

Notice of Planning Permission

Mr John Hunt
c/o Mr David Fitzsimon
Fitzsimon P & D Ltd
The Office
Ty
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Cilcain
CH7 5NL

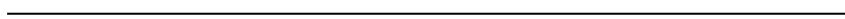
Application Number:
20/00530/FUL

15 March 2021

Town and Country Planning Act 1990

Proposal: Erection of a detached dwelling

Location: Land At 35 Park Road West, 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:

- CH4 8BQ/35/01 Rev C
- CH4 8BQ/35/02 Rev F
- CH4 8BQ/35/03 Rev F

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

3. Development shall not commence until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. The development shall be constructed and completed in accordance with the approved details.

The scheme shall include:

- Surface water drainage layout including proposed discharge point;
- Assessment of overland flow routes for extreme events Overland flow routes need to be designed to convey the flood water in a safe manner in the event of a blockage or exceedance of the proposed drainage system capacity. The flood water should be routed away from buildings and towards the less vulnerable areas within the development plot;
- Run off rates;
- Existing and proposed site levels.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system pursuant to Policy ENV1 of the Cheshire West and Chester Council Local Plan (Part 1).

4. Notwithstanding the approved plans, prior to the first use of each material listed below, details of that material 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.
- i. Brick;
 - ii. Render;
 - iii. Roof covering;
 - iv. Heads and cills;
 - v. Windows and doors.

Windows and doors shall be set back from the external wall face by at least 20mm.

The work shall only be carried out in accordance with the approved details. All other materials shall be in accordance with the approved elevation drawings.

Reason: In the interests of visual amenity.

5. Before the dwelling hereby approved is first occupied it shall be provided with electric car charging infrastructure comprising, as a minimum, one dedicated 32 amp radial circuit which is directly wired to an appropriate RCD at the consumer unit. The circuit shall terminate at a three-pin socket or BS EN 62196 Type 2 electric vehicle charging point located where it is accessible from a dedicated off-street car parking bay.

Reason. To promote the use of sustainable transport and to protect air quality.

6. Any excavation work involved in the widening of the access must be undertaken by hand or a mechanical excavator fitted with a smooth bladed ditching bucket to avoid ripping or tearing roots. Any roots identified for removal within the excavated area must be cleanly cut using appropriate bypass loppers. The work must be undertaken under supervision of the project arboriculturalist.

Reason: In the interest of visual amenity.

7. Prior to the commencement of any development on site, the applicant must submit to and have approved in writing by the Local Planning Authority detailed plans in respect of the works required

within the highway to form a suitable access. The works shall only be carried out in strict conformity with the agreed details and completed prior to first occupation of the development.

Reason: In the interests of highway safety and to ensure the development has suitable access provision.

8. Parking for cars and cycles shall be provided within the site prior to first occupation of the development in accordance with a scheme of details which has previously been submitted to and approved in writing by the Local Planning Authority. Details shall include the number, type and design of each parking facility. The parking facilities shall then be retained and remain available for use thereafter.

Reason: To ensure that an adequate level of car and cycle parking is provided and retained for the development.

9. Prior to the first occupation of the development hereby approved, details of the boundary treatments and means of enclosure shall be submitted to and approved in writing by the local planning authority. This should include a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatments shall be completed as approved before the building is occupied. No boundary treatment shall be erected other than as approved.

Reason: In the interest of visual and residential amenity.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), other than as hereby approved no other windows or openings shall be introduced on the east or west elevations, no alterations shall be made to the front boundary treatment separating the site from Park Road West, and no new access to the site shall be created without the grant of planning permission by the local planning authority.

Reason: In the interests of residential and visual amenity.

11. Notwithstanding approved drawing (CH4 8BQ/35/01 Rev C), before the building is first occupied all the windows in the east elevation of the development and the two first floor windows in the west elevation of the development shall be obscurely glazed to a minimum Pilkington Privacy Level 3 or equivalent and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.

Reason: To safeguard the privacy of both the occupants of the adjacent property and of the development hereby approved.

12. The residential unit hereby approved shall be designed and constructed to deliver a reduction in carbon dioxide emissions of at least 19% against the Target Emission Rate of Part L of the Building Regulations.

Reason: To ensure the development makes provision for satisfactory energy and water efficiency.

13. 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.

14. If, during the course of development, any contamination is found, groundworks shall stop and shall not continue until additional measures for the remediation of this source of contamination have been submitted to and approved in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved additional measures.

Reason: 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. The highway should be kept clear from obstruction at all times by construction traffic, plant and materials.
3. A hedgehog commuting route through the completed development should be ensured through the creation of holes of at least 13cm height x 13cm width at the base of new closed boundaries.

Signed:

Date: 15 March 2021



Rob Charnley

Head of Planning

Cheshire West and Chester Borough Council 4 Civic Way Ellesmere Port CH65 0BE

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.