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DECISION NOTICE

Application No: **14/1177C**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Particulars of Development
Change of use from A4 drinking establishment to C3 Residential - One dwelling.

Location
20, Rood Hill, Congleton, CW12 1LQ

For
Mr C Garner

In pursuance of its powers under the above Act, the Council hereby GRANTS planning permission for the above development in accordance with the application and accompanying plans submitted by you subject to compliance with the conditions specified hereunder, for the reasons indicated:

1. The development hereby approved shall commence within three years of the date of this permission.

   Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by s51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall be carried out in total accordance with the approved plans numbered; 955 L01 Rev A, 955 101 Rev A, 955 102 Rev B, received by the Local Planning Authority on the 22nd September 2014.

Reason: For the avoidance of doubt and to specify the plans to which the permission relates.

3. The materials to be used shall be in strict accordance with those specified in the application unless different materials are first agreed in writing with the Local Planning Authority or stated otherwise by another condition. Development shall be carried out in accordance with the approved details.

   Reason: To ensure that the external appearance of the building is acceptable and to comply with Policy GR2, BH4 and BH5 of the Congleton Borough Local Plan First Review 2005.

4. The material and colour of all replacement rainwater goods shall be black and cast metal.

   Reason: To ensure that the external appearance of the building is acceptable in accordance with Policies BH4 and BH5 of the Congleton Borough Local Plan First Review 2005.

5. Within 3 months of the date of this permission, drawings indicating details of the replacement rear external openings within the rear elevation of the building as extended (to replace the existing uPVC openings), including cross sections of glazing bars, to a scale of not less than 1:20 shall be submitted to and approved in writing by the Local Planning Authority. The replacement openings shall be white painted timber.
   The replacement openings shall be implemented within 3 months of their approval and retained in such a manner thereafter unless otherwise agreed in writing by the Local Plannnig Authority.

   Reason: In order to retain the character and apprearance of the Listed Building and in accordance with Policy GR2, BH4 and BH5 of the Congleton Borough Local Plan First Review 2005.

6. Within 3 months of the date of this permission, drawings indicating details of secondary glazing to all habitable room windows on the Rood Hill facade only, including acoustic trickle vents, shall be submitted to and approved in writing by the Local Planning Authority. The secondary glazing shall be designed as a minimum, to achieve noise reduction criteria of 34 dB Rtra. Rtra represents the attenuation in dB A which the window can achieve in mitigating road traffic noise. The window frames shall be white painted hardwood or aluminium constructions and shall be well sealed into the apertures. Confirmation shall be sought from the glazing manufacturer that the entire window unit will provide the required sound insulation performance, including the furniture, frame and glass elements. The unit

shall be installed in accordance with the manufacturer's recommendations within 3 months of their approval by the Local Planning Authority to avoid air gaps when fitting the frames and shall thereafter be retained.

Reason: In order to protect the amenity of the future occupiers of the hearby approved dwelling and in accordance of Policy GR6 of the Congleton Borough Local Plan First Review 2005.

7. Within 3 months of the date of this permission, a land contamination report, with recommendations for further works of potential land contamination (if required) shall be submitted to and approved in writing by the Local Planning Authority. Details to be submitted shall include the findings of shallow soil samples taken from the garden area which have been analyzed for a broad range of contaminants.

   Reason: In order to protect the amenity of the future occupiers of the hearby approved dwelling and in accordance of Policy GR6 of the Congleton Borough Local Plan First Review 2005.

Informatives:

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraphs 186 and 187 of the National Planning Policy Framework. The Framework advises that the LPA should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

Please Note: This decision notice does not convey any approval or consent which may be required under any enactment, bye-laws, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of conditions. Please see our Website for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:
(a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
(b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.

This permission is granted in strict accordance with the approved plans. It should be noted however that:
(a) Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.
(b) Variation to the approved plans will require the submission of a new planning application.

Dated: 24 November 2014

Signed



Authorised Officer *for*
Cheshire East Borough Council