

LET7251

PUBLIC
Form TCP 3

DERBYSHIRE COUNTY COUNCIL

TO: Derbyshire County Council
c/o Mr J Goacher
Director of Property
Chatsworth Hall
Chesterfield Road
Matlock DE4 3FW

County Hall
Matlock
Derbyshire
DE4 3AG

9.37.17

TOWN AND COUNTRY PLANNING ACT 1990

In pursuance of the powers vested in the Council under the above Act and all related Acts, Orders and Regulations, and with reference to your application Code No CD9/1216/77 received on the 8 December 2016 for permission for **single classroom extension at Aston on Trent Primary School, Long Croft, Derby** in the manner described in the application and shown on the accompanying plan(s) and drawing(s), NOTICE IS HEREBY GIVEN that permission for the proposed development is **GRANTED** subject to **compliance with the following conditions:**

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

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

- 2) Notice of the commencement of the development shall be provided to the County Planning Authority at least seven days prior to the start of works on site.

Reason: To enable the County Planning Authority to monitor the development in the interests of the amenity of the area.

- 3) The development shall not commence until a tree protection scheme, which provides details of the protection of existing trees during the construction period, including safeguarding their root areas in accordance with BS5837: Trees in relation to construction, has been submitted to the County Planning Authority for its prior written approval. The development shall be then be implemented as approved.

Date 2 February 2017

Signed 
Authorised Officer of the Council

Reason: To provide adequate protection of any existing trees and safeguard of their roots in the interests of preserving the amenity of the area.

It is considered that compliance with these requirements would only be effective if the scheme is found to be acceptable and approved as such, prior to the commencement of the development.

- 4) The development shall take place in accordance with the details in the 1APP form dated 09 December 2016 and shall relate to the Design and Access Statement and accompanying drawings 1600229/A/01 entitled Plan As Existing, 1600229/A/02 entitled Plan As Proposed, 1600229/A/03 entitled Access and Site Setup, 1600229/A/04 entitled Elevation As Existing, 1600229/A/05 entitled Elevation As Proposed, 1600229/A/06 entitled Block Plan, 1600229/A/07 entitled Location Plan, 1600229/A/08 entitled Soft Landscape.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by Derbyshire County Council.

Statement of Compliance with Article 35 of the Town and Country (Development Management Procedure) (England) Order 2015

The Authority worked with the applicant in a positive and pro-active manner based on seeking solutions to problems arising in the processing of planning applications in full accordance with this Article. The applicant had engaged in pre-application discussions with the Authority prior to the submission of the application. The applicant was given clear advice as to what information would be required.

Footnote

- 1) This permission, granted under the terms of Regulation 3 of the Town and Country Planning General Regulations 1992, is for the sole benefit of Derbyshire County Council and can only be implemented by that Authority.

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Date 2 February 2017

Signed



Authorised Officer of the Council

NOTES

The following notes are included as a requirement of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision, then you must do so within six months of the date of this notice. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN 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 a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by the Secretary of State.

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 the owner 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 County Council in whose area the land is situated. This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 of Part VI of the Town and Country Planning Act 1990.

The following notes are the further advice of the County Council.

- This permission relates to planning control only. Any other statutory consent necessary to enable the proposed development to commence must be obtained from the appropriate authority or regulator.

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