

Case No: 15/01722/FUL (FULL PLANNING APPLICATION) & 15/01723/LBC (LISTED BUILDING CONSENT)

Proposal: CONVERSION OF EXISTING BED AND BREAKFAST ACCOMMODATION TO A SINGLE DWELLING. ERECTION OF TWO DWELLINGS.

Location: RACE HORSE 43 HIGH STREET CATWORTH PE28 0PF

Applicant: MR G MARKS

Grid Ref: 508567 273236

Date of Registration: 05.10.2015

Parish: CATWORTH

RECOMMENDATION - REFUSE

This application is referred to the Development Management Panel as Catworth Parish Council's recommendation of approval is contrary to the Officer's recommendation of refusal.

1. DESCRIPTION OF SITE AND APPLICATION

- 1.1 This report considers the application for planning permission (15/01722/FUL) and listed building consent (15/01723/LBC).
- 1.2 This application relates to the site of The Racehorse public house in the village of Catworth.
- 1.3 The Racehorse public house is a grade II listed building and lies adjacent to another listed building to the east - 39 & 41 High Street - Catworth Post Office.
- 1.4 The site lies within the Catworth Conservation Area.
- 1.5 The application is for the Conversion of existing bed and breakfast accommodation to a single dwelling and the erection of two dwellings.

2. NATIONAL GUIDANCE

- 2.1 The National Planning Policy Framework (2012) sets out the three dimensions to sustainable development - an economic role, a social role and an environmental role - and outlines the presumption in favour of sustainable development.
- 2.2 Under the heading of Delivering Sustainable Development, the Framework sets out the Government's planning policies, the most relevant paragraphs are: 7, 9, 17, 58, 60, 61, 128, 129 and 131-134.

For full details visit the government website

<https://www.gov.uk/government/organisations/department-for-communities-and-local-government>

3. PLANNING POLICIES

- 3.1 Saved policies from the Huntingdonshire Local Plan (1995)
 - EN2: Character and setting of Listed Buildings
 - EN5: Development in Conservation Areas
 - EN6: Design Standards in Conservation Area
 - EN9: Conservation Areas
 - EN25: General Design Criteria
 - H23: Housing Development
 - H31: Residential privacy and amenity standards
- 3.2 Saved policies from the Huntingdonshire Local Plan Alterations (2002)
 - HL5 - Quality and Density of Development
- 3.3 Adopted Huntingdonshire Local Development Framework Core Strategy (2009)
 - CS1: Sustainable Development in Huntingdonshire
 - CS3: The Settlement Hierarchy
 - CS10: Contributions to Infrastructure Requirements
- 3.4 Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013)
 - LP1: Strategy and principles for development
 - LP2: Contributing to Infrastructure Delivery
 - LP10: Development in Small Settlements
 - LP11: The Relationship between the Built-up Area and the Countryside
 - LP13: Quality of Design
 - LP15: Ensuring a High Standard of Amenity
 - LP17: Sustainable Travel
 - LP18: Parking Provision
 - LP24: Housing Mix
 - LP31: Heritage Assets and their Settings
- 3.5 Supplementary Planning Documents:
 - Huntingdonshire Design Guide Supplementary Planning Document 2007

Local policies are viewable at <https://www.huntingdonshire.gov.uk>

4. PLANNING HISTORY

- 4.1 0600870FUL - Erection of four dwelling units as an annex to the Racehorse Inn to provide staff accommodation and short term lets - Refused for the following reasons:
 - *Detrimental impact on views into and out of the Conservation Area
 - *Detrimental impact on setting of the listed building

5. CONSULTATIONS

- 5.1 **Catworth Parish Council:** "Catworth Parish Council recommends approval of these plans".
- 5.2 **Cambridgeshire County Council:** "We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a condition".

6. REPRESENTATIONS

- 6.1 Four representations have been received in support of the proposal, highlighting that the proposal:
- *Will increase the number of new properties in the village;
 - *Will assist with the long term retention of the public house which is an important asset to the community; and the
 - *Dwellings will not alter look of the village or be highly visible.
- 6.2 Two representations have been received, objecting to the proposal and highlighting concerns relating to:
- *Overbearing impact;
 - *Detrimental impact on Conservation Area and setting of listed building;
 - *Increase in level of parking on road due to loss of parking area/overspill area;
 - *Conflict with Policy LP30 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (*Officer note: this is not a relevant policy consideration, as it refers to the provision of open space in new developments over 10 units*);
 - *Level of clarity of the proposed plans with regard to the positioning of the proposed dwellings;
 - *Potential for damage to existing hedge;
 - *Loss of B&B will reduce employment and put the future of the public house at risk.

7. ASSESSMENT

- 7.1 The main issues to consider are:
- The principle of development;
 - The impact on residential amenity;
 - The impact of the proposal upon character and heritage assets - listed buildings and Conservation Area; and
 - The impact upon highway safety/parking.

The principle of development:

- 7.2 The presumption in favour of sustainable development is clearly outlined within the NPPF, with the goal of creating positive improvements in the quality of the built, natural and historic environment, which includes widening the choice of high quality homes.
- 7.3 The conversion of the existing B&B would appear to be broadly supported by paragraph 17 of the NPPF (reuse and conversion of existing buildings), but the removal of an employment generating unit which can support leisure and tourism objectives would appear to

simultaneously conflict with the stated aim of supporting thriving rural communities.

- 7.3 In terms of the two new dwellings to the rear of the site, a previous application (0600870FUL) concluded that two dwellings (in the same part of the site) fell within the environmental limits of the village, as defined by the 1995 Local Plan. As can be seen from the reasons for refusal of application 0600870FUL, whilst the development was acceptable in purely settlement policy terms, the creation of units to the rear of the site was concluded to be out of character with the pattern of development in the area and as a result, detrimentally impacting on the Conservation Area and the setting of a listed building to an unacceptable level.
- 7.4 This view remains. Any new dwellings on this part of the site would be unacceptable in principle, due to the adverse impact of any new dwellings on the character of the area.
- 7.5 Policy CS3 of the 2009 Core Strategy is also part of the Development Plan for the area, and has significant weight in the determination of this application. This states that in Smaller Settlements, such as Catworth, "residential infilling will be appropriate within the built-up area." Paragraph 5.15 of the 2009 Core Strategy states that "undeveloped land within the curtilage of buildings at the edge of the settlement, where these relate more to the surrounding countryside than they do the built-up parts of the village" are not part of the built-up area.
- 7.6 The proposed dwellings are located on an open part of the site, on the southwest boundary of the village. The land is used as a garden for the Public House, with benches and the land is therefore considered to relate more to the built-up area than the countryside. However, whilst this means the development is acceptable in purely settlement strategy terms, and policy CS3, the development of this parcel of land would have a harmful impact on the character of the area.
- 7.7 Policy LP10 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013) identifies Catworth as a 'Small Settlement', where proposals within the built-up area are acceptable in principle. Policy LP11 states that the built-up area excludes "gardens, paddocks, agricultural land other undeveloped land in the curtilage of buildings on the edge of the settlement where the land relates more to the surrounding countryside than to the built-up area of the settlement". Again, in purely settlement strategy terms, the development accords with this policy. However, the harm to the character of the area means that residential development of this parcel of land could not be supported.

The impact of the proposal upon character and heritage assets - listed buildings and Conservation Area:

- 7.8 S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 7.9 S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission

for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 7.10 Paragraphs 58, 60 and 61 of the NPPF states amongst other issues that development should respond to the local character and history, promote or enforce local distinctiveness and ensure integration of new development into the natural, built and historic environment.

