

Emery Planning
1-4 South Park Business Court
Hobson Street
Macclesfield
SK11 8BS

Development Management
PO Box 606
Municipal Buildings
Earle Street
Crewe
CW1 9HP

email: planning@cheshireeast.gov.uk

DECISION NOTICE

Application No: **22/2661M**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Particulars of Development
Construction of a dwelling and associated works

Location
4, ST PETERS AVENUE, KNUTSFORD, CHESHIRE, WA16 0DN

for **Alison Thompstone**

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

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

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

2. The development hereby approved shall be carried out in total accordance with the approved plans numbered:-
 - Location plan (02)001;
 - Existing site plan (02)010;
 - Existing street scene elevation (02)020;

- Proposed site plan (04)100C;
- Proposed ground floor plan (04)200B;
- Proposed first floor plan (04)201C;
- Proposed north and west elevations (04)300B;
- Proposed south and east elevations (04)301A; and
- Proposed street elevation (04)302A.

Received by the Local Planning Authority on 30 June 2022 and 3 May 2023 except where varied by other conditions of this permission.

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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 Class(es) A, B and E of Part 1 Schedule 2 of the Order shall be carried out.

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

4. 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 (excluding demolition and site clearance works). Details which receive the written approval of the Local Planning Authority shall be implemented in full, unless alternative details are otherwise approved in writing by the Local Planning Authority.

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

5. Notwithstanding the details on the approved plans, no development involving the use of any facing or roofing materials (including boundary treatments) 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 unless any variation is agreed in writing by the Local Planning Authority.

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

6. Before work on external walls first commences, a sample panel of brickwork

shall be made available for inspection by the Local Planning Authority. Any such panel which receives the written approval of the Local Planning Authority shall be retained throughout the period of development and shall form the basis of work to walls and external surfaces of the development.

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

7. The approved development shall not be occupied until space has been laid out within the site for the parking of two cars in accordance with drawing (04)100C. Parking so provided, shall be retained at all times thereafter, unless otherwise approved by the Local Planning Authority.

Reason: To ensure that an adequate level of car parking is provided and retained for the development.

8. Any lighting installed directly beneath the roof lights shall not emit light upwards. Only downward facing ambient lighting to spill from the roof lights upwards is permitted. All exterior lighting if erected shall be capped at the horizontal with no upward light spill.

Reason: For flight safety and to prevent distraction or confusion to pilots using Manchester Airport.

9. During the demolition and construction of the work hereby approved, robust measures must be taken to control dust and smoke clouds.

Reason: For flight safety, as dust and smoke are hazardous to aircraft engines and as dust and smoke clouds can present a visual hazard to pilots and air traffic controllers.

10. Prior to the first use of the building hereby approved, a strategy for the incorporation of features to enhance the biodiversity value of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The submitted strategy should include proposals for the provision of features for nesting birds, including house sparrows. The approved features shall be permanently installed to an agreed timetable and thereafter retained.

Reason: To safeguard biodiversity.

11. (a) No development or other operations shall take place except in complete accordance with the approved protection scheme (drawing referenced

CW/10849-P-TP).

(b) No operations shall be undertaken on site in connection with the development hereby approved (including 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 and in accordance with policy DC9 of the Macclesfield Borough Local Plan 2004.

12. (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 prior to importation to site.

(b) Prior to occupation, evidence and verification information (for example, laboratory certificates) shall be submitted to, and approved 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.

13. 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.

National Planning Policy Framework:

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.

Community Infrastructure Levy (CIL):

The development approved by this permission may be liable for a charge under the Community Infrastructure Levy Regulations (as Amended) 2010. If your scheme is liable, and you have not already done so, you must submit an 'Assumption of Liability Notice' to the Council before development commences. If your scheme is issued with a CIL charge, it is essential you submit a 'Commencement Notice' to the Council before the development commences and await the Council's acknowledgement. Any relevant applications for 'Relief' or 'Exemption' must be submitted to the Council before commencement of development. Any relevant applications for 'Relief' or 'Exemption' which are applied for after development is deemed to have commenced will be refused.

The Council will impose penalties where the correct forms are not submitted, are late, or where the information provided is inaccurate.

