

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 10th June, 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, D Bebbington, P Butterill, J Clowes, W S Davies,  
S Edgar, P Groves, S Hogben, A Kolker, D Marren, J Rhodes, B Roberts and  
B Walmsley

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

Councillors J Hammond and A Moran

## **OFFICERS PRESENT**

Tim Driver (Lawyer)  
Daniel Evans (Principal Planning Officer)  
Emma Hood (Arboricultural Officer)  
Peter Hooley (Planning and Enforcement Manager)  
Chris Hudson (Principal Forestry and Arboricultural Officer)  
Neil Jones (Principal Development Officer - Highways)  
Paul Reeves (Flood Risk Manager)  
Julie Zientek (Democratic Services Officer)

## **Apologies**

There were no apologies for absence.

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

The following declarations were made in the interests of openness:

All Members of the Committee declared that they had received correspondence regarding application numbers 14/5662N, 15/0876N, 14/5472N and agenda item 28 (Cheshire East Borough Council (Wybunbury - Main Road/Pinfold Corner) Tree Preservation Order 2015).

With regard to application number 14/0143N, Councillor P Butterill declared that she was a member of Nantwich Town Council and Nantwich Civic Society, but that she had kept an open mind.

With regard to application number 15/1871M, all Members of the Committee declared that they knew the applicant's wife, who was a serving Councillor.

Councillor S Edgar declared that he had received correspondence regarding application numbers 15/0876N and 14/5472N, which were in his Ward.

With regard to application numbers 14/5586C, 14/5639C, 15/2080C and agenda item 26 (Elworth Wire Mills, Station Road, Sandbach CW11 3JQ Ref 14/5254C), Councillor G Merry declared that she was a member of Sandbach Town Council but that she was not a member of its planning committee and had not discussed these applications. Councillor Merry also declared that application number 14/5639C and agenda item 26 were in her Ward, but that she had kept an open mind.

## **2 MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 22 April 2015 be approved as a correct record and signed by the Chairman.

## **3 TERMS OF REFERENCE**

RESOLVED – That the Committee's Terms of Reference be noted.

## **4 14/0143N FORMER BOWLING GREEN, WATERLODE, NANTWICH: ERECTION OF 7 DWELLINGS WITH INTEGRAL GARAGES AND ASSOCIATED CAR PARKING FOR BLACK & WHITE CHESHIRE LTD**

Note: Councillor A Moran (Neighbouring Ward Councillor) and Mr R Holmes (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 and a written update.

RESOLVED

- (a) That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposed development by reason of its height, massing, form and detailed design fails to take the opportunities to improve the character and appearance of the area. The proposed development would be contrary to Policy BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the NPPF.

- (b) That, should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement: The provision of Commuted Sum Payment of £62550 to comply with RT.1. The contribution to be paid prior to the commencement of development.

**5 14/4946C ALSAGER BOWLING & RECREATION CLUB, FIELDS ROAD, ALSAGER, STOKE-ON-TRENT, ST7 2NA: PROPOSED CONSTRUCTION OF 2NO DETACHED DWELLINGS INCLUDING ADDITIONAL PARKING FACILITIES AND NEW ACCESS FROM LEA WAY FOR ALSAGER BOWLING & RECREATION CLUB CO LTD**

Note: Mrs S Helliwell had not registered her intention to address the Committee on behalf of Alsager Town Council. However, in accordance with paragraph 2.8 of the public speaking rights at Strategic Planning Board and Planning Committee meetings, the Committee agreed to allow Mrs Helliwell to speak.

Note: Mrs M Riley (objector) and Mr P Bentley (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 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 a S106 Agreement to secure re-investment in the bowling club

and the following conditions:

1. Time limit
2. Materials
3. Plans
4. Removal of PD rights.
5. Piling
6. Landscaping
7. Landscape implementation
8. Breeding Birds
9. Contaminated Land

- (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 the Head of Planning (Regulation), in consultation with the Chairman (or in her absence the Vice Chairman) of 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.

**6 14/5662N LAND ADJACENT TO WOODLANDS VIEW, 20, BRIDGE STREET, WYBUNBURY CW5 7NE: ERECTION OF 2 NO. DWELLINGS, VEHICULAR ACCESS, ASSOCIATED CAR PARKING AND LANDSCAPING FOR SIMON CLUTTON HOMES LTD**

Note: Mr R Spruce attended the meeting and addressed the Committee on behalf of the applicant.

