



**Notice of Grant of
planning permission**

Application No: 03/3214P

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

**TURLEY ASSOCIATES
THE CHANCERY
58, SPRING GARDENS
MANCHESTER
M2 1EW**

**SUBJECT TO
LEGAL
AGREEMENT**

Particulars of Development

**RELOCATION OF EXISTING GARDEN CENTRE AND LANDSCAPE
CONTRACTORS BUSINESS (OUTLINE PLANNING PERMISSION)**

Location

**LAND NORTH OF BOLLINGTON LANE AND WEST OF CONGLETON ROAD (A34)
NETHER ALDERLEY
for I AND W URQUHART**

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. Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site [the reserved matters] shall be obtained from the Local Planning Authority in writing before any development is commenced.
Reason The application is for outline permission with these matters reserved for subsequent consideration.
2. Application for approval of reserved matters shall be made 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.
3. The development hereby approved shall commence before whichever is the later of the following dates: (a) within five years of the date of this permission (b) within two years of approval of the last of the reserved matters to be approved.
Reason To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.
4. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the siting, design and external appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
Reason The application is for outline permission with these matters reserved for subsequent consideration.



5. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours*; means of enclosure*; car parking layouts*; other vehicle and pedestrian access and circulation areas*; hard surfacing materials*; minor artefacts and structures (eg furniture, play equipment, refuse or other storage units, signs, lighting etc)*; proposed and existing functional services above and below ground (eg drainage, power, communications cables, pipelines etc indicating lines manholes, supports etc)*; retained historic landscape features and proposals for restoration, where relevant.
Reason To ensure appropriate landscaping of the site having regard to Section 197 of the Town and Country Planning Act 1990.
6. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.
Reason To ensure appropriate landscaping of the site having regard to Section 197 of the Town and Country Planning Act 1990.
7. The hours of trading at the site shall be 0900 to 1800 Monday to Saturday and 1000 to 1800 on Sunday.
Reason The site lies within a rural area and within the North Cheshire Green Belt.
8. 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 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless 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.
9. (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.

10. 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 Levels Survey, which provides for the retention of trees on the site, has been submitted to and approved in writing by the Local Planning Authority. No alterations in site levels shall take place, except in complete accordance with the approved Survey. The Survey shall include existing and proposed spot levels at the base of and around the crown spreads of all trees specified for retention.

Reason To ensure the continued well being of the trees in the interests of the amenity of the locality.

11. The existing hedges which are shown as being retained on the approved plans, shall not be cut down, grubbed out or otherwise removed, or topped or lopped so that the height of the hedge falls below 1metre at any point, without the written consent of the Local Planning Authority. Any hedges removed without such consent or which die or become severely damaged shall be replaced with hedging plants of such size and species as may be agreed with the Local Planning Authority. Any hedges dying or becoming seriously diseased within five years of the completion of the development shall be replaced with hedging plants of such size and species as may be agreed with the Local Authority.

Reason To ensure the continued well being of hedges in the interests of the amenity of the location.

12. The approved development shall not be occupied until the approved access that is required for the development has been constructed in accordance with the approved plans (unless it requires amendment to take into account the proposed highway improvement scheme) and has been formed and graded to the specification of the Local Planning Authority / Highway Authority, which is available from the Highway Authority, and any required visibility splays have been provided, all to the complete satisfaction of the Local Planning Authority.

Reason In the interests of highway safety.

13. The approved access shall not be brought into use until visibility splays of 2.4 by 120.0m to the south-west and 2.4 by the site frontage to the north-east (measured down the centre line of the access road and the nearside channel line of the Bollington Lane, as indicated on the approved plans) have been provided at the point of access / vehicular crossing indicated on the approved plan. The splays shall be kept clear of any object, vegetation or other obstruction of a height exceeding 1.0 metres above the level of the adjacent carriageway at all times thereafter.

Reason In the interests of highway safety.

