

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 25th November, 2015 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor G Merry (Chairman)
Councillor M J Weatherill (Vice-Chairman)

Councillors Rhoda Bailey, P Butterill, J Clowes, S Davies, S Edgar,
S Hogben, A Kolker, J Rhodes, B Roberts and B Walmsley

Officers in Attendance

Daniel Evans (Principle Planning Officer)
Patricia Evans (Lawyer)
Sue Orrell (Principle Planning Officer)
Neil Jones (Principle Development Officer – Highways)
Julie Zientek (Democratic Services Officer)

112 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors D Bebbington, P Groves and
D Marren

113 **DECLARATIONS OF INTEREST/PRE DETERMINATION**

The following declarations were made in the interests of openness:

With regard to application number 15/3752N, Councillor S Edgar declared
that it was in his Ward but that he had kept an open mind.

With regard to application numbers 15/2818N and 15/3651N, Councillor B
Roberts declared that he had worked with the applicant for a number of
years.

With regard to application number 15/4576C, Councillor B Walmsley
declared that she knew the applicant but had kept an open mind.

With regard to application number 15/3394C, Councillor G Merry declared
that she knew the applicant and a supporter who had registered to speak
at the meeting. She would vacate the Chair for the consideration of this
application and would not take part in the debate or vote.

All Members of the Committee declared that they had received
correspondence with regard to application number 15/3563N.

114 **MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 28 October 2015 be approved as a correct record and signed by the Chairman.

115 **14/5880C LAND OFF CREWE ROAD, ALSAGER, CHESHIRE ST7 2JL: RESERVED MATTERS APPLICATION FOR 110 DWELLINGS (33 AFFORDABLE), THE CREATION OF AN AREA OF PUBLIC OPEN SPACE AND CHILDREN'S PLAY AREA AND ASSOCIATED WORKS (PURSUANT TO OUTLINE PLANNING APPROVAL 13/3032C) FOR NIALL MELLAN, PERSIMMON HOMES NORTH WEST**

Note: Ms A Snook attended the meeting and addressed the Committee on behalf of the applicant.

The Committee considered a report regarding the above planning application.

RESOLVED

(a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. To comply with outline permission
2. Time limit following approval of reserved matters
3. Development in accord with approved plans
4. Submission of samples of building materials
5. Obscure glazing requirement
6. Noise Mitigation Scheme to be provided
7. Construction phase environmental management plan to be submitted
8. Phase II site investigation to be carried out
9. Play area to be provided and management of open space areas to be in accordance with submitted details.
10. Boundary treatment details to be submitted
11. Hard landscaping details to be submitted
12. Existing and proposed ground levels to be submitted.
13. Tree protection scheme to be submitted.

(b) That, in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

116 **15/2910N THE GABLES, BRADFIELD ROAD, LEIGHTON CW1 4QW: EXTENSION AND REFURBISHMENT TO AN EXISTING FORMER**

NURSING CARE HOME AND CONVERSION INTO KEY WORKER ACCOMMODATION FOR RALPH MURPHY, PANTHEON WEST

Note: Mr M Bollen attended the meeting and addressed the Committee on behalf of the applicant.

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

RESOLVED

- (a) That, for the reasons set out in the report and the written update, the application be APPROVED subject to a s106 agreement to contribute £10,000 towards the costs of the proposed footway/cycleway and the following conditions:
1. Commencement of development
 2. Approved plans
 3. Materials as stated in the application
 4. Submission and approval of a construction management plan including a construction compound within the site
 5. Restriction on hours of piling to 9am to 5.30pm Monday to Friday, 9am to 1pm Saturday and no working on Sundays or public holidays.
 6. Compliance with the mitigation measures in the Noise Assessment
 7. Submission of a landscaping scheme
 8. Implementation of a landscaping scheme
 9. Submission of details of external lighting
 10. Breeding bird survey for works in the nesting season
 11. Internal layout to be submitted and approved including details of kitchens, laundry rooms (at least 3), bathrooms and communal sitting rooms
 12. Details of adequate bin storage to be submitted and approved

Informative

The applicant's attention to be drawn to the requirement for a HMO licence.

- (b) That, in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Note: Mr M O'Brien attended the meeting and addressed the Committee on behalf of the applicant.

