

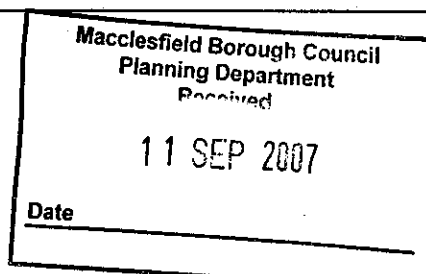
# Decision Notice

**Notice of Grant of  
planning permission**

Application No: 07/1041P

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**Emery Planning Partnership  
4 SOUTH PARK COURT  
HOBSON STREET  
MACCLESFIELD  
CHESHIRE  
SK11 8BS**



**Particulars of Development**

**ERECTION OF 9 THREE-STOREY BUILDINGS FOR CLASS B1 (BUSINESS) USE, 1 TWO/THREE-STOREY BUILDING FOR CLASS C1 (HOTEL) USE TOGETHER WITH ASSOCIATED HIGHWAYS, CAR PARKING AND LANDSCAPING INFRASTRUCTURE**

**Location**

**LAND AT TYTHERINGTON BUSINESS PARK MANCHESTER ROAD  
TYTHERINGTON MACCLESFIELD**  
for MR PHILIP WATKINS SMITH, THE LANCE GROUP

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 51 of the Planning and Compulsory Purchase Act 2004.

2. No development involving the use of any facing or roofing materials shall take place until details of all such materials have been submitted to and approved in writing by 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.

3. Prior to the commencement of development, details of the specification and design of any air conditioning equipment shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details. Any alteration or variation to the equipment should receive the prior written approval of the Local Planning Authority.

Reason: In the interests of amenity and to ensure the appearance of the equipment is acceptable.

4. Before the use hereby permitted is first implemented, details of the specification and design of equipment to extract and disperse cooking odours shall be submitted to and approved by the Local Planning Authority. The approved



# Decision Notice

scheme shall be implemented before the use first commences and shall be retained at all times thereafter. Any alteration or variation to the equipment should receive the written approval of the Local Planning Authority.

Reason: In the interests of amenity and to ensure the appearance of the equipment is acceptable.

5. No lighting of the development hereby approved is permitted without the prior consent of the Local Planning Authority.  
Reason: To ensure that lighting does not adversely affect visual amenity or highway safety having regard to adjoining land uses.
6. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within five years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species until the Local Planning Authority gives written consent to any variation.  
Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.
7.
  - a) No development or other operations shall commence on site until a scheme (herein after called the approved protection scheme) which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.
  - (b) No operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.
  - (c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
  - (d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.  
Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.
8. No development or other operations shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening, or any operations involving the use of motorised vehicles or construction machinery) until a detailed tree felling / pruning specification has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall commence on site until the approved tree felling and pruning works have been completed. All tree felling and pruning works shall be



# Decision Notice

carried out in full accordance with the approved specification and the requirements of British Standard 3998(1989) Recommendations for Tree Works.  
Reason: To ensure the continued well being of the trees in the interests of the amenity of the area.

9. No development shall commence on site until a landscape masterplan for the entire site has been submitted and approved in writing by the Local Planning Authority. The masterplan shall be generally in accordance with plan 07/107/01 version 8 submitted with the planning application.

Reason: To ensure appropriate landscaping of the site having regard to Section 197 of the Town and Countryside Planning Act 1990

10. No development shall commence on site until a scheme for the landscaping of the site has been submitted to and approved in writing by the Local Planning Authority, the landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes and proposed numbers / densities and an implementation programme.

Reason: To ensure appropriate landscaping of the site having regard to Section 197 of the Town and Country Planning Act 1990.

