

Notice of Planning Permission

Mr Andrew McCready
c/o Sophie Cragg
Fisher German
International House
Kingsfield Court
Chester Business Park
Chester
CH4 9RE

Application Number:
23/01567/FUL

3 October 2024

Town and Country Planning Act 1990

Proposal: Erection of single detached dwelling on site and associated works.

Location: Land Adjacent Lorne Cottage, Louise Street, Chester,



In pursuance of their powers under the above Acts, the Council hereby grants **PERMISSION** for the above development to be carried out, 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 - To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- Location Plan
- EXISTING & PROPOSED SITE PLANS, PROPOSED FLOOR PLANS, PROPOSED ELEVATIONS REVISION 2: 11 September 24

Reason - For the avoidance of doubt and in the interests of proper planning.

3. Notwithstanding the approved plans, prior to the first use of each material listed below, the following samples/details/colour of the materials to be used in the construction of external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority.
 - a) Samples panel/details of brick/render
 - b) Details of the roof material
 - c) Details of the windows, doors and garage doors (including colour scheme and recess)

- d) Details of the porches/canopies
- e) Boundary Treatments
- f) Driveways

The work shall be completed in strict accordance with the agreed details. All other materials shall be in accordance with the approved elevation drawings.

Reason: To ensure a high quality development and in the interests of visual amenity.

4. The development hereby approved shall not be commenced until details of existing and finished site levels and proposed finished floor levels are submitted to and approved in writing by the Local Planning Authority. The development shall then only be carried out wholly in accordance with the approved details.

Reason: In the interests of visual amenity and neighbouring residential amenity.

5. The dwelling hereby approved shall be designed and constructed to meet the higher National Housing Standard for water consumption of 110 litres per person per day.

Reason: To minimise water consumption.

6. Prior to occupation, a scheme for the provision of bat and bird boxes within the site must be submitted to and approved in writing by the local planning authority. The scheme shall include details of the locations and specifications. The bat and bird boxes shall be erected in full accordance with the approved details prior to first occupation of the dwelling and retained in perpetuity.

Reason: To provide enhancements and compensation for protected species.

7. Prior to occupation, a planting plan, including of native species of local provenance must be submitted to and approved in writing by the local planning authority. Details of species and numbers to be planted are required. The approved plan shall be implemented in full prior to the first occupation of the dwelling. Any trees or plants which within a period of 5 years from the completion of the development 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: In the interest of protecting biodiversity

8. Notwithstanding the approved plans/surveys, the buildings shall not be demolished between 1 March and 31 August inclusive (bird nesting season) unless they have first been surveyed for nesting birds by a qualified ecologist and, if nesting birds are found, a scheme for the protection of nesting birds has been submitted to and approved in writing by the local planning authority. Once such a scheme has been approved, the demolition within the bird nesting season shall only be carried out in accordance with the approved scheme.

Reason: In the interest of protecting biodiversity

9. Prior to the first occupation of the dwelling hereby permitted, a scheme for the provision of secure covered cycle parking spaces shall have been submitted to, and be approved in writing by, the Local Planning Authority. The development hereby approved, shall not be occupied until

the cycle parking has been provided in accordance with the agreed details and retained at all times thereafter.

Reason - To ensure that an adequate level of cycle parking is provided in accordance with the Parking Standards Supplementary Planning Guidance.

10. Prior to commencement of development a Construction Management Plan shall be submitted to and agreed in writing by the Local Planning Authority that details the means of mitigation of construction effects. This shall include but not be limited to the following:
 - a. Layout of the site compound(s) including identification of areas for the storage of plant and materials, loading/unloading and turning areas for delivery vehicles.
 - b. Management of deliveries including prevention of waiting/layover of construction related traffic on the highway, measures for the control of traffic to and from the site and consideration of any temporary traffic management arrangements which may be necessary during periods of construction.
 - c. The provision of construction staff parking arrangements
 - d. Procedures for prevention of mud/debris being tracked onto the internal site road or the adopted highway.

All site works shall then be carried out in accordance with the approved plan unless otherwise agreed in writing beforehand with the Local Planning Authority

Reason: In the interest of highways safety.

11. Fridays; 08.00 hours to 13.00 hours on Saturdays or at any time on Sundays or Bank Holidays.

Any variation to the hours of operation shall be submitted to and agreed in writing by the Local Planning Authority prior to any agreed change being implemented.

Reason - To ensure that the residential amenities that occupiers can reasonably expect to enjoy are adequately protected.

12. No development (other than demolition and site clearance) shall take place until the following components (a to d) of a structured scheme to deal with the risks associated with actual or potential contamination of the site have each been submitted to and approved in writing by the Local Planning Authority:
 - a. A Preliminary Risk Assessment (PRA) which includes an initial conceptual site model to establish whether there are potentially any unacceptable risks
 - b. A scheme of Site Investigation based on the findings of the (a) from which a Generic Quantitative Risk Assessment and/or Detailed Quantitative Risk Assessment can be undertaken.
 - c. A Remediation Strategy (including options appraisal), based on the detailed results of (b), giving full details of the remediation measures required and how they are to be undertaken.
 - d. A Verification Strategy providing details of the data that will be collected in order to demonstrate that the remediation works set out in (c) are complete and effective and

identifying any requirements for longer-term monitoring of pollutant linkages; maintenance, contingency actions and reporting.

