



# Notice of Decision

## APPROVAL

Town and Country Planning Act, 1990  
Town and Country Planning (Development Management Procedure) Order, 2015

Mr Les Greenwood  
Greenwood Planning  
14-15 Rother Street  
Stratford Upon Avon  
CV37 6LU

THE STRATFORD-ON-AVON DISTRICT COUNCIL, having considered the application for permission to develop land at:-

**Land At, Oxhill Road, Tysoe,**

Submitted by: Mr & Mrs H and L Jervis

Received by the Council on 11 February 2020

In accordance with Condition 1 of Notice of Decision dated 08 February 2019 Reference No. 18/03059/OUT

HEREBY GIVE YOU NOTICE that the details are APPROVED for the following development, namely:-

**Reserved matters (appearance, landscaping, layout, and scale) pursuant to outline application 18/03059/OUT for the erection of one dwelling**

Subject to the following condition(s) and reason(s), namely:-

1. The development hereby approved shall be carried out in accordance with the following plans and drawings -
  - o 1:1250 Site Location Plan
  - o 001/20 (Elevations)
  - o 002/20 (Site Plan)
  - o 003/20 (Floor Plans)
  - o 005/20 (Hard and Soft Landscape)
  - o 1215-9 (Existing Garage Elevations)

Notwithstanding the abovementioned plans, the development specifically precludes the 1.8m close board fence.

**Case Officer: Louise Casey**  
**Reference No. 20/00400/REM**



The development shall also be carried out in accordance with the Planning Statement unless otherwise required by conditions attached to this permission.

Reason: To define the permission and to ensure that the development meets the design quality and environmental requirements of Policy CS.9 of the Stratford-on-Avon District Core Strategy 2011-2031.

2. The materials to be used externally on the development hereby permitted shall comply in colour, form, profile and texture with the details shown on the approved drawings and contained within the Planning Statement. The materials shall be constructed and completed before the development is first occupied or used and thereafter so retained.

Reason: The Local Planning Authority considers these materials to be acceptable in the interests of visual amenity in general and the character and appearance of the development itself, having regard to Policies CS.9, CS.15 and AS.10 of the Stratford-on-Avon District Core Strategy 2011-2031.

3. Prior to progression above slab level of the development hereby permitted, a 1m x 1m sample panel of the stonework, type of pointing and the mortar to be used shall be erected on site and approved in writing by the Local Planning Authority. The sample panel shall thereafter be kept on site for reference until the stonework is completed and the works shall be carried out in accordance with the approved details.

Reason: Notwithstanding the details indicated on the submitted drawings, this condition is imposed to enable the Local Planning Authority to consider the details of stonework at an appropriate stage in the course of the development to ensure that the development displays good design practice and reflects local distinctiveness, having due regard to safeguarding visual amenity and to accord with Policies CS.9, CS.15 and AS.10 of the Stratford-on-Avon District Core Strategy 2011-2031.

4. Notwithstanding the details submitted, prior to progression of any part of the development hereby permitted above slab level, a scheme of hard and soft landscaping detailing treatment of all parts of the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. This landscaping scheme shall include:

(a) planting plans (to a recognized scale) and schedules indicating the location, number, species, density, form and size of proposed tree, hedge and shrub planting;

(b) the method and specifications for operations associated with planting establishment, protection, management and maintenance of all retained and new tree, hedge and shrub planting;

(c) written specifications including cultivation and other operations associated with tree, plant and grass establishment;

(d) existing landscape features such as trees, hedges, shrubs and ponds which are to be retained and/or removed, accurately plotted (where appropriate);

(e) existing and proposed finished levels (to include details of grading and contouring of earthworks and details showing the relationship of proposed mounding to existing vegetation and surrounding landform where appropriate);

(f) the means of accommodating change in level (e.g. retaining walls, steps, railings, walls, gates or other supporting structures, ramps);

(g) the position, design, materials, means of construction of all site enclosures and boundary treatments (e.g. fences, walls, railings, hedge), where appropriate;

(h) a timetable for the implementation of the soft and hard landscaping scheme.

The approved soft and hard landscaping scheme shall be carried out strictly in accordance with the approved timetable of implementation and shall thereafter be protected, maintained and managed in accordance with the approved details.

Reason: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to enhance the setting within the immediate locality, having regard to Policies CS.5, CS.6, CS.9 and AS.10 of the Stratford-on-Avon District Core Strategy 2011-2031.

#### Notes

1. The Local Planning Authority has taken into account paragraph 38 of the National Planning Policy Framework 2019, which details the need to work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.
2. All conditions attached to the original outline planning permission 18/03059/OUT must be read and complied with in conjunction with this approval of reserved matters.

DATED 6 April 2020



AUTHORISED OFFICER OF THE COUNCIL.....

This permission does NOT give approval under Building Regulations.

This permission does NOT convey any approval or consent which may be required under any enactment, by-law, order or regulation other than planning permission under the provisions of the Town and Country Planning Act 1990.

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS FORM

**STRATFORD-ON-AVON DISTRICT COUNCIL**  
**ELIZABETH HOUSE, CHURCH STREET, STRATFORD-UPON-AVON. CV37 6HX.**

**Reference No. 20/00400/REM**

**PRE-START CONDITIONS**

You are reminded that some of the conditions attached to planning permissions (pre-start conditions) require details and schemes to be submitted and approved in writing before any work commences on site. You should therefore submit any details required at least 8 weeks prior to starting work and obtain the Council's written approval, if required, in order to comply with the planning condition.

Failure to comply with pre-start conditions may result in your planning permission being void.

**FEES FOR THE DISCHARGE OF PLANNING CONDITIONS**

In accordance with Statutory Instrument 958, a fee is now payable where a written request is made for the discharge of one or more planning conditions on the same permission or for the written confirmation of compliance with a planning condition or conditions. Further guidance on this process together with the associated fees is available on the Council's website

<https://www.stratford.gov.uk/planning-regeneration/the-application-process.cfm>

**APPEALS TO THE SECRETARY OF STATE**

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Planning Inspectorate under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within **six months** of the date of this notice. For appeals against the refusal of Householder applications (i.e.: works to a dwelling or development within the garden of a dwelling) or Minor Commercial Development you must lodge your appeal within **12 weeks** of the date of the decision.

If the development is the same (or substantially the same) as that specified in an Enforcement Notice served on the same land, an appeal must be lodged within

- A) 28 days of the date of the planning decision if there is an extant Enforcement Notice served up to 2 years prior to the date of the decision
- B) 28 days of the date of the Enforcement Notice if the Notice is served after the date of the decision of the planning application for the same development

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have

their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

The Planning Inspectorate can allow a longer period of 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 Planning Inspectorate need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it 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 Planning Inspectorate 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 Planning Inspectorate refused permission to develop land 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 Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act.

### Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Planning Inspectorate on appeal or on reference of the application to him.

These circumstances are set out in Part V of the Town and Country Planning Act 1990.

## **ADDRESSING YOUR NEW BUILDINGS**

When you require the address(es) for this development contact "Street Naming and Numbering" at Stratford-on-Avon District Council, either by post or email [3720snandn@stratford-dc.gov.uk](mailto:3720snandn@stratford-dc.gov.uk). You need to do this 6 weeks before utility contacts are required.

There will be an administrative charge for this service.

Information to include in your request can be found on [www.stratford.gov.uk](http://www.stratford.gov.uk)