10 (A) The approved landscape scheme shall be implemented in accordance with a programme to be agreed with the Local Planning Authority and in accordance with the following:

- i) All hard and soft landscaping works shall be completed in full accordance with the approved scheme within the first planting season following the completion of each building or phase of the development hereby approved, or in accordance with a programme agreed with the Local Planning Authority.
- ii) All trees, shrubs and hedge plants supplied shall comply with the requirements of British Standard 3936 Specification for Nursery Stock. All pre-planting, site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).
- iii) All new tree plantings shall be positioned in accordance with the requirements of table 3 of British Standard 5837 2005 A Guide for Trees in Relation to Construction.
- iv) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site having regard to Section 197 of the Town and Countryside Planning Act 1990

11. Prior to commencement of development, details of the following additional biodiversity enhancements shall be submitted to and approved in writing by the Local Planning Authority:



# Decision Notice

Four new ponds designed to maximise their nature conservation value and be situated within and linked together by other semi-natural habitats such as hedgerows and grassland.

A programme of nest boxes erected on trees and buildings to include boxes for Birds of prey and swifts.

A programme of bat box erection on suitable buildings and trees.

Amphibian hibernacula (log piles or rubble piles covered with earth).

Incorporation of native tree and shrub species and fruit trees in the landscaping scheme as an additional food source for wildlife and birds.

Incorporation of an appropriate grassland mix on those areas shown as amenity grassland on the landscape master plan.

Wildlife corridors around the perimeter of the site.

**Reason:** To protect and enhance nature conservation interests.

12. Prior to the commencement of development, a further badger survey shall be undertaken in a manner to be agreed in writing with the Local Planning Authority. Any further mitigation measures required shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To protect the species concerned.

12(A) Prior to the commencement of development, a bat survey shall be undertaken by a suitable qualified and experienced person of any tree to be removed. Any further mitigation measures required shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To protect the species concerned.

13. Prior to the commencement of works between 1st March and 31 August in any year, a detailed survey is required to check for nesting birds. Where nests are found in any hedgerow, tree or shrub to be removed, a 4m-exclusion zone shall be left around the nest until breeding is complete. The completion of nesting should be confirmed by a suitably qualified person and a report submitted to the Council.

**Reason:** To comply with the Wildlife and Countryside Act 1981 as amended

14. Details of the existing ground levels, proposed ground levels and the level of proposed floor slabs shall be submitted before any development on the site first commences. Details which receive the written approval of the Local Planning Authority shall be implemented in full.

**Reason:** To ensure that any change in ground level is acceptable given the nature of the site and adjoining uses.

15. The details of phasing and timescales for all earthworks and all landscape works including opportunities for advance planting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction.



# Decision Notice

**Reason:** In the interests of residential amenity and visual character of the area.

16. The applicant shall carry out a CCTV survey of the entire length of the culvert and send out a copy of the report and details of any necessary remedial works to the Local Authority and the Environment Agency's prior written consent in accordance with the provisions of the Land Drainage Act 1991.

**Reason:** To reduce the risk of flooding. on the site

17. No development approved by this permission shall be commenced until a Scheme for the provision and implementation of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

**Reason:** To reduce the increased risk of flooding.

18. The 1 in 100 years return period plus climate change flood level has been Calculated to 144.4m above Ordnance Datum. Finished floor levels should be 600mm above the flood level to provide an allowance against errors in calculating the flood level and additional measure of defence against wind or vehicle generated waves. The minimum finished floor level of the buildings shall be 145.00m AOD.

**Reason:** To reduce the danger to intended occupants of the building from potential flooding.

19. Prior to being discharged into any watercourse, surface water sewer or Soak away system, all surface water drainage from the development shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor

**Reason:** To prevent pollution of the nearby watercourse.

20. Prior to the construction of any part of the development, a signal-controlled junction shall be constructed at the junction of the approved spine road and Manchester Road in accordance with a scheme of details, which have previously been submitted to and approved in writing by the Local Planning Authority, including the provision of pedestrian and cycle crossing facilities, the relocation and upgrading (to the County Councils 'Quality Partnership' standard) of the existing bus stops on Manchester Road that will be effected by the junction, the provision of cycle lanes and advanced stop lines and all associated signage and lighting.

**Reason:** In the interests of Highway Safety.

21. Prior to the occupation of any part of the development, the existing roundabout at the junction of the A523 Silk Road and Tytherington Lane shall be upgraded in accordance with a scheme of details, which have previously been submitted to and approved in writing by the Local Planning Authority.



