

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 2nd February, 2011 at Council Chamber, Municipal  
Buildings, Earle Street, Crewe CW1 2BJ

## **Revised Version**

### **PRESENT**

Councillor G Merry (Chairman)

Councillors W T Beard, D Bebbington, W S Davies, B H Dykes, S Furlong,  
J Jones, S Jones, A Kolker, M J Weatherill and R Westwood

### **Apologies**

Councillors L Gilbert, E Howell, S McGrory and R Walker

### **143      DECLARATIONS OF INTEREST/PRE-DETERMINATION**

Councillor A Kolker declared a personal interest in respect of application number 10/2647C on the grounds that he had attended meetings in respect of the application but had not expressed an opinion on the matter. In accordance with the Code of Conduct, he remained in the meeting during consideration of the item.

Councillor S Furlong also declared a personal interest in respect of application number 10/2647C as she had been in correspondence with the applicant. In accordance with the Code of Conduct, she remained in the meeting during consideration of the item.

The Chairman Councillor G Merry and Councillor J Weatherill both declared a personal interest in respect of application 10/4561N as members of the Cheshire Fire and Rescue Authority; which had been consulted on the application. In accordance with the Code of Conduct, they remained in the meeting during consideration of the item.

Councillor B Dykes declared a personal and prejudicial interest in respect of agenda item 22 (application P07/0867) as he had, in the past, been involved in discussions with the applicants as a member of Bunbury Parish Council. In accordance with the Code of Conduct, he withdrew from the meeting during consideration of the item.

### **144      MINUTES OF PREVIOUS MEETING**

RESOLVED: That the minutes of the meeting held on 12 January 2011 be approved as a correct record and signed by the Chairman.

145      **10/4412N PUTTING UP TWO PARTITION WALLS IN ORDER TO USE ONE QUARTER OF EXISTING GARAGE AS A SMALL DOG GROOMING SALON, 61, ROPE LANE, SHAVINGTON, CW2 5DA FOR MRS A VENABLES**

Notes: Having called in the application, Councillor B Silvester (Ward Councillor) attended the meeting and addressed the Committee on this matter.

Mr R Saunders (Objector's Representative) was also in attendance and addressed the Committee on the application.

During consideration of this item, Councillor Shirley Jones arrived at the meeting but took no part in the discussion nor voted thereon.

The Committee considered a report regarding the above planning application.

RESOLVED: That the application be DEFERRED for a Committee site inspection to enable Members to assess whether the business use applied for was acceptable in the locality and its potential impact on vehicle access and parking.

146      **10/2516N DEMOLISH GROUP OF EXISTING PRE-FAB GARAGES AND OUTBUILDINGS AND REPLACE WITH NEW DETACHED GARAGE/WORKSHOP, WHILST RETAINING OLD STYLE PIGSTY AND ENCLOSURE. ROSE COTTAGE, DAMSON LANE, AUDLEM, CW3 0EU FOR MR D COOPER & MS M HOLLINSHEAD**

Note: Mrs K Nicholls (Objector) and Mr D Cooper (Applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report and a written update regarding the above planning application. Reference was also made to additional correspondence circulated to the Committee by the occupiers of Rose Cottage.

RESOLVED: That the application be DEFERRED for a Committee site inspection to enable Members to view the site and assess the potential impact of the development on neighbouring properties.

147      **10/2647C ERECTION OF 13 NO. AFFORDABLE HOUSES, ASSOCIATED PARKING AND LANDSCAPING AND NEW VEHICULAR ACCESS, LAND NORTH OF TWEMLOW LANE, TWEMLOW GREEN FOR MCINERNEY HOMES & PLUS DANE GROUP**

Notes: Mr A Davies (Twemlow Parish Council), Ms S Hughes (Objector) and Mr R Spruce (Applicant's Agent) attended the meeting and addressed the Committee on this matter.

In his absence, the Chairman read out a statement submitted by Councillor L Gilbert, Ward Councillor for Congleton Rural.

The Committee considered a report and a written update regarding the above planning application. Additional information in respect of affordable housing was also provided verbally by the Cheshire East Rural Housing Enabler.

