

DECISION NOTICE

Mr Melchor Miranda
c/o Mr Dan Renoso-Urmston
190 Horton Road
Manchester
M14 7QF

Date: 2nd October 2023

Our Ref: 23/03243/FUL
Your Ref: 053_HIG

Dear Mr Melchor Miranda c/o Mr Dan Renoso-Urmston_O-RU

DETERMINATION OF APPLICATION FOR FULL PLANNING PERMISSION

Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2015

Location:	The Highgate, Highgate, Whitchurch, Shropshire
Proposed Development:	Change of use from a removal business (Use Class E) to provide a hotel consisting of 11 bedrooms with ground floor coffee shop and dining room available for general public and for small conferences and events (Use Class C1 and E), erection of a single storey rear extension to provide kitchen, and erection of first floor extension to provide one additional bedroom with en-suite
Application No.	23/03243/FUL
Date Received:	25th July 2023
Applicant:	Mr Melchor Miranda

Shropshire Council hereby **GRANT FULL PLANNING PERMISSION** subject to the conditions listed below.

STANDARD 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(1) of the Town and Country Planning Act, 1990 (As amended).

2. The development shall be carried out strictly in accordance with the approved plans, drawings and documents as listed in Schedule 1 below.



Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

3. The external materials shall match in colour, form and texture those of the existing building.

Reason: To ensure that the works harmonise with the existing development.

4. The access, cycle stands, parking and turning areas shall be satisfactorily completed and laid out in accordance with the Proposed Site Plan Drawing No. -00-ZZ-DR-A-2005 P07 prior to the use being commencing. The approved parking and turning areas shall thereafter be maintained at all times for that purpose.

Reason: To ensure the formation and construction of a satisfactory access and parking facilities in the interests of highway safety.

5. The access apron shall be constructed in accordance with Shropshire Council's specification currently in force for an access and shall be fully implemented prior to the use commencing.

Reason: To ensure the formation and construction of a satisfactory access in the interests of highway safety.

CONDITIONS THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

6. Prior to any works associated with establishing the use at the premises, details of the extraction system, including noise information of any components (e.g. fans, attenuators) and details of odour abatement technologies, shall be submitted in writing to the planning authority for approval. The information must show where the extraction system will run including elevation drawings to show termination height and the maximum noise emissions predicted from the complete extraction system including fan noise and air movement noise in the form of xdB at y meters distance. The approved system shall be installed in full and maintained according to the manufacturers' instructions in perpetuity. Approval shall be sought upon each significant change to the type of food being prepared and therefore this condition shall stand as long as the use is permitted on this site.

Reason: To protect the amenity of the area and nearby residential properties.

CONDITIONS THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

7. The development hereby permitted shall only be used as a hotel consisting of 11 serviced bedrooms (Use Class C1) and café/restaurant (Use Class E) only and shall not be occupied as permanent unrestricted residential accommodation or as a primary place of residence.

Reason: To control the use and occupation of the building.

Schedule 1 - Approved plans, drawings, documents

Description	Reference	Date Received
Floor Plan - Proposed	0053-ORU-00-ZZ-DR-A-20200-P06	25.07.2023
Floor Plan - Proposed	0053-ORU-01-ZZ-DR-A-20201-P06	25.07.2023
Floor Plan - Proposed	0053-ORU-02-ZZ-DR-A-20202-P05	25.07.2023
Site Plan	0053-ORU-00-ZZ-DR-A-20005-P07	25.07.2023
Location Plan	0053-ORU-00-ZZ-DR-A-00001-P05	25.07.2023
Mixed/Combined Plans	0053-ORU-XX-ZZ-DR-A-00500-P04	25.07.2023
Mixed/Combined Plans	0053-ORU-XX-ZZ-DR-A-00501-P04	25.07.2023
Proposed Elevations	0053-ORU-XX-ZZ-DR-A-20300-P02	25.07.2023
Existing Elevations	0053-ORU-XX-ZZ-DR-A-20301-P02	25.07.2023

INFORMATIVES

Where there are pre commencement conditions that require the submission of information for approval prior to development commencing at least 21 days notice is required to enable proper consideration to be given.

Your attention is specifically drawn to the conditions above that require the Local Planning Authority's approval of materials, details, information, drawings etc. In accordance with Article 21 of the Town & Country Planning (Development Management Procedure) Order 2010 a fee is required to be paid to the Local Planning Authority for requests to discharge conditions. Requests are to be made on forms available from www.planningportal.gov.uk or from the Local Planning Authority. The fee required is £116 per request, and £34 for existing residential properties.

Failure to discharge pre-start conditions will result in a contravention of the terms of this permission; any commencement may be unlawful and the Local Planning Authority may consequently take enforcement action.

