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## CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 25th July, 2012 at The Capesthorne Room - Town Hall,  
Macclesfield SK10 1EA

### **PRESENT**

Councillor R West (Chairman)  
Councillor W Livesley (Vice-Chairman)

Councillors C Andrew, L Brown, B Burkhill, K Edwards, A Harewood, L Jeuda,  
J Macrae, D Mahon and D Stockton

### **OFFICERS PRESENT**

Miss J Adeniran (Lawyer), Mrs N Folan (Planning Solicitor), Mr P Hooley  
(Northern Area Manager), Mr N Jones (Principal Development Officer) and  
Mr R Law (Senior Planning Officer)

### **28 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs H Gaddum,  
Mrs O Hunter, D Neilson and P Raynes.

### **29 DECLARATIONS OF INTEREST/PRE DETERMINATION**

None.

### **30 MINUTES OF THE MEETING**

#### **RESOLVED**

That the minutes be approved as a correct record and signed by the  
Chairman.

### **31 PUBLIC SPEAKING**

#### **RESOLVED**

That the public speaking procedure be noted.

### **32 12/0410C-RESIDENTIAL DEVELOPMENT OFF BROOK STREET, CONGLETON FOR 54 NO. RESIDENTIAL DWELLINGS WITH PUBLIC OPEN SPACE AND A NEW FOOTBRIDGE CROSSING OVER RIVER DANE TO CONGLETON PARK, LAND OFF BROOK STREET, CONGLETON, CHESHIRE FOR MRS NICHOLA BURNS, MORRIS HOMES LTD**

(During consideration of the application, Councillor B Burkhill arrived to the meeting and in accordance with the Code of Conduct he did not take part in the debate or vote on the application).

Consideration was given to the above application. The Officer clarified that, in respect of the 5 year housing land supply, the 5 % buffer is applicable in Cheshire East, as the report could be interpreted in two ways in this regard.

(Nichola Burns, representing the applicant attended the meeting and spoke in respect of the application).

## **RESOLVED**

That for the reasons set out in the report and in the Officers update report to Committee the application be approved subject to the completion of a S106 Agreement comprising the following Heads of Terms:-

- a) Provision of 20% affordable housing, with a tenure split of 55% social rent and 45% intermediate tenure
- b) Financial contribution of £24,000 towards the provision of two quality partnership standard bus stops;
- c) Financial contribution of £20,000 towards improvements to local sustainable links including existing footways;
- d) Provision of a financial contribution of £16, 024.75 towards enhancement of Children and Young Persons off site play equipment in Congleton Park and an associated maintenance contribution of £52,237.50;
- 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.

g) A commuted sum for improved highway signage surrounding the access to the site.

And subject to the following conditions:-

1. 3 year time limit
2. Development in accordance with submitted plans inc. access
3. Hours restriction – construction including delivery vehicles.
4. Hours restriction - piling activity.
5. Contaminated land Phase 2 to be submitted
6. Landscape scheme and Management Plan to be submitted
7. Landscaping to include native species for ecological value
8. Implementation of landscaping
9. Survey for breeding birds and protection during breeding season
10. Incorporation of features into the scheme suitable for use by breeding birds
11. Incorporation of features into the scheme suitable for use by bats
12. Submission/approval and implementation of a programme of remedial works to retained trees.
13. Levels in accordance with submitted details
14. Materials to be submitted to and approved
15. Noise mitigation for Plots 1 and 54 to be implemented in accordance with 'Hepworth Acoustics, Report No. 21367.01v1, January 2012' prior to first occupation of these units
16. Detailed scheme for dust mitigation during demolition and construction
17. Details of external lighting strategy to be submitted and agreed
18. Detailed Tree Protection Scheme to be submitted, agreed and fully implemented
19. Scheme for watercourse protection during construction including 8m buffer strip and wildlife corridor to be retained
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 Cut and Fill Drawings unless otherwise agreed in writing

24. 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
25. Site Waste Management Plan to be submitted and agreed
26. 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
27. 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. Method statement detailing proposals for the eradication of Japanese Knotweed and Himalayan Balsam.
32. Details of bin storage to be submitted to and approved
33. Removal of PD Part 1 classes A-E and Part 2 (gates, walls, fences) for plots 48 – 52

**33 12/1513M-PROPOSED DEMOLITION OF PAVILLION AND STORE AND CONSTRUCTION OF STABLES, MANEGE AND HORSE WALKER AND THE ASSOCIATED USE OF LAND FOR THE KEEPING OF HORSES, BIRTLES BOWL PAVILLION, BIRTLES LANE, OVER ALDERLEY FOR MR & MRS C HARRIS**

Consideration was given to the above report. As Councillor Mrs L Smetham was unable to attend the meeting to speak on the application, the Officer read out her comments.

**RESOLVED**

That the application be deferred in order for the applicant to be given the opportunity to submit revised plans for the Committee to consider.

(This decision was contrary to the Officers change in recommendation from one of refusal to one of delegation to the Development Management and Building Control Manager in consultation with the Chairman for approval subject to receipt of revised plans as set out in email from the applicant's agent and subject to any conditions required. This change in recommendation from the Officer was as a result of the agent for the applicant confirming at a very late stage that his client was happy to agree to all of the requests that the Planning Officer had made, therefore the Planning Officer changed his recommendation on the basis of this new agreement).

The meeting commenced at 2.00 pm and concluded at 3.25 pm

Councillor R West (Chairman)

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