



Notice of Decision

PERMISSION WITH CONDITIONS

Mr Steven Matthews
Brown Matthews Architects Ltd
Oaktree Design Studio
Wolverton Road
Snitterfield
CV37 0HB

Town and Country Planning Act, 1990
Town and Country Planning (Development Management Procedure) Order, 2015

THE STRATFORD-ON-AVON DISTRICT COUNCIL, having considered the application for permission to develop land at:-

Pavilion, Wolverton Road Playing Fields, Wolverton Road, Snitterfield

Submitted by: Mrs Nicola Overall Snitterfield Parish Council

Received by the Council on 24 January 2024

HEREBY GIVE YOU NOTICE that PLANNING PERMISSION is GRANTED for the following development, namely:-

Replacement sports pavilion with community use with associated landscaping following demolition of existing sports pavilion (resubmission of approved application 22/01391/FUL)

Subject to the following conditions and reason, namely:-

1. The development to which this permission relates must be commenced not later than 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. The development shall be carried out in accordance with approved drawing numbers
 - 2015/01 - Site Location Plan
 - 53-75362-SHEET2 Proposed Floor Plan and Elevations
 - 53-75362-SHEET1 - Proposed Cross Section
 - 2001/FS/007H - Proposed Site Plan
 - 2001/FS/010D - Visibility Splays

Reason: To define the permission and to ensure that the development meets the design quality and environmental requirements of Policy CS.9 of the Stratford-on-Avon Core Strategy (2011-2031).

3. Notwithstanding the submitted details prior to progression above slab level of any building which forms part of the development hereby permitted a schedule of materials and finishes to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. Such a schedule shall include:

- the type, size, colour and profile of roofing materials
- the type, colour and finish of any timber cladding / weatherboarding to be used and a drawn section to show its profile, lapping and finish.

The development shall be constructed in accordance with the approved details and completed before the development is first occupied or used and thereafter shall be retained and maintained in that form, unless the Local Planning Authority gives prior written approval to any subsequent variation.

Reason: To ensure that the development displays good design practice and reflects local distinctiveness, having due regard to safeguarding visual and residential amenity and to accord with Policies CS.9 and CS.15 of the Stratford-on-Avon District Core Strategy 2011-2031.

4. No development shall take place, including any demolition works, until details of a Construction Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be adhered to throughout the construction period. The Plan shall provide for:

- a. the parking of vehicles of site operatives and visitors
 - b. loading and unloading of plant and materials, including the times of such loading and unloading
 - c. storage of plant and materials used in constructing the development or stockpiling during development
 - d. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - e. wheel washing facilities including the location of wheel washing facilities
 - f. measures to control the emission of dust and dirt during construction
 - g. a scheme for recycling/disposing of waste resulting from demolition and construction works
 - h. the hours of demolition and/or construction (it is recommended that no works (including the deliveries) take place outside 08.00 hours to 18.00 hours Mondays to Fridays; 08.00 hours to 13.00 hours on Saturdays or at any time on Sundays or Public Holidays)
 - i. details of any piling together with details of how any associated vibration will be monitored and controlled
 - j. the location and noise levels of any site electricity generators or industrial equipment and hours of use of such equipment
 - k. means of access and routing plan for construction traffic
 - l. management of surface water run-off
 - m. contact telephone number(s) and email address(es) of the site manager(s)
- these should be displayed on the site
- n. details of external lighting required during construction
 - o. measures to prevent degradation of the public highway by construction vehicles.

Reason: To prevent harm being caused to the amenity of the area, and highway safety, in accordance with the provisions of Policies CS.9 and CS.26 of the adopted Stratford-on-Avon Core Strategy (2011-2031).

5. No demolition, site clearance or building operations of any type shall commence or equipment, machinery or materials brought onto site until a scheme for the protection of all existing trees and/or hedges has been submitted to and approved in writing by the Local Planning Authority. The tree/hedge protection measures within the scheme shall include and make reference to:
- (a) the submission of a Tree Protection Plan and appropriate working methods - the Arboricultural Method Statement in accordance BS5837:2012 Trees in relation to design, demolition and construction - Recommendations;
 - (b) details of the erection of stout protective fencing in accordance with British Standard BS5837:2012, Clause 6.2; and
 - (c) fencing shall be shown on the Tree Protection Plan and installed to the extent of the tree Root Protection Area (RPA) as defined in BS5837:2012 and as agreed in writing by the Local Planning Authority.

The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed from the site.