RESOLVED: That the application be APPROVED subject to the prior completion of a Section 106 Agreement and the following conditions -

- 1 Commence development within 3 years
- 2 Development in accordance with agreed drawings
- 3 Submission of details/samples of external materials
- 4 Electromagnetic protection (Jodrell Bank)
- 5 Submission and implementation of detailed access and junction plans
- 6 The dwellings shall not be occupied until the access and junction are completed in accordance with the approved details
- 7 Provision of tactile paving and dropped kerbs
- 8 Submission and implementation of details of a footpath within the south western boundary of the site
- 9 Submission and implementation of surveys and mitigation methods for the protection of breeding birds
- 10 Submission of a scheme of landscaping of the site including the retention of the hedgerow on the eastern boundary of the site
- 11 Implementation of approved landscaping scheme
- 12 Submission and implementation of details of boundary treatments
- 13 Submission and implementation of a tree protection scheme
- 14 Submission and implementation of an arboricultural method statement
- 15 Submission of a detailed drainage scheme
- 16 Submission of a Phase 1 Land Contamination Survey
- 17 Limits on hours of construction
- 18 Limits on hours of piling
- 19 Removal of permitted development rights for extensions

148      **10/3339N PROPOSED EXTENSION AND ALTERATIONS TO PROVIDE EXTENDED CATERING FACILITIES, INCLUDING AN ENLARGED KITCHEN AND ADDITIONAL DINING FOR STUDENTS AND STAFF, REASEHEATH COLLEGE, MAIN ROAD, WORLESTON, CW5 6DF FOR REASEHEATH COLLEGE - MR M EMBREY**

The Committee considered a report regarding the above planning application and noted that the accompanying written update set out the reasons for the payment of a commuted sum pursuant to CIL Regulations.

RESOLVED: That the application be APPROVED subject to the signing of a legal agreement to secure a commuted sum payment of £6,000 as a contribution to the cost of the Crewe-Nantwich Cycle route known as the Connect 2 Scheme and the following conditions -

- 1 Standard time
- 2 Plans
- 3 Materials
- 4 Surfacing materials
- 5 Landscaping scheme, including specimen replacement tree for Yew which is to be felled
- 6 Implementation of landscaping/maintenance
- 7 Tree protection measures
- 8 Details of drainage scheme
- 9 External lighting
- 10 Emergence survey for bats or recheck all buildings to be demolished immediately prior to demolition

- 11 Bat survey of tree to be felled immediately prior to felling
- 12 Work to proceed in accordance with recommendations for bat and birds and advice to personnel in bat survey
- 13 Protection to ancient monument
- 14 Travel plan to include surveys of access by car, motor cycle and cycle
- 15 Covered secure cycle parking
- 16 Recycling facilities
- 17 Odour extraction and ventilation

**149 10/3951C REDEVELOPMENT OF SITE TO ERECT ONE A1 RETAIL UNIT WITH MEZZANINE LEVEL AND ASSOCIATED ENGINEERING WORKS, CAR PARKING, LANDSCAPING AND SERVICE YARD AREA, BOOSEYS GARDEN CENTRE, NEWTON BANK, MIDDLEWICH, CW10 9EX FOR RADCLIFFE DEVELOPMENTS (CHESHIRE) LTD**

The Chairman reported that the above planning application had been withdrawn from the agenda prior to the meeting.

**150 10/4226C PROPOSED TWO STOREY EXTENSION AND INTERNAL ALTERATIONS, THE MEWS, CHANCERY LANE, ALSAGER, ST7 2HF FOR MRS MARGARET BROWN**

Notes: Having called in the application, Councillor D Hough (Ward Councillor) attended the meeting and addressed the Committee on this matter.

Mr G Smith (Objector) and Mr C Bagnall (Applicant) also attended the meeting and addressed the Committee on the application.

The Committee considered a report and a written update regarding the above planning application. As information had been received which addressed the reason for refusal stated on the agenda, the Committee was advised that the recommendation was for approval, subject to the 5 conditions detailed in the update report.

