

Planning Permission

Name and Address of Applicant

Mr Darryl Howard
Black Cat Barn
Almond Brook Road
Standish
Wigan
WN6 0ST

Name and Address of Agent (if any)

Part I - Particulars of Application

Date of Application: 31st January 2017

Application no: A/17/83515/FULL

Particulars and Location of Development:

Erection of detached two storey dwelling and detached double garage

Land Adjacent Cat I' Th' Window Farm Almond Brook Road Standish Wigan WN6 0ST

Part II - Particulars of Decision.

Wigan Council hereby give notice 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.

Consent is granted subject to the following conditions:

1. The development must be begun not later than the expiration of three years beginning with the date of this permission, unless any proceedings are begun to challenge the validity of this grant of planning permission, in which case the development must be begun not later than the expiration of four years beginning with the date of this permission.
2. The development hereby approved shall be carried out in accordance with the details indicated on plan references; Location Plan and Site Plan (1:1250) received on 14.05.2018 and Detailed Plan - Proposed Detached Dwelling, Proposed Detached Dwelling (Gable Elevations) and Proposed Detached Garage received on 31.01.2017.
3. Prior to the commencement in the construction of any external walls, particulars or samples of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed only in full accordance with the approved materials.

4. Prior to the commencement of any development on site, a Coal Mining Risk Assessment to include intrusive site investigation works and detailing the mining position and any structural precautions which may be necessary, including how the foundations of the development shall be re-inforced, strengthened and the ground forming the site treated, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out except in complete accordance with the agreed scheme.
5. Prior to the commencement of any part of the development hereby approved, details of the method of surface water and foul water drainage from the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full prior to first occupation of the approved development and shall be maintained at all times thereafter.
6. Prior to the commencement of any part of the development hereby approved, details of a finished floor level for the approved dwelling, detached garage and areas of soft and hard landscaping within the site shall be submitted to and approved in writing by the Local Planning Authority. The proposed levels shall be defined relative to a datum or datum points, the location of which has previously been agreed in writing by the Local Planning Authority. The development shall be implemented fully in accordance with the approved details.
7. Prior to the commencement of the construction of any buildings or hard surfaces, full details of both hard and soft landscape works, with an associated implementation plan, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:- proposed finished levels or contours, grading and mounding in relation to existing trees and vegetation, natural landscape features to be retained, boundary features, walls and other means of enclosure, schedules of plants and trees, noting species, plant sizes and proposed numbers/densities. All planting shall be implemented in accordance with the approved details in the first available planting season following the completion of the development, or such longer period which has previously been approved in writing by the Local Planning Authority, and shall be maintained for a period of 5 years from the agreed date of planting. Any trees or plants which die, become diseased, or are removed during the maintenance period shall be replaced with specimens of an equivalent species and size.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking or re-enacting that Order with or without modification), no development within Class B of Schedule 2 Part 1; (additions etc to the roof of a dwellinghouse) shall be carried out unless permission is granted by the Local Planning Authority.

The reasons for the conditions are:

1. Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 (as amended).
2. For the avoidance of doubt, having regard to Policy CP10 of the Wigan Local Plan Core Strategy.
3. To ensure that the external appearance of the buildings is satisfactory, having regard to Policy CP10 of the Wigan Local Plan Core Strategy.

4. The details are necessary since they are fundamental to the site preparation works to the extension, and to ensure that adequate precautions are taken to safeguard against the effects of mining operations, in accordance with Policies CP10 and CP17 of the Wigan Local Plan Core Strategy.
5. Prior approval of such details is necessary since they are fundamental to the initial site preparation works and to ensure that the site is satisfactorily drained, having regard to Policy CP17 of the Wigan Local Plan Core Strategy.
6. To secure satisfactory details to protect the amenity of surrounding residential properties and to ensure the development assimilates into the built environment having regard to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy.
7. To assimilate the development into the surrounding area having regard to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy.
8. To protect the amenity of surrounding properties from overlooking and potential loss of privacy having regard to Policies CP10 and CP17 of the Wigan Local Plan Core Strategy.

