

Notice of Planning Permission

Mr and Mrs Ian and Laura Spencer
c/o Mr Stephen Quicke
FSP Northern Architects Ltd
41 Hamilton Square
Birkenhead
CH41 5BP

Application Number:
23/01761/FUL

3 August 2023

Town and Country Planning Act 1990

Proposal: Demolition of existing building and construction of two small one bedroom holiday let units

Location: Coastguard House, Coastguard Lane, Parkgate, Neston, CH64 6SP



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:

- N451-00
- N451-30
- N451-31
- N451-32
- N451-33

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.

- 1) Samples panel/details of brick/render
- 2) Details of the roof material
- 3) Details of the windows and doors (including colour scheme and 100mm recess)
- 4) Details of heads and cills
- 5) Details of the eaves, verge and ridge
- 6) Details of boundary treatments
- 7) Details of dormer windows

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 dwellings 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.

5. Before each 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. No development, including demolition and/or construction works (and deliveries) shall 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 Bank Holidays.

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

7. The holiday accommodation hereby approved shall be for holiday lets only and shall not be occupied as a person's sole or main place of residence. The owners/operators shall maintain an up-to-date register of the names and main home addresses of all occupiers of the holiday accommodation and shall make this register available at all reasonable times to the local planning authority on written request.

Reason: To ensure a satisfactory standard of control over occupation as the permanent conversion to residential use would be contrary to the Council's adopted policies for the area.

8. Notwithstanding the provisions of the Town and County Planning (General Permitted Development)(Amended)(No.2)(England) Order 2015, and as amended/enacted and the plan approved, no other windows or openings shall be introduced on the north east or south west

elevations (as indicated on drawing numbers N451-30 and N451-31) without the express consent in writing of the local planning authority.

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

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 applicant's attention is drawn to the comments received from United Utilities which can be viewed on the Council website.

Signed:

Date: 3 August 2023



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.