



## TOWN AND COUNTRY PLANNING ACT 1990

### PLANNING PERMISSION

Agent  
Studio Charrette  
50 Grosvenor Hill  
London  
W1K 3QT

**Change of use of agricultural land into residential garden land (retrospective)**

**APPLICATION REF: 22/02125/FUL**

**DATE OF DECISION: 8th September 2022**

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### **DECISION NOTICE**

In pursuance of their powers under the above Act, and in accordance with the requirements of the Town and Country (Development Management Procedure) (England) Order 2015, the development has been fully considered and assessed to comply with the relevant policy(ies) contained within the Development Plan.

The Council therefore **PERMITS** the above development in accordance with the details given on the application form and submitted plans which are subject to the following conditions:

1 This decision relates to the following drawing number(s): As Built Block Plan, As Built Elevations 2, As Built Plan and As Built Elevations 1 (all plans dated 30.05.2022).

**Reason:** For purposes of clarity and for the avoidance of doubt, in accordance with the National Planning Policy Framework.

2 Within 6 months of the date of the decision notice, a comprehensive hedgerow specification for the western boundary shall be approved in writing by the Local Planning Authority. The hedgerow must be comprised of at least five native woody species. It must show details of the new hedgerow including plant species, numbers and planting sizes.

**Reason:** To ensure the development is completed in a manner that is sympathetic to the site and its surroundings, and to complement the rural character of the site, in accordance with Cotswold District Local Plan Policy EN2 and EN5.

3 The entire landscape scheme, including the hedgerow along the western boundary, shall be completed by the end of the planting season immediately following the approval of the hedgerow specification details as outlined at condition 2.

**Reason:** To ensure that the landscaping is carried out and thereby achieving the objective of Cotswold District Local Plan Policies EN2, EN4 and EN5, and the National Planning Policy Framework.

4 Any plants shown on the approved hedgerow specification to be planted that die, are removed, are damaged or become diseased within 5 years of the completion of the approved landscape scheme, shall be replaced by the end of the next planting season. Replacement plants shall be of the same size and species as those lost, unless the Local Planning Authority approves alternatives in writing.

**Reason:** To ensure that the planting becomes established and thereby achieves the objective of Cotswold District Local Plan Policies EN4 and EN5, and the NPPF.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any other statutory instrument amending or replacing it, no extensions, outbuildings or wall/fencing/other means of enclosure shall be erected, constructed or sited in the residential land hereby permitted, other than those permitted by this Decision Notice.

**Reason:** To prevent the erection of intrusive development that may be harmful to the appearance of the Cotswolds Area of Outstanding Natural Beauty, in accordance with Cotswold District Local Plan Policies EN4 and EN5.

6 Prior to the installation of any external lighting, a scheme shall be submitted to and agreed in writing by the Local Planning Authority which specifies the provisions to be made for the level of illumination of the site and the control of light pollution. The scheme shall be implemented and retained in accordance with the approved details, and no other external lighting shall be installed on the site other than that agreed as part of the approved lighting scheme.

**Reason:** To protect the dark skies of the Cotswolds Area of Outstanding Natural Beauty, in accordance with Local Plan Policies EN4 and EN5.

**Statement in respect of the positive and creative approach undertaken by the Local Planning Authority**

In accordance with the requirements of the National Planning Policy Framework, the Local Planning Authority has worked with the applicant(s) in a positive and creative manner in order to secure sustainable development which will improve the economic, social and environmental conditions of the area.

Your attention is drawn to the NOTES overleaf.

*Deborah Smith*

Deborah Smith  
Planning Manager, Development Management

## INFORMATION ABOUT THIS DECISION

This is the Council's formal decision on your application. As your application has been agreed, conditions may have been attached. It is very important that you take careful note of the conditions and comply with them. If there is anything about the decision or conditions that you do not understand, then please contact Customer Services, Cotswold District Council, Trinity Road, Cirencester, Gloucestershire, GL7 1PX Tel 01285 623000.

### ENFORCEMENT

It is very important that you comply with the Council's decision. As your application has been allowed, you must follow the agreed plans carefully and comply with the conditions. It is a developer's responsibility to ensure that the plans granted planning permission and those approved under the Building Regulations are consistent.

If you fail to comply with this Decision Notice, then you could be in contravention of the Town and Country Planning Act 1990 or other legislation. In such circumstances, the Council may well initiate enforcement action.

### APPEALING AGAINST A DECISION

If you disagree with the Council's decision, you can appeal to the Secretary of State against any of the conditions that have been imposed under Section 78 of the Town and Country Planning Act 1990.

The Secretary of State can allow longer for you to lodge an appeal, but only in cases where there are special reasons which excuse the delay in giving notice of appeal.

To appeal, you must complete a form which you can obtain from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or the Appeals area at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). Some personal information will be displayed on this website, please contact the Planning Inspectorate if you have any concerns.

The Secretary of State need not consider an appeal if it seems to him that the Council have no option under planning legislation but to refuse permission or impose a particular condition, having regard to the statutory requirements to the provisions of any development order and to any directions given under a development order.

### BUILDING REGULATIONS

The development may involve building work which requires approval under the Building Regulations. You are responsible to ensure that Building Regulation Consent is granted prior to commencement of work on site. Information about Building Regulation approval, the procedure to be followed and application forms can be obtained from the Council's Building Control Section, Trinity Road, Cirencester, Gloucestershire GL7 1PX Tel: 01285 623000

### DEMOLITION AND OTHER APPROVALS

If the development involves demolition you should contact the Building Control Section for advice on how to proceed.

### DISPOSAL OF WASTE CREATED DURING DEVELOPMENT

For advice please contact the Waste Advice Team at the below address or visit [www.cotswold.gov.uk/go/WasteCarriers](http://www.cotswold.gov.uk/go/WasteCarriers).

### PURCHASE NOTICES

If either the local planning authority or the Secretary of State refuses 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 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 in whose area the land is situated. This notice will require the Council to purchase the owners interest in the land in accordance with the provisions of Chapter I Part VI of the Town and Country Planning Act 1990.

OCTOBER 2010

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