All forms are available at www.cheshireeast.gov.uk/cil and once completed, should be emailed to cil@cheshireeast.gov.uk

For further information you can contact the Council's CIL Team on cil@cheshireeast.gov.uk or Tel: 0300 123 5014.

Noise Generative Works:

Under the Control of Pollution Act 1974, Environmental Health recommend that the hours of noise generative* demolition / groundworks / construction works taking place during the development (and associated deliveries to and from the site) are restricted to:

| | |
|-----------------------------|--------------------|
| Monday – Friday | 08:00 to 18:00 hrs |
| Saturday | 09:00 to 14:00 hrs |
| Sundays and Public Holidays | Nil |

Noise generative works outside of these hours may result in action by the Environmental Protection Team to serve a legal notice on the property or construction site under the Control of Pollution Act 1974.*

***Noise Generative** is defined as any works of a construction / demolition nature (including ancillary works such as deliveries) which are likely to generate noise beyond the boundary of the site.*

Manchester Airport Aerodrome Safeguarding:

The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please see:

<https://publicapps.caa.co.uk/docs/33/CAP1096%20E2.1%20September%202020%20FINAL.pdf>

Network Rail:

Attention is drawn to the contents of the letter from Network Rail. The applicant / developer should seek to ensure that any statutory requirements contained in this letter are satisfied.

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: 15th May 2023

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.](#)

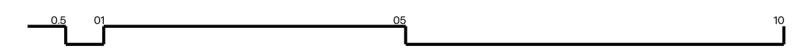
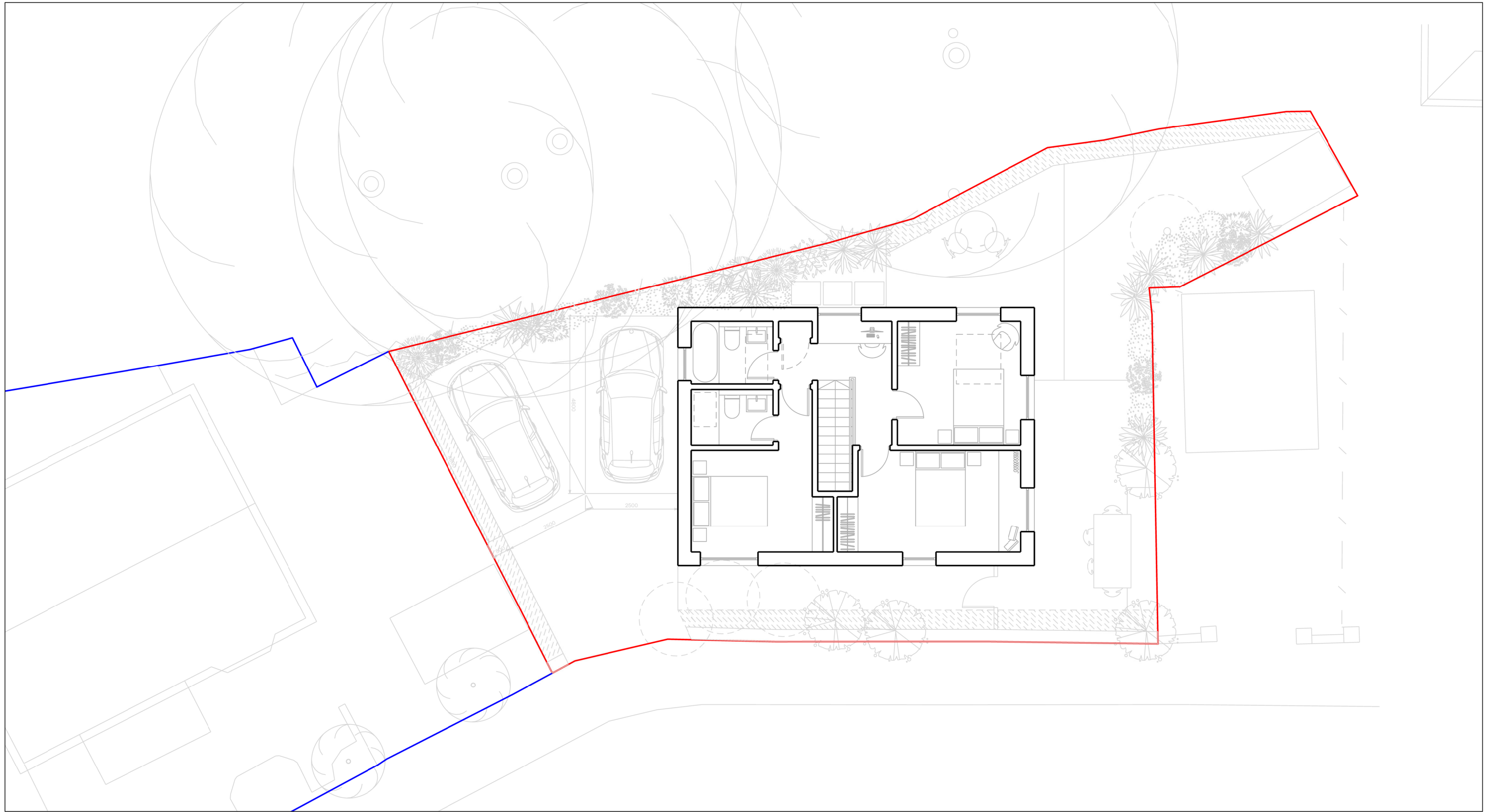
Appeals can be made online at <https://www.gov.uk/planning-inspectorate> If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on 03034445000. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

