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DECISION NOTICE

Application No: **22/2856M**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Particulars of Development

Proposed conversion of existing barn to new dwelling.

Location

Georges Lane Farm, Georges Lane, Aston by Budworth, Northwich, CW9 6LS

for **Mr & Mrs Elderton**

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 received by the Local Planning Authority on 14 July 2022.

Reason: For the avoidance of doubt and to specify the plans to which the permission/consent 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. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the building/structure is acceptable.

4. (a) Any soil or soil forming materials to be brought to site for use in garden areas or soft landscaping shall be tested for contamination and suitability for use in line with the current version of 'Developing Land within Cheshire East Council – A Guide to Submitting Planning Applications, Land Contamination' (in the absence of any other agreement for the development), which can be found on the Development and Contaminated Land page of Cheshire East Council's website.
(b) Prior to occupation, evidence and verification information (for example: quantity/source of material, laboratory certificates, depth measurements, photographs) shall be submitted to, and approved in writing by, the Local Planning Authority (LPA).

Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to site users or neighbours during the course of the development.

5. If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.

Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to site users or neighbours during the course of the development.

6. No development (other than demolition of the carport and site clearance works) shall commence until:
 - a) A proportionate risk assessment and (if appropriate) site sampling exercise is undertaken to address the risks posed by land contamination. This should be submitted to and approved in writing by the LPA.

b) Should the above indicate that remediation is necessary, a Remediation Strategy shall be submitted to and approved in writing by the LPA.

The remedial scheme shall be carried out in accordance with the approved Remediation Strategy unless otherwise agreed in writing by the LPA.

Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to site users or neighbours during the course of the development.

7. No part of the development hereby approved shall be occupied or in use prior to submission and approval in writing of a Verification Report prepared in accordance with the approved Remediation Strategy that covers that part of the development to be occupied or used.

Reason: To ensure the development is suitable for its end use and the wider environment and does not create undue risks to site users or neighbours during the course of the development.

8. No removal of any vegetation or the demolition or conversion of buildings shall take place between 1st March and 31st August in any year, unless a detailed survey has been carried out to check for nesting birds. Where nests are found in any building, hedgerow, tree or scrub or other habitat to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone shall be left around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the Local Planning Authority before any further works within the exclusion zone taking place

Reason: To safeguard protected species in accordance with the NPPF.

9. The proposed development to proceed in accordance with the recommendation made by section 4.3 of the submitted Bat Presence / Absence Survey report (UES, 24/06/2022) unless varied by a European Protected Species licence subsequently issued by Natural England. Agreed features for roosting bats shall be permanently installed in accordance with the approved details.

Reason: To safeguard protected species in accordance with the NPPF.

10. Prior to the use of any building materials in the new development the applicant to submit a strategy for the incorporation of features to enhance the biodiversity value of the proposed development. The submitted strategy

should include proposals for the provision of features for nesting birds including barn swallow, and roosting bats (any external lighting should avoid direct light spill upon bat roost features), and native species planting. The proposals shall be permanently installed in accordance with approved details.

Reason: to safeguard biodiversity in accordance with the NPPF and Local Plan Policy SE3.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 as amended (or any order revoking or re-enacting that order), no development (as defined by Section 55 of the Town and Country Planning Act 1990) as may otherwise be permitted by virtue of Classes A to H of Part 1 and Class A of Part 2 Schedule 2 of the Order shall be carried out.

Reason: To ensure continued control over the extent of further building on the site.

12. The proposed rainwater goods shall be cast in metal and painted black.

Reason: To ensure the special character, architectural interest and integrity of the building is preserved.

13. Prior to the installation of any fenestration as part of the works to the dwelling hereby approved, drawings indicating details of all windows and external doors, 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 details which are approved shall be carried out in full to the Hall and shall be retained in accordance with the approved details thereafter.

Reason: To safeguard the character, appearance and integrity of the listed building.

14. All windows and doors in the external elevations of the proposed development shall be fabricated in timber, which shall be painted or opaque stained and they shall be retained in such a form thereafter.

Reason: To safeguard the character, appearance and integrity of the listed building.

15. Prior to their installation, details of all the rooflights shall be submitted to and approved in writing by the Local Planning Authority. The rooflights shall be conservation roof lights, flush frame with the outer face of the roof slope. The

agreed details shall be implemented in full and maintained at all times thereafter.

Reason: To ensure the special character, architectural interest and integrity of the building is preserved.

16. All fenestration shall be set behind a reveal of 100mm

Reason: To ensure that such detail is included within the approved development

Informatives:

Guidance for infiltration testing:

- Infiltration testing requirements outlined below (extracted from the CEC Infiltration guide) – if stability is an issue, the use of stone/pipe must be employed, as per BRE 365 guidance.

- CIRIA Report 156 Infiltration Drainage – Manual for Good Practice Infiltration tests shall be performed fully in accordance with BRE Digest 365 and shall be undertaken at the depth of the proposed soakaways. The horizontal spacing of the infiltration tests will depend on the site layout and the degree of variation encountered in ground conditions across the site. The aim should be to develop a simple but robust conceptual model of permeability and ground water levels within the site – this should take the form of a zoned or contoured map and should be submitted with the application. Note that it is critical to ensure the depth criterion above is met, even if this means reduced level excavation to facilitate undertaking the infiltration tests. Testing undertaken at levels above the proposed soakaway depths will not generally be considered satisfactory without further supporting information as it does not take adequate account of possible changes in ground conditions with depth or areas of high ground water.

If any alterations to ordinary watercourses are proposed, the developer will be required to obtain formal consent under the Land Drainage Act 1991 from Cheshire East Council as Lead Local Flood Authority. They should contact the flood risk management team to discuss (flood.investigation@cheshireeast.gov.uk).

Please be aware that CEC byelaw 10 “No Obstructions within 8 Metres of the Edge of the Watercourse” No person without the previous consent of the Council shall erect any building or structure, whether temporary or permanent, or plant any tree, shrub, willow or other similar growth within 8 metres of the

landward toe of the bank where there is an embankment or wall or within 8 metres of the top of the batter where there is no embankment or wall, or where the watercourse is enclosed within 8 metres of the enclosing structure.

The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 38 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: 27/04/2023

Robert Law

Signed

Authorised Officer for
Cheshire East Borough Council

We enclose our decision notice in respect of the application you recently submitted to us.

You should read the notice carefully. It is your responsibility to ensure that you comply with the terms of any conditions which are attached to it. Where conditions require you to submit further information to us you will need to pay a fee and submit a separate application. The notice doesn't convey or grant consent for anything other than the application you made under the terms of the Town and Country Planning Act 1990.