The Committee considered a report regarding the above planning application.

RESOLVED

(a) That authority be DELEGATED to the Head of Planning (Regulation), in consultation with the Chairman of Southern Planning Committee, to APPROVE the application for the reasons set out in the report, subject to the completion of a s106 agreement to secure two affordable units, a sum for off-site affordable housing provision, and the following conditions:

1. Commencement
2. Submission of reserved matters
3. Approved plans
4. Hours of piling limited to 9am to 5.30pm Monday to Friday, 9am to 1pm Saturday, with no working on Sundays or Public Holidays
5. Submission of Construction Management Plan
6. Provision of an electric vehicle charging point to each dwelling
7. Submission of drainage scheme to include foul and surface water including sustainable drainage systems
8. Submission of tree/hedgerow protection scheme
9. Breeding bird survey for works in the nesting season
10. Compliance with the Extended Phase One Habitat Survey
11. Reserved matters to include Noise Mitigation Scheme
12. Reserved matters to include details of external lighting
13. Reserved matters to include features for breeding birds and roosting bats
14. Reserved matters to include details of boundary treatments
15. Reserved matters to include existing and proposed levels.
16. Reserved matters to include an access point off Cinder Lane.

(b) That, in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

(c) That, should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

118 **15/2818N LAND SOUTH WEST OF THORNYFIELDS FARM,
HERBERT STREET, CREWE, CHESHIRE CW1 5LZ: OUTLINE
PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP
TO 12 DWELLINGS, ALL MATTERS RESERVED FOR CR MULLER,
MULLER PROPERTY GROUP**

Note: Councillor J Clowes arrived at the meeting during consideration of this item and did not take part in the debate or vote.

Note: Mr M Wedderburn attended the meeting and addressed the Committee on behalf of the applicant.

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

RESOLVED

(a) That, for the reasons set out in the report and the written update, the application be APPROVED subject to a Section 106 Legal Agreement to secure £21,693 towards primary education and the following conditions

Submission of reserved matters

1. Standard Outline 1
2. Standard Outline 2
3. Standard Outline 3
4. Plans
5. Submission, approval and implementation of a scheme to limit the surface water runoff generated by the proposed development
6. Submission, approval and implementation of a scheme to dispose of foul drainage
7. Piling operations shall be restricted to: Monday – Friday 09:00 – 17:30 hrs Saturday 09:00 – 13:00 hrs Sunday and Public Holidays Nil
8. Submission, approval and implementation of piling method statement
9. Electric Car Charging Points shall be provided
10. Contaminated Land
11. Public Rights of Way
12. Ecology mitigation
13. Development to be carried out in accordance with the submitted site specific drainage plan
14. Phasing plan for the development and the adjacent site to be submitted and approved

(b) That, in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the

changes do not exceed the substantive nature of the Committee's decision.

119 **15/3651N LAND ADJACENT YEW TREE FARM, CLOSE LANE, ALSAGER ST7 2JP: OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT AND ACCESS, ALL OTHER MATTERS RESERVED FOR MR C R MULLER, MULLER STRATEGIC PROJECTS**

Note: Councillor D Hough (Neighbouring Ward Councillor), Town Councillors S Helliwell and D Hough (on behalf of Alsager Town Council) and Mr M Wedderburn (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

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

RESOLVED – That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The scale of the development and the cumulative impact together with other approved developments in Alsager would have a severe impact upon the local highway network heading towards Alsager town centre. As a result the development would be contrary to policies BE.5 of the Borough of Crewe and Nantwich Replacement Local Plan 2011, policy IN.1 of the Cheshire East Local Plan strategy submission version and guidance contained within the NPPF.

That, should the application be subject to an appeal, the following Heads of Terms be secured as part of any S106 Agreement:

- 1 A scheme for the provision of 30% affordable housing in perpetuity – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:
 - transfer of any rented affordable units to a Registered Provider
 - provision of details of when the affordable housing is required
 - provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Council's allocations policy.
 - includes the requirement for an affordable housing scheme to be submitted at reserved matters stage that includes full details of the affordable housing on site including location by reference to a plan, type, size and tenure.
 - requires the affordable units which will be transferred to a Registered Provider to be constructed to the Governments Technical standards October 2015

- 2 Primary and Secondary School Education Contribution to the sum of £184,826

- 3 Provision of two pieces of additional play equipment to serve the play area on phase 1.