**Erection of two dwellings:
Character/Conservation Area:**

- 7.11 The existing pattern of development in the locality is predominantly and distinctly characterised by frontage development. It is considered that the proposal would not relate to this existing pattern or the hierarchy of existing structures on the application site and would therefore create a negative impact upon both the character and appearance of the area. In addition, the erection of two dwellings in this location would disrupt the existing views across the open countryside, where these views serve an important role reinforcing the rural setting of the wider village. Consequently, views into, out of and across the Conservation Area would be interrupted.
- 7.12 Whilst the contention that buildings were previously located to the rear of the site may be substantiated with further investigation, the submitted information fails to provide sufficient justification to move away from the prevailing pattern of frontage development; a pattern which appears to have remained largely unaltered from the early 1900s and as such is an important aspect of the historic settlement morphology.
- 7.13 The dwelling adjacent to the application site (37A High Street) could be described as an anomaly to this pattern of development, however it must be noted that this development is of a single storey scale. It was allowed at appeal in 1983, and remains an anomaly within an area defined by frontage development.

Listed Buildings:

- 7.14 The proposal would represent development within the curtilage of a listed building (Racehorse). HDC Conservation raised concerns regarding the design of the dwellings:
- *The scale of the dwellings and the omission of a level of subservience with the existing buildings on the site;
 - *The appearance of the dwellings, which are considered to have a mixed, undefined character due to the juxtaposition of modern/traditional, cottage/outbuilding design features; and
 - *The introduction of paving slabs to an existing grassed area which would generate a modern, domestic appearance to the rear of the site.
- 7.15 The dwellings, due to their height, scale and positioning across almost the entire width of the plot, would block views of, and from, the Racehorse. It would result in the subdivision of the Racehorse's historic curtilage and harm to its rural context. The open space positively contributes to the setting of the Racehorse. The loss of this

openness, with new dwellings, gardens, parking, hardstanding and new boundaries, would harm the setting and diminish the significance of the Listed Building. This would be harmful and unacceptable because the harm would not be outweighed by the public benefit.

- 7.16 39 and 41 High Street is a grade II Listed Building, located to the east of the Racehorse. When viewing this building from the north, the roofs of the new dwellings would appear in the background. They would also detract from views from the countryside. As the rural location contributes positively to the setting of this Listed Building, the new dwellings would harm the significance of the Listed Building.

**Conversion of existing bed and breakfast accommodation:
Character/Conservation Area:**

- 7.17 The subdivision of the site to create a new residential curtilage, and all the residential paraphernalia associated with such a use (e.g. new boundary treatments, parking) would be clearly visible from within the wider street scene. The increased domestic appearance of the site would be harmful to the rural character of the conservation area.

Listed Buildings:

- 7.18 The existing B&B is a curtilage listed outbuilding. It has historic value as an ancillary building to the Racehorse, and it positively contributes to its setting. The primary concern raised by HDC Conservation Officers relate to an irreversible diminishment in the historic association between the public house and the existing B&B as a result of the proposed conversion. The new dwelling to be created from the B&B would have its own separate garden, parking and turning area. The outbuilding's character as an ancillary building would be lost. Furthermore, the loss of openness in this part of the site would adversely impact on the setting of the Racehorse.
- 7.19 There are concerns regarding the internal alterations that may be required to enable the conversion, and the adverse impact on the historic fabric and character of the building. Limited detail was included with the application. The addition of rooflights is considered to alter the character of the outbuilding to an unacceptable level.
- 7.20 As such, the proposed development is considered to be contrary to EN2, EN5, EN6, EN9 and En25 of the Huntingdonshire Local Plan (1995), policies LP1, LP13 and LP31 of the draft Local Plan to 2036: Stage 3, paragraphs 129 and 131-134 of the NPPF, and S.66 and S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7.21 With regard to paragraph 134 of the NPPF, the impact of the development is considered to create less than substantial harm to both the setting of the listed buildings, the curtilage listed building and the Conservation Area. Whilst it is recognised that the addition of three units of market housing has an intrinsic public benefit, this is not considered to outweigh the harm to the setting of the listed buildings and Conservation Area. Due regard is also given to HDC currently meeting the five year housing supply target.

Erection of two dwellings:
The impact on residential amenity:

- 7.22 The proposed dwellings are not considered to create a detrimental impact upon the amenity of neighbours in terms of overlooking/a loss of privacy due to the scale, orientation and positioning of the fenestration. Whilst the proposed dwellings may impact the level of direct afternoon sunlight which reaches the rear amenity space of the neighbouring dwelling to the east (37a High Street), this impact is not considered to be unacceptable and a reason for refusal on this basis would be unjustified. Similarly, despite the proposed dwellings reaching approximately 7.62m in height and being positioned approximately 1.2m from the boundary; a refusal based upon an overbearing impact would be unjustified given the orientation and positioning of neighbouring dwellings and the screening provided by the existing boundary treatment.
- 7.23 The proposed development is considered to be acceptable with regard to the impact upon the existing neighbours of the site.

Conversion of existing bed and breakfast accommodation:

- 7.24 The conversion of existing bed and breakfast accommodation is not considered to create a detrimental impact upon the amenity of the occupants of neighbouring dwellings by way of being overbearing or in terms of a loss of light/overshadowing, as no extensions to the existing structure are proposed. Whilst the proposed development includes additional openings at first floor level, these additions are considered to be acceptable due to their scale, orientation and positioning.
- 7.25 However concerns are raised with regard to the level of amenity for prospective occupiers of the converted B&B in particular, given the proximity of the development to the rear of the public house and the potential for disturbance in the form of noise, odour and unsocial hours of activity.
- 7.26 Comments from HDC Environmental Health regarding this matter were still outstanding at the time of writing, however should comments be received these can be added to the Friday letter/Late reps sheet for consideration by members.

The impact upon highway safety/parking:

- 7.27 The proposed site plan (1122-08A) suggests that adequate off-street parking and provision for turning space has been incorporated in the design, in order to allow vehicles to enter and leave the site in a forward gear. Given the level of parking space which will remain for use by patrons of the public house, the proposed development is not considered to negatively impact highway safety and is therefore considered to be acceptable.
- 7.28 The concerns expressed within the submitted representations are understood, however it must be noted that there are very few extant parking restrictions on High Street and to refuse permission on highway safety/parking grounds would be unjustified.

Conclusion:

7.29 Having regard to applicable national and local planning policies, the proposed development would result in less than substantial harm to the heritage assets, however the public benefits of the proposal are not considered to outweigh the negative impacts upon the setting and significance of the listed buildings and the Conservation Area, or the concurrent detrimental effect on the character and appearance of the wider area.

7.30 It is therefore recommended that both applications should be refused.

8. RECOMMENDATION 15/01722/FUL – REFUSE for the following reasons:

1.The proposed new build dwellings, by virtue of their backland position on an open piece of land on the very edge of the built-up area, would represent an incongruous form of development in an area of transition to the open countryside. The proposal would fail to respect the overriding and established linear/frontage form of development that characterises the area. The proposal would therefore be unacceptable and would fail to comply with policies En25, H33 and H35 of the Huntingdonshire Local Plan 1995 and LP13 of the Local Plan to 2036: Stage 3.

2.The proposed new build dwellings, by virtue of the loss of the open garden area associated with the Race Horse listed building, their height, scale, lack of subservience to the existing historic buildings on the site, and design, would adversely impact on views of, and from, this listed building and the conservation area. The dwellings would also have a harmful impact on the setting and significance of the adjacent grade II listed building, 39-41 High Street. The dwellings would therefore fail to sustain or enhance the character and appearance of the conservation area, and would undermine the significance of the adjacent listed buildings and their setting. The harm caused would be "less than substantial" to the significance of the buildings as designated heritage assets, but the harm would not be outweighed by the public benefit of the proposal. The proposal would fail to fulfil the requirements under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It would also fail to comply with policies En2, En5, En6, En9 and En25 of the Local Plan (1995); CS1 of the Core Strategy 2009; LP13 and LP31 of the draft Local Plan to 2036: Stage 3 (2013), and the NPPF paragraphs 17 (bullet point 10), 56, 58, 64, 131 and 132.