If you are aggrieved by our decision to refuse planning permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990. You must submit your appeal within:

- 12 weeks of the date of this notice in the case of householder applications
- 8 weeks of the date of this notice for advertisement applications or
- 6 months of the date of this notice in all other cases

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. [Further details are on GOV.UK.](#)

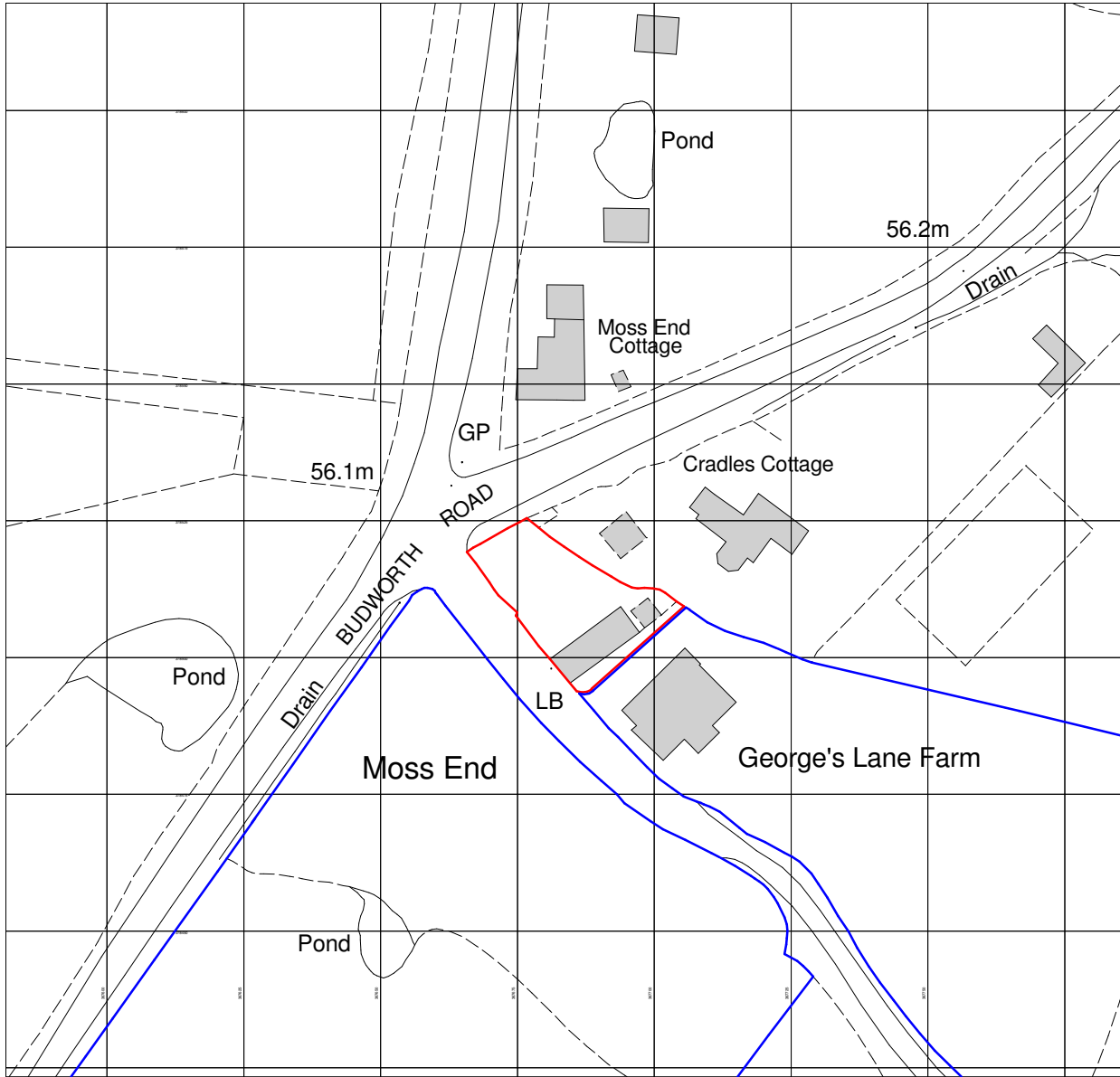
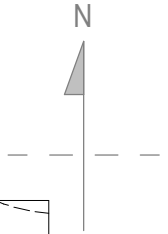
Appeals can be made online at <https://www.gov.uk/planning-inspectorate> If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on 03034445000. The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor 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 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.



Site Location Plan

Scale: 1 : 1250



PROJECT INFORMATION:

Proposed Barn Conversion

Georges Lane Farm,
 Georges Lane
 Aston by Budworth
 CW9 6LS

DRAWING TITLE:

Site Location Plan

PROJECT REF:

22009

REFERENCING SHEET:

00-001

MODEL REF & VERSION:

CLIENT REF:

Mr & Mrs Elderton

STATUS CODE: PURPOSE OF ISSUE:

S2 Issued for Information

Scale @A4

1 : 1250

| Rev. | Description | Date | By | App. By |
|------|--|------------|----|---------|
| B | Issued for Planning | 14/07/2022 | RW | RW |
| A | client Amendments and update re Bat Survey | 01/07/2022 | RW | RW |

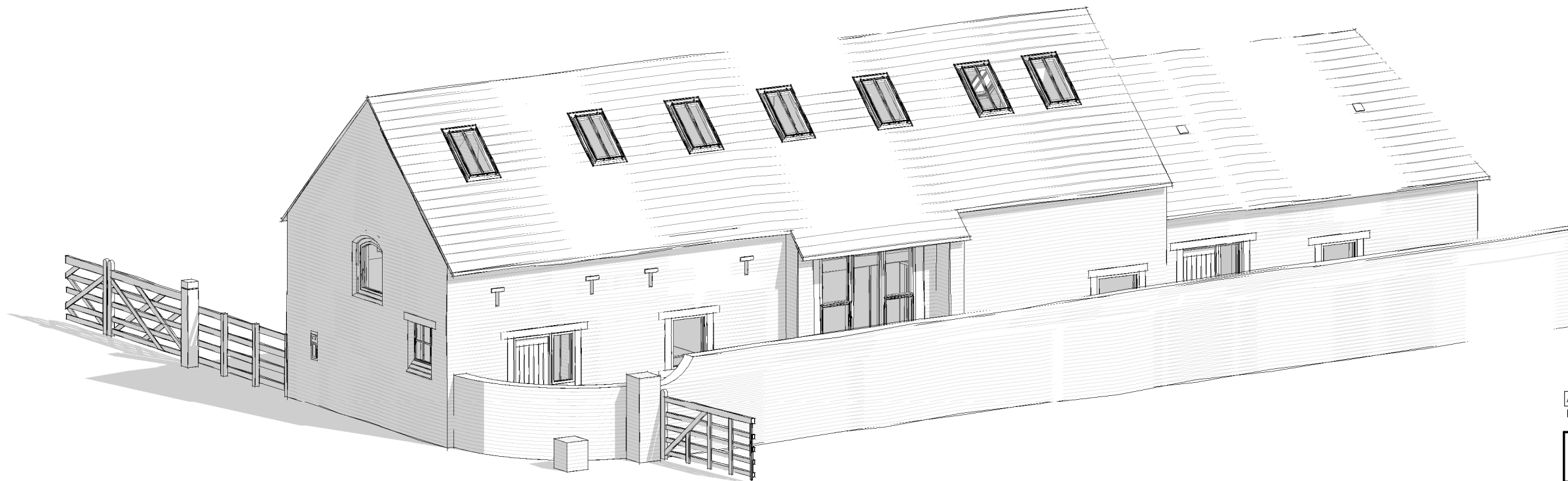
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| ORIGINAL BY: RW | INITIAL ISSUE: 12/04/20 | APPROVED BY: RW |
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| DRAWING NUMBER: | | | | | | | REV. |
|--------------------------------|------------|------|-------|------|------|-----------------|----------------------------|
| PROJECT ID | ORIGINATOR | ZONE | LEVEL | TYPE | ROLE | NUMBER | |
| 22009- | RWD- | ZZ | - | XX | - | DR - A - 00-001 | B |
| PLOT DATE: 14/07/2022 11:19:01 | | | | | | | 14/07/2022 LAST ISSUE DATE |