120 **15/3563N LAND OFF LONGHILL LANE, HANKELOW:
ERECTION OF 5 DWELLINGS AND CREATION OF NEW VEHICULAR
ACCESS OFF LONGHILL LANE FOR D E THELWELL**

Note: The Principal Planning Officer read a representation from Councillor Rachel Bailey (Ward Councillor), who had registered her intention to address the Committee but was unable to attend the meeting.

Note: Parish Councillor T Lee (on behalf of Hankelow Parish Council), Mr C Ainley (objector) and Mr S Locke (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

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

RESOLVED – That, contrary to the planning officer’s recommendation for approval, the application be REFUSED for the following reason:

The local planning authority considers that the adverse impacts of this development in terms of the loss of open countryside, loss of agricultural land and impact upon the character and appearance of the area would significantly and demonstrably outweigh the benefits. As a result the development would be contrary to policies NE.2, NE.12, and BE.2 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the NPPF.

That, should the application be subject to an appeal, the following Heads of Terms be secured as part of any S106 Agreement:

- 1 a scheme for the provision of 1 affordable housing unit – to be provided as social rent/affordable rent. The scheme to include:
 - the numbers, type, tenure and location on the site of the affordable housing provision
 - the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing
 - the arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
 - the arrangements to ensure that such provision is affordable to both first and subsequent occupiers of the affordable housing; and
 - the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- 2 A contribution for off-site affordable housing (Final Sum TBC).

121 **15/3394C OAK FARM, CHURCH LANE, SANDBACH, CHESHIRE
CW11 4ST: DEMOLITION OF EXISTING BUILDINGS AND ERECTION
OF UP TO 5 NO. RESIDENTIAL DWELLINGS WITH ASSOCIATED
INFRASTRUCTURE AND ANCILLARY FACILITIES IN OUTLINE WITH
ACCESS DEFINED- RESUBMISSION OF 14/3810C FOR PAUL FODEN**

Note: Prior to consideration of this application, the meeting was adjourned for refreshments.

Note: Having made a declaration, Councillor G Merry vacated the Chair in favour of the Vice-Chairman and did not take part in the debate or vote.

Note: Councillor S Corcoran (Ward Councillor), Councillor J Wray (Neighbouring Ward Councillor) and Mr P Foden (applicant) attended the meeting and addressed the Committee on this matter.

Note: Mr G Heath (supporter) had registered his intention to address the Committee but left the meeting prior to consideration of this application.

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

RESOLVED – That the application be DEFERRED for the following reasons:

1. Clarification of the footpath link, including location, cost, width and specification
2. Reconsideration of the location of the access to serve the site and the impact upon trees

122 **15/3752N 416, NEWCASTLE ROAD, SHAVINGTON, CHESHIRE
CW2 5EB: CONSTRUCTION OF FIVE DETACHED TWO-STOREY
DWELLINGS WITH CAR PARKING AND CAR PARKING FOR
EXISTING WORKSHOP WITH SHARED ACCESS FOR JOHN PARTON,
A B PARTON & SON LTD**

Note: Mr N Smith attended the meeting and addressed the Committee on behalf of the applicant.

The Committee considered a report regarding the above planning application.

RESOLVED

(a) That authority be DELEGATED to the Head of Planning (Regulation), in consultation with the Chairman of Southern Planning Committee, to APPROVE the application for the reasons set out in the report, subject to the completion of a s106 agreement to secure a contribution for off-site affordable housing and the following conditions:

1. Commencement
2. Submission of reserved matters (all matters other than access)
3. Approved plans
4. Submission of a Phase II Contaminated Land Investigation
5. Submission and approval of a construction management plan including any piling operations and a construction compound within the site
6. Restriction on hours of piling to 9am to 5.30pm Monday to Friday, 9am to 1pm Saturday and no working on Sundays or public holidays.
7. Reserved matters to include details of any external lighting.
8. Submission of drainage scheme to include foul and surface water including sustainable drainage systems
9. Tree and hedgerow protection measures
10. Breeding bird survey for works in the nesting season
11. Reserved matters to include details of boundary treatments in particular acoustic fencing
12. Reserved matters to include details of existing and proposed levels
13. Reserved matters to include details of bin/cycle storage
14. Reserved matters to include a single electric vehicle charging point for each dwelling
15. Reserved matters to include a pedestrian footway through the site