3. The conversion of the curtilage listed B&B building would, by virtue of the subdivision from the Racehorse and the creation of a new, separate residential curtilage, diminish the historic relationship with the Racehorse. The loss of openness would adversely impact the setting of the Racehorse. Furthermore, insufficient detail was included to ascertain whether the historic fabric of the B&B would be negatively impacted by the proposed internal alterations. The harm caused would be "less than substantial" to the significance of the building as a designated heritage asset, but the harm would not be outweighed by the public benefit of the proposal. As such, the proposal would be contrary to policies En2 of the Huntingdonshire

Local Plan (1995), LP31 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013), paragraphs 129 and 131-134 of the NPPF, and S.66 and S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8. RECOMMENDATION 15/01723/LBC – REFUSE for the following reason:

1. The conversion of the curtilage listed B&B building would, by virtue of the subdivision from the Racehorse and the creation of a new, separate residential curtilage, diminish the historic relationship with the Racehorse. Furthermore, insufficient detail was included to ascertain whether the historic fabric of the B&B would be negatively impacted by the proposed internal alterations. The harm caused would be "less than substantial" to the significance of the building as a designated heritage asset, but the harm would not be outweighed by the public benefit of the proposal. As such, the proposal would be contrary to policies En2 of the Huntingdonshire Local Plan (1995), LP31 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013), paragraphs 129 and 131-134 of the NPPF, and S.66 and S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

CONTACT OFFICER:

Enquiries about this report to **Mr James Lloyd Development Management Officer 01480 388389**



APPLICATION NUMBER:	15/01722/FUL	CASE OFFICER:	Mr James Lloyds
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PROPOSAL:	Conversion of existing bed and breakfast accommodation to a single dwelling. Erection of two dwellings.
LOCATION:	Race Horse 43 High Street Catworth

OBSERVATIONS OF CATWORTH PARISH COUNCIL

☒ APPROVE

Recommend approval: Catworth Parish Council recommends approval of these plans.

Ms Ramune Mimiene, Clerk to Catworth Parish Council.

Date: 12 November 2015

Failure to return this form within the time indicated will be taken as an indication that the Town or Parish Council do not express any opinion either for or against the application.

PLANNING SERVICES

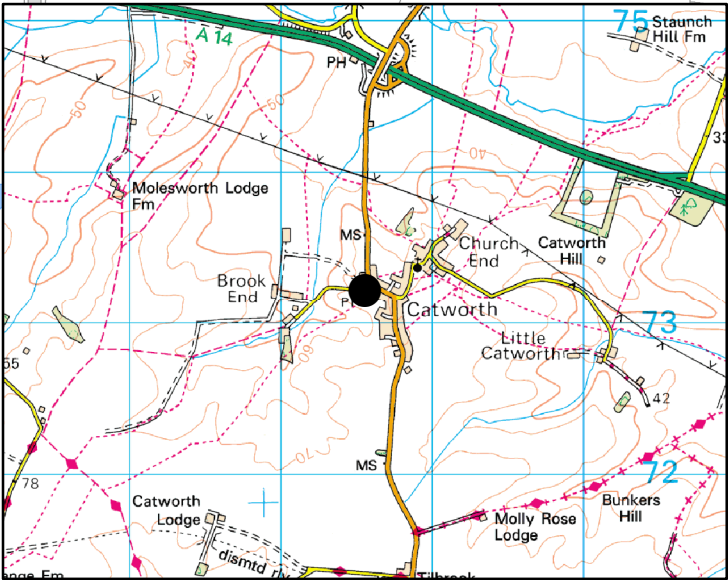
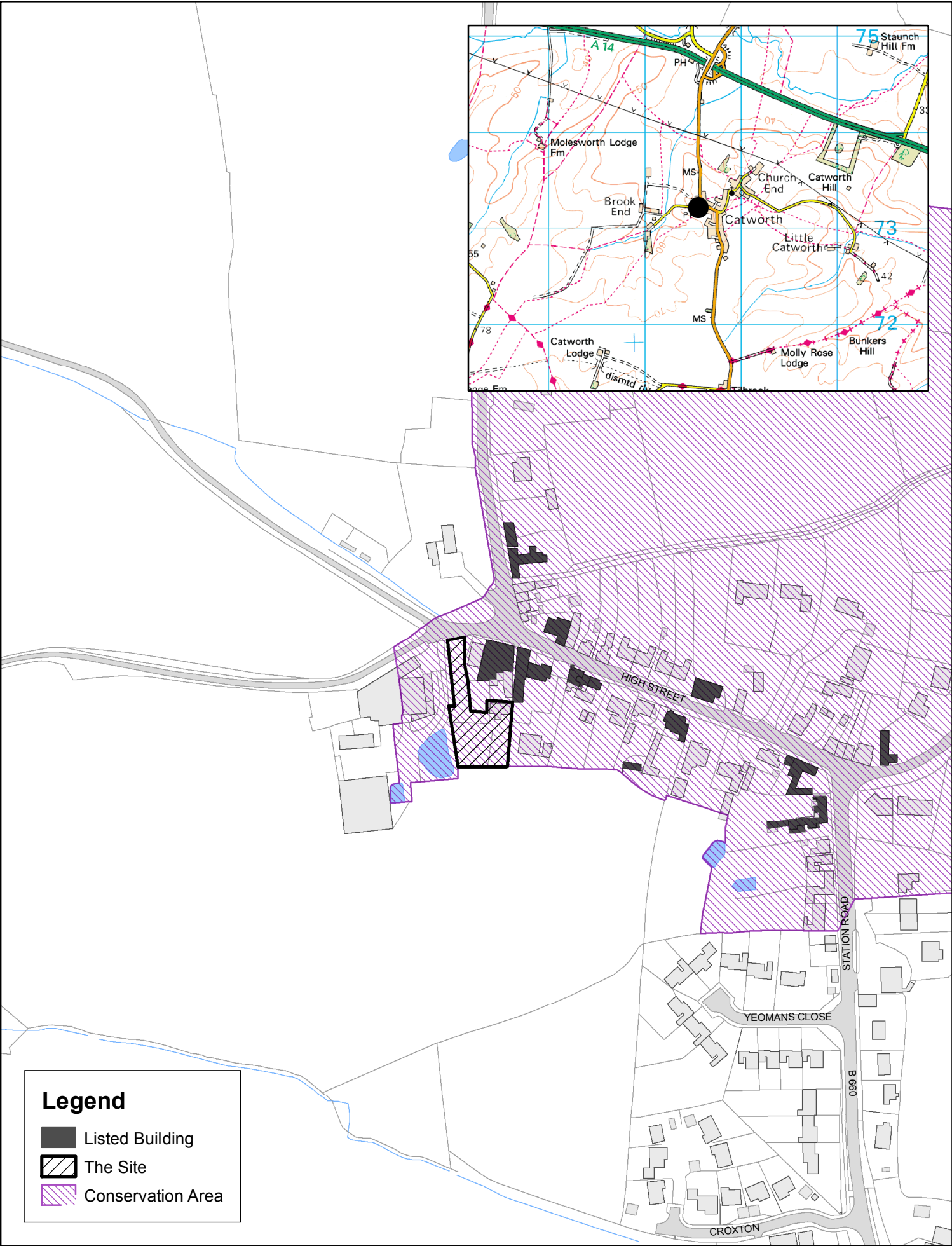
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Development Management Panel



