

Planning Ref: 20/02161/FUL  
Telephone: 01684 862150

Please ask for : Katherine Smith  
e-mail: Katherine.Smith@malvernhillsgov.uk

1 December 2020

Mr Neil Pearce  
Avon Planning Services Limited  
103 High Street  
Evesham  
WR11 4DN

Dear Mr Pearce

**Applicant Name:** Lenches Sports and Recreation Club  
**Proposal:** Construction of open air seating (amphitheatre) and erection of a new storage and amenity building together with ancillary works.  
**Location:** Lenches Sports And Recreation Club, Ab Lench Road, Abbots Lench, Church Lench, Evesham, WR11 4UQ

I am writing to let you know the outcome of your Planning application, under the Town and Country Planning Act 1990 for the proposal detailed above at Lenches Sports And Recreation Club, Ab Lench Road, Abbots Lench, Church Lench, Evesham, WR11 4UQ

We have **Approved** your application, subject to the conditions set out in the attached Approval notice.

If you have any questions about our decision, please contact Katherine Smith Principal Planner (Mon, Tues & Weds mornings) on 01684 862150 or by email to Katherine.Smith@malvernhillsgov.uk.

**Please note, before starting works it is important to check your approval to see if there are any pre-commencement condition/s or condition/s that need to be discharged. This means there may be further information we require before works can start.**

**If you do have conditions that need discharging, we always advise that this is done well in advance as this will help in preventing unnecessary delays to the proposed works being started.**

**If so, there is a charge of £116.00 per request or £34.00 on 'householder applications' (but there is no fee for Listed building consent applications). The application form can be found on [www.wychavon.gov.uk/planning-conditions-and-fees](http://www.wychavon.gov.uk/planning-conditions-and-fees). If you do not have access to the internet, a paper copy of the form can also be located at our main reception at the Civic Centre, Pershore for you to complete.**

If you are unhappy with any of the conditions attached to your Approval, you can appeal to the relevant Secretary of State. Information on how to do this can be found on the Approval Notice.

Please note, if you have not done so already, it is advisable to contact [South Worcestershire Building Control](#) on 01684 862223, (Mon-Fri 9-5) or email: [mail@southworcestershirebuildingcontrol.gov.uk](mailto:mail@southworcestershirebuildingcontrol.gov.uk) to check if Building Regulations are required for your proposed works.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. Smith', with a stylized flourish at the end.

Katherine Smith  
Principal Planner (Mon, Tues & Weds mornings)  
[Katherine.Smith@malvern hills.gov.uk](mailto:Katherine.Smith@malvern hills.gov.uk)

## **PLANNING APPROVAL NOTICE**

TOWN AND COUNTRY PLANNING ACT 1990

### **Approval - Full planning permission**

**Application No:** 20/02161/FUL

**Parish:** South Lenches

**Agents Address:**

Mr Neil Pearce  
Avon Planning Services Limited  
103 High Street  
Evesham  
WR11 4DN

**Applicants Address:**

Lenches Sports and Recreation Club  
c/o Agent

### **Part I – PARTICULARS OF APPLICATION**

**Statutory Start Date:** 6 October 2020

**Location:** Lenches Sports And Recreation Club, Ab Lench Road, Abbots Lench, Church Lench, Evesham, WR11 4UQ

**Proposal:** Construction of open air seating (amphitheatre) and erection of a new storage and amenity building together with ancillary works.

### **Part II - PARTICULARS OF DECISION**

Wychavon 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):-

### **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. The building hereby permitted shall be not be constructed above floor slab level and the brick work and stone work shall not be constructed on the amphitheatre until details of the materials to be used in the construction of the external surfaces of the amphitheatre and building hereby permitted have been submitted to and approved in writing by the local planning authority. The details to be submitted shall include:-

- type, colour, texture, of brickwork/stonework;
- type, colour, texture, size and design of roofing materials;
- type, colour and size of any stonework to be used in the amphitheatres; - detailed specification of the railings to be used around the proposed balcony.