Furthermore, the following work shall not be carried out within the Root Protection Area (RPA) of any retained tree or hedgerow, except with the prior written approval of the Local Planning Authority:

- (i) No materials, equipment, machinery or structure shall be attached to or supported by a retained tree or hedgerow, nor stored or stacked within said RPA;
- (ii) No mixing of cement or use of other contaminating materials or substances shall take place within, or close to, a RPA that seepage or displacement could cause them to enter a RPA;
- (iii) No fires shall be lit within any RPA or in a position where the flames could extend to within 5 metres of the foliage, branches or trunk of any retained tree or hedgerow within or adjacent to the site as per the requirements of BS5837 :2012;
- (iv) Levels shall not be raised or lowered in relation to the existing ground level within the RPA of any retained tree or hedgerow;
- (v) No roots shall be cut, trenches dug or soil removed within the RPA of any retained tree or hedgerow;
- (vi) No buildings, roads or other engineering operations shall be constructed or carried out within the RPA of any retained tree or hedgerow; and
- (vii) No vehicles shall be driven over the area within the RPA of any retained tree or hedgerow.

Reason: This is a pre-commencement condition and is imposed to ensure the wellbeing of the trees and hedges to be retained and continuity of tree cover and, maintaining and enhancing the quality and character of the area in accordance with Policy CS.5 of the Stratford-on-Avon District Core Strategy (2011-2031).

6. Prior to the preparation of any groundworks and foundations on site for the development hereby permitted, details of a "no-dig" method for the construction of footpaths, vehicular access and hard-standing within the tree root protection areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with such approved details and the approved footpaths/vehicular access thereafter retained in that form.

Reason: This condition is imposed to protect trees and hedges on or adjacent to the development site to ensure their wellbeing, continuity of tree cover and maintaining and enhancing the quality and character of the area in accordance with Policy CS.5 of the Stratford-on-Avon District Core Strategy 2011-2031.

7. Prior to the first use of any part of the development hereby permitted, a scheme of hard and soft landscaping detailing treatment of all parts of the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. This landscaping scheme shall include:

- planting plans (to a recognized scale) and schedules indicating the location, number, species, density, form and size of proposed tree, hedge and shrub planting;
- the method and specifications for operations associated with planting establishment, protection, management and maintenance of all retained and new tree, hedge and shrub planting;
- written specifications including cultivation and other operations associated with tree, plant and grass establishment;
- existing landscape features such as trees, hedges, shrubs and ponds which are to be retained and/or removed, accurately plotted (where appropriate);
- existing and proposed finished levels (to include details of grading and contouring of earthworks and details showing the relationship of proposed mounding to existing vegetation and surrounding landform (where appropriate);
- the means of accommodating change in level (e.g. retaining walls, steps, railings, walls, gates or other supporting structures, ramps);
- location, type and materials to be used for hard surfacing where applicable for permeable paving and use within tree Root Protection Areas ((RPAs), including specifications and details of manufacturer, type and design, colour and bonding pattern where appropriate. Samples may be required to be submitted and approved;
- the position, design, materials, means of construction of all site enclosures and boundary treatments (e.g. fences, walls, railings, hedge(banks)), where appropriate;
- car parking layout and any other vehicular and pedestrian access and circulation areas;
- minor artefacts and structures (e.g. street furniture, play equipment, refuse areas, substations and other storage units);
- historic landscape features to be retained, removed or restored (where appropriate); and
- a timetable for the implementation of the soft and hard landscaping scheme.

There shall be no excavation or raising or lowering of levels within the prescribed root protection areas of retained trees unless previously approved in writing by the Local Planning Authority.

The approved soft and hard landscaping scheme shall be carried out strictly in accordance with the approved timetable of implementation and shall thereafter be protected, maintained and managed in accordance with the approved details.

Reason: To safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development and to enhance the setting within the immediate locality, having regard to Policies CS.5, CS.6 and CS.9 and AS.10 of the Stratford-on-Avon District Core Strategy 2011-2031.

8. No works shall commence until a scheme for foul and surface water disposal has first been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such approved details prior to the first use or occupation of the buildings hereby permitted and shall be retained thereafter.

Reason: The agreement of a scheme for foul and surface water disposal prior to the commencement of development is fundamental to safeguard against pollution and flooding, having regard to Policy CS.4 of the Stratford-on-Avon District Core Strategy 2011-2031.