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Date Created: 17/12/2015

Application Ref: 15/1722/FUL and 15/01723/LBC
Location: Catworth

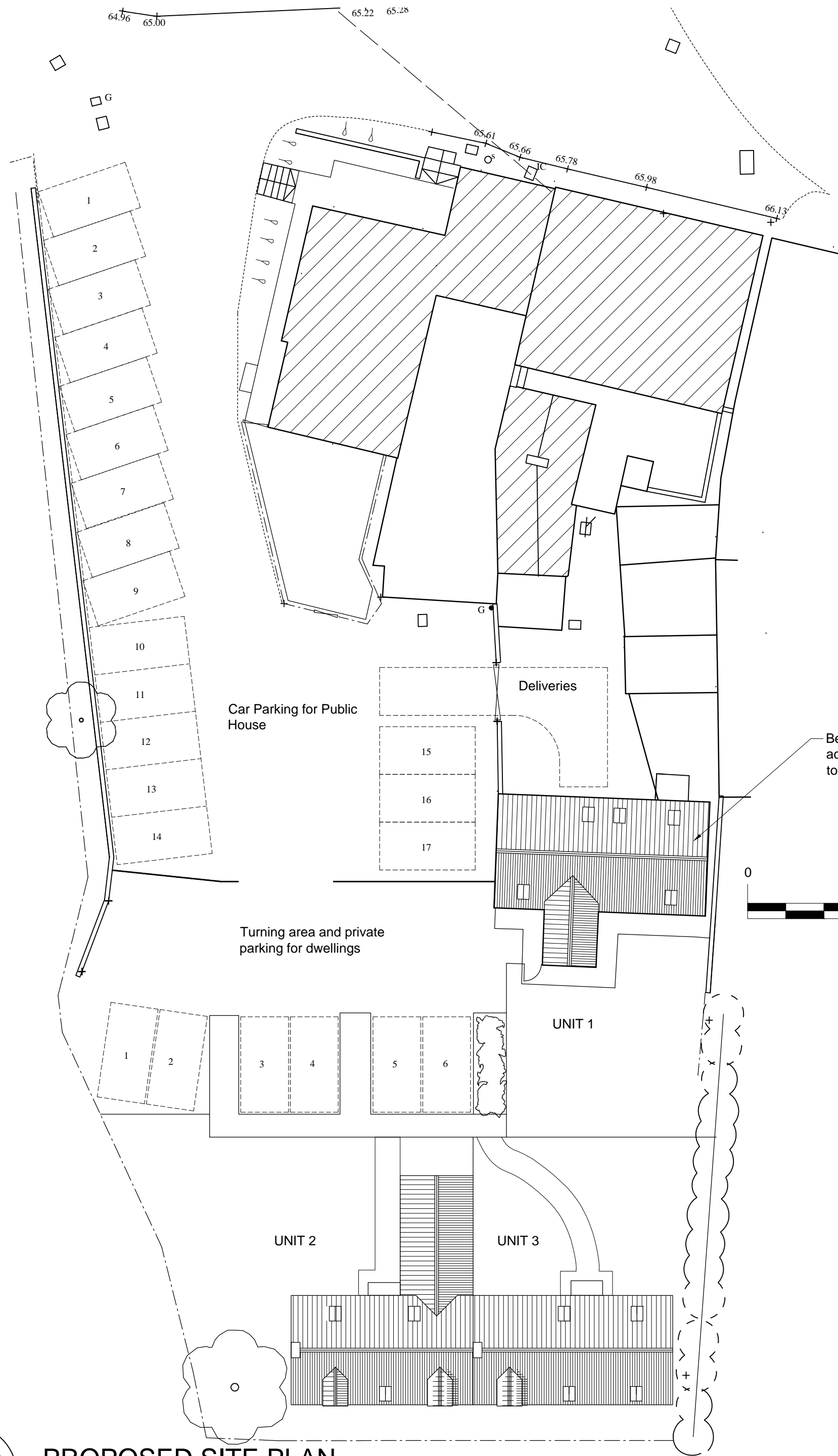
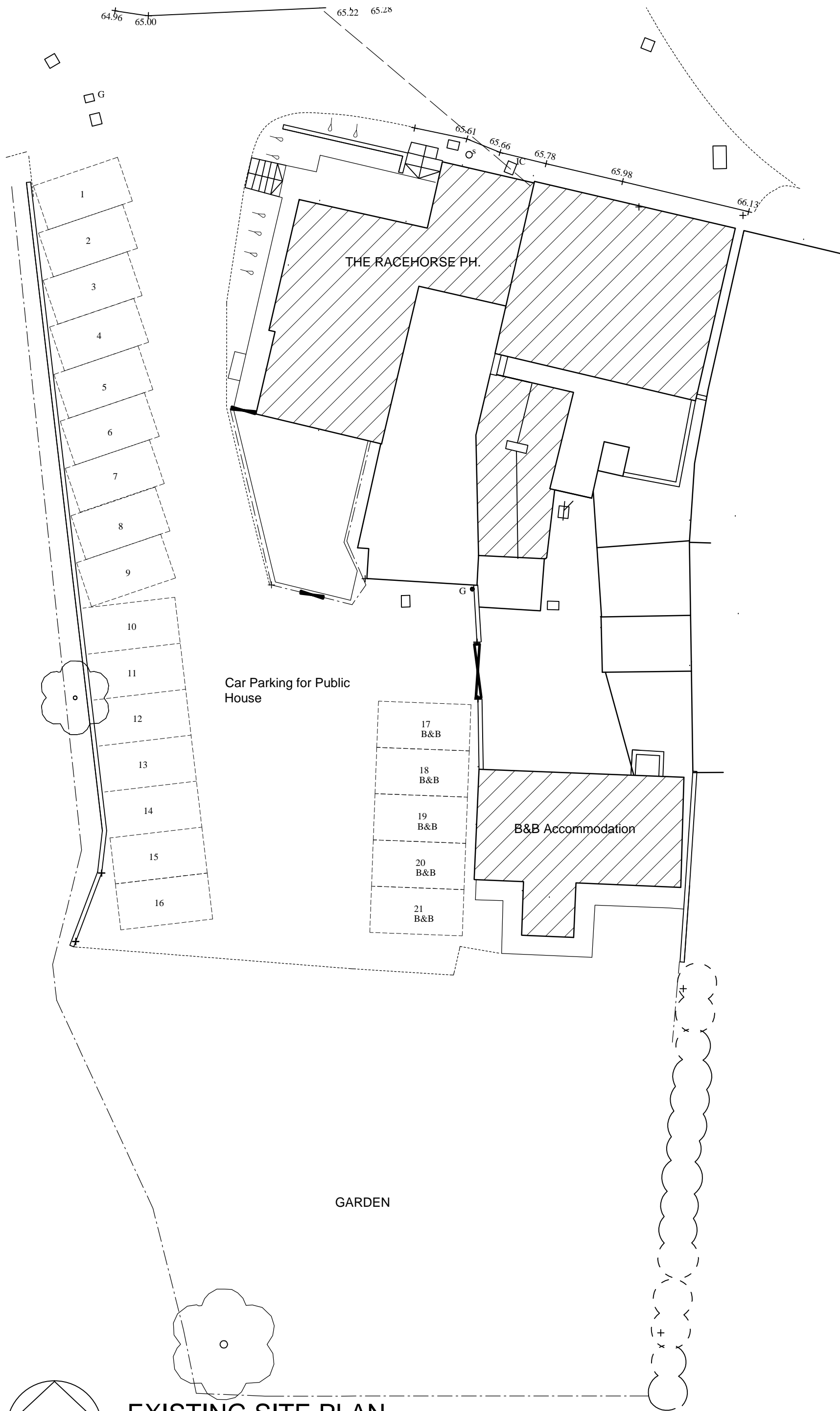