**Statement under Article 35 (2) of the Town and Country Planning
(Development Management Procedure) (England) Order 2015**

1. The Local Planning Authority has worked in a positive and proactive manner with the applicant to identify solutions to ensure the proposal comprises sustainable development in accordance with the NPPF and complies with the development plan.

Date of decision
30th May 2018

Signed _____
on behalf of the Council

Informative

1. Attention is drawn to the following information from the Local Authority. It is relevant to all proposals involving new build development. The proposed development lies within a coal mining area. In the circumstances when carrying out of their proposals applicants should take account of any coal mining hazards relating to stability, health and safety or adverse environmental impacts. This includes considering the potential for existing property and new development to be affected by mine gas. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. Developers must also seek permission from the Coal Authority before undertaking any operations that involve entry into any coal seams, coal mine workings or coal mine entries (shafts and adits) and the implementation of site investigations or other works. Failure to obtain such authority is trespass with the potential for court action. Developers must obtain property specific summary information from the Coal Authority on any past, current and proposed surface and underground coal mining activity and other ground stability information that could affect the development. Further information can be found at www.coal.gov.uk/services/planning/index.cfm.

The Coal Authority's Property Search Service can be contacted on 0845 762 6848 or at www.groundstability.com.

2. You are advised that this development may be subject to the requirements of the Building Regulations 2000. In this case you will need to meet the specific requirements of Approved Document M (2004 Edition) "Access to and use of buildings".

The Building Regulations application must include an Access Statement showing your commitment to inclusive design at an early stage.

For further design guidance refer to British Standard 8300:2001 "Design of buildings and their approaches to meet the needs of disabled people".

You are also advised that the Disability Discrimination Act 1995 requires service providers to take reasonable steps to overcome any physical barriers which continue to make their services impossible or unreasonably difficult for disabled people to use. For further information on this please contact the Disability Rights Commission at: www.drc-gb.org

3. The applicant is advised that the grant of planning permission does not confer any right to enter onto or to carry out work(s) on, over or under land over which they do not have control, or have the landowners consent.
4. The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from the Coal Authority Property Search Service on 0845 762 6848 or at www.groundstability.com

5. Developers are advised that land drainage is an important consideration, which should be fully investigated before development commences.

Please note it is the developer's responsibility to:

- a. Ensure that there will not be any overland surface water flooding from either:
 - i) the developable site onto existing adjacent land and properties, or
 - ii) from existing adjacent land and properties onto the newly developed site.
 - b. Investigate the existing drainage of the site and identify all existing ditches, watercourses, culverted watercourses, non-main rivers, ponds etc within the area of the site and ensure that the flow of water within any of these features is not impeded by the development of the site. The developer should also consider how he intends to provide for the existing land drainage of the site.
 - c. Contact United Utilities for their observations regarding drainage to the Public Sewer system.
6. The works should be commenced outside of the bird breeding season (March to August inclusive). If birds are found to be nesting then the works must cease until any young have fledged and left the nest.

NOTES

1. If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Department for Communities and Local Government in accordance with section 78 of the Town and Country Planning Act 1990 within **six months** of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, 3/03 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN). The Department for Communities and Local Government 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 Department for Communities and Local Government 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 (a), to the provisions of the development order, and to any directions given under the order. 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.
2. If permission to develop the land is refused or granted subject to conditions, whether by the local planning authority or by the Department for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable 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 district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1990.
3. 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 Department for Communities and Local Government on appeal or on a reference of the 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.
(a) The statutory requirements are those set out in section 78 of the Town and Country Planning Act 1990, namely sections 70, 71 and 72 of the Act.

IMPORTANT NOTICE

Discharging planning conditions - Information is available on our website to explain the process this can be accessed via the following link:

<http://www.wigan.gov.uk/Services/Planning/Residential/DevelopmentControl.htm>

The applicant is advised that the grant of planning permission does not confer any right to enter onto or to carry out work(s) on, over or under land over which they do not have control, or have the landowners consent.

**This is NOT a consent under the
Building Regulations.**

These documents grant approval of your application submitted under the Town and Country Planning Act 1990 only and do not imply the Council's approval to any other consents which may be required. It is your responsibility to obtain any such other consents.

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