# Decision Notice

**Reason:** In the interests of Highway Safety

22. All highways, footways and cycleways within the approved development, as indicated on the approved plans, shall be designed and constructed in complete accordance with the current edition of Cheshire County Council Design Aid for roads / highways and shall be constructed to the satisfaction of the Local Planning Authority / Highway Authority. No dwelling / building shall be occupied until that part of the highway / footway / cycleway network which provides access to it has been constructed in this way and up to base-course level. The wearing course shall then be completed to a timescale which has previously been agreed in writing by the Local Planning Authority, in conjunction with the Highways Authority.

**Reason:** In the interests of highway safety and to ensure that adequate access is provided for the approved development.

23. Prior to the commencement of the development hereby approved, the following drawings and details shall be submitted to and approved in writing by the Local Planning Authority :
- (i) detailed plans to a scale of not less than 1:500 showing the proposed highway layout, including dimensions of carriageway, footway, footpath, cycleway, bridleway, verge widths and visibility splays, the proposed buildings and site layout, the proposed floor levels, access roads and the drainage and sewerage system;
  - (ii) longitudinal sections along the centre line and channel lines of each proposed road showing the existing ground level and proposed ground level, and full details of surface water drainage proposals;
  - (iii) a typical highway cross-section showing a specification for the types of construction proposed for carriageways and footways / footpaths / cycleways/ bridleways;
  - (iv) detail of all proposed street lighting, signage and markings.
- No road works shall commence on site prior to the written approval of these details by the Local Planning Authority. The development shall thereafter be carried out in full compliance with the approved drawings and details and the development shall not be occupied until the road layout has been constructed in accordance with the approved plans.

**Reason:** In the interests of highway safety and to ensure that adequate access is provided for the approved development.

24. In the event that the proposed spine road is constructed (albeit on a temporary basis) without being linked to the spine road that runs through the adjacent site to the east of the site, a turning head shall be provided at the end of the spine road prior to it being brought into use in accordance with a scheme of details, which have previously been submitted to and approved in writing by the Local Planning Authority. This shall be retained until such time that the spine roads are linked together, at which point the turning head shall be removed in accordance with a scheme of details, which have previously been submitted to and approved in writing by the Local Planning Authority within three months of the date that the spine roads have been linked together.

**Reason:** In the interests of Highways Safety.



# Decision Notice

25. Each access on the spine road shall not be brought into use until visibility splays have been provided at either side of the access in accordance with a scheme of details, which has previously been submitted to and approved in writing by the Local Planning Authority. The splays shall be kept clear of any object, vegetation or other obstruction of a height exceeding 1.0 metre above the level of the adjacent carriageway at all times thereafter.  
Reason: In the interests of Highway Safety.
26. No gates or other means of obstruction shall be erected across the spine road or across any vehicular access within the approved development.  
Reason: In the interests of Highway Safety.
27. No part of the approved development shall be occupied until a 3m wide lit footway / cycleway has been provided along the full length of the spine road, a second 3m wide lit footway / cycleway has been provided through the landscaped area to the south from the spine road to the site's east boundary and links to the footway/ cycleway within the landscaped area have been provided from plots A&B and E&F along the lines indicated on the approved plans and in accordance with a scheme of details that has previously been submitted to and approved in writing by the Local Planning Authority. Details shall include details on surfacing, drainage, gradient, links shall be made available for use prior to the approved development being occupied and shall be retained and maintained so that they are available for use at all times thereafter.  
Reason: In the interests of Highway Safety.
28. The approved development shall not be occupied until two bus stops have been provided on the spine road (one for each direction) in accordance with a scheme of details, which has previously been submitted to and approved in writing by the Local Planning Authority. The bus stop shall be the County Council's 'Quality Partnership' standard, including the provision of raised kerbs, carriageway markings, flag pole, crossing point and bus shelter and shall be made available for use prior to the approved development being occupied and shall be retained and maintained so that they are available for use at all times thereafter.  
Reason: In the interests of Highway Safety.
29. Turning facilities shall be provided within each plot so as to enable service vehicles to enter and leave each plot in a forward prior to each plot being occupied in accordance with a scheme of details, which has previously been submitted to and approved in writing by the Local Planning Authority. The facilities shall then be retained, kept clear and remain available for use at all times thereafter.  
Reason: In the interests of Highway Safety.
30. Before any of the operations involving the construction of the development hereby approved are commenced, which involve the movement of materials in bulk to or from the site, facilities shall be provided as may be agreed with the Local Planning Authority, in conjunction with the Highway Authority, to prevent the deposition of extraneous matter (mud, debris, etc) on the public highway and shall thereafter be retained and used whenever the said operations are carried



# Decision Notice

out.