9. The development hereby permitted shall not be brought into use until details of any external plant, extraction, flue(s), heating equipment, ventilation facilities or air conditioning/air handling equipment that are to be erected, installed on or fixed to the building, or placed elsewhere on the site, have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the siting, design, appearance, materials of construction and (colour) finish of such external plant, extraction, heating, ventilation facilities or, air conditioning/ air handling equipment, together with their noise control measures.

The approved details shall be installed in strict accordance with the approved details and shall thereafter be retained and maintained as such, including the requirement for all equipment to be cleaned and maintained according to manufacturer's recommendations, unless the Local Planning Authority gives prior written approval to any subsequent variations.

Reason: To enable the Local Planning Authority to consider the details of any external plant, extraction, ventilation facilities or air conditioning/air handling equipment to be erected, installed on or fixed to the building(s), or placed elsewhere on the site, in order to ensure that the residential amenities that neighbouring occupiers can reasonably expect to enjoy are adequately protected and to protect visual amenity in general, having regard to Policies CS.9 and CS.22 of the Stratford-on-Avon District Core Strategy 2011-2031.

10. Prior to the first use of the premises for the purposes hereby permitted, provision shall be made for the storage of refuse bins within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority. Such approved details shall thereafter be retained and maintained in perpetuity.

Reason: In order to provide satisfactory provision of on-site refuse bin storage to ensure that any impact upon visual and residential amenity is kept to a minimum, having regard to Policies CS.9 and CS.15 of the Stratford-on-Avon District Core Strategy 2011-2031.

11. Prior to the first use of the development for the purposes hereby permitted, provision shall be made for bicycle parking on site in accordance with details previously submitted to and approved in writing by the Local Planning Authority. Such details shall include the means and methods to be used to accommodate such secure bicycle parking and the extent of such parking. Such approved details shall thereafter be retained and maintained in perpetuity.

Reason: To ensure provision of an adequate and satisfactory standard of bicycle parking on the site, having regard to Policies CS.9 and CS.26 of the Stratford-on-Avon District Core Strategy 2011-2031.

12. The sports pavilion and ancillary community uses hereby permitted shall not be open to customers outside the hours of 09:00 to 21:00.

Reason: To ensure the proposal does not have a detrimental effect upon the amenities of the area, having regard to Policy CS.9 of the Stratford-on-Avon District Core Strategy 2011-2031.

13. Prior to the first use of the building hereby permitted the parking provision shall be laid out in accordance with '2001/FS/007 Rev H' and the materials shall be in accordance with those detailed within the application form.

Reason: In the interests of highway safety and to comply with Core Strategy policy CS.26.

14. The development hereby permitted shall be carried out in full accordance with the mitigation and compensation measures for bats and nesting birds contained in section 5 of the internal/external bat survey report by Dr. Stefan Bodnar, August 2022 revision.

Reason: To ensure appropriate measures are in place for protected species in accordance with Core Strategy policy CS.6.

15. Prior to the first use of the development hereby permitted, the sustainability measures set out below and proposed in the supporting 'Climate Change Checklist' shall be incorporated into the design of the development and/or site layout as relevant. Thereafter, the approved sustainability measures shall be retained and maintained.

- Water butts
- Cycle parking
- Air source heat pump
- EV charging point(s)
- Recycling point

Reason: To ensure sustainability measures are taken into account in the development, having regard to Policies CS.1, CS.2 and CS.9 of the Stratford-on-Avon District Core Strategy 2011-2031 and Part V of the Development Requirements SPD.

16. The building hereby permitted shall not be used for the purposes approved until 1 EVCP (Electric Vehicle Charging Point) has been provided on-site in accordance with a plan to be submitted to and approved by the Local Planning Authority. The details of the design, appearance and rating of the EVCP shall be submitted to the Local Planning Authority for approval prior to occupation and thereafter, the approved charging point(s) shall be retained and maintained in perpetuity.

Reason: To ensure provision of electric vehicle charging points for low emission vehicles as part of the transition to a low carbon economy, having regard to Policies CS.3 and CS.26 of the Stratford-on-Avon District Core Strategy 2011-2031.

17. Prior to the erection, installation, fixing, placement and/or operation of any external lighting on the site (including on the building itself), details of such external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the equipment and supporting structures, positions, sizes, heights, type, luminance/light intensity, direction and cowling of all external lights to the buildings and other parts of the application site and the hours at which such lighting is to be operated.

The work shall thereafter be carried out in accordance with the approved details (unless the Local Planning Authority gives prior written approval to any subsequent variations), shall thereafter be retained in that form and under no circumstances shall it cause light pollution.