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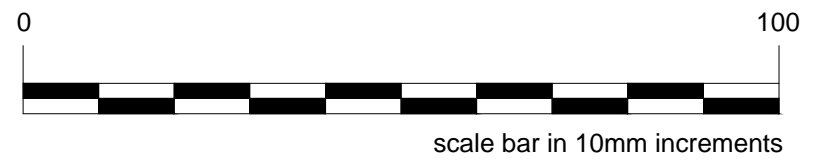
Listed Building

The Site

Conservation Area



Rev.	Date	Description
A	Aug 2015	Car parking revised



The Coach House
80 South Road
Oundle
Peterborough
PE8 4BP
Tel: 01832 272112
Fax: 01832 274261
Email: enquiries@paulbancroftarchitects.com
Web: www.paulbancroftarchitects.com

Job Title
THE RACEHORSE PH
CATWORTH

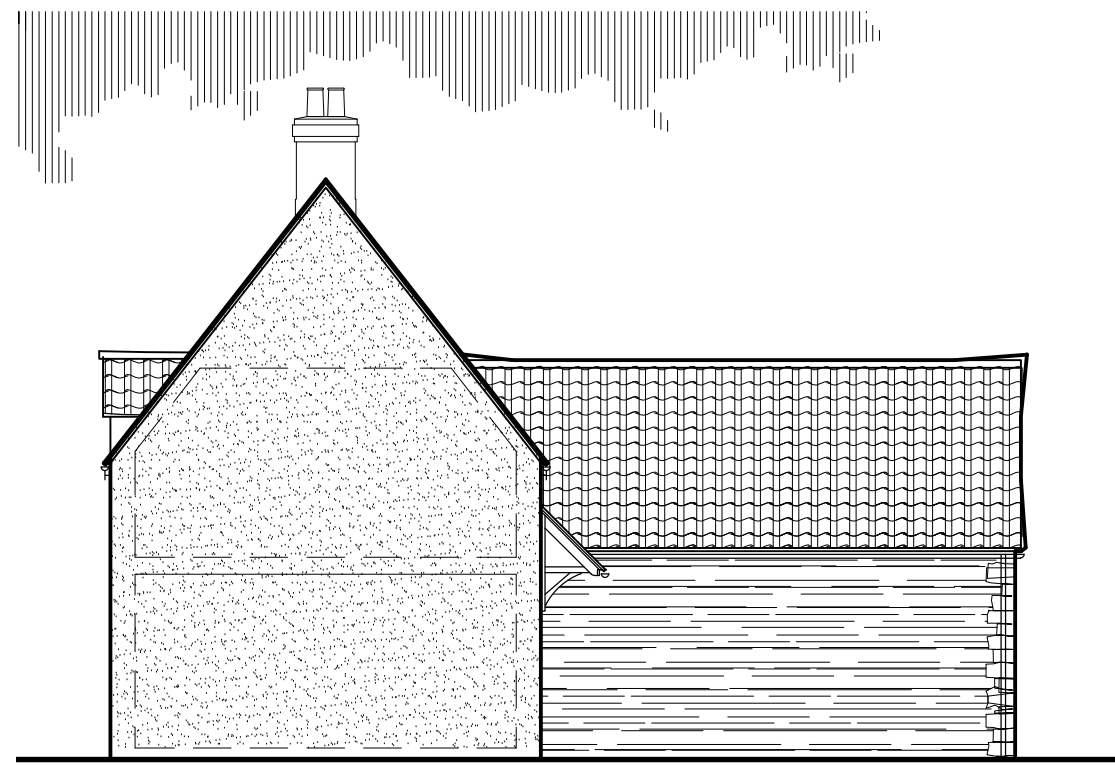
Drawing Title
SITE PLANS
EXISTING AND PROPOSED

Scale	Date	Drwg. No.	Revision
1:200	Aug 2015	1122-08	A

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All working dimensions to be taken from site
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SOUTH ELEVATION



