



Town and Country Planning Act 1990

APPROVAL OF RESERVED MATTERS

Name and Address of Applicant

Mr M Hay
65 St Johns
Worcester
WR2 5AG

Name and Address of Agent (if any)

Part I - Particulars of Application

Date of Application: 6th August 2008

Application No: 08/01090/REM

Particulars of planning permission reserving details for approval:

Grid Ref: Easting: 381509 Northing: 242576

PROPOSAL: Approval of matters of layout, scale, appearance and landscaping for single dwelling with access approved under planning application 06/01634/OUT

LOCATION: Land Adj. 34 Winnington Gardens Hanley Swan Worcester

Summary of Reasons for Approval

This decision to grant planning permission takes into account the provisions of the Development Plan comprising the Regional Spatial Strategy, the Worcestershire County Structure Plan and the Malvern Hills District Local Plan and, in particular, the key policies set out below, and all other material considerations. It was considered that, on balance, the development was generally in accordance with the Development Plan and was not outweighed by any other material consideration..

DS03 General Development Requirements

QL01 Design of New Development

CTC1 Landscape Character

Part II - Particulars of Decision

The Malvern Hills District Council hereby give notice in pursuance of the provisions of the Town and Country Planning Act, 1990 that **permission has been granted** for the carrying out of the development referred to in Part I hereof in accordance with the application and plans submitted subject to the following the following condition(s) (if any):

- 1 This approval relates solely to the reserved matters referred to in condition no. 1 of the outline planning permission granted on notice of decision no. 06/01034/OUT dated 13.02.2008. Nothing

contained in this application or the notice shall be deemed to affect or vary the conditions imposed on that outline planning permission.

Reason: The reserved matters cannot be considered separately from the outline permission to which they relate and conditions imposed on that outline planning permission are applicable to this development.

- 2 Any new access gates shall be hung so that they open inwards only.

Reason: In the interests of highway safety.

- 3 The development hereby permitted shall not be brought into use until the new parking area shown on the approved plan have been properly consolidated, surfaced, drained and otherwise constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and this area shall thereafter be retained and kept available for those uses at all times.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

- 4 Prior to the commencement of development, or within an alternative timescale which has previously been agreed in writing by the Local Planning Authority, details of the boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a plan at a minimum scale of 1:500 detailing the position of all proposed boundary treatment and annotated or accompanied by a schedule specifying the type, height, composition and appearance of boundary treatment throughout the site. The plan shall include the retention of the existing hedge along the front boundary and the approved boundary treatment shall be erected before the development is first brought into use and thereafter retained in that form, notwithstanding the provisions of Schedule 1, Part 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification)

Reason: In the interests of residential and visual amenity in accordance with Policies DS3, QL1 and QL5 of the Malvern Hills District Local Plan and Policy CTC1 of the Worcestershire County Structure Plan.

- 5 Prior to the commencement of development, or within an alternative timescale which has previously been agreed in writing by the Local Planning Authority, samples and trade descriptions of the external facing materials to be used in the construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved detail.

Reason: To ensure that the new materials are in keeping with the surroundings in accordance with Policies DS3 and QL1 of the Malvern Hills District Local Plan.

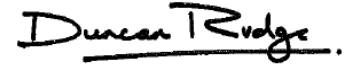
- 6 Prior to the commencement of development, details of sustainability measures (including energy, waste, recycling and water management) to be incorporated into the design of the unit hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and retained thereafter.

Reason: To ensure sustainability measures are taken into account in the development in accordance with Policies QL1 and DS3 of the Malvern Hills District Local Plan.

INFORMATIVES

- 0 This permission does not authorise the applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor following the issue of a license under Section 184 and 278 of the Highways Act, 1980.

The applicant should contact Worcestershire County Council's Highways Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), regarding the issue of the necessary license authorising the access works to be carried out by the County Council's Approved Contractor at the applicant's expense.



Date: 1st October 2008

Development Control Manager (Planning Services)

The Council House Avenue Road Malvern Worcs WR14 3AF (See Notes Attached)

01905 25121 آپ انگریزی میں مدد چاہتے ہیں۔ نسلیاتی رسائی [Ethnic Access] سے رابطہ کریں فلیکون: [Urdu]
ইংরেজি ভাষার বিষয়ে সাহায্য চান – এথনিক অ্যাকসেস [Ethnic Access] এর সঙ্গে যোগাযোগ করুন, টেলিফোন: 01905 25121 [Bengali]
'Necessita de ajuda com o seu Inglês? – contacte Ethnic Access Tel.: 01905 25121' [Portuguese]
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This document is also available in large print upon request

**Mr M Hay
65 St Johns
Worcester
WR2 5AG**

TOWN & COUNTRY PLANNING ACT 1990 (SECTION 78)

Right of Appeal against decision of the Local Planning Authority

1. If the applicant is aggrieved by the decision(s) of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, s\he may appeal to the First Secretary of State for the Environment in accordance with Section 78 of the Town & Country Planning Act 1990 within six months of the date of this notice (appeals must be made on a form which is obtainable from the Department of the Environment, address shown below). The First 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 First 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 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 directions 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.

If you wish to appeal against this decision then you should write to:

Planning Inspectorate Customer Support Unit Temple Quay House 2 The Square Temple Quay BRISTOL BS1 6PN

You should ask for a set of appeal forms and when you have completed these you should send one copy of the appeal form to:

The Planning Officer Malvern Hills District Council The Council House Avenue Road MALVERN Worcs WR14 3AF

The second copy of the appeal form should be returned to the Planning Inspectorate in Bristol

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 the Environment, 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 carrying out of any development which has been or would be permitted, he may serve on the Council of the district 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 & 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 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 114 of the Town & Country Planning Act 1990.