Reason: To safeguard the rural character and appearance of the locality, to protect the rural character of this edge of settlement location and to safeguard the residential amenities of owners/occupiers of existing neighbouring properties having due regard to Policies AS.10, CS.5, CS.6, CS.9, CS.10 and CS.26 of the Stratford-on-Avon District Core Strategy 2011-2031

Notes

1. In dealing with this application, Stratford on Avon District Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework.
2. For the avoidance of doubt the active nests referred to in section 5 of the report conditioned under condition 14 refers to active birds nests.
3. Access ramps and doors shall be compliant with Part M of the Building Regulations at all times
4. Severn Trent Water advise that although their statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under, The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building.
5. The Local Enforcement Plan identifies failure to comply with Construction Management Plans (CMPs) as a Significant Priority for this Council. Failure to discharge a CMP before development commences may result in formal action. In order to avoid delays discharging your CMP please ensure that it is precise, deliverable and comprehensively addresses potential impacts on the amenity of local residents and the environment.
CMPs will normally be decided as submitted.

DATED: 23 April 2024



AUTHORISED OFFICER OF THE COUNCIL.....

This development may generate a CIL Liability, if this is the case, you will be notified under a CIL Liability Notice. Further details can be found under [Stratford-on-Avon District Council: E-Planning](#) by searching under the application reference on this Decision.

This permission does NOT give approval under Building Regulations.

Reference No. 23/03069/FUL

This permission does NOT convey any approval or consent which may be required under any enactment, by-law, order or regulation other than planning permission under the provisions of the Town and Country Planning Act 1990.

IT IS IMPORTANT THAT YOU READ THE NOTES ATTACHED TO THIS FORM

STRATFORD-ON-AVON DISTRICT COUNCIL
ELIZABETH HOUSE, CHURCH STREET, STRATFORD-UPON-AVON CV37 6HX

PRE-START CONDITIONS

You are reminded that some of the conditions attached to planning permissions (pre-start conditions) require details and schemes to be submitted and approved in writing before any work commences on site. You should therefore submit any details required at least 8 weeks prior to starting work and obtain the Council's written approval, if required, in order to comply with the planning condition.

Failure to comply with pre-start conditions may result in your planning permission being void.

FEES FOR THE DISCHARGE OF PLANNING CONDITIONS

In accordance with Statutory Instrument 958, a fee is now payable where a written request is made for the discharge of one or more planning conditions on the same permission or for the written confirmation of compliance with a planning condition or conditions. Further guidance on this process together with the associated fees is available on the Council's website

<https://www.stratford.gov.uk/planning-regeneration/the-application-process.cfm>

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 Planning Inspectorate under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, 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 (Tel: 0303 444 5000) or online at <https://www.gov.uk/appeal-planning-decision>

For appeals against the refusal of Householder applications (i.e.: works to a dwelling or development within the garden of a dwelling) or Minor Commercial Development you must lodge your appeal within **12 weeks** of the date of the decision. 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 (Tel: 0303 444 5000) or online at <https://www.gov.uk/appeal-householder-planning-decision>

If the development is the same (or substantially the same) as that specified in an Enforcement Notice served on the same land, an appeal must be lodged within

- A) 28 days of the date of the planning decision if there is an extant Enforcement Notice served up to 2 years prior to the date of the decision
- B) 28 days of the date of the Enforcement Notice if the Notice is served after the date of the decision of the planning application for the same development

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have

their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

The Planning Inspectorate can allow a longer period of giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Planning Inspectorate need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements to the provisions of the Development Order and to any directions given under the Order.

In practice, the Planning Inspectorate does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

PURCHASE NOTICES

If either the Local Planning Authority or the Planning Inspectorate refused permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable or 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 Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Planning Inspectorate on appeal or on reference of the application to him.

These circumstances are set out in Part V of the Town and Country Planning Act 1990.

ADDRESSING YOUR NEW BUILDINGS

When you require the address(es) for this development contact "Street Naming and Numbering" at Stratford-on-Avon District Council, either by post or email SNN@stratford-dc.gov.uk. You need to do this 6 weeks before utility contacts are required. There will be an administrative charge for this service.

Information to include in your request can be found on www.stratford.gov.uk

BUSINESS PREMISES

If this is a business premises please ensure you notify the non-domestic rates department of your occupation. For more information please contact:

Telephone: 01789 260993.

Email: ndr@stratford-dc.gov.uk