RESOLVED: That, contrary to the Planning Officer's recommendation of approval (as set out in the update to the report), the application be REFUSED for the following reasons -

1 The proposed development, by virtue of its size, design and position relative to neighbouring property 2 Chancery Lane, Alsager would be unduly dominant causing detriment to the residential amenities of the occupiers of that property. The approval of the development would therefore be contrary to Policy GR6 of the adopted Congleton Borough Local Plan First Review 2005.

2 The proposed development fails to achieve an adequate quality of design to justify approval of planning permission. In reaching this conclusion regard was had to the scale and impact of the development upon its surroundings. It is therefore concluded that the proposal would detract from the character and appearance of the dwelling house and area within which the site is located contrary to Policy GR2 of the adopted Congleton Borough Local Plan First Review 2005.

151        **ADJOURNMENT**

At 2.00pm the Chairman proposed a short adjournment to the meeting; Members reconvening to continue the business set out in the agenda at 2.20pm.

152        **10/4489N DEVELOPMENT OF LAND AT HALL O'SHAW STREET TO PROVIDE 14 DWELLINGS OF MIXED TYPE, LAND TO THE REAR OF 91, HALL O SHAW STREET, CREWE FOR FOURTH ESTATES LTD**

Note: Councillor C Thorley (Ward Councillor) attended the meeting and addressed the Committee on this matter.

The Committee considered a report, a written update and an oral report of a site inspection in respect of the above planning application.

RESOLVED: That the application be REFUSED for the following reason -

The application site is defined as an area of open space with recreational or amenity value where there is strict control over new development. The submitted application does not adequately assess the need for bowling greens within Crewe in accordance with the companion guide to PPG17. Even if the results of RT.1 Assessment were accepted they do not show that there is an excess of bowling greens in the area and the application does not propose a replacement facility in a suitable location. The proposal is therefore contrary to Policy RT.1 (Protection of Open Space with Recreational or Amenity Value) of the Crewe and Nantwich Replacement Local Plan 2011, PPS1 (Delivering Sustainable Development), PPG17 (Planning for Open Space, Sport and Recreation) and advice contained within the Sport England Statement 'Planning for Sport and Active Recreation: Objectives and Opportunities'.

153        **10/4497N CHANGE OF USE FOR THE LAND FROM HORTICULTURAL TO EQUESTRIAN, THE PROVISION OF A 60X30M MANEGE AND 60X12M STABLE BLOCK, A MUCK MIDDEN AND HAY STORE, A HORSE WALKER AND THE REQUEST FOR VARIATION OF OCCUPANCY OF THE SITE TO INCLUDE EQUESTRIAN MANAGER, LITTLE ISLAND NURSERIES, HAYMOOR GREEN ROAD, WYBUNBURY, CW5 7HG FOR MR G HEATH**

Note: Councillor J Hammond (Ward Councillor), Parish Councillor T Lightfoot (Wybunbury Parish Council), Mr S Reed (Objector) and Mr E Roberts (Applicant's Representative) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED: That the application be DEFERRED to enable officers to obtain additional information from the British Horse Society in relation to the amount of land available and that required for a viable business.

154      **10/4539N CONSTRUCTION OF A SINGLE STOREY BUILDING TO BE USED FOR B1 (OFFICE/LIGHT INDUSTRIAL) AND B8 (STORAGE AND DISTRIBUTION) PURPOSES, 416, NEWCASTLE ROAD, SHAVINGTON, CW2 5EB FOR MR J PARTON**

Notes: Having called in the application, Councillor D Brickhill was in attendance at the meeting and addressed the Committee on this matter as Ward Councillor for Doddington and as a Parish Representative on behalf of Hough and Chorlton Parish Council and Shavington Parish Council.

Mr N Smith (the Applicant's Agent) was also in attendance and addressed the Committee on the application.

The Committee considered a report regarding the above planning application.

Note: At this point in the proceedings, Councillor J Jones declared a personal interest in the application in that he knew the applicant well. He stated that he would take no further part in the discussion and would abstain from voting.