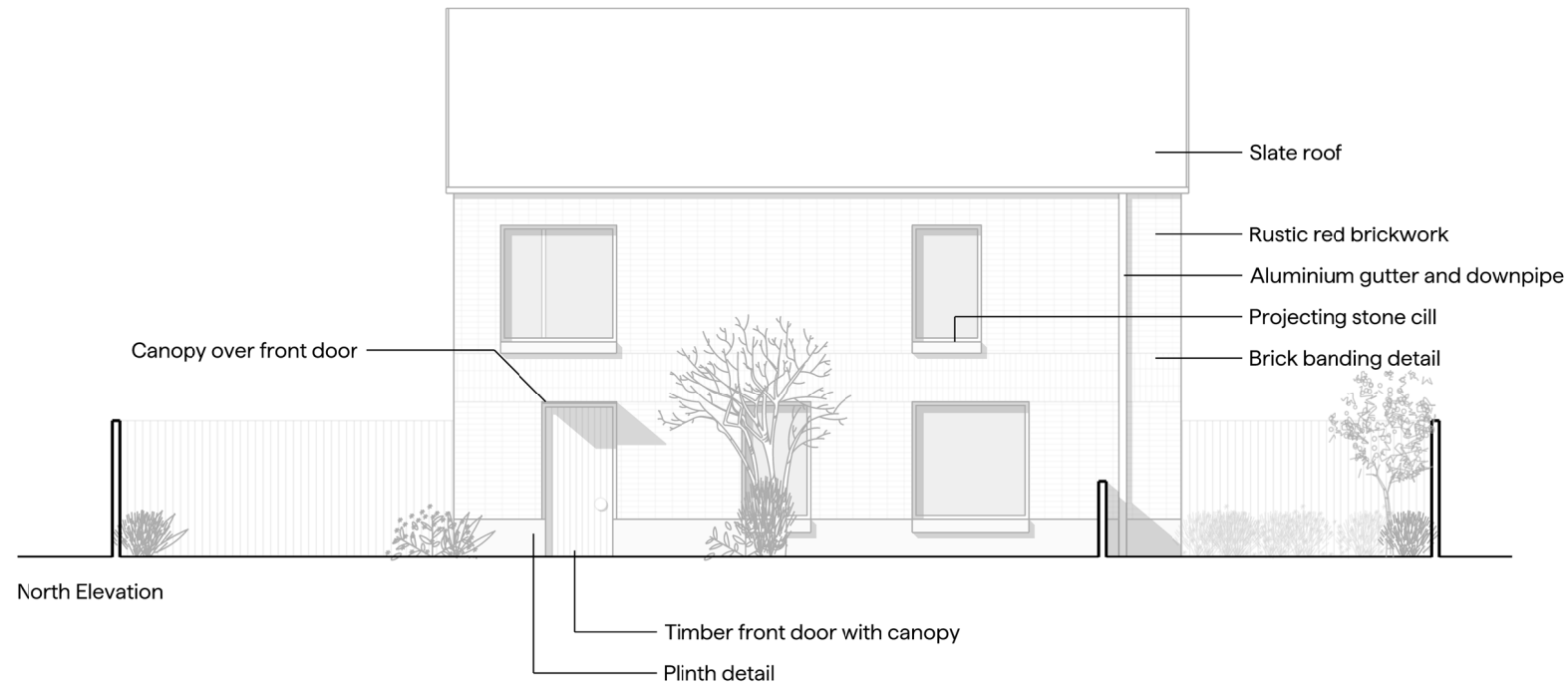
The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Purchase Notices