EAST ELEVATION

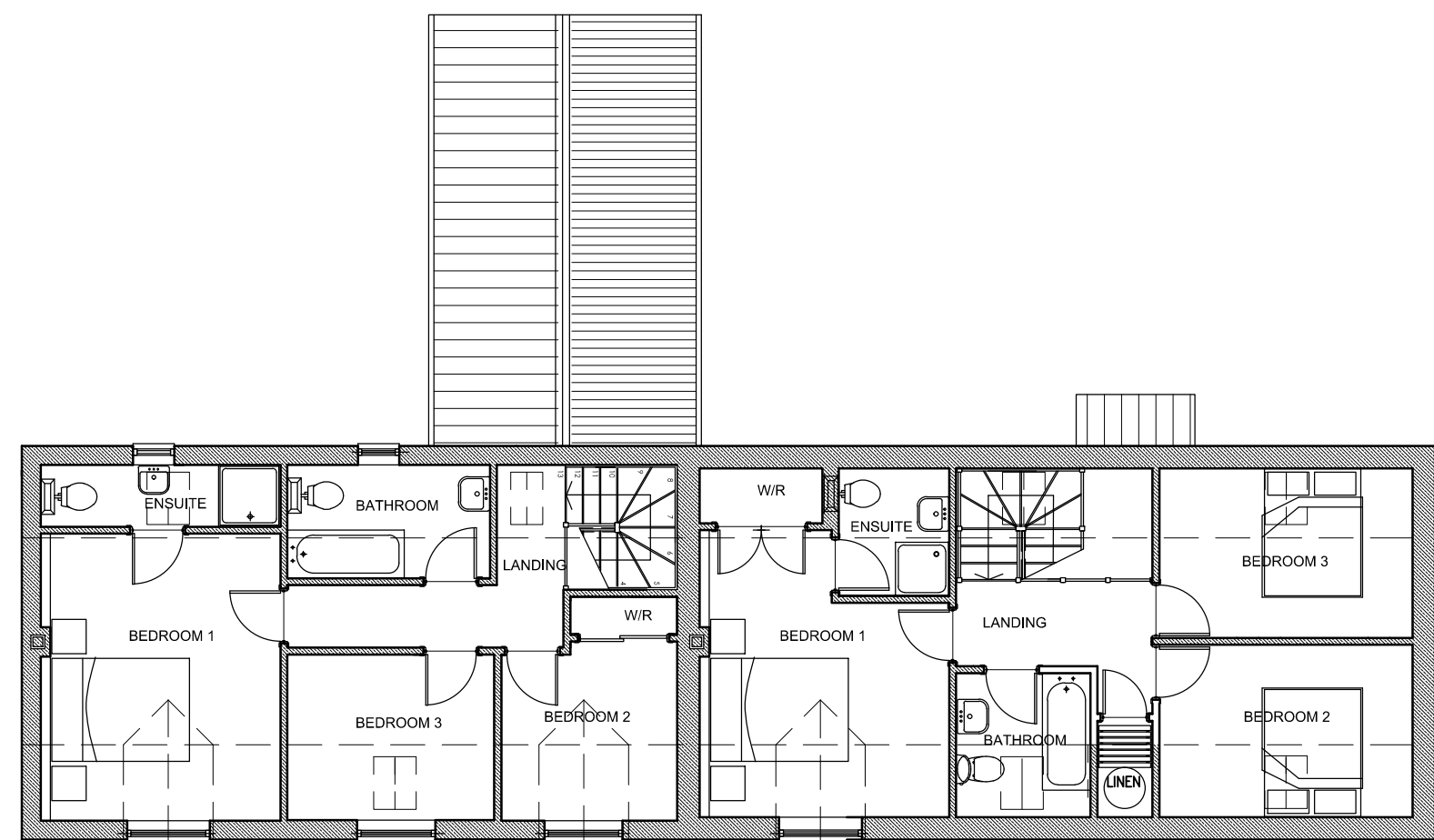


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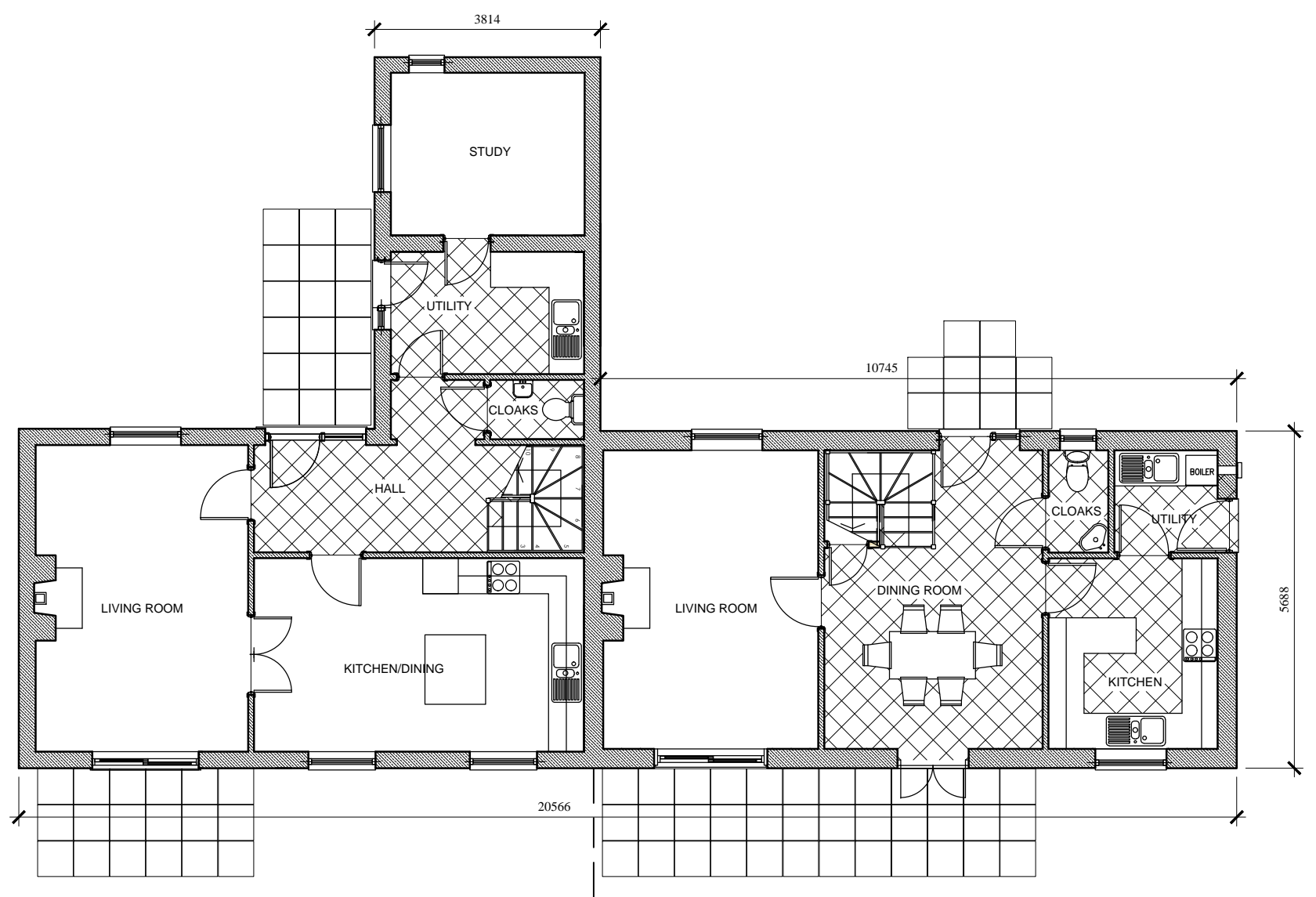


WEST ELEVATION

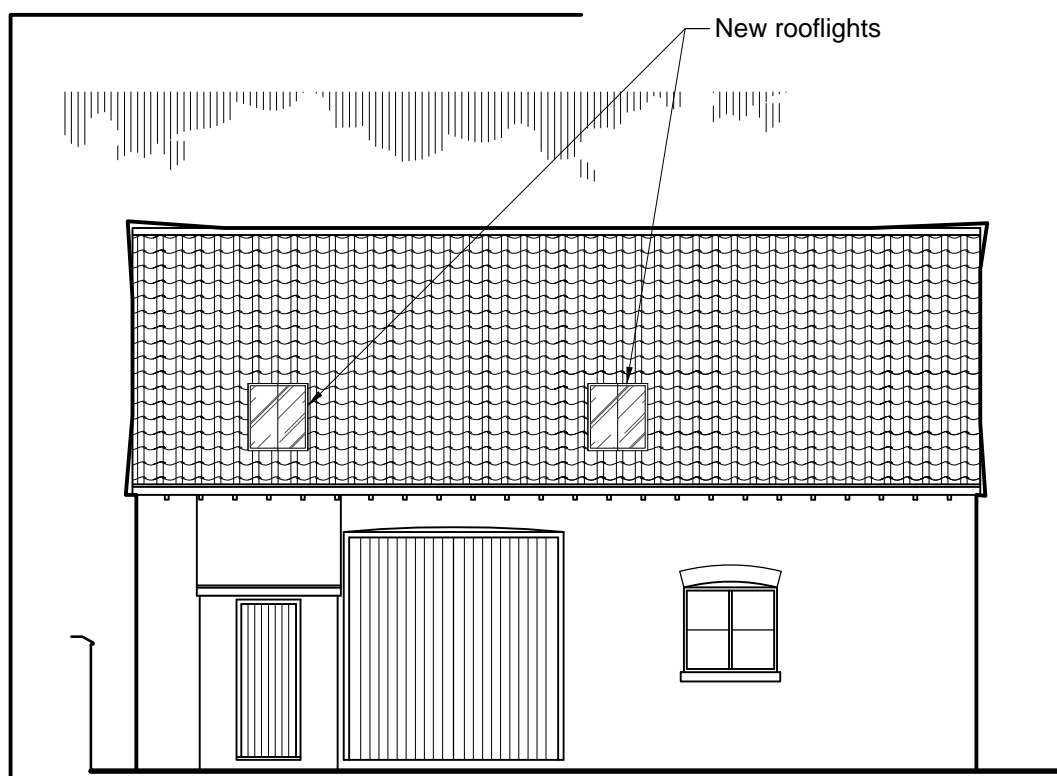
ELEVATIONS OF NEW DWELLINGS



FIRST FLOOR PLAN (NEW DWELLINGS)



GROUND FLOOR PLAN (NEW DWELLINGS)