RESOLVED: That, contrary to the Planning Officer's recommendation to approve, the application be REFUSED for the following reason -

The Local Planning Authority considers that the proposed development for B1/B8 use is not an essential form of development within the open countryside. The provision of this building on the site, currently used in part for car parking, would encroach further into the open countryside to the detriment of the character and appearance of the open countryside. As a result to allow the proposed development would be contrary to Policy NE.2 (Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan 2011, which only allows for "essential" development in the open countryside.

155      **10/4561N EXTENSION TO TIME LIMIT OF APPLICATION P07/1483 FOR A NEW WAREHOUSE, TWO STOREY OFFICE BLOCK, PARKING, SERVICE AREAS AND ACCESS ROAD, LAND ADJACENT TO GALLAHER LTD, WESTON ROAD, CREWE FOR GALLAHER LTD**

The Committee considered a report in respect of the above planning application.

RESOLVED: That the application be APPROVED subject to the following conditions

- 1      Standard time limit 3 years
- 2      Materials to be submitted and approved in writing
- 3      Development to be carried out in accordance with approved plans
- 4      Green Travel Plan to be submitted to the Local Planning Authority and approved in writing
- 5      Car parking to be provided in accordance with Green Travel Plan
- 6      Cycle parking to be provided in accordance with Green Travel Plan
- 7      Shower facilities to be provided within the building in accordance with a scheme to be agreed in writing with the Local Planning Authority
- 8      Landscaping scheme to be submitted and approved in writing
- 9      Landscaping scheme to be completed in accordance with the approved details and maintained

- 10 Scheme for a surface water regulation system to be submitted to the Local Planning Authority and approved in writing
- 11 Details of oil interceptors to be submitted to the Local Planning Authority and approved in writing
- 12 Details of bin storage to be submitted to the Local Planning Authority and approved in writing
- 13 Boundary treatment details to be submitted to the Local Planning Authority and approved in writing
- 14 Removal of trees and shrubs to be done outside of the bird breeding season unless first checked by a qualified ecologist
- 15 Consent for a B8 building only
- 16 Details of external lighting to be submitted and approved in writing
- 17 Any facilities for the storage of chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval
- 18 No fencing on the Weston Road site frontage, any security fencing in this area shall be positioned within or behind the landscape strip
- 19 Details of how the proposed development will secure at least 10% of its predicted energy requirements from decentralised and renewable or low-carbon sources shall be submitted to the Local Planning Authority and approved in writing

156      **10/4757N EXTENSION TO TIME LIMIT ON APPLICATION P08/0562, PLOTS 5 AND 11, ORION WAY, CREWE, CHESHIRE FOR HXRUX (KP DEV) LTD**

The Committee considered a report and verbal update in respect of the above planning application.

RESOLVED: That the application be APPROVED subject to the following conditions -

- 1 Standard
- 2 Plans as per permission P08/0562
- 3 Materials as specified in the original application unless otherwise agreed in writing
- 4 Car parking to be provided at each unit before it is occupied
- 5 Cycle parking and linkages to University Way
- 6 Travel Plan to be submitted and occupiers required to participate in the Green Travel Plan
- 7 Landscaping scheme submitted originally for Unit 5 to be modified to take account of position agreed under application P08/0562
- 8 Implementation and maintenance of landscaping at both plots
- 9 Showers to be provided in both units and available for all staff using that building
- 10 Boundary treatment to match that used elsewhere on the development
- 11 Oil interceptors to car parks
- 12 Lighting scheme to be submitted, approved and implemented
- 13 No outside storage
- 14 Offices not to be occupied separate to the warehouse
- 15 Access to be constructed to Cheshire East Council specification
- 16 Scheme of surface water regulation to be submitted, approved and implemented

- 17 Scheme for the management of overland flow from surcharging of the site's surface water drainage system to be submitted, approved and implemented. The scheme shall include details of finished floor levels and ground level and be implemented in accordance with the approved details

**157 10/4760N EXTENSION TO TIME LIMIT ON APPLICATION  
P08/0561, PLOTS 1- 4, ORION WAY, CREWE, CHESHIRE FOR HXRUK  
(KP DEV) LTD**

The Committee considered a report relating to the above planning application.

