



Working for a brighter future together

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## DECISION NOTICE

Application No: **25/1432/FUL**

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

Particulars of Development

**Single dwelling to replace existing outbuilding.**

Location

**Willow Glade Peover Lane, Chelford, Macclesfield, Cheshire East, SK11 9AJ**

for **Mr and Mrs Stock**

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**

**2. The development hereby approved shall be carried out in total accordance with the approved plans: Drawing No. SCP/240999/SK01 (Site Access Arrangement and Visibility Splays) received by the Local Planning Authority on 29th May 2025 and: Drawing No. 2414-1002 C (Location Plan) Drawing No. 2414-1001 D (Proposed Site Plan) Drawing No. 2414-203 A (Proposed Side Elevation) Drawing No. 2414-204 A (Materials) Drawing No.**

**2414-201 C (Proposed Front and Rear Elevations) Drawing No. 2414-202 A (Proposed Side Elevation) Drawing No. 2414-101 B (Proposed Ground Floor Plan) Drawing No. 2414-102 A (Proposed First Floor Plan) received by the Local Planning Authority on 9th April 2025 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. The materials to be used shall be in strict accordance with Drawing No. 2414-204 A (Material Treatment), received by the Local Planning Authority on 9th April 2025, 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. The rooflights in the west facing elevation of the development hereby permitted shall be installed with obscure glazing with a minimum Pilkington Level 3 of obscuration. The fenestration shall be installed in accordance with the approved details prior to the first use / occupation of the development hereby permitted and retained thereafter. Reason: To protect neighbouring residential amenity**

**5. The approved development shall not be occupied until space has been laid out within the site for the parking of 2 cars in accordance with Drawing No. 2414-1001 D. Parking so provided, including the approved number of spaces for disabled persons (if applicable), 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, having regard to the adopted parking standards, PPG13 - Transport and highway safety in the vicinity of the site and to comply with North-West of England Regional Spatial Strategy to 2021 policy RT2.**

**6. Prior to the operation of the access hereby approved, the hedgerow shall be set back behind the visibility splays as shown on Drawing No. SCP/240999/SK01. Reason: To ensure safe visibility from the proposed access and to ensure highway safety would not be compromised.**

**7. Prior to the commencement of development (excluding demolition), a scheme for the landscaping of the site, including boundary treatments, shall be 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, the proposed numbers and densities and an implementation programme. Reason: To ensure appropriate landscaping of the site.**

**8. The approved landscaping plan shall be completed in accordance with the following:-**  
**a) All hard and soft landscaping works shall be completed in full accordance with the approved scheme, within the first planting season following completion of the development hereby approved, or in accordance with a programme agreed with the Local Planning Authority. b) 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). c) All new tree plantings shall be positioned in accordance with the requirements of Table A.1 of BS5837:2012 Trees in Relation to Design, Demolition and Construction: Recommendations. d) 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 policies SE1, SE4, SE5 of the Cheshire East Local Plan Strategy and policy ENV5 of the Site Allocations and Development Policies Document.

9. Prior to the commencement of development (excluding demolition and site clearance), details of the proposed ground levels and the level of proposed finish floor levels shall be submitted to and approved in writing by the Local Planning Authority. 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.

10. No development or other operations shall take place except in complete accordance with the tree protection and special construction measures identified in the Arboricultural Impact Assessment report and Method Statement (TRE/WGPLCC/Rev C) dated 6/5/2025, with measures to be implemented under Arboricultural supervision in accordance with BS 5837:2012 Trees in relation to design, demolition and construction. – Recommendations. Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality having regard to Policy SE 5 of the Cheshire East Local Plan

11. Prior to the commencement of development (excluding demolition) or other operations being undertaken 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) a detailed service and foul and surface water drainage layout shall be submitted to and approved in writing by the Local Planning Authority (notwithstanding any additional approvals which may be required under any other Legislation). Such layout shall provide for the long term retention of the trees. No development or other operations shall take place except in complete accordance with the approved service/drainage layout. Reason: To ensure the continued well being of the trees in the interests of the amenity of the area and in accordance with policy SE5 of the Local Plan.

12. The proposed development shall proceed in accordance with the recommendations made by the submitted Bat Presence / Absence Survey (UES, 2024) unless varies by a

European Protected Species Licence and 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 Policy SE3 of the Local Plan.

13. 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 take place within the exclusion zone. Reason: To safeguard biodiversity in accordance with the Local Plan Policy SE 3 of the Cheshire East Local Plan Strategy.

14. 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 Class(es) AA, 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 noting the Green Belt location of the site and the justification for the grant of planning permission

15. 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 A, of Part 2 Schedule 2 of the Order shall be carried out. Reason: To ensure the appearance of the site is acceptable and to protect the openness of the Green Belt, noting the justification for the grant of planning permission.

## **INFORMATIVES**

1. The Local Planning Authority (LPA), in reaching this decision, has followed the guidance in paragraph 39 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.

2. 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](http://www.cheshireeast.gov.uk/cil) and once completed, should be emailed to [cil@cheshireeast.gov.uk](mailto:cil@cheshireeast.gov.uk) For further information you can contact the Council's CIL Team on [cil@cheshireeast.gov.uk](mailto:cil@cheshireeast.gov.uk) or Tel: 0300 123 5014.

3. The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the Town and Country Planning Act 1990 and the current Building Control Regulations with regards to contaminated land. If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective works carried out in relation to this application should be carried out to agreed timescales and approved by the LPA in writing. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

4. The hours of noise generative\* demolition / construction works taking place during the development (and associated deliveries to 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 Deviation from the above hours may be possible in exceptional circumstances with the written agreement of the Local Authority. \*For information, ?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.

5. In order to minimise dust emissions arising during the development, including site preparations/demolition/construction activities, a 'site specific DMP' shall be retained at the development site; and made available for inspection upon request by Cheshire East Borough Council Officers. The site specific DMP shall identify the fugitive dust sources at the development site and describe in detail the dust mitigation measures to be employed. The DMP shall include details: of all dust suppression measures the methods to monitor emissions of dust arising for the duration of the project The demolition / construction phase of the development shall be completed in full compliance with the site specific DMP. The dust suppression measures shall be maintained and fully operational for the duration of the demolition / construction phase of the development.

6. A Section 184 license is required to form the approved new access.

**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 may 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, may 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: 09 July 2025

Signed

A handwritten signature in black ink, appearing to read 'D. Evans'.

**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. For planning and related applications this is covered under section 78 of the Town and Country Planning Act 1990 (as amended). For listed building consent applications, this is covered under Section 20 of Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). For advertisement consent applications, this is covered under The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). 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.