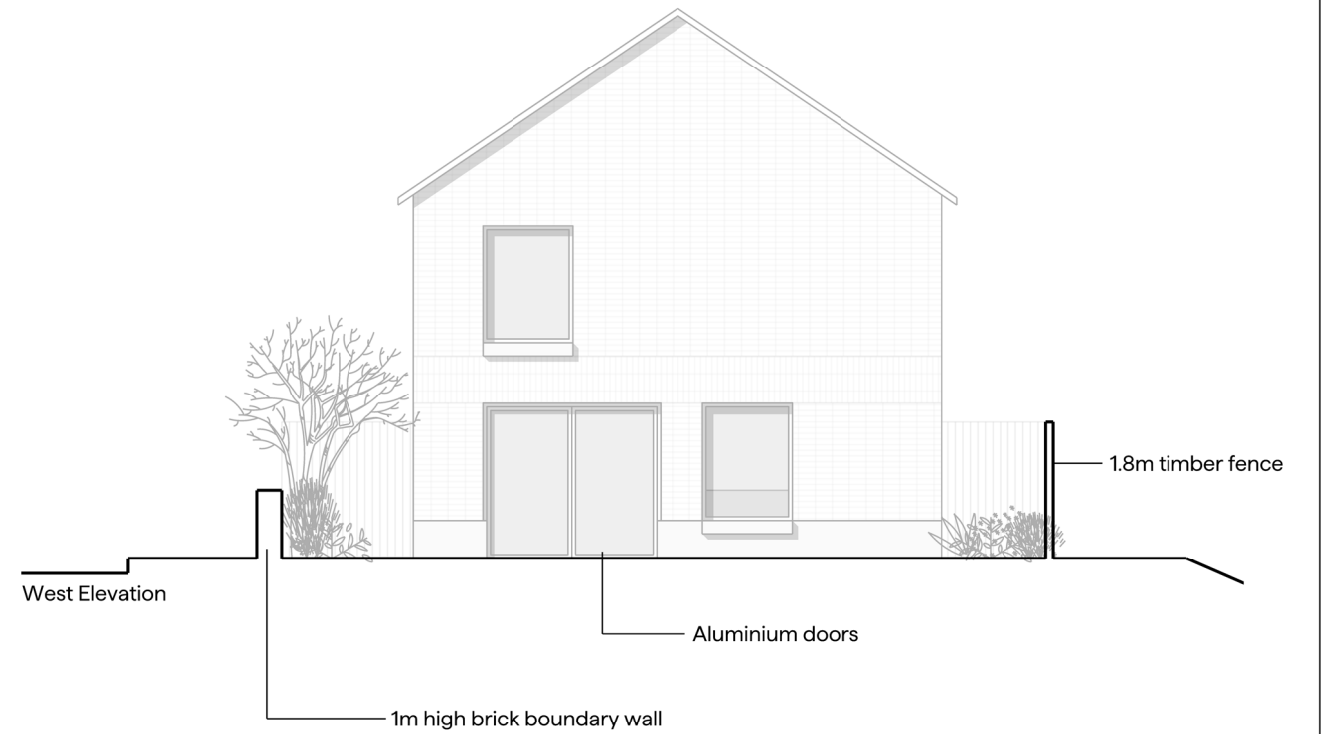
If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use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