RESOLVED: That the application be APPROVED subject to the following conditions -

- 1 Commencement within 3 years
- 2 Plans as approved under P08/0561
- 3 Materials as detailed in the application unless otherwise approved in writing
- 4 Car parking to be provided before the development is first used
- 5 Cycle parking and linkages to University Way to be provided
- 6 Travel Plan to be submitted and approved and occupiers required to participate in the Green Travel Plan
- 7 Landscaping scheme to be revised to take account of layout as revised in 2008 and provide planting between units 3 / 4 and unit 16 adjacent to the site
- 8 Implementation and maintenance of landscaping
- 9 Showers to be provided within each unit and retained for use by all staff at that unit
- 10 Boundary treatment to match that used elsewhere on the development
- 11 Oil interceptors to be provided to car parks
- 12 Lighting scheme to be submitted, approved and implemented
- 13 No outside storage
- 14 Offices and trade counter only to be used for that specific unit and not to be occupied as a separate business
- 15 Access to be in accordance with the approved plans and to Cheshire East Council specification
- 16 Units 1 & 3 only to be used for B2 general industrial uses. Units 2 & 4 for B8 purposes. The showroom and trade counter at unit 2 limited to those areas shown on the submitted plan and not used for retail to the general public
- 17 Scheme of surface water regulation to be submitted, approved and implemented
- 18 Scheme for the management of overland flow from surcharging of the site's surface water drainage system to be submitted, approved and implemented. The scheme shall include details of finished floor levels and ground level and be implemented in accordance with the approved details



158      **10/4817N OUTLINE APPLICATION TO ERECT SINGLE DETACHED ONE AND A HALF STOREY BUNGALOW. RESUBMISSION OF 10/4300N, 10 WHITCHURCH ROAD, AUDLEM, CW3 0EE FOR MR & MRS K WHALLEY**

Notes: Having called in the application, Councillor R Bailey (Ward Councillor) attended the meeting and addressed the Committee on this matter.

Mr D Mayer (Objectors' Representative) was also in attendance and addressed the Committee on the application.

The Committee considered a report, a written update and an oral report of a site inspection in respect of the above planning application.

RESOLVED: That the application be APPROVED subject to the following conditions -

- 1 Commencement of development
- 2 Submission of reserved matters
- 3 Time limit for submission of reserved matters
- 4 Materials to be submitted and agreed
- 5 Surfacing materials to be submitted and agreed
- 6 Landscaping scheme to be submitted and agreed
- 7 Landscape implementation
- 8 Drainage scheme to be submitted
- 9 Details of boundary treatment
- 10 Obscure glazing
- 11 Bin storage to be provided
- 12 Phase 1 Contaminated Land Survey to be submitted
- 13 Hours of construction – 08:00 to 18:00 Monday to Friday, 09:00 to 14:00 Saturday and not at all on Sunday or Bank Holidays
- 14 Removal of all permitted development rights
- 15 No windows at first floor level within flank elevations and no windows to habitable rooms whatsoever in flank elevations
- 16 Ridge height to be no greater than 5.85m
- 17 Indicative layout
- 18 Access to be via Oak Tree Gate, detailed drawings to be submitted and access to be constructed to Cheshire East Council standard
- 19 Eastern projection towards Oak Tree Gate to be single storey
- 20 Pile driving

Note: Councillor S Jones left the meeting after consideration of this item.

159      **10/4842N PROPOSED CHANGE OF A1 USE VIDEO SHOP TO A5 FISH AND CHIP SHOP AND FIRST FLOOR RESIDENTIAL ACCOMMODATION, 235, BROAD STREET, CREWE, CW1 4JJ FOR MR C SHEPHARD**

Notes: Having called in the application, Councillors M Martin and C Thorley (Ward Councillors) attended the meeting and addressed the Committee on this matter.

Mrs H Rossiter (Objector) was also in attendance and addressed the Committee on the application.

The Committee considered a report in respect of the above planning application.

