

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 12th February, 2014 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, W S Davies, P Groves,  
M A Martin, S McGrory, D Newton, A Thwaite and J Hammond (for Cllr  
Marren)

### **NON-COMMITTEE MEMBERS IN ATTENDANCE**

Councillors B Moran and J Wray

### **OFFICERS PRESENT**

Nigel Curtis (Principal Development Officer - Highways)  
Daniel Evans (Principal Planning Officer)  
Patricia Evans (Lawyer)  
Michelle Gresty (Legal Assistant) – Observer  
Margaret Hopley (Environmental Health Officer) - Minute No. 130 Only  
Phil Mason (Senior Enforcement Officer) - Minute No. 130 Only  
Susan Orrell (Principal Planning Officer)  
Julie Zientek (Democratic Services Officer)

### **Apologies**

Councillors R Cartlidge and D Marren

### **Apologies due to Council Business**

Councillor A Kolker

## **127 DECLARATIONS OF INTEREST**

The following declarations were made in the interests of openness:

With regard to application numbers 13/4194N and 13/4968N, and agenda item 19 (application to fell a protected pine tree at Leyland Grove, Haslington), Councillor J Hammond declared that he was a member of Haslington Parish Council, but that he had not taken part in any discussions in respect of the applications and had not made comments on them. With respect to application number 13/4968N, Councillor Hammond also declared that he was Chairman of the Gutterscroft Management Committee.

With regard to application numbers 13/4631N, 12/2550N, 12/3262N and 13/1590N Councillor S Davies declared that the sites were in his ward.

With regard to application numbers 12/2550N and 12/3262N, Councillor S Davies declared that he had not kept an open mind. Councillor Davies declared that he would exercise his separate speaking rights as a Ward Councillor and withdraw from the meeting during consideration of these items.

With regard to application number 13/5091N, Councillor A Thwaite declared that he had previously worked with the applicant.

With regard to application numbers 13/4631N, 12/2550N and 12/3262N, Councillor P Groves declared that he was a member of the relevant Parish Councils. [Note: Councillor Groves subsequently reported that he was a member of a neighbouring Parish Council, which did not cover the locations of the application sites.]

With regard to application number 13/5091N, Councillor P Butterill declared that Mr M David had spoken at a meeting of Nantwich Town Council, of which she was a member.

With regard to application number 13/4818C, Councillor Rhoda Bailey declared that she knew Town Councillor M Benson, who would be making representations at the meeting.

All Members of the Committee declared that they had received correspondence regarding a number of applications on the agenda.

With regard to application numbers 13/4818C and 13/4911C, Councillor G Merry declared that she was a member of Sandbach Town Council.

With regard to application number 13/5104C, Councillor G Merry declared that she was a member of Sandbach Town Council. In addition, as it may be considered that she had fettered her discretion, Councillor Merry declared that she would exercise her separate speaking rights as a Ward Councillor and would move from the Member seating area for the duration of the Committee's consideration of this item.

## **128 MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 15 January 2014 be approved as a correct record and signed by the Chairman.

## **129 CHESHIRE EAST HOUSING LAND SUPPLY-POSITION STATEMENT (31 DECEMBER 2013)**

Mr D Evans, Principal Planning Officer, reported that the Cheshire East Housing Land Supply - Position Statement had been approved by the

relevant portfolioholder and asked Members to bear this in mind in considering the applications.

**130 13/4818C SANDBACH COUNTY HIGH SCHOOL FOR GIRLS, MIDDLEWICH ROAD, SANDBACH, CHESHIRE CW11 3NT: THE INSTALLATION OF BIOMASS BOILER WITH ANCILLARY PLANT INCLUDING FLUE AND THE CONSTRUCTION OF THE PLAN ENCLOSURE. RESUBMISSION OF 13/3444C FOR MR JOHN BAILEY, MATHIESON BIOMASS LTD**

Note: Councillor D Newton arrived during consideration of this item but did not take part in the debate or vote.

Note: Councillor B Moran (Ward Councillor), Town Councillor M Benson (on behalf of Sandbach Town Council) and Mr A Hudson (objector) attended the meeting and addressed the Committee on this matter.