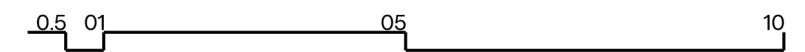


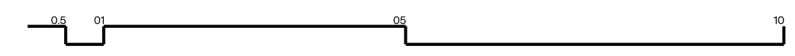
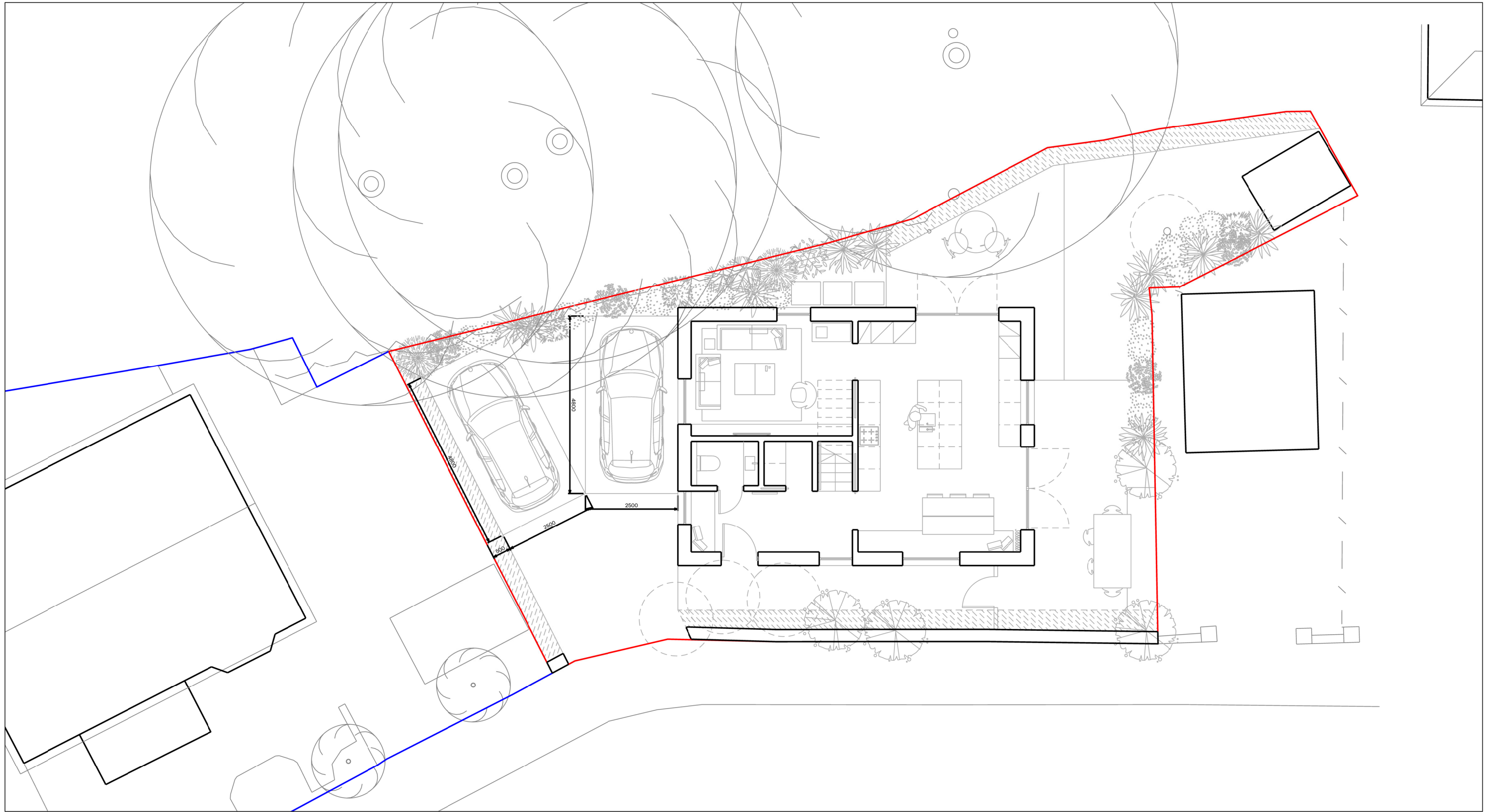