The Committee considered a report regarding the above planning application 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. Commencement
  - 2. Approved plans
  - 3. Materials in accordance with the details submitted with the application
  - 4. 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.
  - 5. Submission of drainage scheme to include the disposal of foul and surface water
  - 6. Development to proceed in accordance with the submitted protected species report. If development commences after 31<sup>st</sup> April 2015, updated surveys and mitigation measures must be submitted.
  - 7. A Contaminated Land Site Completion Report, detailing the conclusions and actions taken at each stage of the works, including validation works, shall be submitted to and approved in writing prior to the first use or occupation of any of the dwellings.
- (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.

**7 15/0971N LAND TO THE REAR OF 11 EASTERN ROAD, WILLASTON, CW5 7HT: RESERVED MATTERS FOR ERECTION OF 40 TWO STOREY DWELLINGS, PARKING, LANDSCAPING AND ASSOCIATED WORKS (RE-SUBMISSION OF 13/4462N) FOR DILWYN LLOYD, ANWYL HOMES**

Note: Mr J Narsai-Latham 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, for the reasons set out in the report and the written update, the application be APPROVED subject to the following conditions:
  - 1. In accordance with outline planning permission
  - 2. Development in accordance with approved plans

3. Prior submission of a tree retention plan
4. Prior submission of a Method Statement/Construction Specification (turning head and footpath adjacent to Plot 15)
5. Landscaping (details)
6. Landscaping (Implementation)
7. Obscure glazing (Plot 1 – First-floor rear, Plot 4 – First-floor western side elevation, Plot 22 – First-floor southern side elevation, Plot 27 – First-floor southern side elevation, Plot 30 – First-floor southern side elevation, Plot 39 – First-floor southern side elevation)
8. Prior submission of bin storage details
9. Prior submission of a travel plan
10. Prior submission of a risk assessment and method statement (RAMS)
11. The prior submission of acoustic fence details
12. The prior submission of scaffolding details
13. The prior submission of a method and risk assessment for any vibro-impact works on the site
14. The prior submission of ground levels, earthworks and excavations.
15. Prior submission of a foul drainage plan

Informative:

The developer is requested to consider an alternative layout to plots 28 and 29 to include a private driveway/parking area between the dwellings and the railway line.

- (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

**8 15/1203N THE HORSESHOE INN, NEWCASTLE ROAD, BLAKELOW, WILLASTON CW5 7EP: DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF THE SITE FOR 4NO. DWELLINGS FOR BELUGA HOMES LTD AND FREDERICK ROBINSON**

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

The Principal Planning Officer reported a correction to the report, in which the second sentence of the paragraph entitled 'Residential Amenity' should be amended to read: 'The rear gardens and amenity space would meet the minimum 50m<sup>2</sup> as required within the SPD, accommodating all of the basic amenities required.'

**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 time 3 years
2. Plans
3. Materials
4. Landscaping scheme including native hedgerow species and replacement tree planting
5. Implementation of Landscaping Scheme
6. Breeding birds
7. Submission / Approval and Implementation of Piling Method Statement
8. Contaminated Land
9. Noise Mitigation Scheme
10. Management Scheme of the Paddock area to the rear of the site
11. Submission of revised Arboricultural Method Statement
12. Surface water disposal scheme
13. Surface water disposal scheme via sustainable drainage measures

(c) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Planning (Regulation), in consultation with the Chairman (or in her absence the Vice Chairman) of 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.

**9 15/0641N LOCOMOTIVE STORAGE LTD, CREWE DIESEL DEPOT, NANTWICH ROAD, CREWE CW2 6GT: NEW BUILD CARRIAGE SHED FOR LOCOMOTIVE STORAGE LTD**

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

The Committee considered a report regarding the above planning application.

The Planning and Enforcement Manager reported that the correct paperwork had been received and that there was no safeguarding direction in place.

**RESOLVED**

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

1. Commencement
2. Approved plans
3. Materials to be as detailed in the application

(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.

**10 15/0642N LOCOMOTIVE STORAGE LTD, CREWE DIESEL DEPOT, NANTWICH ROAD, CREWE CW2 6GT: NEW BUILD RAILWAY ENGINEERING WORKSHOP FOR LOCOMOTIVE STORAGE LTD**

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. Commencement
  - 2. Approved plans
  - 3. Materials to be as detailed in the application
- (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.