14. Any gate, bollard, chain or other means of obstruction across the approved access that will serve the approved development shall be positioned at least 25 metres from the back edge of the carriageway, as indicated on the approved



plans, and shall be constructed to open into the site only.

Reason In the interests of highway safety.

15. Prior to the construction of any part of the development, the junction of Bollington Lane with Congleton Road (A34) shall be upgraded / improved in accordance with a scheme of details, which have previously been submitted to and approved in writing by the Local Planning Authority, in conjunction with the Highway Authority, and to the complete satisfaction of both Authorities. The improvements shall include the upgrading of the junction itself, together with the construction of 2m wide footways around the junction bellmouth and shall be designed to take into account the Highway Authority's proposals for the junction improvement. Visibility splays formed as part of the junction improvements 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.

16. The turning facilities / areas, as indicated on the approved plans, shall be provided prior to the approved development being occupied and then be retained, kept clear and be available for use at all times thereafter so as to provide a facility to allow vehicles, including articulated HGVs, to enter and leave the site in a forward direction.

Reason In the interests of highway safety.

17. The approved development shall not be occupied until space has been laid out within the site for the parking of 112 cars (67 permanent spaces for customers, 9 permanent spaces for staff and 36 overflow spaces), in accordance with drawing 01C. Parking so provided, including the approved / agreed number of spaces for disabled persons, shall be retained at all times thereafter.

Reason To ensure parking is provided at all times.

18. A covered and secure cycle store/s shall be provided prior to occupation of the approved building / development and retained at all times thereafter to provide a suitable facility for the parking of at least 6 cycles. Before any development first commences, details of the proposed store shall be submitted to and approved by the Local Planning Authority.

Reason To encourage means of transport to the site by means other than the private car.

19. The approved building/s shall not be occupied until all areas of hardstanding, including car parks, driveways, footpaths, 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 Local Planning Authority. The areas shall then be retained at all times thereafter for their intended use.

Reason To ensure these facilities are available for proper use.

20. Pedestrian visibility splays shall be provided within the areas hatched red on the approved plan prior to approved building / development being occupied. 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 pedestrian and highway safety.



21. 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'. Before any approved development commences the applicant shall submit full details of any separator, or similar, that is required based on PPG3. No work shall take place on site until the submitted details have received the written approval of the Local Planning Authority. The development shall not be occupied / brought into use until the required separator has been installed ready for operation. The separator shall be retained at all times thereafter and shall be maintained in accordance with PPG3.
Reason In the interests of public health and safety.

22. Information on public transport, cycle routes, delivery services operated by the business etc., including up-to-date timetables, bus route maps, maps of cycle routes etc. shall be provided prior to occupation and shall be displayed in a prominent position in the building, such as at the main entrance, to encourage the use of non-car forms of transport. Prior to the occupation of the approved development, full details of this information, its form and where it will be located, shall be submitted to and approved by the Local Planning Authority. The information shall then be provided, as approved, at all times thereafter and kept up to date on at least a six-monthly basis.
Reason To encourage means of transport to the site by means other than the private car.

23. The approved garden centre shall not be brought into use / commence operations until the existing operations at Alderley Park Nurseries (Matthews Garden Centre) have permanently ceased.
Reason The proposal is for relocation of this business only.

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

1. The proposal does not comply with all relevant policies of the Development Plan. However, other material considerations have been taken into account, namely that the proposal is a relocation of an existing business sited opposite the proposed site and the application is considered to be acceptable.

INFORMATIVE The policies and proposals in the Development Plan relevant to this decision are: Cheshire Replacement Structure Plan - Cheshire 2011 - GEN3, GEN 2, R1 and Macclesfield Borough Local Plan 2011 - GC1, GC2, GC3

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.

Dated: 09-Mar-2005

Address Town Hall
Macclesfield
Cheshire

JK

Signed.....
Chief Planning Officer