Reason: In the interests of highway safety.

31. No work shall take place on site until a method statement has been submitted to and approved in writing by the Local Planning Authority, in conjunction with the Highway Authority, which outlines the method of construction, details of deliveries to the site during construction, how and where materials will be unloaded and details of where contractor's vehicles will park. The development shall then be constructed / works shall take place in complete accordance with the method statement.

Reason: In the interests of highway safety to minimise disruption to vehicular traffic and pedestrian routes.

32. Parking (including designated spaces for disabled persons (6%) and car sharers) shall be provided within each plot in accordance with the adopted parking standards and a scheme of details that has previously been submitted to and approved by the Local Planning Authority prior to each plot being occupied. The spaces shall be retained at all times thereafter, unless otherwise approved in writing by the Local Planning Authority and in conjunction with the operation of a Travel Plan.

Reason: To comply with current policy in respect of car, motorcycle and cycle parking arrangements.

33. Short-stay and long-stay cycle parking and parking for motorcycles, mopeds or scooters shall be provided within each plot in accordance with a scheme of details, which has previously been submitted to and approved by the Local Planning Authority prior to each plot being occupied. Long stay parking cycle parking shall be provided for a minimum of 10% of staff, parking for motorcycles, mopeds or scooters shall also be provided for a minimum of 10% of staff and a minimum of 6 short-stay cycle stands shall be provided for each building. The parking shall be retained at all times thereafter, unless otherwise approved in writing by the Local Planning Authority and in conjunction with the operation of a Travel Plan.

Reason: To comply with current policy in respect of car, motorcycle and cycle parking arrangements.

34. Shower, changing, locker and drying facilities shall be provided prior to the occupation of the approved building / development and retained at all times thereafter to provide facilities to allow staff / visitors to shower, change and store and dry their clothing, in order to encourage cycling and walking to the premises. Before any development first commences details of the proposed facilities, including the number of showers and lockers, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To encourage the use of alternative forms of transport to the site, other than the private car, having regard to PPG13 - Transport.

35. The approved building(s) shall not be occupied until all areas of hardstanding, including car parks, driveways, footways, turning facilities and service areas / yards, as indicated on the approved plan(s), have been laid out, drained, surfaced and marked out with white lining, or similar (if applicable) in accordance with details which have previously been submitted to and approved in writing by the





# Decision Notice

Local Planning Authority. The areas shall then be retained at all times thereafter for their intended use.

Reason: In the interests of highway safety.

36. Pedestrian visibility splays shall be provided within the site in accordance with plans approved in writing by the Local Planning Authority prior to the commencement of development. The approved splays shall be provided prior to the approved development being occupied or brought into use. The splays shall be kept clear of any object, vegetation or any other obstruction of a height exceeding 0.6m above the level of the adjacent footway / drive / parking area at all times thereafter.

Reason: In the interests of highway safety.

37. The approved development shall not be occupied until all the pedestrian crossing points at access / junctions on Manchester Road (between the site and its junction with Brocklehurst Way) and on Marlborough Drive (between its junction with Manchester Road and the first bus stops along the road) that do not have dropped kerbs and / or tactile paving have been upgraded through the provision of dropped kerbs and tactile paving in accordance with a scheme of details which has previously been submitted to and approved in writing by the Local Planning Authority in conjunction with the Highway Authority.

Reason: Having regard to levels on the site and for the avoidance of doubt.

38. The approved spine road, footways and cycle ways and basement threshold levels shall all be constructed so that they are at a level that is at or greater than 144.40m AOD. Prior to the commencement of any development, details of existing and proposed levels throughout the site shall be submitted to the Local Planning Authority for written approval and then the development shall be constructed in accordance with the approved details.