Front View Perspective

Scale:



Rear View Perspective

Scale:

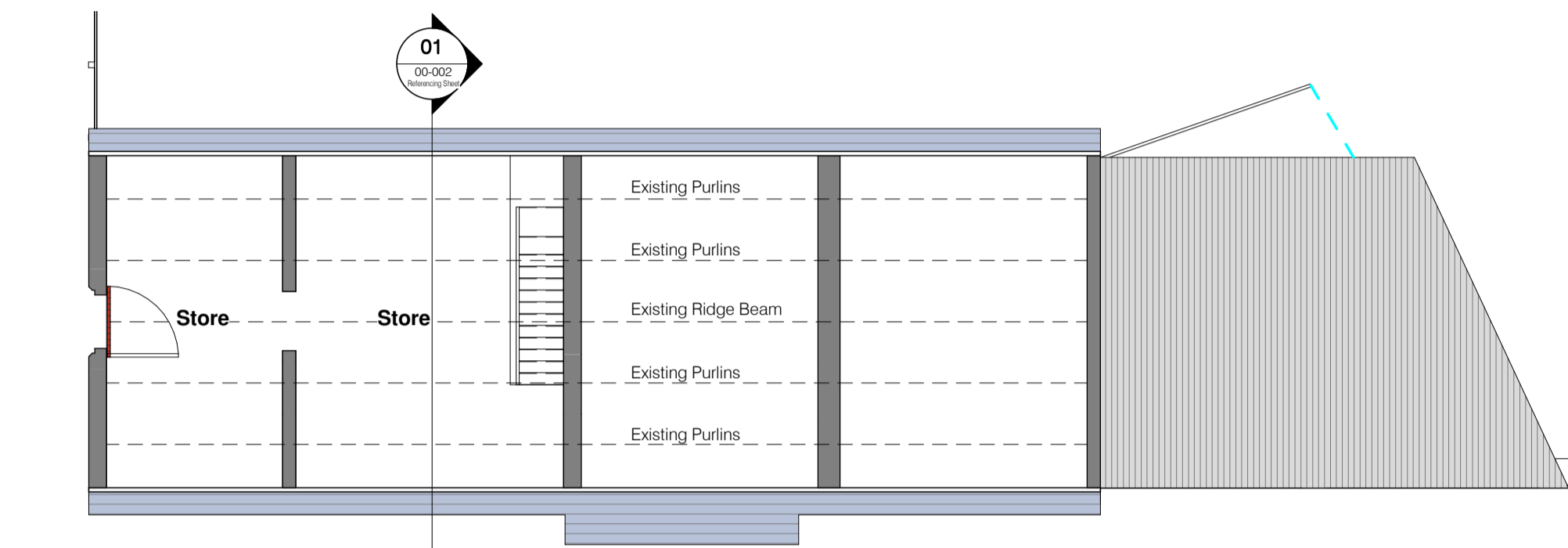
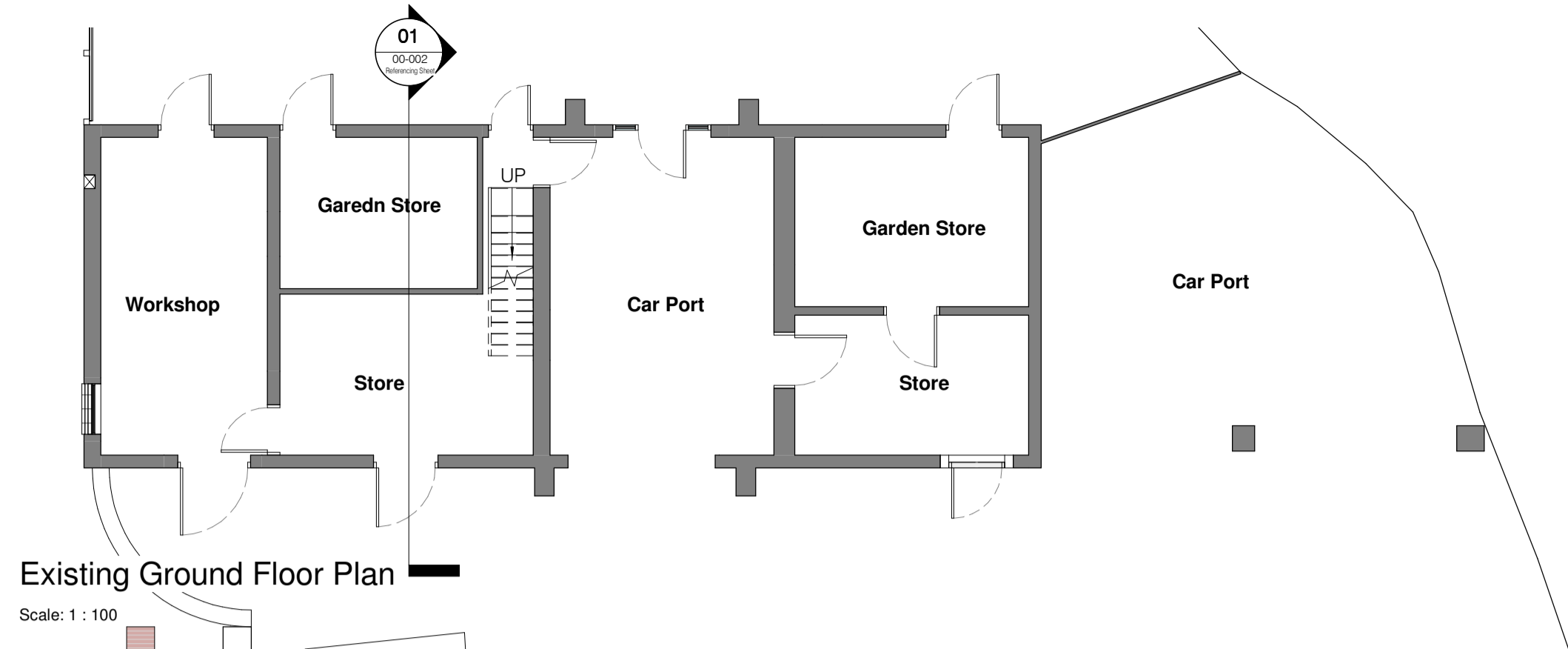
| Rev. | Description | Date | By | App. By |
|------|---------------------|------------|----|---------|
| A | Issued for Planning | 14/07/2022 | RW | RW |