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

RESOLVED – That the application be DEFERRED for further information on ash and installations nationwide in terms of reliability and safety.

**131 13/4631N THE GABLES, PECKFORTON HALL LANE, PECKFORTON CW6 9TG: OUTLINE PLANNING APPLICATION FOR HOUSING DEVELOPMENT OFF BACK LANE ON LAND ADJACENT THE GABLES, SPURSTOW WITH ALL MATTERS RESERVED FOR J. GASKELL**

Note: Mr C Bowen 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 the application be REFUSED for the following reasons:

1. Due to the location of the site, the development is likely to be car dependant and thereby comprises unsustainable development contrary to the NPPF and comprises the loss of agricultural land within the open countryside. It is therefore contrary to Policy NE.2 (Open Countryside) NE 12 (Agricultural Land Quality) and Policy RES.5 (Housing in the Open Countryside) and does not meet the rural exception requirements of Policy RES8 of the Borough Crewe and Nantwich Local Plan 2011 and the provisions of the NPPF with respect to sustainable development.

2. The Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework, and as such the housing supply policies of the Local Plan can be considered to be up to date. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan. The proposed development is therefore contrary to Policy NE.2 (Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the NPPF.
3. Insufficient information has been submitted in relation to the site's contributions to sustainable transport provision, contrary to the guidance of the NPPF. It is therefore considered that insufficient information has been submitted in relation to highway matters therefore the application does not accord with Policy BE.3 (Access and Parking) of the Crewe and Nantwich Replacement Local Plan 2011.
  - (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 Interim Planning and Place Shaping Manager 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 Interim Planning and Place Shaping Manager 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.

132 **12/2550N PECKFORTON CASTLE, STONE HOUSE LANE, PECKFORTON, TARPORLEY, CHESHIRE CW6 9TN: PROPOSED WOODLAND EXPERIENCE - CONVERSION AND EXPANSION OF FORMER ENGINE SHED TO CREATE ACTIVITY CENTRE, ANIMAL FARM, WARDEN ACCOMMODATION, ANCILLARY BUILDINGS, MEANS OF ACCESS AND CAR PARKING FOR MR T NAYLOR, MAJORSTAGE LTD**

Note: Having exercised his separate speaking rights as a Ward Councillor, Councillor S Davies withdrew from the meeting for the duration of the Committee's consideration of this and the following item.

The Committee considered a report regarding the above planning application.

RESOLVED - That authority be DELEGATED to the Interim Planning and Place Shaping Manager in consultation with the Chairman to APPROVE the application for the reasons set out in the report, subject to:

- (a) further consideration being given to the retention of the storage building, as requested by English Heritage.
- (b) the following conditions:
  - 1. Standard
  - 2. Plans
  - 3. Materials
  - 4. Surfacing Materials
  - 5. Drainage details to be submitted and agreed in writing
  - 6. Landscaping details to be submitted and agreed in writing
  - 7. Landscaping Implemented
  - 8. Details of External Lighting to be submitted and agreed in writing
  - 9. Details of a construction management plan to include the following:
    - details of construction and demolition waste management;
    - details of pollution prevention;
    - details of any lighting scheme proposed during construction. (Note: lighting should be directed away from the designated sites);
    - details of site access, working and safety zones, together with temporary fencing proposals for the site access and site perimeter:
    - all contractors working on site should be made aware of and should be provided with a map that clearly shows the boundaries of the Peckforton Woods SSSI in relation to the development site.
  - 10. Details of mortar mix and pointing technique to be submitted and agreed in writing
  - 11. All air vents and grills to be painted black and thereafter retained
  - 12. All external windows to be single glazed unless otherwise agreed in writing
  - 13. Details of cleaning mechanism of stonework
  - 14. Details to be submitted and agreed with approach to blown and damaged stonework
  - 15. All plaster to be lime based unless otherwise agreed in writing
  - 16. Describe and illustrate all replacement/new doors and windows
  - 17. Describe and illustrate proposed new radiators
  - 18. Rainwater goods to be cast iron and painted black unless otherwise agreed in writing
  - 19. Car parking spaces
  - 20. Survey for breeding birds
  - 21. Features for birds
  - 22. Noise survey to be submitted and agreed in writing
  - 23. Contaminated land survey
  - 24. Details of Levels
  - 25. Details of window/door Reveals to be submitted and agreed in writing
  - 26. Details of Service Routes
  - 27. Wardens Accommodation