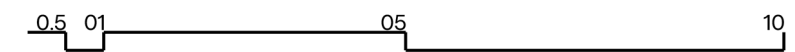
North Elevation

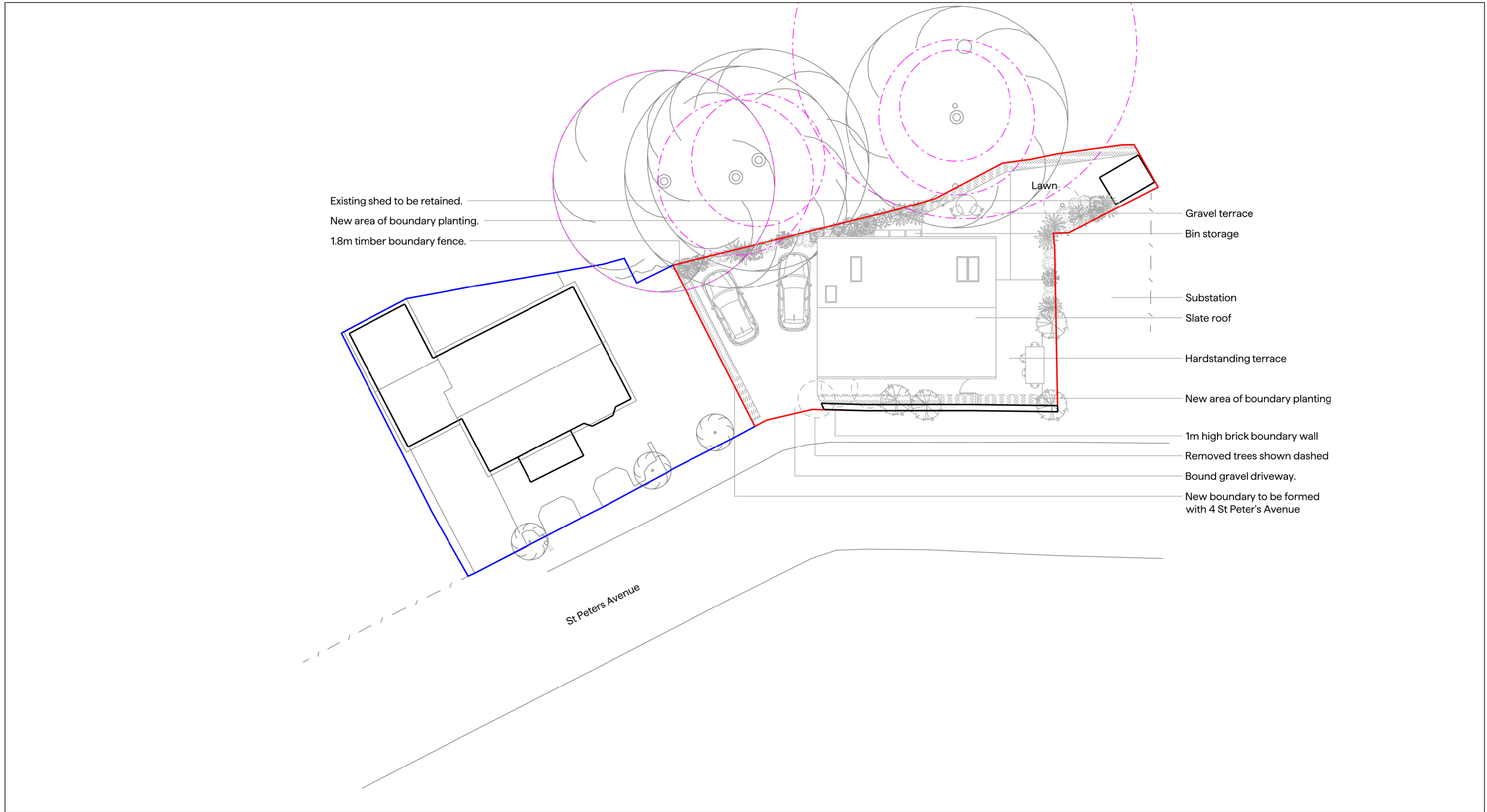


West Elevation









Existing shed to be retained.
 New area of boundary planting.
 1.8m timber boundary fence.

Gravel terrace
 Bin storage
 Substation
 Slate roof
 Hardstanding terrace
 New area of boundary planting
 1m high brick boundary wall
 Removed trees shown dashed
 Bound gravel driveway.
 New boundary to be formed with 4 St Peter's Avenue

St Peter's Avenue

Lawn