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| ORIGINAL BY: RW | INITIAL ISSUE: 04/24/22 | APPROVED BY: RW |
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| DRAWING NUMBER: | | | | | | |
| PROJECT ID | ORIGINATOR | ZONE | LEVEL | TYPE | ROLE | NUMBER |
| 22009 | RWD | ZZ | XX | DR | A | 00-004 |
| PLOT DATE: 14/07/2022 11:23:38 | | | | | | REV. A |
| | | | | | | 14/07/2022 LAST ISSUE DATE |

| | | | | |
|---|------------------------------|--|------------------------------|--|
| PROJECT INFORMATION: Proposed Barn Conversion Georges Lane Farm, Georges Lane Aston by Budworth CW9 6LS | PROJECT REF: 22009 | DRAWING TITLE: Proposed Perspectives | STATUS CODE: S2 | PURPOSE OF ISSUE: Issued for Information |
| MODEL REF & VERSION: | CLIENT: Mr & Mrs Elderton | CLIENT REF: | REFERENCING SHEET: 00-004 | Scale @A3 |

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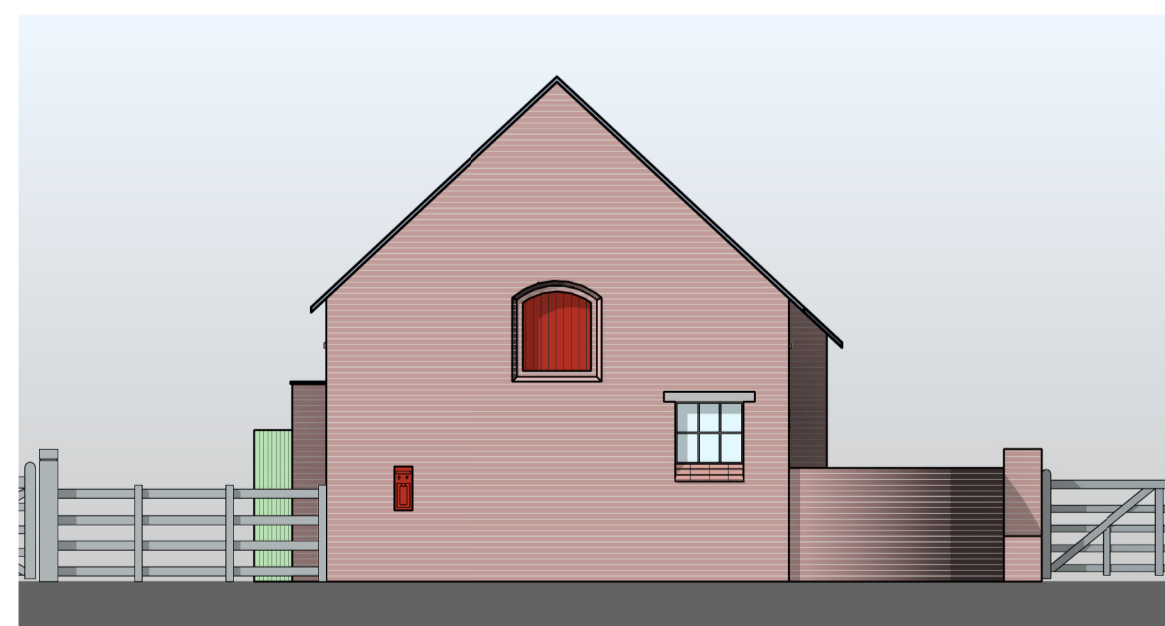
Existing North West Elevation