(b) That, in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

(c) That, should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

123 **15/3847C SANOFI AVENTIS, LONDON ROAD, HOLMES CHAPEL, CREWE, CHESHIRE CW4 8BE: PART A: OUTLINE PERMISSION WITH ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS FOR: EXTENSIONS TO AREA 12 MANUFACTURING BUILDING, AREA 11 WAREHOUSING BUILDING, AREA 77 LABORATORY BUILDING AND AREA 37 STABILITY BUILDING; RELOCATION OF SERVICE BUILDINGS AND THE ERECTION OF STORAGE TANKS, SUBSTATION AND ASSOCIATED PLANT; AND PROVISION OF ADDITIONAL STAFF CAR PARKING PART B: FULL PLANNING PERMISSION FOR: EXTENSION TO AREA 13 BUILDING TO CREATE NEW RECEPTION AREA, CANTEEN AND OFFICE FLOOR SPACE (2,775M2) DEMOLITION OF BUILDING 15; AND ALTERATIONS TO INTERNAL ROADS AND SERVICING AREA, PROVISION OF NEW INTERNAL HGV LAY BY, INSTALLATION OF**

NEW ACCESS GATES AND ASSOCIATED BOUNDARY TREATMENTS FOR FISONS LTD, TRADING AS SANOFI

Note: Ms R Harris attended the meeting and addressed the Committee on behalf of the applicant.

The Committee considered a report regarding the above planning application.

RESOLVED

(a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Standard 3 year time limit (Part B)
2. Standard outline time limit (Part A)
3. Submission of reserved matters (Part A)
4. Approved Plans including amended parking
5. Submission of Materials (Part B)
6. Accordance with Landscaping submission (Part B)
7. Landscaping implementation (Part B)
8. Accordance with submitted Tree Protection Scheme and Arboricultural Method Statement (Part B)
9. Arboricultural Impact Assessment and Arboricultural Method Statement to be submitted with future reserved matters application for Part A
10. Breeding bird survey to be carried out prior to commencement of any works during nesting season
11. Accordance with Flood Risk Assessment including surface water flows
12. Accordance with Acoustic Report
13. Details of drainage with only foul drainage to be connected to sewer
14. Details of pile driving operations
15. Submission of dust control measures for Part B
16. Submission of details of external lighting
17. Contaminated land Phase 1 with conceptual model to be submitted for Part A
18. Contaminated land Phase 1 with conceptual model to be submitted for Part B
19. Electric vehicle charging points to be provided in approved car parking
20. Travel Plan

(b) That, in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

(c) That, should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

124 **15/4260C MOSS WOOD, MOSS LANE, BRERETON HEATH
CW12 4SX: DEMOLITION OF EXISTING GARAGES AND STABLES TO
BE REPLACED WITH ONE NEW DWELLING USING EXISTING
DRIVEWAY. NEW DRIVEWAY TO MOSS WOOD USING EXISTING
ACCESS TO PROPERTY FROM MOSS LANE FOR MR S KENNERLEY**

The Committee considered a report regarding the above planning application and a written update.

RESOLVED

(a) That authority be DELEGATED to the Head of Planning (Regulation), in consultation with the Chairman of Southern Planning Committee, to APPROVE the application for the reasons set out in the report and the written update, subject to consideration of the comments from Natural England and the following conditions:

1. Standard outline 1
2. Standard outline 2
3. Standard Outline 3
4. Plans
5. Materials – Prior approval required
6. Reserved Matters application to include an Arboricultural Impact Assessment
7. Prior submission of any piling works
8. Dust Control Measures
9. Surface water drainage scheme
10. Landscaping scheme to include a scheme of replacement tree planting
11. Breeding birds – timing of works
12. Construction Method Statement – The Moss Local Wildlife Site

(b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to Head of Planning (Regulation) in consultation with the Chairman (or in her absence, the Vice Chairman) of the Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