28. Full details of the construction methods of the all footpaths and access road to be submitted and agreed in writing

Informative:

The applicant is advised that they have a duty to adhere to the regulations of Part IIA of the Environmental Protection Act 1990, the National Planning Policy Framework 2012 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 shall 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.

- 133 **12/3262N PECKFORTON CASTLE HOTEL, STONE HOUSE LANE, PECKFORTON, TARPORLEY, CHESHIRE CW6 9TN: LISTED BUILDING CONSENT FOR RENOVATION, ALTERATION AND EXTENSION TO FORMER ENGINE SHEDS IN CONNECTION WITH THE PLANNING APPLICATION 12/2550N PROPOSED WOODLAND EXPERIENCE - CONVERSION AND EXPANSION OF FORMER ENGINE SHEDS TO CREATE AN ACTIVITY CENTRE, ANIMAL FARM, WARDEN ACCOMMODATION, ANCILLARY BUILDINGS, MEANS OF ACCESS AND CAR PARKING FOR MAJORSTAGE LTD**

The Committee considered a report regarding the above planning application.

RESOLVED - That authority be DELEGATED to the Interim Planning and Place Shaping Manager in consultation with the Chairman to APPROVE the application for the reasons set out in the report, subject to:

- (a) further consideration being given to the retention of the storage building, as requested by English Heritage.
- (b) the following conditions:
  - 1. Standard
  - 2. Plans
  - 3. Materials
  - 4. Drainage
  - 5. Mortar Mix
  - 6. All air vents and grills should be painted black
  - 7. Cleaning Mechanism of stonework
  - 8. Details of approach to blown sandstone
  - 9. All plaster to be lime based
  - 10. Describe and illustrate all replacement/new doors/windows
  - 11. Describe and illustrate proposed replacement radiators
  - 12. Rainwater goods to be cast iron and painted black

13. Surfacing Materials
14. Landscaping Submitted
15. Landscaping Implemented
16. Details of Timber Stain
17. Roof trusses to remain exposed
18. Details of door furniture to be submitted and agreed in writing
19. Details of internal flooring to be submitted and agreed in writing

**134 13/0971N LAND TO THE REAR OF 315 - 319 WEST STREET, CREWE CW1 3HU: PROPOSED RESIDENTIAL DEVELOPMENT OF 6 TWO BEDROOM APARTMENTS FOR MR ANTONY MOLLOY, FUTURE HOMES**

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, the application be APPROVED subject to the following conditions:
  1. Time limit
  2. Approved plans
  3. Submission of details of materials
  4. Hours of construction
  5. Details of piling
  6. Submission of a Phase 1 Contaminated Land Survey
  7. Submission of revised parking layout plan
  8. Landscaping scheme
  9. Implementation of landscaping scheme
  10. No alterations to the siting or function of the alley gates
  11. Boundary treatment details to be submitted to the LPA for approval in writing
- (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 Interim Planning and Place Shaping Manager 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.

**135 13/1590N GILLY'S FARM, WRENBURY, NANTWICH, CHESHIRE CW5 8HN: RECONSTRUCTION OF GRADE 2\* 17TH CENTURY TIMBER FRAMED BUILDING TO FORM A DWELLING HOUSE ON THE SITE OF A FORMER DWELLING FOR MR PHILIP HORSLEY**

The Committee considered a report regarding the above planning application.

