

DRAFT PLANNING APPROVAL NOTICE

TOWN AND COUNTRY PLANNING ACT 1990

Approval - Full planning permission

Application No: 17/01976/FUL

Parish: Powick CP

Agents Address:

Simon Rea
Glazzard Architects
Graingers Porcelain Works, Unit 9
St Martins Quarter
Silver Street
WORCESTER
WR1 2DA

Applicants Address:

Clerk to Powick Parish Council
Winchcombe Drive
Blackpole
Worcester
WR4 9XA

Part I – PARTICULARS OF APPLICATION

Statutory Start Date: 16 January 2018

Location: Land At (Os 8237 5094), Hamilton Close, Powick,

Proposal: PROPOSED PAVILION BUILDING AND ASSOCIATED CAR/CYCLE PARKING TO
POWICK PLAYING FIELDS.

Part II - PARTICULARS OF DECISION

Malvern Hills District Council hereby give notice that in pursuance of the provisions of the Town and Country Planning Act 1990 that **PERMISSION HAS BEEN GRANTED** for the carrying out of the development referred to in Part 1 hereof in accordance with the application and plans submitted subject to the following conditions (if any):-

DRAFT: CONDITIONS AND REASONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless where required or allowed by other conditions attached to this permission the development hereby approved shall be carried out in accordance with the information (including details on the proposed materials) provided on the application form and the following plans - 1491-1110A, 3010B, 1010B.

Reason: To define the permission.

3. No building operations hereby permitted shall commence until samples and trade descriptions of the facing and roofing materials to be used in the construction of the external surfaces of the pavilion building, hereby permitted, have been submitted to and approved in writing by the local planning authority.

Reason - To ensure that the new materials are in keeping with the surroundings and represent quality design in accordance with policy SWDP21 of the South Worcestershire Development Plan.

4. The development hereby approved shall not be brought into use until the access, turning area and parking facilities shown on the approved plan has been provided. These areas shall thereafter be retained and kept available for their respective approved uses at all times.

Reason: In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway.

5. The development hereby approved shall not be brought into use until sheltered and secure cycle parking to comply with the Council's adopted highway design guide has been provided in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority and thereafter the approved cycle parking shall be kept available for the parking of bicycles only.

Reason: To comply with the Council's parking standards.

6. The Development hereby approved shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include but not be limited to the following:-

- Measures to ensure that vehicles leaving the site do not deposit mud or other detritus on the public highway;
- Details of site operative parking areas, material storage areas and the location of site operatives facilities (offices, toilets etc);
- The hours that delivery vehicles will be permitted to arrive and depart, and arrangements for unloading and manoeuvring.

The measures set out in the approved Plan shall be carried out and complied with in full during the construction of the development hereby approved. Site operatives' parking, material storage and the positioning of operatives' facilities shall only take place on the site in locations approved by in writing by the local planning authority.

Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety.

7. Before the commencement of construction works on the development hereby permitted a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include:-

- (i) a plan(s) showing details of all existing trees and hedges on the application site. The plan should include, for each tree/hedge, the accurate position, canopy spread and species, together with an indication of any proposals for felling/pruning and any proposed changes in ground level, or other works to be carried out, within the canopy spread.
- (ii) a plan(s) showing the layout of proposed tree, hedge and shrub planting and grass areas.
- (iii) a schedule of proposed planting - indicating species, sizes at time of planting and numbers/densities of plants.
- (iv) a written specification outlining cultivation and other operations associated with plant and grass establishment.
- (v) a schedule of maintenance, including watering and the control of competitive weed growth, for a minimum period of five years from first planting.

All planting and seeding/turfing shall be carried out in accordance with the approved details in the first planting and seeding/turfing seasons following the completion or first occupation/use of the development, whichever is the sooner.

The planting shall be maintained in accordance with the approved schedule of maintenance. Any trees or plants which, within a period of five years from the completion of the planting,

die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure the proposed development does not have an adverse effect on the character and appearance of the area in accordance with policies SWDP21 and SWDP25 of South Worcestershire Development Plan.

9. Prior to the first use/occupation of the development hereby permitted, the details set out in the submitted Water Management Statement shall be fully implemented and remain thereafter.

Reason: To ensure that an appropriate sustainable drainage system is provided to serve the development in accordance with policy SWDP29 of the South Worcestershire Development Plan 2016.

10. Prior the first use of the development hereby permitted the biodiversity enhancement measures recommended in the Updated Preliminary Ecological Appraisal report carried out by Worcestershire Wildlife Consultancy dated January 2018 and submitted with this application shall be implemented in accordance with recommendation at Table 4 Paragraphs 1 and 2.

Reason: To ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area in accordance with policy SWDP22 of the South Worcestershire Development Plan.

11. The building hereby permitted shall not be used between the hours of 9:00pm to 9:00am.

Reason:- To ensure the proposal preserves residential amenity and to prevent unacceptable noise and nuisance pollution to the detriment of human health contrary to policy SWDP31 of the South Worcestershire Development Plan.

12. The existing steel container changing facilities shall be removed from the site prior to building hereby permitted is first brought into use.

Reason: To safeguard the visual amenities of the area in accordance with policies SWDP21 and SWDP25 of the South Worcestershire Development Plan.

NOTES TO APPLICANT

1. The applicant must be aware of their obligations towards the public right of way as follows: No disturbance of, or change to, the surface of the path or part thereof should be carried out with written consent (this includes laying concrete, tarmac or similar)

No diminution in the width of the right of way available for use by the public.

Building materials must not be stored on the right of way.

Vehicle movements and parking to be arranged so as not to unreasonably interfere with the public's use of the right of way.

No additional barriers are placed across the right of way. No stile, gate, fence or other structure should be created on, or across, a public right of way without written consent of the Highway Authority.

The safety of the public using the right of way is to be ensure at all times.

2. Positive and Proactive Statement. In dealing with this application, the Council has worked with the applicant in the following ways:-

- seeking further information following receipt of the application;
- seeking amendments to the proposed development following receipt of the application;
- considering the imposition of conditions and or the completion of a s.106 legal agreement.

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

Signed:

A handwritten signature in black ink, appearing to read "D. Kinsella".

Date: 9 March 2018

Note: - This permission refers only to that required under the Town and Country Planning Acts and does not include any consent or approval under any other enactment, byelaw, order or regulation. **In particular this permission is not a Building Regulation Approval. Advice should be sought from the South Worcestershire Building Control on 01684 862223 to ascertain if approval is required under the Building Regulations for the proposed development. Failure to make a Building Regulations application, if required, prior to work commencing on site is an offence under Section 35 of the Building Act 1984 and may result in the authority taking further action.**