

Classification: OFFICIAL

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CHILTERN
District Council

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A J R Design
2 Mantles Green Cottages
School Lane
Amersham
Bucks
HP7 0EJ

CHILTERN DISTRICT COUNCIL DECISION NOTICE

Application no. CH/2018/0588/FA

TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (Development Management Procedure)(England) Order 2015

In pursuance of their powers under the above-mentioned Act and Order, Chiltern District Council, as Local Planning Authority, **HEREBY PERMITS** the following:

Applicant: Mr & Mrs M Bloxham
Location: 11 Deep Acres, Chesham Bois, Amersham, Buckinghamshire, HP6 5NX
Proposal: First floor side extension and single storey rear extension

in accordance with your application received on **29 March 2018** and the plans and particulars accompanying it subject to the following conditions and reasons set out on the following page(s).

Steve Bambrick
Director of Services
On behalf of the Council

Date: 24 May 2018

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SCHEDULE OF CONDITIONS AND REASONS RELATING TO THIS PERMISSION

1 The development to which this permission relates must be begun before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of unimplemented planning permissions, to enable the Local Planning Authority to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 91 (1) of the Town & Country Planning Act 1990, as amended.

2 The materials to be used in the external construction of the development hereby permitted shall match the size, colour and texture of those of the existing building.

Reason: To ensure that the external appearance of the enlarged building is not detrimental to the character of the locality.

3 This permission relates to the details shown on the approved plans as listed below:

Drawing No.(s): 1:1250 LOCATION PLAN received on 27 March 2018, **140313 REV. A** received on 27 March 2018,

and in accordance with any other conditions imposed by this planning permission.

Reason: To ensure that the development is carried out in accordance with the details considered by the Local Planning Authority.

1 **INFORMATIVE:** The applicant is advised that the submitted plans detail a single storey rear extension, a rear infill extension and alterations to fenestration details within the existing dwelling. However the rear extension would benefit from permitted development rights under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and the infill extension and alterations to fenestration would not, in this instance, constitute development. Therefore, these works do not require express planning permission.

For the applicant's information

In accordance with paragraphs 186 and 187 of the NPPF Chiltern District Council take a positive and proactive approach to development proposals focused on solutions. Chiltern District Council works with applicants/agents in a positive and proactive manner by;

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

GENERAL NOTES

1. See the attached Appeal Notes for details of appealing this decision
2. This permission does not operate for the purpose of the Building Regulations or exempt you from obtaining any approval which may be required under those Regulations or compliance with any other statutory requirements. For advice please visit the Building Control pages on the Councils website or telephone 01895 837296.
3. There must be no departure from the approved application, particulars and plans without the written consent of the Council.

4. If this Decision Notice includes conditions that require the submission of details for the written approval of the Local Planning Authority, then you must formally apply to the Local Planning Authority to discharge the condition(s). Such requests can be made by letter or by application form. Forms are available on the Council's website, together with details of the fee. This fee is payable per new request and not per condition. Requests made without the appropriate fee will not be validated and will therefore not be answered, until the correct fee is paid.

Please be aware that pre-commencement conditions must be discharged prior to works starting on site. The Development Management Section will not normally approve details required by a pre-commencement condition retrospectively. Failure to comply with the requirements of such conditions may mean that the planning permission itself cannot be implemented and a new application will be required.

APPEAL NOTES

The applicant may appeal to the Secretary of State if aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions.

Appeals must be made on a form obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at <https://acp.planninginspectorate.gov.uk/>. Guidance can be found on their website including how to complete your appeal form. **NOTE – If the Local Planning Authority has taken enforcement action please see important information in relation to an enforcement notice.**

Householder Applications(*)

If you want to appeal against the **refusal of planning permission** on a 'Householder Application' then you must do so within **12 weeks** of the date of this notice. However, if you want to appeal **against the granting of planning permission subject to conditions** on a 'Householder Application' then you must do so within **6 months** of the date of this notice.

(*) A householder development is development in the boundary of, or to an existing dwellinghouse for purposes incidental to the enjoyment of the dwellinghouse, that does not involve change of use or a change to the number of dwellings. It includes an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development. Please note, this does not include development in the boundary of, or to an existing flat or maisonette.

Other Planning Applications (Non Householder)

You may wish to appeal against the:

- (1) Refusal of a planning, listed building consent, including refusal to vary or discharge conditions.
- (2) The conditions attached to a planning or listed building consent application.
- (3) Refusal, partial refusal or deemed refusal of a lawful development certificate.

The correct form must be used to appeal – Planning: Listed Building Consent; or Certificate of Lawful Use or Development Appeal Forms. Please specify form required, if requesting from Inspectorate. The time period to do this will vary depending on the application type or development type. An appeal must be made within the following time periods of the decision date:

- (1) An **advertisement application** must be made within **8 weeks**
- (2) If development is a **shop front or other minor commercial development** must be made within **12 weeks**
- (3) All other **non-householder application types** or development types must be made within **6 months**

Important information in relation to an enforcement notice

However, different timescales apply where the development is also the subject of an enforcement notice. If an enforcement notice has been served within two years of an application being submitted or is served before the time period for determining the application has expired, the time limit to appeal is within: **28 days from the date of refusal or the date of determination**. If an enforcement notice is served after the application's decision date or date for determination, the time limit is **28 days from the enforcement notice date**, unless this would extend the period beyond the usual time limit for cases not involving an enforcement notice. (This does not apply to Advertisement Consent Applications)

- The Secretary of State can allow a longer period for giving notice of an appeal but he/she will not normally be prepared to use this power unless there are special circumstances which excuse the delay
- The Secretary of State need not consider an appeal if it seems to him/her that the local planning authority would not have been able to have granted planning permission for the development or would not have been able to 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 a development order.
- In practise, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him/her.

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 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, either carrying out 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/her interest in the land, in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.