RESOLVED – That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Standard
2. Plans
3. Re-erection to be carried out in accordance with submitted report unless otherwise stated in conditions
4. Windows to be retained at original size, with small leaded light windows in accordance with details to be submitted
5. Submission, approval and implementation of overhanging eaves detail
6. lantern feature on the roof to be omitted in favour of a rooflight fitted flush with the roofcovering
7. Submission and approval of materials including surfacing materials. Materials to include thatch to roof, wattle and daub infill panels, plain clay tiles to ancillary building, All timber cladding shiplap boarding to be oak; colour finish of Oak frame Natural Stone Plinth to main building
8. Landscaping to include native hedge planting to boundary
9. Implementation of landscaping.
10. The hours of construction works taking place during the development (and associated deliveries to the site) shall be restricted to:
  - Monday – Friday 08:00 to 18:00 hrs
  - Saturday 09:00 to 14:00 hrs
  - Sundays and Public Holidays Nil
11. Should any adverse ground conditions be encountered during excavation works, all work in that area should cease and Environmental Health to be contacted for advice.
12. All repairs and replacement of oak to be in oak;
13. Oak frame to remain exposed;
14. All rainwater goods and downpipes to be black cast metal;
15. All windows to be oak framed;
16. All doors to be in oak;
17. Remove Permitted Development rights
18. Implementation of boundary treatment
19. Submission and approval of design for gates

136 **13/4194N 'THE LIMES', 425, CREWE ROAD, WINTERLEY, SANDBACH, CHESHIRE CW11 4RP: CONVERSION OF EXISTING DETACHED DWELLING INTO 4 APARTMENTS, ERECTION OF 2 TWO-STOREY DETACHED DWELLINGS & 4 TWO-STOREY SEMI-DETACHED DWELLINGS AND ASSOCIATED WORKS FOR MR MICHAEL & NEIL GHOSH**

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, the application be APPROVED subject to the completion of a Section 106 Agreement to secure a commuted payment of £21,693 towards primary school education and the following conditions:
1. Time (3 years)
  2. Plans (excluding the proposed bin store on the approved layout plan)
  3. Prior submission of facing and roofing details
  4. Prior submission of hard or soft surfacing materials
  5. Hours of construction
  6. Hours of piling
  7. Prior submission of a piling method statement
  8. Prior submission of lighting details
  9. 30% Affordable Housing requirement
  10. Tree protection
  11. Tree pruning specification
  12. Landscaping – Details
  13. Landscaping – Implementation
  14. Boundary Treatment
  15. Bat mitigation - Implementation
  16. Prior submission of drainage
  17. Prior submission of bin storage details
  18. Prior submission of bin drop-off point
  19. PD removal A-E of Locally Listed Building
  20. PD removal for retention of garage spaces on plots 1 & 2
- (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 Interim Planning and Place Shaping Manager 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 Interim Planning and Place Shaping Manager 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.
- (d) Informatives
1. NPPF
  2. Section 184 and 278 Agreements (Highways)

137 **13/4911C LAND OFF MOSS LANE, SANDBACH: OUTLINE APPLICATION FOR 13 NEW DWELLINGS (RESUBMISSION) FOR MR PETER RICHARDSON**

Note: Prior to consideration of this application, the meeting was adjourned for ten minutes for a break.

Note: Mr C Bowen attended the meeting and addressed the Committee on behalf of the applicant.

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

**RESOLVED**

- (a) That the application be REFUSED for the following reason:

The proposed residential development is unsustainable because it is located within the Open Countryside, contrary to Policies PS8 and H6 of the Congleton Borough Adopted Local Plan First Review 2005 and the principles of the National Planning Policy Framework which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use. As such it and creates harm to interests of acknowledged importance. The Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework and consequently, there are no material circumstances to indicate that permission should be granted contrary to the development 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 Interim Planning and Place Shaping Manager 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 Interim Planning and Place Shaping Manager 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.

**Heads of terms:**

1. A commuted payment of £6,842.20 towards off-site Public Open Space enhancement and maintenance

2. A commuted payment of £15,602.80 towards off-site Children's Play Space enhancement and maintenance
3. A commuted payment of £21,692 towards local Primary School provision.
4. A commuted payment of £32,685 towards local Secondary School provision.
5. 30% Affordable Housing provision – All 4 units to be socially rented. Pepper-potted and tenure blind, provided no later than 50% occupation. Transferred to registered provider.

