



TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (Development Management Procedure) (England) Order 2010

Agent:

The Planning & Design Bureau
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Applicant:

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United Kingdom

PLANNING PERMISSION

LOCATION: Ash Tree Farm Bishops Stortford Road Roxwell Chelmsford CM1 4LP

PROPOSAL: Retain use of land as groundworkers contractors yard, including the storage of plant materials and machinery. Reposition and retain containers and portable toilet, new diesel tank. Alter existing vehicular access onto Roxwell Road and undertake landscaping works. Two metre high chain link fencing.

APPLICATION NO: 14/01584/FUL

DATE RECEIVED: 10 November 2014

DRAWING NO(s): PDB/14/SP/01; PDB/14/SP/02; PDB/14/170/01; PDB/14/170/02; PDB/14/170/03; PDB/14/170/04; PDB/14/170/05; PDB/14/170/06; LANDSCAPE AND VISUAL APPRAISAL; PDB/14/170/07;

The Council has given consideration to the application and plans as specified above, and hereby gives notice of its decision to **GRANT PLANNING PERMISSION** subject to the following: -

Condition 1

No goods vehicles operating from the site in connection with the use hereby permitted shall enter or leave the site, or be loaded or unloaded, outside the hours of 7 am to 6 pm Mondays to Fridays, 7 am to 1 pm on Saturdays or at any time on Sundays or on Bank or Public Holidays.

Reason

In the interests of the amenities of occupiers of nearby residential properties.

Condition 2

No industrial activities or the processing of materials shall take place on the site.

Reason

In the interests of the amenities of occupiers of nearby residential properties.

Condition 3

No means of external illumination shall be installed without the submission of details and their prior approval in writing by the local planning authority

Reason:

In the interests of the amenities of the local residents and visual amenities of the area in accordance with Policy DC45 of the Adopted Core Strategy and Development Control Policies Development Plan Document.

Condition 4

There shall be no storage of goods or materials above the 5-metre datum line shown on drawing PDB/14/170/03.

Reason

In the interests of the character and appearance of the area.

Condition 5

Within one month of the date of this permission the portable office, cycle shelter and portable toilet shown on drawing PDB/14/170/02 shall be removed from the location on the bund. With the exception of the fencing shown on the approved drawings, no building, structure or means of enclosure shall be placed on the bund unless otherwise agreed in writing by the local planning authority.

Reason

In the interests of the character and appearance of the area.

Condition 6

Unless otherwise agreed in writing with the local planning authority, the alterations to the access road shown on drawings PDB/14/SP/01 and 02 shall be completed within 6 months of the date of this permission.

Reason

In the interests of highway safety.

Condition 7

The construction of the access road shall not be commenced until a Construction Method Statement including Traffic Management has been submitted to and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

1. Access into the whole site
2. The parking of vehicles of site operatives and visitors
3. Loading and unloading of plant and materials
4. Storage of plant and materials used in constructing the development
5. Wheel and underbody washing facilities.

Reason

To ensure that on-street parking of these vehicles on the A1060 does not occur, that vehicles can access and egress the site and to ensure that loose materials and that spoil is not brought out onto the highway in the interests of highway safety.

Condition 8

Within 3 months of the date of this permission full details of soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved and in accordance with an agreed timetable unless the local planning authority gives its written consent to any variation.

Reason:

In order to add character to the development and to integrate the development into the area in accordance with Policy DC45 of the Adopted Core Strategy and Development Control Policies Development Plan Document.

Condition 9

The landscaping required by condition 8 of this permission shall be maintained in accordance with a schedule of landscape maintenance for a minimum period of five years, which shall be submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason

To ensure that the landscaping and planting is appropriately maintained in the interests of the character and appearance of the area in accordance with Policy DC45 of the Core Strategy and Development Control Policies Development Plan Document.

Condition 10

With respect to any condition that requires the prior written approval of the local planning authority, the works thereby approved shall be carried out in accordance with that approval unless subsequently otherwise agreed in writing by the local planning authority.

Reason

In order to achieve satisfactory development of the site

Positive and Proactive Statement

The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework to promote the delivery of sustainable development and to approach decision taking in a positive way.

Date: 5 February 2015

Signed:

David Green

DAVID GREEN

Director of Sustainable Communities

IMPORTANT - YOUR ATTENTION IS DRAWN TO THE NOTES ATTACHED

Important Note: This Planning permission does not override the need to obtain any necessary approvals under the Building Regulations, Party Wall Act or any other relevant legislation. Separate approval may also be required in other areas, for example, restrictive covenants, shared agreements, easements, rights of way etc.

The provisions of the Essex Act 1987, Section 13 (Access for the Fire Brigade) may apply to this development and will be determined at Building Regulation Stage.

NOTICE TO APPLICANT WHERE PERMISSION IS SUBJECT TO CONDITIONS

Appeals to the Department for Communities and Local Government

- If you are aggrieved by the decision of your Local Planning Authority to impose conditions on your permission for the proposed development then you can appeal to the Secretary of State for the Department for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990.
- For householder and minor commercial applications you must appeal within **12 weeks** of the Council's decision. For other application types you must appeal within six months of the Council's decision.
- **However if the development as described in your application is the same or substantially the same as development that is currently the subject of an enforcement notice then you must appeal within 28 days of the date of the service of this enforcement notice.**
- Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under the order.

Notification of Appeals to the Council

- You must send a copy of your appeal to the local authority. In accordance with appeal procedures, when forwarding copies of appeal forms and additional information, plans or drawings direct to the local authority, please send electronic copies to planning.appeals@chelmsford.gov.uk or address to the Director of Sustainable Communities, Chelmsford City Council, P.O. Box 7544, Civic Centre, Duke Street, Chelmsford, Essex, CM1 1XP.

Purchase Notices

- If either the local planning authority or the Secretary of State for the Department for Communities and Local Government grant permission to develop land subject to conditions, the owner can 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 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, Chapter I of the Town and Country Planning Act 1990.

Compensation

- In certain circumstances compensation may be claimed from the Local Planning Authority if permission is granted subject to conditions by the Secretary of State on appeal or on reference of the application to them.
- These circumstances are set out in Section 114 and related to provisions of the Town and Country Planning Act 1990.