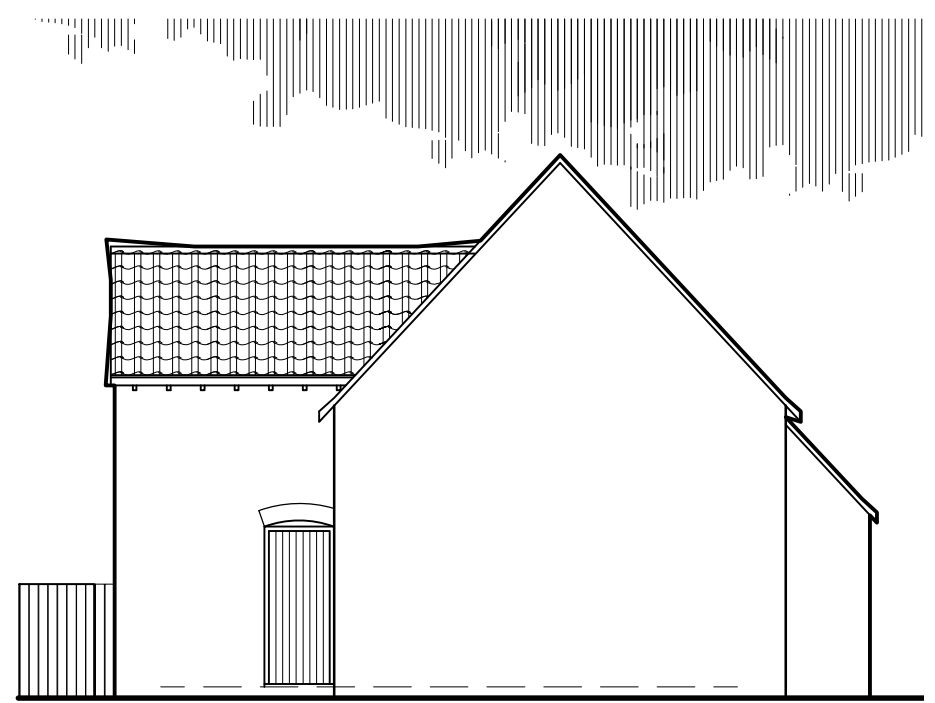
NORTH ELEVATION
ELEVATIONS OF CONVERTED DWELLING



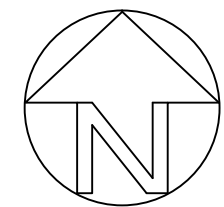
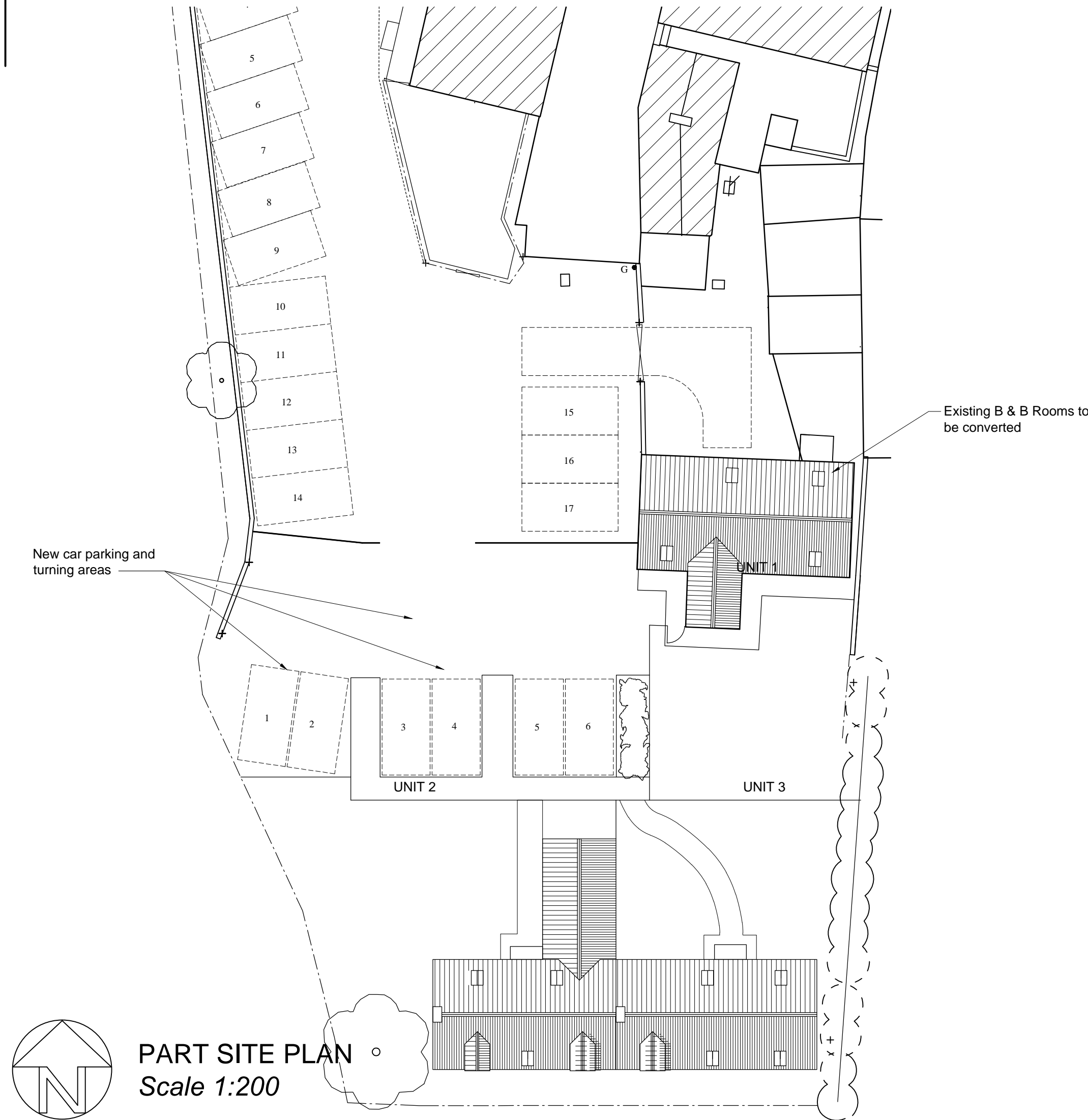
WEST ELEVATION