**138 13/4968N 157, CREWE ROAD, HASLINGTON, CREWE CW1 5RG: 10 NO. DETACHED HOUSES FOR RENEW LAND DEVELOPMENTS LTD**

Note: Mr R Lee had registered his intention to address the Committee on behalf of the applicant but did not speak.

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

RESOLVED – That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Standard time 3 years
2. Approved Plans
3. Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays
4. Pile driving limited to 09:00 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays
5. Materials to be submitted for approval
6. Landscaping details including boundary treatments to be submitted and approved
7. Implementation of landscaping
8. Prior to the commencement of development details of existing and proposed levels are to be provided.
9. Protection of birds during the breeding season
10. Incorporation of features to house roosting bats and breeding birds, including House Sparrows and Swifts.
11. Protection of retained trees and hedgerows
12. Completion of the widening of Gutterscroft and the surfacing of Gutterscroft and the new cul-de-sac including parking spaces and provision of 2m x 2m refuse collection areas within the curtilages of the dwellings, prior to first occupation of the dwellings
13. Submission of external lighting details
14. Submission of foul and surface water drainage details
15. Notwithstanding the details shown on the approved layout plan, a revised plan showing hard surfacing between the driveways of Plots 1, 2 and 3 and a footway on the eastern side of Gutterscroft shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan.

16. Prior to the commencement of development a method statement shall be submitted to and approved in writing by the Local Planning Authority, which outline the method of construction, details of deliveries to the site during construction, how and where materials will be unloaded and details of where contractor's vehicles will park. The development shall then be constructed in complete accordance with the method statement.
17. Obscure glazing to the side elevations of plots 6 and 7.
18. Details of street lighting along Gutterscroft.

**139 13/5053C THE BARN, BROOK FARM, NEWCASTLE ROAD, BETCHTON CW11 2TG: ERECTION OF TIMBER CLAD GATEHOUSE, ACCESS STEPS AND UNDERGROUND SEWAGE TREATMENT PLANT. RESUBMISSION OF 13/4292C FOR DENISE COATES, AND MR RICHARD SMITH**

Note: Councillor J Wray (Ward Councillor) and Mr C Copestake (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.

RESOLVED – That the application be DEFERRED for further consideration of the essential need and the alternative options available to the applicant.

**140 13/5091N REASEHEATH COLLEGE, MAIN ROAD, WORLESTON, NANTWICH, CHESHIRE CW5 6DF: OUTLINE APPLICATION FOR NEW SPORTS HALL, 3G AND MUGA PITCH FOR MR S KENNISH, REASEHEATH COLLEGE**

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

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

RESOLVED – That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Standard
2. Plans
3. Materials
4. Details of Surfacing Materials to be submitted and agreed in writing
5. Details of External Lighting to be submitted and agreed in writing
6. Details of Drainage to be submitted and agreed in writing
7. Restrict hours of use for the pitches and lighting
8. Dust Control
9. Contaminated Land Survey

10. Landscaping submitted and agreed in writing
11. Landscaping Implemented
12. Details of any netting including its colour to be submitted and agreed in writing
13. Details of the floodlighting to be submitted and agreed in writing
14. Details of the pitches including their construction to be submitted and agreed in writing
15. Details of covered cycle shelters to be submitted and agreed in writing
16. Travel plan to be submitted and agreed in writing
17. Tree Protection Measures
18. Within 12 months of the date of this planning permission a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to [describe facilities forming part of the development] and include details of pricing policy, hours of use, access by non-[educational establishment] users [/non-members], management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement."
19. Details of Management and Maintenance Scheme to be submitted and agreed in writing
20. The development hereby permitted shall not be brought into use until the area shown on Drawing No. 30104/A-01-001 has been cleared and laid out in accordance with Drawing No. 30104/A-01-002 so that it is available for use as a playing field and sports facility, and notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order amending, revoking or re-enacting that order) that area shall not thereafter be used for any purpose other than as a playing field and sports facility.
21. The Artificial Grass Pitch, The Multi Use Games Area and Sports Hall, hereby permitted shall be constructed in accordance with Sport England/National Governing Body Technical Design Guidance Notes

#### Informatives:

The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2012 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 shall 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.

