

FENLAND DISTRICT COUNCIL
DETAILS OF PLANNING APPLICATION

F/1407/89/F

Dated 8th November 1989

Valid 1st December 1989

Applicant Wards Homes Anglia Ltd
158 Old Road
OLD HARLOW
Essex

Agent Christopher Libby & Co
45 Great Russell Street
LONDON
WC1B 3PA

Description Revised layout design of housing estate
including additional 2 dwellings (Previous
planning permission - F/1722/88/F)

Parish Upwell

Location Land to the south - west of Pious Drove
UPWELL

Map ref. TF5003(72)

Grid E TF5060
ref: N 0320

Committee:

Date: 16.2.90

Decision: Approved with conditions/~~Refused/Deferred~~

Date Issued: 24.2.90

D.O.E. action: Appeal lodged/Application referred

Date:

Appeal decision: Part/Allowed with conditions/Dismissed

Date:

D.O.E. direction

Date:

County Council directions:

Date:

Fenland District Council

Notification of Town Planning Decision



Application No: F/1407/89/F
Date Registered: 1st December 1989
Applicant: Wards Homes Anglia Ltd

Name and Address Agent/Applicant
Christopher Libby & Co
45 Great Russell Street
LONDON
WC1B 3PA

APPROVED

Address to which the application relates:
Land to the south - west of Pious Drove UPWELL

Application Type: Planning Permission (Full)

Description of proposal:
Revised layout design of housing estate
including additional 2 dwellings (Previous
planning permission - F/1722/88/F)

Town and Country Planning Act 1971

Permission to carry out the above development in accordance with the application, plans, drawings and any clarifying or amending information submitted by you is Granted subject to any condition(s) set out below.

01

The development permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason - To ensure compliance with Section 41 of the Town and Country Planning Act 1971.

02

Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any Order revoking and re-enacting that Order) planning permission shall be required in respect of fences, gates or walls erected within the curtilage of any dwelling in front of the forwardmost part of that dwelling fronting a highway.

Reason - To ensure that the appearance of the development is satisfactory.

03

Before the commencement of any work on the site a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority and such a scheme shall include:-

1. a plan and schedule of all trees on the land, their location, species and which are to be retained, felled, lopped or topped.
2. a plan and schedule for the planting of trees and shrubs, their types and distribution on the site, hard landscaping and the areas to be seeded, turfed or paved.
3. a programme of the timing of the landscape work having regard to the timing

148

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse an application or to grant it subject to conditions, you can appeal to the Secretary of State for the Environment under the provisions of the Town and Country Planning Act 1971.
 - If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Department of the Environment at Tollgate House, Houlton Street, Bristol, BA2 9DJ
 - 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 permission or consent or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

PURCHASE NOTICES

- If either the local planning authority or the Secretary of State for the Environment refuses planning 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 can he 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 of the Town and Country Planning Act 1971.

COMPENSATION

- 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 Sections 169 and 171 and related provisions of the Town and Country Planning Act 1971.

CHRONICALLY SICK AND DISABLED PERSONS ACT 1970

The above Act requires persons undertaking the provision of certain buildings or premises to make provision for the needs of disabled people. A development is affected if it would result in the provision of one or more of the following:

1. A building or premises to which section 4 of the Chronically Sick and disabled Persons Act 1970 applies (buildings or premises to which the public are to be admitted whether on payment or otherwise);
2. Any of the following, being in each case premises in which persons are employed to work:
 - i) Office premises, shop premises and railway premises to which the Offices, Shops and Railway Premises Act 1963 applies;
 - ii) Premises which are deemed to be such premises for the purposes of that Act; or
 - iii) Factories as defined by section 175 of the Factories Act 1961;
3. A building intended for the purposes:
 - i) Of a university, university college or college, or of a school or hall of a university; or
 - ii) Of a school within the meaning of the Education Act 1944, a teacher training college maintained by a local education authority in England or Wales or any other institution providing further education pursuant to a scheme under section 42 of that Act.

If a development comes within category (1) above, attention is drawn to the provisions of section 4 and 7 of the Chronically Sick and Disabled Persons Act 1970 and to the British Standards Institution Code of Practice for Access for the Disabled to Buildings (BS5810 : 1979).

If a development comes within category (2) above, attention is drawn to the provisions of section 7 and 8 of the 1970 Act and to Design Note 18 "Access for the Physically Disabled to Educational Buildings", published on behalf of the Secretary of State for Education and Science.

Fenland District Council

Notification of Town Planning Decision



of the commencement of any part of the development hereby permitted.

Reason - To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area and to protect the character of the site.

04

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.

Reason - To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area and to protect the character of the site.

05

Details of the location, height, design and materials of all screen walls and fences shall be submitted to and approved in writing with the Local Planning Authority prior to the commencement of the development hereby permitted, and all such works shall be erected concurrently with the erection of the dwelling(s).

Reason - To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area, and to ensure that the private areas of the development are afforded an acceptable measure of privacy.

06

A 1.8 metre high close-boarded fence shall be erected along the North-Eastern boundary of plots 1-11, 107 to the satisfaction of the Local Planning Authority prior to the occupation of the related dwellings.

Reason - In the interests of reasonable amenities of the existing adjoining occupiers.

Date of Decision: 16th February 1990

Chief Planning Officer, Fenland Hall, County Road, March. PE15 8NQ

IMPORTANT - Please read the notes on the reverse side of this decision notice

152

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