

Register Copy

FENLAND DISTRICT COUNCIL

DETAILS OF PLANNING APPLICATION

F/0662/89/0

Dated 11th April 1989

Valid 12th May 1989

Applicant Pears & Gray
Per

Agent Grounds & Co
4 Market Hill
CHATTERIS
Cambs PE16 6BA

Description Residential Development (1.15 Ha) *including the installation of a sewage treatment plant*

Parish Upwell

Location Site of haulage yard rear of 'Beechers' off March Riverside
UPWELL

Map ref. TF4902(78)

Grid E TF4970
ref: N 0235

Committee:

Date: 18.1.90

Decision: Approved with conditions/~~Refused/Deferred~~
(Sub. To P&R) 12.10.89
BY FULL COUNCIL 22.2.90 14.12.89

Date Issued: 7.3.90.

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/0662/89/0
Date Registered: 12th May 1989
Applicant: Pears & Gray

Name and Address Agent/Applicant
Grounds & Co
4 Market Hill
CHATTERIS
Cambs PE16 6BA

APPROVED

Address to which the application relates:

Site of haulage yard rear of 'Beechers' off March Riverside UPWELL

Application Type: Planning Permission (Outline)

Description of proposal:

Residential Development (1.15 Ha), including
the installation of a sewage treatment plant.

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

Approval of the details of:

- (i) the siting of the building(s);
- (ii) the design of the building(s);
- (iii) the external appearance of the building(s);
- (iv) the means of access thereto;
- (v) the landscaping of the site;

(hereinafter called "the Reserved Matters") shall be obtained from the Local Planning Authority prior to the commencement of development.

Reason - To enable the Local Planning Authority to control the details of the development hereby permitted.

02

Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

Reason - To ensure compliance with Section 42 of the Town and Country Planning Act 1971.

03

The development hereby permitted shall be begun either before the expiration of 5 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved, whichever is the later.

Reason - To ensure compliance with Section 42 of the Town and Country Planning

KR

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



Act 1971.

04

The details submitted in accordance with Condition 1 of this permission shall include:-

1. an accurate survey including levels of the site, such survey to indicate precisely the positions and species of all trees and the extent of their canopies.
2. a plan and schedule of all trees, indicating which are to be retained, felled, lopped or topped.
3. 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 or turfed.
4. a programme of the timing of the landscape work having regard to the timing of the commencement of any part of the development hereby permitted.
5. an indication of the measures to be taken during the course of development operations to protect those trees which it is intended to retain.

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

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.

06

The approved open space shall be graded and seeded or turfed to the satisfaction of the Local Planning Authority in the first planting/seeding season following occupation of any part of the development or completion of the development whichever is the sooner, and that area shall not thereafter be used for any purpose other than as a play area/communal open space.

Reason - To safeguard the visual amenities of the area.

07

None of the dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason - To ensure adequate drainage of the site.

08

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- 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

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Fenland District Council

Notification of Town Planning Decision



Prior to the occupation of the development the junction of the site access road with March Riverside shall be improved in accordance with the approved plan UPW1 and with further detailed drawings to be submitted to and approved by the Local Planning Authority in consultation with the Local Highway Authority.

Reason - In the interests of highway safety.

09

The area outlined in green on the submitted and approved 1/2500th scale plan shall be utilised as public open space only and no building shall be erected thereon, save any necessary for use of the area as Public Open Space.

Reason - Being located outside the Village Development Area it is against the adopted policy of the Local Planning Authority to permit buildings on this area.

Date of Decision: 22nd February 1990

A handwritten signature in dark ink, appearing to read 'A. Jones'.

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

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

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