The reports required above shall be completed in accordance with Land Contamination Risk Management (Environment Agency, 2023).

All development shall then only take place in accordance with the approved documents.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks.

13. The development hereby approved shall not be brought into use until a Land Contamination Verification Report has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the report shall be in line with the previously approved Verification Strategy and Remediation Strategy.

The report required above shall be completed in accordance with Land Contamination Risk Management (Environment Agency, 2023).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks.

Notes

1. The local planning authority has sought to work with the applicant in a positive and proactive way to secure a development that will improve the economic, social and environmental conditions of the area, in line with the NPPF.
2. It is an offence to intentionally injure or kill wild birds. It is also an offence to intentionally take, damage or destroy a wild bird's egg, or its nest while it's being used or built. Vegetation removal should therefore take place outside the bird nesting season (1st March to 31st August inclusive) unless the site has been surveyed for nesting birds by a qualified ecologist immediately beforehand. Further information about protection of wild birds can be found here: <https://www.gov.uk/guidance/wild-birds-protection-surveys-and-licences>.

Signed:

Date: 3 October 2024



Rob Charnley
Head of Planning and Placemaking

Cheshire West and Chester Borough Council The Portal Wellington Road Ellesmere Port CH65 0BA

Please read the notes on the following page, they will explain your rights and other important matters about this decision.

Please see the bottom of this notice for important information about the Community Infrastructure Levy.

NOTICE TO APPLICANT WHERE PERMISSION IS REFUSED OR GRANTED SUBJECT TO CONDITIONS

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 for the Environment 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. However, if this application relates to a Householder development and you want to appeal, then you must do so within 12 weeks of the date of this notice.

Forms can be obtained from:

The Planning Inspectorate, 3/13 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN - (Tel: 0303 444 5000)

The Secretary of State can allow a longer period for 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 Secretary of State 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 Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

If either the local planning authority or the Secretary of State for the Environment refuses 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 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 District Council 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 1990.

Please note before starting work that your project may also require **building regulations approval**, which is different from planning approval. You can find out if you need approval, how to submit an application and get further helpful information by visiting the Council's website, www.cheshirewestandchester.gov.uk/buildingcontrol.

Community Infrastructure Levy (CIL)

The development approved by this permission may be liable to a Community Infrastructure Levy, which is payable after development begins. If your scheme is liable, and you have not already done so, you must submit an Assumption of Liability Notice to the Council before development commences. If your scheme is issued with a CIL charge, it is essential you submit a Commencement Notice to the Council before the development commences. The onus is on the applicant to provide any relevant relief or exemption to the Council before commencement of development. Any exemption or relief that is applied for after development is deemed to have commenced will be refused.

The Council may impose penalties where the correct forms are not submitted, or are late, or where the information provided is inaccurate.

All forms are available at <http://www.cheshirewestandchester.gov.uk/cil> and once completed, should be emailed to cil@cheshirewestandchester.gov.uk.

For further information you can contact the Council's CIL and S106 Officer on cil@cheshirewestandchester.gov.uk or tel: 0300 123 7027.

OTHER IMPORTANT POINTS TO NOTE

Under the provisions of Circular 04/2008 entitled Planning-Related Fees standard national fees of £34 for householder developments and £116 for all other development will be charged for requests for the discharge of planning conditions.

Your attention is drawn to the relevant provisions of the Chronically Sick and Disabled Persons Act, 1970 and the Code of Practice for Access for the Disabled to Buildings. These provisions apply to (a) buildings or premises to which the public are admitted, whether on

payment or otherwise or (b) premises in which persons are employed to work. Similar provisions also apply for the benefit of disabled in educational buildings.

Development for which listed building consent and/or permission is granted is subject to compliance with the general statutory provisions in force in the District, except as may be modified in this permission and the Building Regulations. Your attention is drawn to Section 50 of the Cheshire County Council Act, 1980 which provides that where plans are deposited under the Building Regulations for the erection/extension of a building with the district council, then that council will reject the plans unless, after consultation with the Fire Authority, they are satisfied that the plans show there is an adequate means of access for the Fire Brigade to the building or extension and that the building or extension will not render inadequate any existing means of access, for the Fire Brigade, to the neighbouring buildings. This note is included to give effect to Section 50 of the 1980 Act by virtue of sub-section (2) of the said Section.

Developers should check with all statutory undertakers at an early stage to ensure where their equipment (pipes, cables, poles etc) is located in relation to the development site and agree measures to ensure that no damage is caused to that equipment during construction or negotiate the repositioning of some or all of the equipment.

Any Environmental Statement submitted with the application, together with any related information, has been taken into account by the Council in arriving at this decision.

Street Naming and Numbering – It is a legal function of the Council to allocate property numbers and street names to new developments and conversions. This service is chargeable, please visit the Street Naming and Numbering page on our website and use the online form to submit an application. The charging scheme, guidance and contact details are also available on our Street Naming and Numbering web page.