising a minimum of 250mm of sub-base material, 100mm of bituminous macadam base course material and 60mm of bituminous macadam binder course material, and 40mm bituminous surface course for a distance of 5.5 metres from the edge of the adjoining carriageway.

9. Prior to the occupation of the ancillary accommodation hereby permitted, provision shall be made within the curtilage of the site for the parking of not less than three cars excluding 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.

10. No storm water drainage shall be allowed to discharge onto the county highway.

11. All building and development work and associated activities shall take place in full compliance with the bat Mitigation Strategy contained within the report by Dr. Michael Worsfold and Eileen Bowen dated August 2008 and as set out in the approved drawings. The mitigation measures specified within this report shall be implemented prior to the occupation of the ancillary accommodation.

12. The foul drainage from the existing dwellinghouse and the ancillary accommodation hereby permitted shall be disposed of to the main sewerage system. The main sewerage connection shall be made and shall be fully operational prior to the occupation of the ancillary accommodation.

Reasons

1. Required to be imposed by Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2. To ensure adherence to the plans stamped as approved in the interests of clarity and a satisfactory development.

3. To prevent the establishment of separate use in the interests of privacy, amenity and highway safety in accordance with policies GP1, GP4 and HP6 of the Powys Unitary Development Plan.

4. To ensure that architectural style and present state is recorded in accordance with policy ENV18 of the Powys County Structure Plan.

5. To safeguard the character and appearance of this building of [special] architectural or historical interest in accordance with policy ENV14 of the Powys Unitary Development Plan.

6. To ensure that adequate provision is made for highway access to serve the development in accordance with Powys Unitary Development Plan policies GP1 and GP4.

7. To ensure that adequate provision is made for highway access to serve the development in accordance with Powys Unitary Development Plan policies GP1 and GP4.

8. To ensure that adequate provision is made for highway access to serve the development in accordance with Powys Unitary Development Plan policies GP1 and GP4.

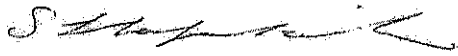
9. To ensure that adequate provision is made for parking and turning arrangements within the site to serve the development in accordance with Powys Unitary Development Plan policies GP1 and GP4.

10. In the interests of highway safety in accordance with Powys Unitary Development Plan policies GP1 and GP4.

11. In the interest of the protection and preservation of biodiversity in accordance with policies ENV3 and ENV7 of the Powys Unitary Development Plan.

12. In order to ensure that the development connects to the mains sewerage system and to reduce the risk of pollution in accordance with Powys Unitary Development Plan policy DC10.

The date on which this permission is **GRANTED** is 13/07/2009.



Lesley Kirkpatrick, BSc Hons, Dip TP, MRTPI, MIED
Head of Regeneration and Development

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/she may appeal to the National Assembly in accordance with Section 78 of the Town and Country Planning Act 1990 within 6 months of the date of this notice. Appeals must be made on a form obtainable from the Planning Inspectorate, Cathays Park, Cardiff CF10 3NQ. The National Assembly has power to allow a longer period for the giving of a notice of appeal but will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The National Assembly is not required to entertain an appeal if it appears 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. It does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by it.
2. If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the National Assembly, 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 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 VI of the Town and Country Planning Act 1990.
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 National Assembly on appeal or on a reference of the application to it. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
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 172 of the Town and Country Planning Act 1990.

P/2008/1717

IMPORTANT – Please read carefully the notes below

Failure to comply could make the development hereby permitted unauthorised.

- 1) This consent is granted in strict accordance with the approved plans:
 - a) **ANY VARIATION** from the approved plans after commencement of the development, irrelevant as to the degree of variation, will be constituted as unauthorised development and may be liable to enforcement action.
 - b) You or your agent or any other person responsible for implementing this permission should inform the Case Officer immediately of any proposed variation from the approved plans and you or they will be informed as to the best method to resolve the matter.
- 2) This consent is granted subject to conditions and it is the owner and the person responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond:
 - a) If there is a condition that requires work to be carried out or matters to be approved prior to the commencement of the development this is called a "condition precedent".
 - b) If a "condition precedent" is not complied with, the whole of the development will be unauthorised, you may be liable to enforcement action.
 - c) In addition if a condition precedent is breached, the development is unauthorised and the only way to rectify the breach is the submission of a new application.
 - d) If any other type of condition is breached then you will be liable to a Breach of Condition Notice.