The development shall be carried out using the materials as approved.

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

3. The development hereby permitted shall not be used outside the hours of 08:00 and 23:30. There shall be no amplified music outside the hours of 08:00 and 23:00.

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

4. The development hereby permitted shall not be used for events other than sport on more than 20 days per calendar year.

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

5. Before the commencement of construction works on the development hereby permitted, details of a bat roosting feature and bird nesting box shall be submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall include an implementation timetable. The feature(s) shall be provided in accordance with the approved details and in accordance with the approved timetable.

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.

6. Prior to the first use of the development hereby permitted, details of secure parking for cycles to comply with the Council's standards, including the location of, number of and details of cycle racks shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be implemented in accordance with the approved details prior to the commencement of the use of the development and shall thereafter be retained for the parking of cycles only.

Reason: To comply with the Council's parking standards

7. Prior to the first use of the development hereby permitted details of one Electric Vehicle Charging point and its location within the car park shall be submitted to and approved in writing by the Local Planning Authority. The charging point shall be provided and fully operational prior to the first use of the development hereby permitted.

Reason: To enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations in accordance with para. 110 of the National Planning Policy Framework 2019.

## **NOTES TO APPLICANT**

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

- providing pre-application advice;
- seeking further information following receipt of the application;
- considering the imposition of conditions.

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

2. Sport England have been consulted on this application and have raised no objection. They advise that the proposed stage structure should not be permanently fixed to the ground, and should be taken down and stored at all times when not in use to ensure that the stage

structure does not compromise the use of the playing field for sport. Sport England also advise against the use of the proposed outdoor stage simultaneously with the use of the cricket pitch as this would compromise the size of the cricket pitch and would be likely result in a risk to personal safety.

**Signed:**

A handwritten signature in black ink, appearing to read 'Paul Hume', written in a cursive style.

**Planning Services Manager**

**Date: 1 December 2020**

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.**

## APPROVAL NOTICE

- Note 1.** Listed Building Consent
- Note 2.** Outline Planning Permission  
Approval of Reserved Matters
- Note 3.** Planning Consent
- Note 4.** Consent to Display Advertisements
- Note 5.** Approved Plans

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. The relevant template and [further details are on GOV.UK](#).

**Note 1.** Note: Attention is drawn to Section 8(2)(b) of the Act the effect of which is that demolition may not be undertaken (despite the terms of any consent granted by the Local Planning Authority) until notice of the proposal has been given to the Royal Commission on Historical Monuments, Fortress House, 23 Savile Row, London W1X 1AB and the Commission subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it. A form of notice is enclosed, if appropriate.

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse Listed Building Consent for the proposed works, or to grant consent subject to conditions, he may appeal to the relevant Secretary of State in accordance with paragraph 8 of Schedule 11 to the Town and Country Planning Act, 1990 within six months of the date on this decision notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate.) The relevant Secretary of State 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.

2. If listed building consent is refused or granted subject to conditions, whether by the Local Planning Authority or by the relevant Secretary of State 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 works which have or would be permitted, he may serve on the district council in which the land is situated a listed building purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Section 32 of the Planning (Listed Building and Conservation Areas) Act 1990.

**Note 2.** 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 relevant Secretary of State in accordance with Section 78 of the Town and Country Planning Act, 1990 within six months of the date on this decision notice. (Appeals must be made on a form which is obtainable from Customer Support, Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Tel: 0303 444 5000 or email: enquiries@planninginspectorate.gov.uk. Appeal forms and guidance can also be downloaded from web site <https://acp.planninginspectorate.gov.uk>.) The relevant Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise his power unless there are special circumstances which excuse the delay in giving notice of appeal. The relevant Secretary of State 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 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 land is refused or granted subject to conditions whether by the Local Planning Authority or by the relevant Secretary of State and the owner of the land 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.