Guidance on preparing Community Use Agreements is available from Sport England [www.sportengland.org](http://www.sportengland.org).

**141 13/5104C OLD CHURCH HALL, VICARAGE LANE, SANDBACH CW11 3BW: DEMOLITION OF EXISTING BUILDING AND CHANGE OF USE TO ERECT 4 NO. RESIDENTIAL DWELLINGS FOR C WRIGHT, FORWARD PROPERTY GROUP**

Note: All Members of the Committee declared that they had received correspondence with respect to this application.

Note: Having exercised her separate speaking rights as a Ward Councillor, Councillor G Merry moved from the Member seating area for the duration of the Committee's consideration of this item and Councillor J Weatherill, Vice-Chairman, took the Chair.

Note: Mr R Sproson (objector) and Ms C Gascoigne (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Mr D Evans, Principal Planning Officer, read a statement submitted by Councillor B Moran (Neighbouring Ward Councillor).

The Committee considered a report regarding the above planning application.

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

The proposed development would be out of keeping with the character of the area due to the height, size and scale of the proposed houses. As a result the development would be contrary to Policy GR2 of the Congleton Borough Local Plan First Review 2005.

**142 13/5139N LAND ADJACENT 9, WALTHALL STREET, CREWE CW2 7JZ: CONSTRUCTION OF 12NO. APARTMENTS FOR MR GREENHOUSE, GREENHOUSE PROPERTY MANAGEMENT**

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, the application be APPROVED subject to the following conditions:

1. Standard time 3 years

2. Approved Plans
3. Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays
4. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays
5. No development shall take place until details of external lighting has been submitted to and agreed in writing by the Local Planning Authority.
6. Submission and approval of details of materials
7. Landscaping details including boundary treatment of car parking area to be submitted and approved
8. Implementation of landscaping
9. Submission of a Phase 1 Contaminated Land Survey
10. Construction Management Plan
11. Provision of 2 vehicle charging points
12. Parking to be provided prior to occupation
13. Details of bin storage to be submitted to the LPA for approval in writing.

- (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 Interim Planning and Place Shaping Manager 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.

**143 13/5114N BENTLEY MOTORS LTD, PYMS LANE, CREWE, CHESHIRE CW1 3PL: VARIATION OF CONDITION 2 (APPROVED PLANS) ON APPLICATION 12/4426N (PROPOSED DEVELOPMENT OF THE SITE TO PROVIDE A PERMANENT CAR PARK WITH A TOTAL OF 1817 CAR PARKING SPACES PLUS LORRY PARKING FOR UP TO 14 HGVS) FOR MR GARTH ROBERTS, BENTLEY MOTOR LIMITED**

The Committee considered a report regarding the above planning application.

RESOLVED – That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Standard 3 year time limit
2. Accordance with Amended Plans
3. Materials to be submitted
4. Landscaping submission – to include native species and details of any mounding
5. Landscaping implementation
6. Breeding bird survey to be carried out prior to commencement of any works during nesting season
7. Construction of Access in accordance with approved plans

8. Hours of construction limited
9. Hours of operation limited
10. Submission of scheme to minimise dust emissions during demolition / construction
11. In accordance with details of lighting
12. Drainage details to be carried out in accordance with the submitted Flood Risk Assessment
13. Scheme to limit surface water runoff
14. scheme to manage the risk of flooding from overland flow of surface water
15. Levels and ground modelling works

**144 APPLICATION TO FELL PROTECTED PINE TREE AT LEYLAND GROVE, HASLINGTON (APP. 13/5163T)**

The Committee considered a report regarding an application to fell a mature pine tree between public open space and 52, Leyland Grove, Haslington, which was subject to the Crewe and Nantwich Borough Council (Oaklands Avenue, Haslington) TPO 1997.

RESOLVED – That, for the reasons set out in the report, the application to fell the protected pine tree be REFUSED.

The meeting commenced at 1.00 pm and concluded at 5.55 pm

Councillor G Merry (Chairman)