Reason: In the interest of highway safety and residential amenity

39. Prior to the commencement of the development hereby approved, details of a scheme to sign the development for pedestrians, cycles and vehicles (including in the short term in the event that the link road or the footways/ cycle link to the Middlewood Way is not available for use) shall be submitted to the Local Planning Authority for written approval. The approved scheme shall then be implemented prior to the approved development being occupied.

Reason: In the interests of amenity to future occupiers of the site and adjacent residential property.

40. Prior to the commencement of the development hereby approved, details of a scheme to provide surface water storage shall be submitted to the Local Planning Authority for written approval. The approved scheme shall then be implemented prior to the approved development being occupied and shall be retained in this way at all times thereafter.

Reason: A number of detailed revisions are required to accommodate interests of highway safety before any development commences.



# Decision Notice

41. Prior to the commencement of the development hereby approved, a revised plan which addresses all outstanding highway / transport issues shall be submitted to the Local Planning Authority for written approval. The approved scheme shall then be implemented prior to the approved development being occupied.  
Reason: For the avoidance of doubt and to ensure highway safety.
42. No use of Pool End Road shall be made for any form of access to the development including none for maintenance of the adjoining footpath/ cycleway and recreational area.  
Reason: To protect the residential amenities of properties on Pool End Road and Pool End Close.
43. Prior to the construction of any part of the development the proposed spine road shall be constructed up to base course level to join the existing Springwood Way so as to enable construction traffic to enter and leave the site from either direction.  
Reason: To provide the opportunity for construction traffic to be spread onto different parts of the local highway network.
44. The hours of construction of the development shall be restricted to 0730 to 1800 hours on Monday to Friday, 0730 to 1400 hours on Saturday, with no work at any other time including Sundays and Public Holidays.  
Reason: To protect the amenities of nearby residents and the occupiers of nearby property.
45. Before any of the operations involving the construction of the development hereby approved are commenced, which involve the movement of materials in bulk to or from the site, facilities shall be provided as may be agreed with the Local Planning Authority, in conjunction with the Highway Authority, to prevent the deposition of extraneous matter (mud, debris, etc) on the public highway and shall thereafter be retained and used whenever the said operations are carried out.  
Reason: In the interests of highway safety.
46. Should any residential property adjacent to the development notify in writing to the Local Planning Authority of a reduction in television reception levels, the developer shall undertake such study as may be agreed with the Local Planning Authority to identify the reasons for such reduction and shall bring forward proposals to restore the levels of reception to the pre-development conditions. The agreed proposals shall be implemented in accordance with a timescale agreed in writing with the Local Planning Authority.  
Reason: The development of the adjacent part of the Business Park led to some reduction in television reception to adjoining residential properties.
47. The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 56(4)(a) of the Town and Country Planning Act 1990 in relation to the development, until a planning obligation pursuant to s.106 of the said Act relating to the land has been made and lodged with the local Planning Authority and the Local Planning Authority has



# Decision Notice

notified the persons submitting the same in writing that it is to the local planning authority's approval.. The said planning obligation will provide for the following.

- a) Requirement to link up the proposed spine road with the spine road that runs through the adjacent business park site Springwood Way as soon as can be achieved and for it to be available for use.
  - b) Requirement for the developer (and any successors) to produce a single Travel Plan for the site, and associated initiatives, in accordance with local and national standards, guidance and best practice and to require its operation at all times while the development is occupied, including the requirement for all occupiers to be required to take part in its operation and the requirement to link with other travel plans that operate in the area. Such Travel Plan will include procedures for monitoring, review and remedial action.
  - c) The requirement for developer (and any successors) to develop and operate a package of public / passenger transport measure from first occupation to meet the development's public/ passenger transport, requirements and allow the site's Travel Plan aims, objectives to be met, which will be based on a package of measures that have previously been approved by the Highway Authority.
  - d) The requirement for a car parking management regime to be developed for the site, which include the provision of Traffic Regulation Orders on the spine road and other roads within the vicinity of the site if required to allow the aims and objectives of the Travel Plan to be met.
  - e) The roundabout of the A523 / Tytherington Lane to be upgraded in accordance with a scheme of details prior to the occupation of any part of the development and with a funding regime to enable this to occur.
  - f) The footpath / cycleway link between Manchester Road and the Middlewood Way and the associated recreation area to be handed over to the Borough Council following an appropriate implementation period; the timescales for the implementation of these works and committed sums for ongoing maintenance.
- Reason: To mitigate the impact of this major development on the local area including the adjacent properties.