**Note 3.** 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 relevant Secretary of State in accordance with section 78 of the Town and Country Planning Act, 1990 within six months of the date on this decision notice. (Appeals must be made on a form which is obtainable from Customer Support, Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Tel: 0303 444 5000 or email: enquiries@planninginspectorate.gov.uk. Appeal forms and guidance can also be downloaded from web site <https://acp.planninginspectorate.gov.uk>.) The relevant Secretary of State has power to allow a longer for the giving of a notice of appeal but he will not normally be prepared to exercise his power unless there are special circumstances which excuse the delay in giving notice of appeal. The relevant Secretary of State 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 of the conditions imposed by them, having regard to the statutory requirements 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 land is refused or granted subject to conditions whether by the Local Planning Authority or by the relevant Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and he claims that the land has become incapable of reasonably beneficial use by 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 relevant Secretary of State 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.

**Note 4.** (a) The regulations provide that every grant of express consent shall be for a fixed period which shall not be longer than 5 years from the date of grant of consent without the approval of the relevant Secretary of State and if no period is specified the consent shall have effect as consent for five years.

(b) It is a condition of this consent that before any advertisement is displayed on land in pursuance of the consent granted, the permission of the owner of that land or other person entitled to grant permission in relation thereto shall be obtained.

(c) A person who displays an advertisement in contravention of the regulation will be liable on summary conviction to a fine of £100 and in the case of a continuing offence to a fine of £50 for each day during which the offence continues after conviction.

(d) Where the Local Planning Authority grant consent subject to conditions, the applicant may by notice given in writing within 8 weeks of the date of receipt of this notice or such longer period as the Secretary of State may allow, appeal to the relevant Secretary of State, in accordance with Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992. The relevant Secretary of State is not required to entertain such an appeal if it appears to him having regard to the provisions of the regulations, that consent for the display of advertisements in respect of which application was made could not have been granted by the Local Planning Authority otherwise than subject to the conditions imposed by them.

**Note 5.** Applicants are reminded that they must adhere to the approved plans when carrying out the works authorised by this permission. If it is necessary to make further amendments they are requested to contact the Local Planning Authority prior to commencement of building operations at The Civic Centre, Queen Elizabeth Drive, Pershore, Worcs WR10 1PT

# START NOTICE

## IMPORTANT INFORMATION

It is your responsibility to comply with the terms of this decision notice. Please read the decision notice carefully and ensure that you understand the requirements of any conditions and have the relevant approved drawings and/ or documents.

If you do not understand any of these requirements please contact us quoting 20/02161/FUL. We can assist you by providing advice on what you need to do and when. Contact details can be found below.

Failure to comply with the terms of an approval could mean that the work you carry out is unauthorised and at risk of enforcement action. Please ensure that you give yourself sufficient time to meet the requirements of any conditions.

Conditions which require an applicant to submit further details to the Local Authority can take around 12 weeks to determine.

We recommend that you email [planning.compliance@wychavon.gov.uk](mailto:planning.compliance@wychavon.gov.uk), quoting 20/02161/FUL along with your contact details and the intended start date for the development. Alternatively complete the following form and return it to Planning Compliance, Wychavon District Council, The Civic Centre, Queen Elizabeth Drive, Pershore, WR10 1PT.

### **Development Details**

**Planning Reference:** 20/02161/FUL

**Proposal:** Construction of open air seating (amphitheatre) and erection of a new storage and amenity building together with ancillary works.

**Location:** Lenches Sports And Recreation Club, Ab Lench Road, Abbots Lench, Church Lench, Evesham, WR11 4UQ

**Intended Start Date:**

### **Contact Details**

**Name:** .....

**Address:** .....

.....

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**Telephone:** ..... **Mobile:** .....

**Email:**.....

All personal data held is processed in accordance with data protection law. For further information please see our website <https://www.wychavon.gov.uk/planning-development-management-privacy-notice>