Scale: 1 : 100



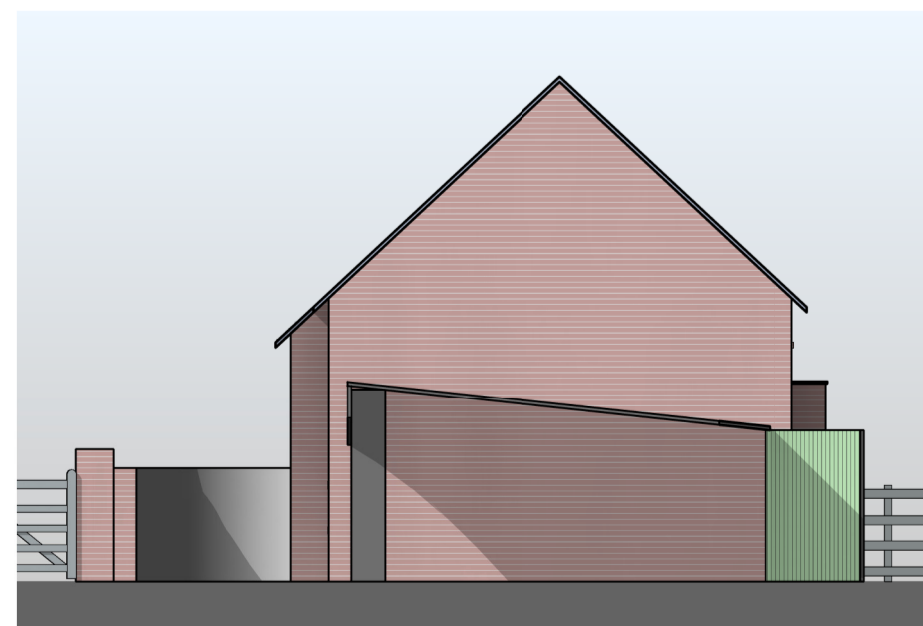
Existing South East Elevation

Scale: 1 : 100



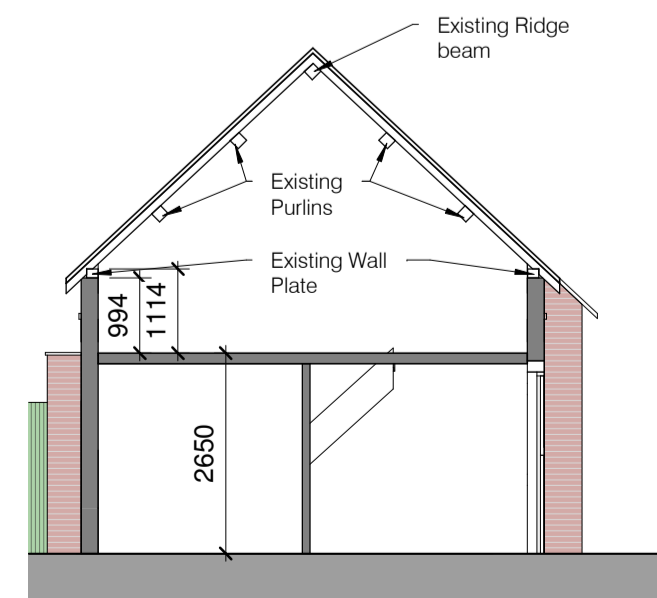
Existing South West Elevation

Scale: 1 : 100



Existing North East Elevation

Scale: 1 : 100



Existing Typical Section

Scale: 1 : 100

Proposed Finishes

Walls: Existing brickwork to be retained, where good brickwork to be repaired and made good, where new brickwork to be used, Old cheshire Multi Red to used with mortar to be colour matched to existing - New sample panel to be built to ensure colour match

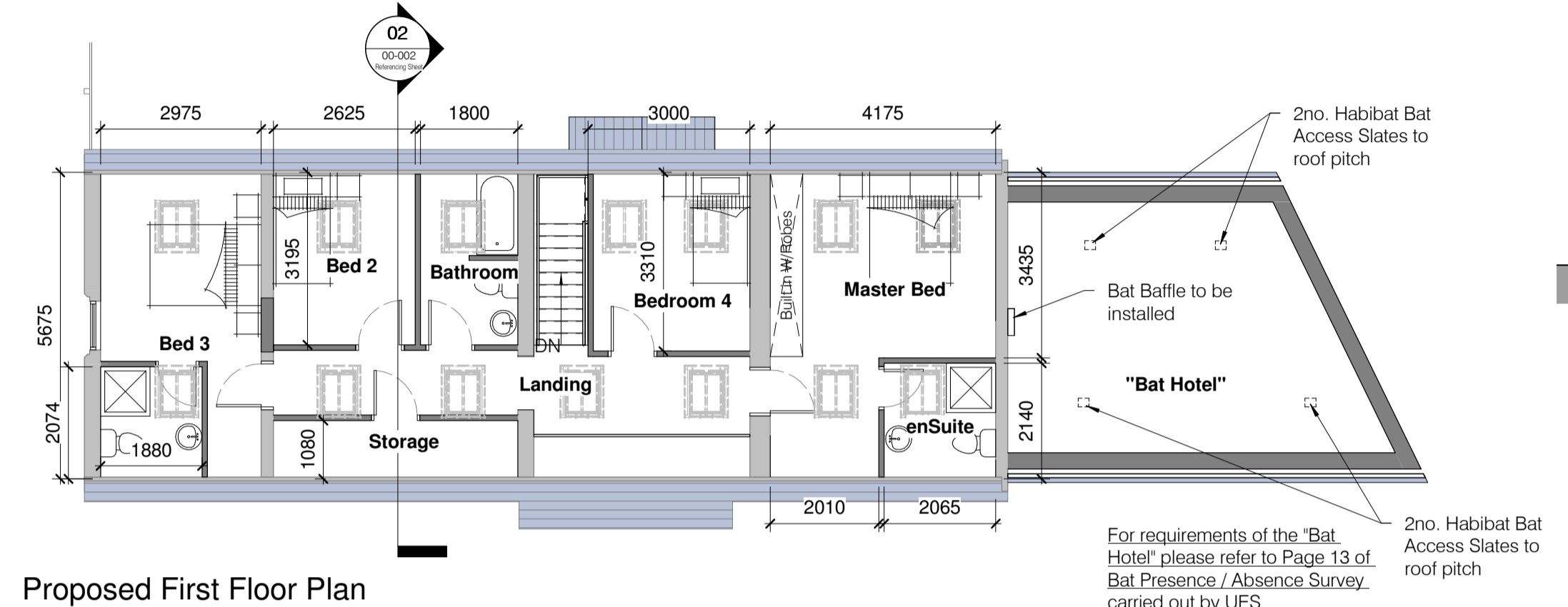
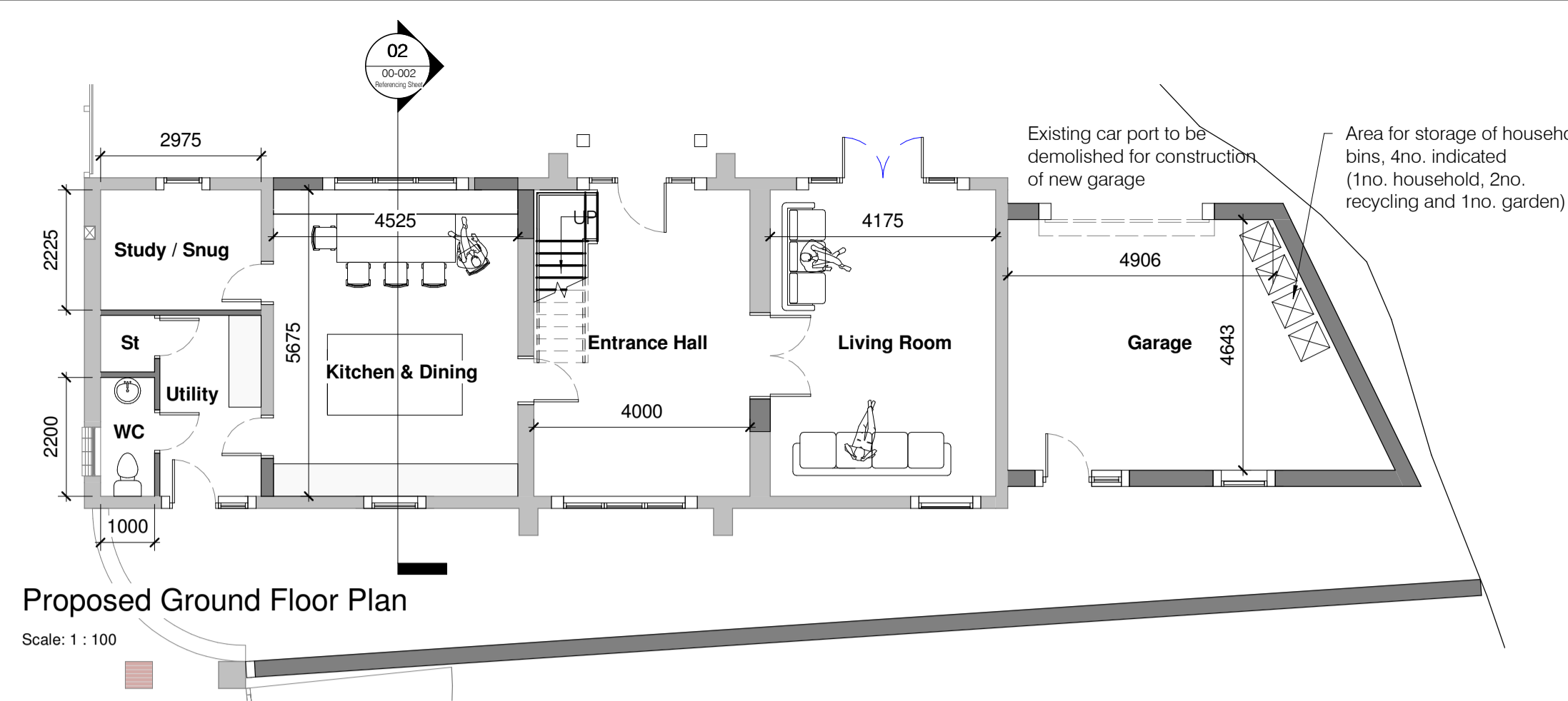
Openings: All opening to have Solid Oak Timber frame as indicated.
Window frames to be Rationel AURAPLUS Contemporary timber/aluminium window. Mixture of fixed light and top guided units, colour to be RAL 6034, glazing units to achieve min 1.6w/m²K U-Value (subject to energy assessment).
Doors to be Flush Entrance Doors by Rationel, colour to be RAL 6034