125 **15/4316C FORMER TWYFORD BATHROOMS SITE, LAWTON
ROAD, ALSAGER, STOKE-ON-TRENT, CHESHIRE ST7 2DF:
VARIATION OF CONDITION 15 (HOURS OF DELIVERY) AND
REMOVAL OF CONDITION 16 (HOURS OF OPERATION OF THE**

BIOMASS BOILER) ON APPROVAL 13/4121C - FULL PLANNING PERMISSION FOR THE DEMOLITION OF ALL EXISTING BUILDINGS AND THE CONSTRUCTION OF A NEW RETAIL FOODSTORE; PARKING AND CIRCULATION SPACES; FORMATION OF NEW PEDESTRIAN AND VEHICLE ACCESSES; LANDSCAPING AND ASSOCIATED WORKS (RE-SUBMISSION OF 12/0800C) FOR SAINSBURY'S SUPERMARKETS LTD & LAGAN

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

The Committee considered a report regarding the above planning application.

RESOLVED

(a) That, for the reasons set out in the report, the application be APPROVED subject to the completion of a deed of variation to the S106 Agreement to application 13/4121C and the following conditions:

1. Standard Time – 3 years from 18th June 2015
2. Approved Plans
3. Prior to the commencement of development, a plan showing the extent of the phases of development (comprising the internal road infrastructure works referred to in Condition 34 –Phase 1 - and the remainder of the development – Phase 2) shall be submitted to the Local Planning Authority for approval in writing. The development shall proceed in accordance with the approved details.
4. Prior to the commencement of development details of existing and proposed land levels to be submitted to the LPA for approval in writing
5. The development hereby permitted shall not be commenced until such time as; a scheme to limit the surface water runoff generated by the proposed development, has been submitted to and approved in writing by the local planning authority.
6. The development hereby permitted shall not be commenced until such time as; a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to and approved in writing by the local planning authority
7. With the exception of the internal road infrastructure the development hereby permitted shall not be commenced until such time as a scheme to install underground tanks associated with the petrol filling station has been submitted to, and approved in writing by, the local planning authority. The scheme shall include the full structural details of the installation, including details of: excavation, the tanks, tank surround, associated pipework and monitoring system. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the local planning authority.
8. The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water has been submitted to,

and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
10. Contaminated Land
11. Construction hours, and associated construction deliveries to the site, shall be restricted to 08.00 to 18.00hrs Monday to Friday and 09.00 to 14.00hrs on Saturdays. There shall be no working on Sundays or Bank Holidays.
12. All piling operations shall be restricted to: Monday – Friday 09:00 – 17:30 hrs, Saturday 09:00 – 13:00 hrs, Sunday and Public Holidays Nil
13. Construction Management Plan
14. External Lighting Details
15. Hours of deliveries to the store and biomass boiler between the hours of 5am and 11pm (seven days a week) and that unrestricted (24 hour) deliveries to the petrol filling station
16. Details of Fixed Plant and Equipment
17. Scheme of security barriers for the proposed car park
18. A written schedule of maintenance for the Biomass Boiler which shall include removal of ash, inspection and maintenance of particulate arrestment equipment, boiler servicing and stack cleaning.
19. The biomass boiler shall only be operated using clean wood pellets that comply with a recognised fuel quality standard. A statement shall be submitted to the local authority specifying the quality of the wood pellets used in the biomass boiler and the fuel specification in accordance with CEN/TS 14961 or a similar recognised standard.
20. There shall be no changes to the fuel type for the Biomass Boiler, specification or operation of the biomass boiler unless agreed with the LPA
21. The Biomass stack shall comply with the parameter values specified in Table 5-1 of the submitted air quality assessment, report number 410.04063.00001-dated August 2013 with the exception of the stack height which shall not be less than 8.755 metres. Any deviations shall be submitted to and be approved in writing by the Local Planning Authority.
22. Prior submission and approval of materials
23. Prior to undertaking any works between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds. Where nests are found in any building, hedgerow, tree or scrub to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone to be left around the nest until breeding is complete. Completion of nesting should be confirmed by a suitably qualified person and a report submitted to the Council.
24. Nesting Bird Mitigation Measures
25. Mitigation recommendation of the 2014 Badger report to be secured