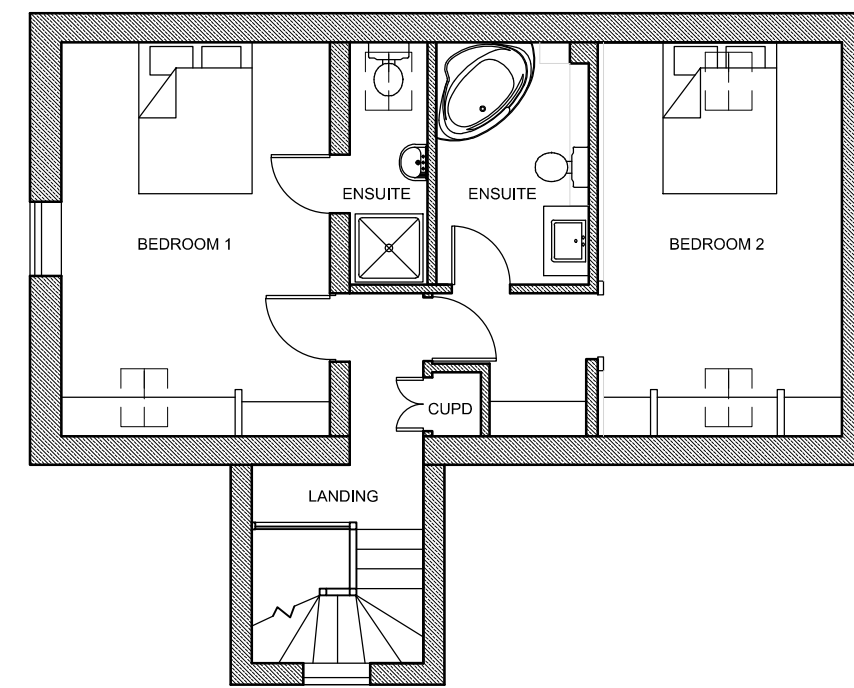
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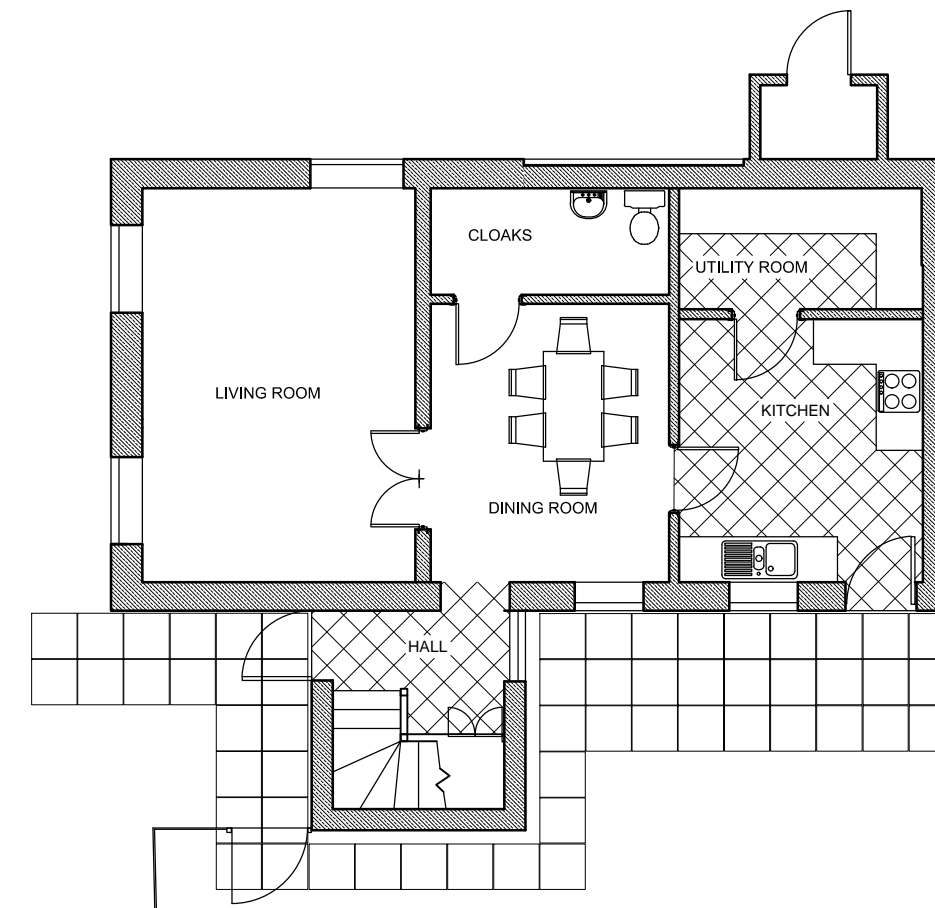
EAST ELEVATION



PART SITE PLAN
Scale 1:200



FIRST FLOOR PLAN (CONVERTED DWELLING)



GROUND FLOOR PLAN (CONVERTED DWELLING)

EXTERNAL MATERIALS:
Existing building:
Roof - Existing profiled clay tiles.
RW Goods - Existing.
Walls - Existing.
Windows/Doors - Traditional style painted softwood frames.

New Dwellings
Roof - Profiled clay tiles - profile to close match existing.
RW Goods - Cast metal finished black.
Walls - Rough coursed natural stone and through coloured render.
Windows/Doors - Traditional style painted softwood high frames.



The Coach House
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Job Title
THE RACEHORSE PH
CATWORTH
Drawing Title
PROPOSED DEVELOPMENT

Scale	Date	Drwg. No.	Revision
1:100	Aug 2015	1122-07	B

This drawing shall NOT be scaled other than for planning purposes
All dimensions to be verified on site
All working dimensions to be taken from site
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GREEN PAPERS FOLLOW

TOWN & COUNTRY PLANNING ACT, 1990

REFUSAL OF PLANNING PERMISSION

Mr G Marks
C/o Bruce Deacon - Architect Ltd
8 East End Lane
Wilden
Bedford
MK44 2QN

Huntingdonshire District Council in pursuance of powers under the above Act, hereby **REFUSE TO PERMIT**

**Erection of one unit for staff accommodation and three units for short term letting
at The Racehorse High Street Catworth Huntingdon Cambridgeshire PE28 0PF**

in accordance with your application received on 8th March 2006 and the plans, drawings and documents which form part of the application for the following reasons.

1. Reason. The proposed two storey buildings adjacent to the eastern and western boundaries of the site would be highly visible in the locality and across the open car park. Views into and out of the conservation area would be detrimentally affected by the buildings, particularly the building adjacent to the western boundary, and the terraced form of the buildings would appear very urban in the rural setting of this part of the Conservation Area. In addition, the proposed buildings would not be subservient to the listed Public House. The proposal would therefore fail to preserve or enhance the character and appearance of this part of the Conservation Area and would have a detrimental impact on the setting of the listed building. Views into and out of the Conservation Area would also be detrimentally affected by the proposed buildings. This would be contrary to Structure Plan Policies P1/3 and P7/6 of the Cambridgeshire and Peterborough Structure Plan 2003 and Local Plan Policies En2, En5, En6, En9 En25 and HL5 of the Huntingdonshire Local Plan 1995 and Local Plan Alteration 2002, Policies P1, B1, B2 and B8 of the Local Development Framework Core Strategy 2006 and the Huntingdonshire Design Guide 2004.
2. Reason. The building proposed adjacent to the eastern boundary would have an overbearing impact on the bungalow next door due to its size, form and location, and the proposed bedroom window at first floor level would increase the amount of overlooking. This would be detrimental to the amenity currently enjoyed by the occupiers of this dwelling and would be contrary to Policy H30 of the Huntingdonshire Local Plan Alteration (2002) and B4 of the Local Development Framework Core Strategy.


Head of Planning Services
Operational Services Directorate
ufm4.rtf
Date 2nd May 2006

3. Note to applicant. The Local Planning Authority has had regard to the provisions of the Development Plan comprising the Cambridgeshire and Peterborough Structure Plan 2003 and the Huntingdonshire Local Plan 1995 as altered by the Huntingdonshire Local Plan Alteration 2002, and the Huntingdonshire Local Development Framework Core Strategy 2006, approved for submission to the Secretary of State, so far as material to the application and to all other material considerations. Having determined the proposal on the basis of the submitted application, permission is hereby refused subject to the reasons specified above.

S. R. Ingram 
SW

Head of Planning Services
Operational Services Directorate

ufm4.rtf

Date 2nd May 2006

Page 2 of 3

Huntingdonshire
DISTRICT COUNCIL

Pathfinder House St Mary's Street Huntingdon PE29 3TN

NOTES

1. **Rights of Appeal under the Town and Country Planning Act, 1990 Section 78, The Planning (Listed Buildings and Conservation Areas) Act 1990 Section 20 and the Town and Country Planning (Control of Advertisement) Regulations 1989.**
2. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant permission subject to conditions, he/she may appeal to the Secretary of State for the Environment, Transport and the Regions within;
 - **Six months from the date of this decision notice.**
 - **Eight weeks from the date of this notice if the decision relates to an advertisement.**
3. Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Alternatively all forms can be downloaded from their website www.planning-inspectorate.gov.uk. The 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 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 granted by the Local Planning Authority, or 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 Orders and to any directions given under the Orders. 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.
4. 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, Transport and the Regions and the owner of the land claims that the land has become incapable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provision of Part VI of the Town and Country Planning Act, 1990.
5. 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 an application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
6. This decision notice does not convey any approval or consent which may be required under any enactment, bye-law or regulation other than Section 57 of the Town and Country Planning Act 1990.

S. R. Ingram

SW
Head of Planning Services
Operational Services Directorate
ufm4.rtf
Date 2nd May 2006



Site Layout Plan

Scale 1-200