Roof: Roof finish to be natural slate or slate look-a-like to match existing roof finish.

Rooflight: Rooflights to be "The conservation Rooflight" by the Rooflight Company ref CR10, Frames colour black - glazing to achieve min 1.8W/m²K

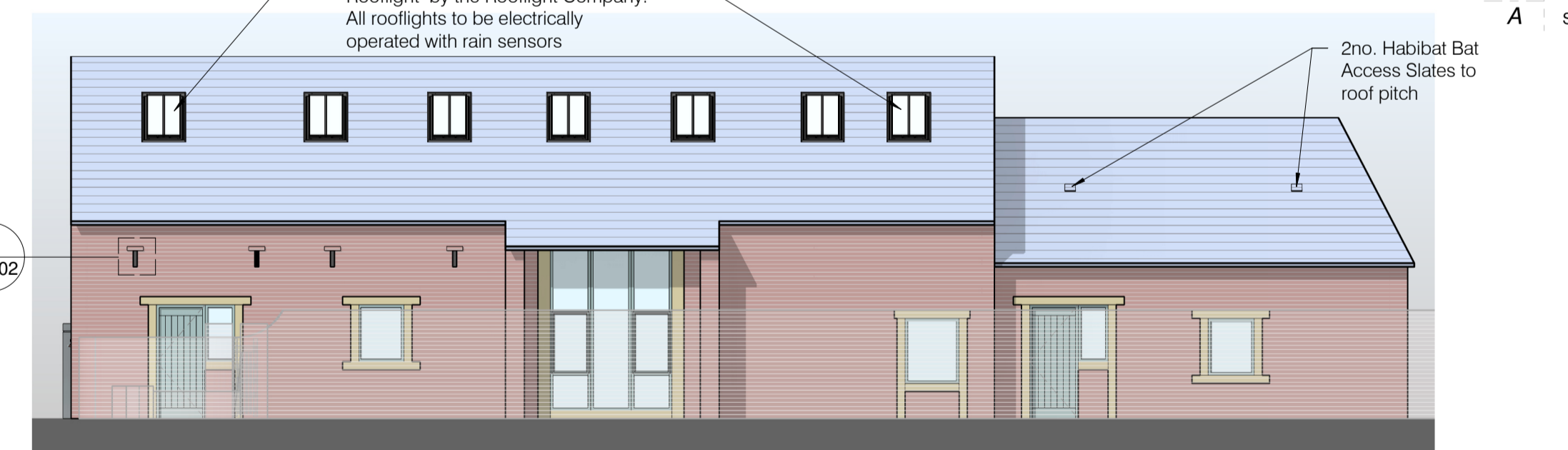
New Boundary Wall: New boundary wall to be built 300mm thick to a height of 2m above FFL and be topped with brick header course, wall built 100mm Old Cheshire Multi Red, 100mm cavity, 100mm Old Cheshire Multi Red, Cavity to be filled with weak mix concrete to form solid wall construction.

Garage Door: Garage door to be Hardwood Timber sectional door, painted colour RAL 6034