- g) A landscape management plan to be submitted for approval, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, for a period of 15 years.

Reason: To ensure the appropriate long-term management of the site.

The reason(s) for approving this application is/are:

1. The points raised in objections have been considered. However, the proposal complies with the relevant policies of the Development Plan and is considered to be acceptable.
2. The proposal follows an earlier planning application that was refused. This new application adequately addresses the shortcomings to the previous proposal and is considered to be acceptable.
3. The proposal has an acceptable relationship with adjacent buildings and the wider streetscene.
4. The proposal has an acceptable impact upon the amenities of neighbouring properties.



# Decision Notice

**INFORMATIVE** The policies and proposals in the Development Plan relevant to this decision are: Cheshire 2016: Structure Plan Alteration - GEN3, IND1, T1, T3 and Macclesfield Borough Local Plan - BE1, NE4, NE11, RT1, RT6, RT7, RT8, RT14, E1, E2, E3, E4,

Development Control Policies AD02, AD09, AD14, AD15.

**INFORMATIVE** The Council has granted planning permission for the development incorporating a 2/3-storey hotel. Once an operator for the hotel use has been agreed with the developer, the Council hopes that a two storey only form of hotel development could be achieved along the site frontage to Manchester Road / Tytherington lane.

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**INFORMATIVE:** Requested by the Highway Authority.

The applicant will need to enter into a Section 38 Agreement, under the Highways Act 1980, regarding the construction and future adoption of the proposed roads. The applicant / developer should contact Cheshire County Council Engineering Service's Macclesfield Area Highways Office with respect to this matter.

**INFORMATIVE :** The applicant will need to enter into a Section 278 Agreement, under the Highways Act 1980, regarding the construction of the proposed junction / footway. The applicant / developer should contact Cheshire County Council Engineering Service's Macclesfield Area Highways Office with respect to this matter.

**INFORMATIVE** The developer is reminded that it is an offence to allow materials to be carried from the site and deposited on, or damage the highway, from uncleaned or badly loaded vehicles. The Highway Authority (Cheshire County Council) may seek to recover any expense incurred in clearing, cleaning or repairing highway surfaces and may prosecute persistent offenders (Highways Act 1980, Sections 131, 148 and 149). The surface water drainage system of the site of the proposed works should be designed and constructed in complete accordance with the Environment Agency's Pollution Prevention Guidelines (PPG) 3 'Use and Design of Oil Separators in Surface Water Drainage Systems'.

Under the terms of the Water Resources Act 1991, the prior agreement of the Environment Agency is required for discharging dewatering water from any excavation or development to a surface watercourse.

**INFORMATIVE :** Requested by the Environment Agency.

The Proposed development is in a location served by public sewers. We understand that the development could be connected to a public sewer and requests you to discuss this option with the Council's Building control Officer and/ or North West Water Ltd.

No building material or rubbish must find its way into the watercourse. Only clean surface water from roofs and paved areas should be discharged to any surface water soak away.

We should be notified prior to the felling of any trees - any necessary tree works should take place outside of the bird-nesting season. Under the Countryside and Rights of Way



# Decision Notice

Act 1981, it is an offence to damage/destroy nesting birds.

Watercourse realignment details should be submitted for land drainage consent prior to commencement of works. It is our policy to seek opportunities for the removal of culverts where possible.

Appropriate native species of flora should be used in the planting scheme.

Though not recognised in the text, PPS9 / wildlife and nature conservation interests should be included in this development.

Any opportunities for the enhancement of biodiversity identified in the ecological reports should be included in the development plans. Where possible.

Should there be no alternative but to fell any native mature trees or hedgerows which are considered of high ecological value, mitigation may be sought via the incorporation of green roofs into the development.

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**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. 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.



# Decision Notice

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: 28-Aug-2007

Address Town Hall  
Macclesfield  
Cheshire

JK

Signed.....  
Chief Planning Officer