RESOLVED: That the application be APPROVED subject to the following conditions -

- 1 Standard time
- 2 Plans
- 3 Window to be fixed shut/obscure glazing
- 4 Hours of opening 11:30 to 22:00 hours Monday to Saturday
- 5 Scheme for acoustic attenuation
- 6 Installation and maintenance of extraction equipment

**160 10/4897N ERECTION OF NEW DWELLING (UNIT 3), HENHULL BRIDGE FARM, MILLSTONE LANE, HURLESTON, NANTWICH, CW5 6AG FOR MR G A NEWSOME**

Note: Councillor R Bailey (Ward Councillor) and Mr R Spruce (Applicant's Agent) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED: That, contrary to the Planning Officer's recommendation to refuse, the application be APPROVED subject to the following conditions -

- 1 Standard time
- 2 Approved plans
- 3 Materials
- 4 Landscaping
- 5 Implementation of landscaping
- 6 Boundary treatment
- 7 Remove permitted development rights
- 8 Parking
- 9 Roof-lights to be submitted (as per previous conversion approval)

**161 10/4947C NEW FAMILY DWELLING AND ASSOCIATED WORKS TO PROVIDE TURNING AREA SEPARATE FROM EXISTING DWELLING, 38, BROOKLANDS DRIVE, GOOSTREY, CW4 8JB FOR MR & MRS S OCCLESTON**

The Chairman announced that the application had been withdrawn from the agenda.

**162 10/4984N PROPOSED RESIDENTIAL EXTENSION & ALTERATION WORKS TO EXISTING HOUSE, THE COTTAGE, EDLESTON HALL LANE, RAVENSMOOR, CW5 8PJ FOR MR & MRS N HAMMERSLEY**

Notes: Having called in the application, Councillor Rachel Bailey (Ward Councillor) attended the meeting and addressed the Committee on this matter.

Mrs S Hammersley (Applicant) was also in attendance and addressed the Committee on the application.

The Committee considered a report in respect of the above planning application.

RESOLVED: That the application be REFUSED for the following reason -

The proposed extension by virtue of its size, scale, design, position and proportions, spanning the entire rear elevation of the existing dwelling, would not be subordinate and would overwhelm the original dwelling contrary to Policies NE.2 (Open Countryside), BE.2 (Design Standards) and RES.11 (Improvements and Alterations to Existing Dwellings) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the Local Development Framework Extensions and Householder Development Supplementary Planning Document 2008.

**163 PLANNING PERMISSION P07/0867 FOR 10 AFFORDABLE HOUSES AT WYCHE LANE, BUNBURY**

Note: Having previously declared a personal and prejudicial interest, Councillor B H Dykes withdrew from the meeting prior to discussion and voting on the item.

The Committee considered the report of the Head of Planning and Housing which sought approval to vary a Section 106 Agreement attached to planning permission P07/0867, 10 Affordable Houses, Wyche Lane, Bunbury.

Note: During consideration of the item, Councillor D Bebbington declared a personal interest in the application on the grounds that he was acquainted with residents in the area who were affected by the development and would therefore take no further part in the discussion and would abstain from voting.

RESOLVED: That the Borough Solicitor be instructed to prepare a Deed of Variation in respect of the Section 106 Agreement attached to planning permission P07/0867 to modify the mix of tenure on the site to:

2 x 2 bed/4 person houses at target rent  
2 x 3 bed/5 person houses at target rent  
3 x 2 bed/4 person houses at intermediate rent  
3 x 3 bed/5 person houses at intermediate rent

Units in total: 10

Note: Councillor Dykes rejoined the meeting after the vote had been taken.

**164 08/1236/OUT LAND AT MILL STREET / BROOK STREET, CONGLETON**

Note: Mrs C Payne (Applicant's Agent) attended the meeting and addressed the Committee on this matter.

The Committee considered the report of the Head of Planning and Housing which sought approval to amend the proposed conditions and Section 106 Heads of Terms in respect of planning application 08/1236/OUT Land at Mill Street/Brook Street, Congleton.