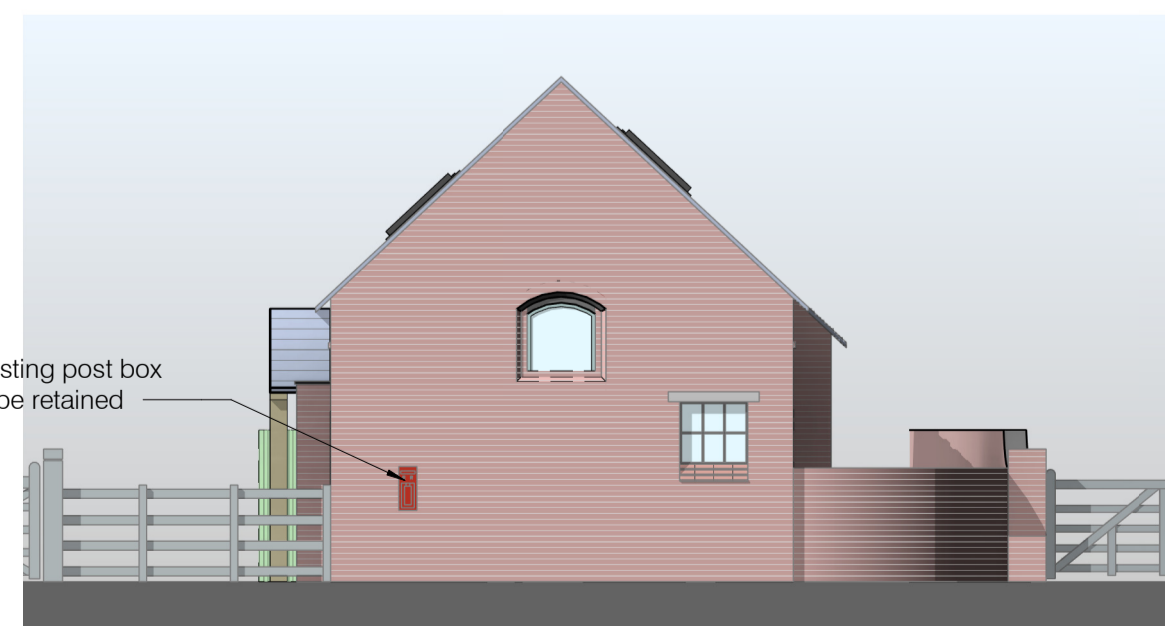
Proposed North West Elevation

Scale: 1 : 100



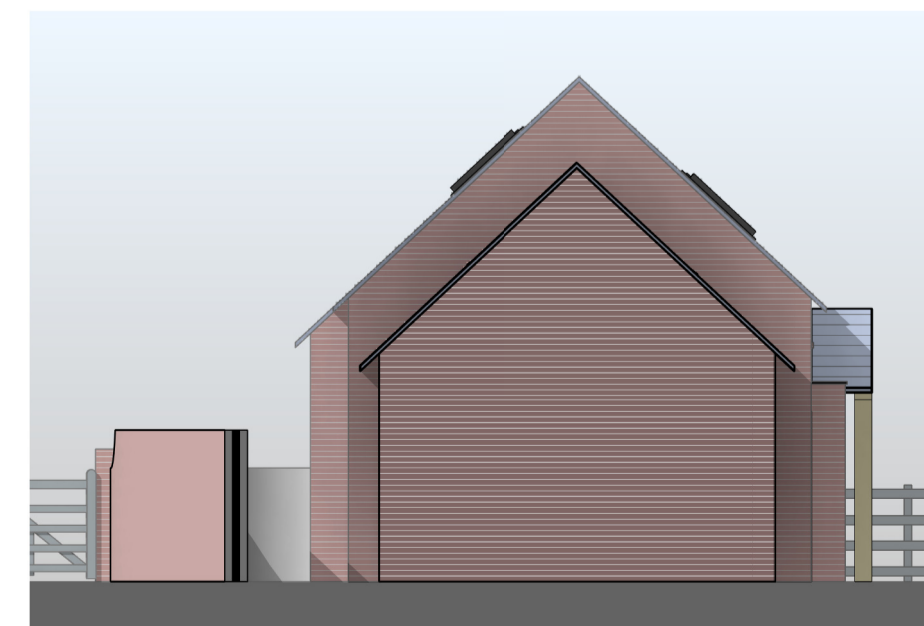
Proposed South East Elevation

Scale: 1 : 100



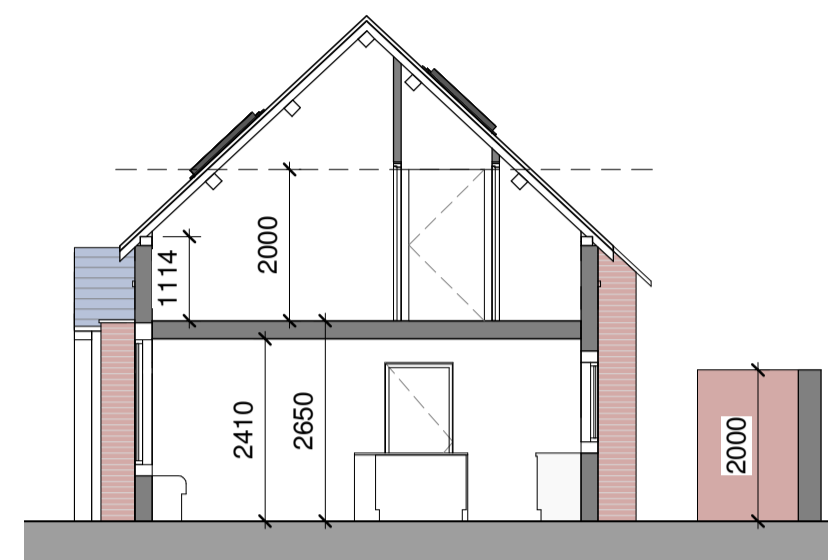
Proposed South West Elevation

Scale: 1 : 100



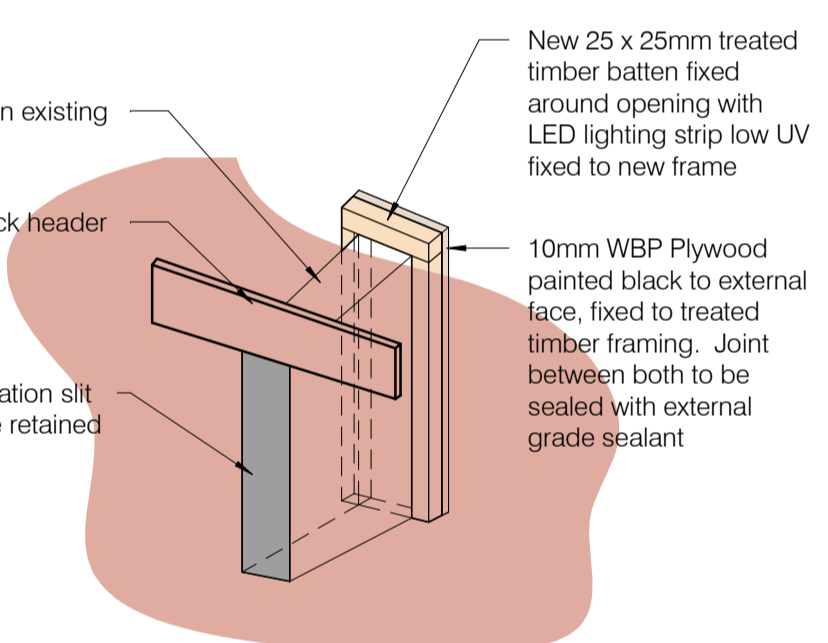
Proposed North East Elevation

Scale: 1 : 100



Proposed Typical Section

Scale: 1 : 100



Feature Lighting to Ventilation Slits

Scale: 1 : 10

Notes
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| Rev. | Description | Date | By | App. By |
|------|---|------------|----|---------|
| C | Issued for Planning | 14/07/2022 | RW | RW |
| B | Ident Amendments and update to Bat Survey | 01/07/2022 | RW | RW |
| A | Proposed Amendments as per Client Request | 07/06/2022 | RW | RW |

| PROJECT INFORMATION | PROJECT REF. |
|--|--------------|
| Proposed Barn Conversion | 22009 |
| Georges Lane Farm, Georges Lane Aston's Badsworth CW9 6LS | |
| MODEL REF. 22009-RWD-ZZ-XX-AS-A-001 | |

CLIENT:
Mr & Mrs Elderton

DRAWING TITLE:
Existing & Proposed Floor Plans and Elevations

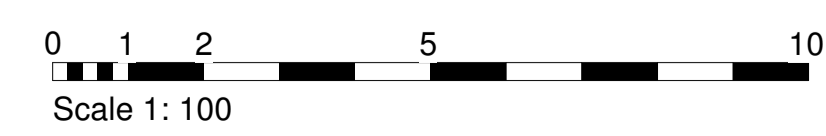
STATUS CODE: S2
PURPOSE OF ISSUE: Issued for Information