Works on, within or abutting the Public Highway

This planning permission does not authorise the applicant to:

- Construct any means of access over the publicly maintained highway (footway or verge) or
- carry out any works within the publicly maintained highway, or
- Authorise the laying of private apparatus within the confines of the public highway including any a new utility connection, or
- Undertaking the disturbance of ground or structures supporting or abutting the publicly maintained highway

The applicant should in the first instance contact Shropshire Councils Street works team. This link provides further details

<https://www.shropshire.gov.uk/roads-and-highways/road-network-management/application-forms-and-charges/>

Please note Shropshire Council require at least 3 months' notice of the applicant's intention to commence any such works affecting the public highway so that the applicant can be provided with an appropriate licence, permit and/or approved specification for the works together and a list of approved contractors, as required.

No Drainage to Discharge to Highway

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

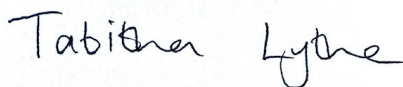
If your proposed project requires **Building Regulations Approval** or you are unsure whether it does please contact us on **01743 258710**, email buildingcontrol@shropshire.gov.uk or visit our website <https://www.shropshire.gov.uk/building-control/> for pre-application advice and a competitive fee.

As part of the planning process, consideration should be given to the information contained within Shropshire Fire and Rescue Service's "Fire Safety Guidance for Commercial and Domestic Planning Applications" which can be found using the following link:

<http://www.shropshirefire.gov.uk/planning-applications>

If your project relates to a **Listed Building** please be aware that if, during the process of obtaining Building Regulation Approval or undertaking Fire Safety works amendments to the scheme as approved under the Listed Building Consent are requested, it is very likely that you will need to amend your approved drawings regardless of how minor the alteration may be. If this is the case, please contact the Case Officer and they will determine what action is required. Work should not be proceed until appropriate amendment/s have been approved in writing by the Council. We would advise that the carrying out of unauthorised work could represent a criminal offence under Section 9(1) of the Planning (Listed Building & Conservation Areas) Act 1990 (as amended).

23/03243/FUL



Tabitha Lythe, Planning and Development Services Manager
Date of Decision: 2nd October 2023

NOTES

Conditions

You will see that your decision notice includes a number of conditions:

- You must comply with all of the conditions. If you are unclear about any of them, please contact the Planning Officer who dealt with the application.
- Some of the conditions may require you to submit further information to the Council for approval. Most conditions will need to be complied with before you start work on site.
- If you think any of the conditions are unreasonable you may appeal to the First Secretary of State, through the [Planning Inspectorate](#).
- Please also ensure that you comply with the requirements of any Legal Agreement that may accompany the planning permission.

Informatives

Your decision notice includes a number of informatives. This gives you some extra guidance and advice which will help the development process. Please note your Decision Notice gives permission only under the Town and Country Planning Acts. You may need other approvals, for example under the Building Regulations, or Party Wall Act, or permission from your neighbour to go onto his/her land.

Amendments

If you need to alter your approved drawings please send full details to us regardless of how small the alteration is. Your case officer will determine whether this can be agreed through a simplified exchange of correspondence or whether a revised application needs to be submitted. Further guidance can be found at www.shropshire.gov.uk/planning . You should not commence work until the amendment has been approved in writing by the Council. This is **particularly important** if the project involves a **Listed Building** and work should not be proceeded until appropriate amendment/s have been approved in writing by the Council. We would advise that the carrying out of unauthorised work could represent a criminal offence under Section 9(1) of the Planning (Listed Building & Conservation Areas) Act 1990 (as amended).

Appeals to the Secretary of State

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then the applicant can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990 (as amended).

An appeal must be made within six months of the date of this notice, or 12-weeks if the scheme is for that of "household" development, or minor commercial application, or within 8 weeks in the case of advertisement appeals.

Appeals can be made online

Householder Development Appeals - [Appeal a householder planning decision: Overview - GOV.UK \(www.gov.uk\)](#)

Full Planning Application - <https://www.gov.uk/appeal-planning-decision>

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 Tel: 0303 444 5000.

Where an enforcement notice has been served on the same, or substantially the same, development as in the application within 2 years of the date the application was made, the period for receiving an appeal is 28 days of the date on the decision notice or the date by which the LPA should have decided the application. Where an enforcement notice was served after the decision notice was issued or after the end of the period the LPA has to determine the application, the period for receiving an appeal is within 28 days of the date the enforcement notice was served (unless this extends the normal 12 week deadline).

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 any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority (appeals@shropshire.gov.uk) and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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 he 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 requiring the Council to purchase the interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990 (as amended).