26. Boundary Treatment Details including details of all retaining structures
27. Tree protection measures
28. Arboricultural Method Statement
29. Implementation of the submitted landscape proposals
30. Cycle Parking Details
31. The net sales area shall be limited to 2,322sq.m
32. 1,975sq.m (85%) of the sales area will be for the display of convenience goods with the remaining 348sq.m for comparison goods.
33. Prior to first development the developer will provide a detailed suite of design and construction plans for the internal road infrastructure to the satisfaction of the LPA.
34. Prior to first use all access roads and car parking will be constructed and formally marked out.
35. Prior to the store first being brought into use the developer shall fully construct the following off-site highway works:
 - The roundabout access in accordance with plan reference A-PL-103 Rev J
 - The new bus stops on the A5011 in accordance with plan reference A-PL-103 Rev J
 - The junction improvement works at the junction of the A5011/A50/B5077 in accordance with Plan reference VN20017/104.
36. Prior to the commencement of development a plan to show the provision of a footway and cycleway from the site access with Linley Lane to the signal junction at the A5011/A50/B5077 cross-roads shall be submitted to the Local Planning Authority for approval in writing. The approved scheme shall be constructed in accordance with the approved details before the store or petrol station is first brought into use.
37. Travel Plan
38. Details of the opening of the culvert to be submitted to the LPA for approval in writing.
39. Prior to the commencement of phase 2 elevational details of all minor structures including trolley bays, sprinkler tanks, the biomass boiler and electrical services structures shall be submitted to the LPA for approval in writing.

(b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to Head of Planning (Regulation) in consultation with the Chairman (or in her absence, the Vice Chairman) of the Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

WORKS, ALONG SIDE THE REFURBISHMENT OF THE OAKLEY BUILDING FOR USE BY THE UTC FOR GEORGINA HARRIS, CREWE ENGINEERING & DESIGN UTC

Note: Mr D Terry and Mr S Hughes attended the meeting and addressed the Committee on behalf of the applicant.

The Committee considered a report regarding the above planning application.

RESOLVED

(a) That authority be DELEGATED to the Head of Planning (Regulation), in consultation with the Chairman and Vice Chairman of Southern Planning Committee, to APPROVE the application for the reasons set out in the report, subject to consideration of additional information in relation to conditions 3, 4 and 5 and the following conditions:

1. Standard
2. Approved Plans
3. Prior to commencement provision of tree protection scheme in accordance with current best practice BS5837:2012
4. Prior to commencement Phase II contaminated land investigation to be carried out and the results submitted
5. Prior to commencement Construction Management Plan to be submitted and agreed
6. No works to commence during bird nesting season without prior survey
7. No works other than clearance / refurbishment until scheme of acoustic mitigation to be submitted and agreed along
8. No works other than clearance / refurbishment until provision of revised landscaping / replacement planting scheme to include removal of dead trees and replacement planting on West Street boundary & planting within the car parking & along the western boundary with Newdigate Street.
9. No works other than site clearance / refurbishment until details of facing and surfacing materials have been submitted. Materials to include ceramic cladding to the elevation adjacent the public route through the site, retaining walls to be blue engineering brick, reuse of existing blue brick paviers.
10. No works other than clearance / refurbishment until details of brick bond to retaining walls to be submitted and agreed.
11. Prior to installation of any fixed plant details of acoustic insulation to be submitted and agreed
12. Prior to first occupation details of the hours of use of the building to be submitted and agreed.
13. Prior to first occupation travel plan to be submitted and agreed
14. Prior to first occupation electric vehicle charging points to be provided
15. Prior to occupation of the development a suitable Travel Plan will be submitted to the satisfaction of Cheshire East Council, including suitable measures to promote sustainable travel at the site.