SCALE: As indicated

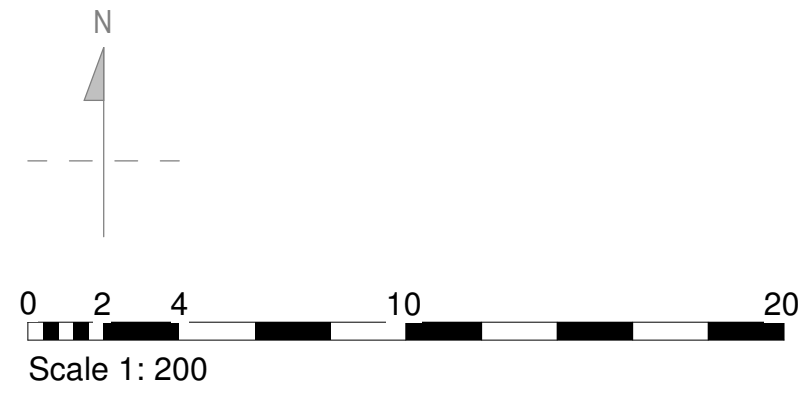
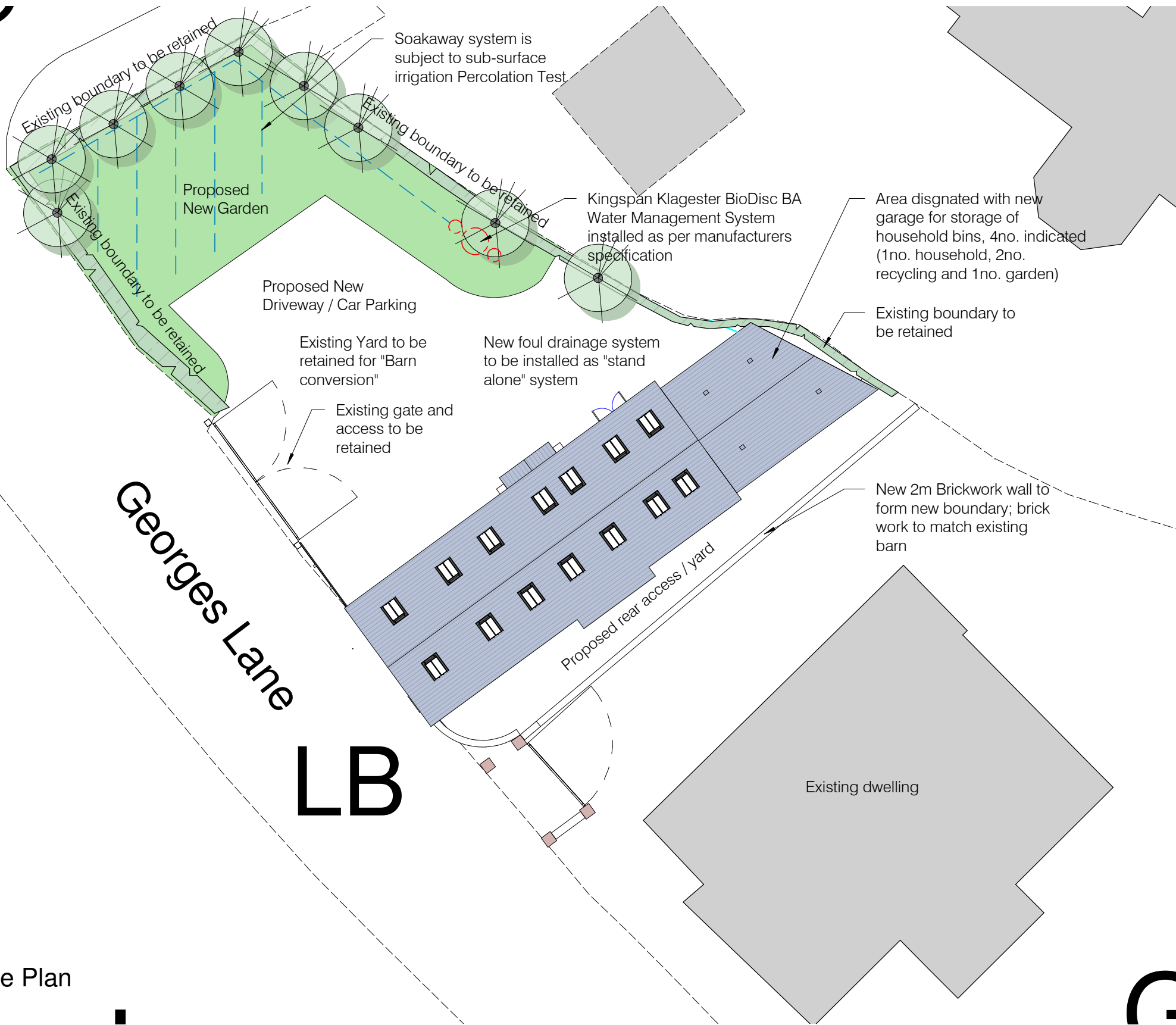
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| DRAWING NUMBER: | PROJECT: | ORIGINATOR: | ZONE: | LEVEL: | TYPE: | ROLE: | NUMBER: | REV: |
|---------------------------------|----------|-------------|-------|--------|-------|-------|---------|-------------------------|
| 22009-RWD-ZZ-XX-DR-A-00-002 | | | | | | | | C |
| ISSUE DATE: 14/07/2022 11:20:18 | | | | | | | | 14/07/2022 14:07:58:DAE |



RC



LB

Proposed Site Plan

Scale: 1 : 200

| Rev. | Description | Date | By | App. By |
|------|--|------------|----|---------|
| B | Issued for Planning | 14/07/2022 | RW | RW |
| A | client Amendments and update re Bat Survey | 01/07/2022 | RW | RW |

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| ORIGINAL BY: RW | INITIAL ISSUE: 10/12/19 | APPROVED BY: RW |
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| DRAWING NUMBER: | | | | | | |
| PROJECT ID | ORIGINATOR | ZONE | LEVEL | TYPE | ROLE | NUMBER |
| 22009 | RWD | ZZ | XX | DR | A | 00-003 |
| PLOT DATE: 14/07/2022 11:22:38 | | | | | | REV. B |
| | | | | | | 14/07/2022 LAST ISSUE DATE |

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|---|------------------------------|---|------------------------------|--|
| PROJECT INFORMATION: Proposed Barn Conversion Georges Lane Farm, Georges Lane Aston by Budworth CW9 6LS | PROJECT REF: 22009 | DRAWING TITLE: Proposed Site Plan | STATUS CODE: S2 | PURPOSE OF ISSUE: Issued for Information |
| MODEL REF & VERSION: | CLIENT: Mr & Mrs Elderton | CLIENT REF: | REFERENCING SHEET: 00-003 | Scale @A3 1 : 200 |

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