RESOLVED: That the following revised conditions and Section 106 Heads of Terms be agreed –

### Proposed Amended Section 106 Heads of Terms

- a) Provision of 30% affordable housing, extending to include the proposed retirement apartments, split equally between social rented and intermediate housing (including either shared ownership, Rent to Home Buy or Discount for Sale, but of a split to be agreed by Cheshire East Housing section);
- b) Submission of a Travel Plan with associated management arrangements including annual reports for a five year period and financial contribution of £5000 towards monitoring (returned if not spent);
- c) Financial contribution of £24,000 towards the provision of two quality partnership standard bus stops;
- d) Provision of a financial contribution of £55,000 towards off-site play provision and an associated maintenance contribution (precise figure to be confirmed);
- e) Applicants to purchase and install a bridge between the application site and Congleton Park with the precise design, specification and timescale for implementation to be first agreed by Cheshire East Council (the maintenance and upkeep of which shall be the applicant's responsibility); and
- f) Private Management Plan for the on-site amenity green-space and proposed bridges (to Congleton Park and within the application site itself) to be submitted and approved by the Local Planning Authority.

### Proposed Conditions

- 1 Outline application time limit
- 2 Reserved matters – layout, scale, appearance and landscaping
- 3 Development parameters in accordance with indicative plans (Care Home and retirement apartments to north and accessed from Mill Street), (residential on southern parcel and accessed from Brook Street)
- 4 Restriction to no more than 74 dwellings, 72 bed care home and 36-retirement apartments
- 5 Restriction to occupation of retirement apartments to the over 55+
- 6 Contaminated land condition (including further intrusive investigation and remediation)
- 7 Detailed scheme for noise mitigation to be agreed and implemented prior to first occupation
- 8 Detailed scheme for dust mitigation during demolition and construction
- 9 Restrictions on hours of construction
- 10 Restriction on hours of piling activity
- 11 Restriction on hours of construction vehicle deliveries
- 12 Precise details for care home filtration and extraction systems
- 13 External lighting strategy to be submitted and agreed
- 14 Detailed Tree Protection Scheme to be submitted, agreed and fully implemented
- 15 Protection of breeding birds
- 16 Detailed mitigation strategy for bats based on the TEP Option One Retention Strategy including wheelhouse structural works
- 17 Scheme for watercourse protection during construction
- 18 Proposed building floor levels 600mm above freeboard allowance
- 19 Roads, parking and footways 300mm above freeboard allowance

- 20 Detailed scheme for compensatory flood storage to be agreed before commencement of development and fully implemented thereafter
- 21 Surface water regulation to be submitted and agreed
- 22 Scheme for management of overland flows from surcharging of surface water drains to be submitted and agreed prior to commencement of development
- 23 Site levels to be in strict accordance with Peter Mason Cut and Fill Drawings unless otherwise agreed in writing
- 24 8m buffer strip and wildlife corridor to be retained adjacent to the watercourse
- 25 New vehicular access to Brook Street to be constructed to base course before other construction works commence and fully implemented before first occupation of any dwellings
- 26 Site Waste Management Plan
- 27 Scheme for archaeological investigation
- 28 Scheme to generate 10% of its energy requirement from low carbon sources in accordance with Policies EM17 and EM18 of the North West Regional Spatial Strategy
- 29 Precise details of all boundary treatments within the site to be agreed to include public open space and riverside areas or footpaths
- 30 Precise details of internal footbridge connecting the two areas of POS to be submitted, agreed and fully implemented within an agreed timescale
- 31 Development phasing – parameters and restrictions

## 165 **PLANNING ENFORCEMENT PERFORMANCE**

The Committee received for information the report of the Principal Planning Officer (Enforcement) that provided details of enforcement action taken by the authority which had originally been put before Strategic Planning Board on 15 September 2010. Additional information was provided verbally by the Southern Area Manager, Development Management.

Questions were raised about the turnover of cases and whether any mechanism existed to monitor performance. A request was made for additional information to be provided in respect of the above and the Southern Area Manager agreed to discuss the matter with the Cabinet Member for Prosperity and the Head of Planning and Housing.

RESOLVED: That -

- a) the report be received; and
- b) the reporting procedures proposed in paragraph 3.1 of the report (bi-annual reports) be confirmed.

## 166 **APPEAL SUMMARIES**

The Committee considered a summary of appeal decisions.

RESOLVED: That the appeal summaries be noted.

The meeting commenced at 12.00 pm and concluded at 5.35 pm

Councillor G Merry (Chairman)