16. No development other than site clearance / refurbishment to commence on site prior to the provision of a plans that include a walk link through the development, at a suitable standard, connecting West Street to Meredith Street and/or Chetwode Street. Route to be retained thereafter
17. Car parking provision to be provided at a total of 84 spaces.
18. Secure and covered cycle parking to be provided at 88 spaces, with plans for monitoring to be agreed prior to occupation.
19. Details of East - West pedestrian link

(b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to Head of Planning (Regulation) in consultation with the Chairman (or in her absence, the Vice Chairman) of the Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

127 **15/4576C LAND SOUTH OF THE Paddock, BOOTH BED LANE, GOOSTREY, CHESHIRE: OUTLINE APPLICATION FOR THE ERECTION OF A SINGLE SELF BUILD DWELLING, GARAGE AND GARDEN CURTILAGE ON LAND LOCATED TO THE WEST OF BOOTH BED LANE, GOOSTREY. THE APPLICATION ALSO PROMOTES THE CREATION OF A VEHICLE PASSING PLACE WITHIN THE SITE, AND THE MINOR WIDENING OF THE VERGE TO CREATE A SAFER AND MORE EFFICIENT ENTRANCE TO / FROM BOOTH BED LANE FOR JOHN BEARDSSELL**

Note: Councillor S Hogben left the meeting during consideration of this application.

Note: Dr R Burgess (objector) and Mr J Beardsell (applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application and a written update.

RESOLVED

(a) That, for the reasons set out in the report and the written update, the application be APPROVED subject to the following conditions:

1. Standard Outline 1
2. Standard Outline 2
3. Standard Outline 4
4. Plans
5. Surface water drainage scheme – Prior approval required
6. The access improvements shall be constructed as shown on Dwg B1065 prior to occupation.
7. Reserved matters application shall include an arboricultural impact assessment

8. Breeding birds
9. Jodrell Bank - standard screening condition

(b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to Head of Planning (Regulation) in consultation with the Chairman (or in her absence, the Vice Chairman) of the Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

128 **UPDATE FOLLOWING THE RESOLUTION TO APPROVE APPLICATION 15/2101C SUBJECT TO A S106 AGREEMENT**

Note: Councillor D Hough (Ward Councillor) had registered his intention to address the Committee but left the meeting prior to consideration of this application.

Note: Ms S Helliwell (objector) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding planning application 15/2101C which had been approved by the Southern Planning Committee subject to the completion of a Section 106 Agreement and a number of conditions.

As the application site included land which was still owned by the Council, it was a legal impossibility for the Council to enter into a S106 Agreement with itself as landowner and Local Planning Authority. In addition, the Heads of Terms with respect to the affordable housing provision on site referred to the Code for Sustainable Homes Level 3 requirement, a matter which was now delivered via the Building Regulations.

RESOLVED – That, for the reasons set out in the report, the application be APPROVED, subject to the satisfactory completion of a Section 111 Agreement with a Draft S106 attached Legal Agreement to Secure:

- Affordable housing:
 - 30% of all dwellings to be affordable (65% social or affordable rented and 35% intermediate tenure)
 - A mix of 2 , 3 bedroom and other sized properties to be determined at reserved matters
 - units to be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration.
 - no more than 50% of the open market dwellings are to be occupied unless all the affordable housing has been provided, with the exception that the percentage of open market dwellings that can be occupied can be increased to 80% if the affordable housing has a high degree of pepper-potting and the development is phased.

- developer undertakes to provide the social or affordable rented units through a Registered Provider who are registered with the Homes and Communities Agency to provide social housing.
- Contribution of £ 227,772.09 (21 x 11919 x 0.91) towards primary education. This contribution is based on 110 units and will phased on pro rata basis and be required to be paid on first occupation of each phase (pro rata) of the development of the site
- Contribution of £277,826 (17 x 17959 x 0.91) towards secondary education. This contribution is based on 110 units and will phased on pro rata basis and be required to be paid on first occupation of each phase (pro rata) of the development of the site
- Commuted Sum for off-site enhancement works of £ 19,762.75 in lieu of the loss of protected open space – to be spent at Merelake Way footpath/ Green Corridor
- Provision of on site NEAP (8 pieces of equipment) and a 25 years commuted maintenance sum of £75,799
- Contributions of £29,799 as maintenance payment for on site POS (not incidental areas of open space/ ecological area/buffer zones)
- Bus Shelter Contribution of £25,000 to upgrade two local bus stops to quality partnership specification located within the vicinity of the development site
- Off – site highway contribution of £100,000
- Travel Plan monitoring payment of £5000 (£1000 per annum for 5 years)
- Private residents management company to maintain all on-site incidental open space/buffer zones/ ecological area (not the 3 areas of formal open space/childrens play space)

And the following conditions:

- 1 Standard Outline
- 2 Submission of Reserved Matters
- 3 Time limit for submission of reserved matters
- 4 Approved Plans – (parking layout/driveways and courts size/position/ use not approved on indicative masterplan
- 5 Electric vehicle infrastructure shall be provided on car parking spaces/ each dwelling
- 6 6870 square metres of useable formal open space and childrens play space shall be provided within the site (not including noise buffer zones or incidental spaces/verges)
- 7 Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays
- 8 The developer shall agree with the LPA an Environmental Management Plan (EMP) with respect to the construction phase of the development. The EMP shall identify all potential dust sources and outline suitable mitigation. The plan shall be implemented and enforced throughout the construction phase.
- 9 Prior to the commencement of development an additional Phase II Contaminated Land Assessment shall be submitted to the LPA for approval in writing.

- 10 The development hereby permitted shall not be commenced until such time as; a scheme to limit the surface water run-off generated by the proposed development, has been submitted to and approved in writing by the local planning authority.
- 11 The development hereby permitted shall not be commenced until such time as; a scheme to manage the risk of flooding from overland flow of surface water has been submitted to and approved in writing by the local planning authority.
- 12 Noise mitigation to be submitted and implemented to achieve a good standard and the proposed mitigation for the gardens closest to potential noise sources will require the recommended design criteria of <55dB LAeq to be achieved.
- 13 No development shall take place until a scheme has been submitted to and approved in writing by the local planning authority showing how at least 10% of the predicted energy requirements of the development will be secured from decentralised and renewable or low-carbon sources. The scheme shall be implemented as approved and retained thereafter.
- 14 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority.
- 15 105 units maximum
- 16 Any reserved matters application for housing to include detailed proposals for the incorporation of features into the scheme suitable for use by roosting bats and breeding birds including swifts and house sparrows. Such proposals to be agreed by the LPA. The proposals shall be permanently installed in accordance with approved details.
- 17 Works should commence outside the bird breeding season
- 18 No trees shall be removed without the prior approval of the LPA.
- 19 Landscaping Scheme including details of boundary treatments to be submitted
- 20 Submission of Statement Design (site wide) of part of 1st reserved matters principles to take into account, the Master Plan and the Parameters Plan and to include the principles for:
 - determining the design, form, heights and general arrangement of external architectural features of buildings including the roofs, chimneys, porches and fenestration;
 - determining the hierarchy for roads and public spaces;
 - determining the colour, texture and quality of external materials and facings for the walls and roofing of buildings and structures;
 - the design of the public realm to include the colour, texture and quality of surfacing of footpaths, cycleways, streets, parking areas, courtyards and other shared surfaces;
 - the design and layout of street furniture and level of external illumination;
 - the laying out of the green infrastructure including the access, location and general arrangements of the children's play areas, open space within the site

- sustainable design including the incorporation of decentralised and renewable or low carbon energy resources as an integral part of the development
 - ensuring that there is appropriate access to buildings and public spaces for the disabled and physically impaired.
 - scale parameters for 2.5 storey buildings (maximum) on key parts of the site
 - SUDS details to be submitted
 - All subsequent phases and reserved matters to comply with overall strategy unless otherwise agreed
- 21 Reserved Matters to include Arboricultural Implication Study (AIS) in accordance with para 5.4 of BS5837:2012 Trees in Relation to Design, Demolition and Construction -Recommendations , Constraints and Tree Protection Plan and Arboricultural Method Statement
- 22 Landscaping implementation
- 23 Umbrella Travel Plan to be submitted with 1st reserved matters and each Phase of development to include travel plan
- 24 scheme to manage the risk of flooding from overland flow
- 25 Existing and proposed levels to be submitted as part of each phase/ each reserved matters application whichever is sooner.
- 26 Each phase to include an area of useable public open space as detailed on plan 14-028-P-001 Rev B with access strategy from wider area.
- 27 first reserved matters application to provide a detailed design/management regime for the Ecological Area.

The meeting commenced at 10.00 am and concluded at 5.10 pm

Councillor G Merry (Chairman)