**11 15/0876N 447, NEWCASTLE ROAD, SHAVINGTON CW2 5JU: DEMOLITION OF 449 NEWCASTLE ROAD INCLUDING OUTBUILDINGS AND SHEDS AND CONSTRUCTION OF 28 RESIDENTIAL PROPERTIES WITH ASSOCIATED ACCESS INCLUDING THE WIDENING OF THE EXISTING DITCH WORKS ADJACENT TO THE SITES NORTHERN BOUNDARY FOR JOHNSON MULK, PROSPECT GB LTD**

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

Note: Parish Councillor E Ankers (on behalf of Shavington-cum-Gresty Parish Council), Mr W Atteridge (objector) and Mr P Robinson (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

- (a) That, for the reasons set out in the report and the written update, 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:

- further clarification of the education impact
- completion of a Section 106 Legal Agreement to secure the following:-
  1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall 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 for 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. Contribution of £10,000 towards improvements to the play area at Wessex Close, Shavington
  3. A scheme of management of the watercourse
- the following conditions:-
  1. Standard Time – 3 years
  2. Approved Plans
  3. Details of existing and proposed land levels to be submitted for approval in writing
  4. Materials to be submitted for approval in writing
  5. Boundary Treatment Details to be submitted for approval in writing
  6. The development permitted by this planning permission shall only be carried out in accordance with the principles set out in the submitted Flood Risk Assessment (FRA)
  7. Development shall not begin until an assessment has been carried out into the potential for disposing of surface water by means of a sustainable drainage scheme
  8. No development shall commence on any phase until a scheme for the management of overland flow from surcharging of the site's surface water drainage system during extreme rainfall events within that phase has been submitted to and approved in writing by the Local Planning Authority.
  9. Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority.
  10. 2.4m x 120m visibility splays in each direction.
  11. Construction Management Plan to include parking provision



12. Landscaping scheme to be submitted – including replacement hedgerow planting and the provision of fruit trees
13. Landscaping to be completed
14. Breeding Birds – Timing of works
15. Breeding Birds – Nesting box provision
16. Hedgehog mitigation measures
17. All arboricultural works shall be carried out in accordance with the Arboricultural Impact Assessment and Method Statement
18. Piling Method Statement
19. Dust Control Measures
20. Contaminated Land
21. Obscure glazing – First Floor window to the side elevation of plot 22
22. Remove Permitted Development Rights for additional windows to the side elevations of plots 5, 7, 19, 22 and 23

(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 the Head of Planning (Regulation), in consultation with the Chairman (or in her absence the Vice Chairman) of 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.

(c) 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 – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall 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 for 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. Contribution of £10,000 towards improvements to the play area at Wessex Close, Shavington

**12 14/5472N VINE INN, ROPE LANE, SHAVINGTON CW2 5DT: ERECTION OF CLASS A1 CONVENIENCE STORE INCLUDING ATM WITH DEDICATED EXTERNAL SERVICING, REFUSE AND PLANT AREA, ASSOCIATED CAR PARKING AND LANDSCAPING FOR NEW RIVER RETAIL PROPERTY UNIT TRUST**

Note: Parish Councillor E Ankers (on behalf of Shavington-cum-Gresty Parish Council) and Ms C Wright (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**

(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 contribution for a Traffic Regulation Order and the following conditions:

1. Commencement
2. Approved plans
3. Materials in accordance with the details submitted with the application
4. Parking provision to be in accordance with the approved layout plan and should be completed and available for use prior to the store opening
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 and submission of a piling method statement
6. Submission of a method statement relating to floor floating
7. Submission of details of external lighting and CCTV equipment
8. Hours of opening restricted to between 7am and 11pm
9. Hours of deliveries restricted to between 8am and 9pm
10. Submission of details of equipment with the potential to generate noise (fans/refrigeration etc)
11. Submission of drainage scheme to include the disposal of foul and surface water
12. Implementation of the landscaping proposals submitted with the application
13. Tree protection measures
14. Pedestrian crossing to be provided

(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.

**13 15/0482N ROSE COTTAGE, 50 STOCK LANE, WYBUNBURY,  
CHESHIRE CW2 5ED: OUTLINE APPLICATION FOR 3 - 4 BEDROOM  
DETACHED DWELLING WITH ACCESS FROM EXISTING PRIVATE  
DRIVEWAY FOR MARK BEESTON**

Note: Councillor P Groves left the meeting prior to consideration of this application.

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. Commencement
  - 2. Submission of reserved matters (all matters other than access)
  - 3. Approved plans
  - 4. Submission and approval of a construction management plan including any piling operations and 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. Reserved matters to include details of any external lighting.
  - 7. Submission of drainage scheme to include foul and surface water including sustainable drainage systems
  - 8. Tree and hedgerow protection measures
  - 9. Breeding bird survey for works in the nesting season
  - 10. The Reserved Matters shall be for a bungalow or dormer bungalow
- (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.

**14 14/5586C LAND OFF THE HILL/ MANOR ROAD, SANDBACH HEATH, CHESHIRE: OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT COMPRISING 75 DWELLINGS AND ASSOCIATED VEHICULAR AND PEDESTRIAN ACCESS, OPEN SPACE AND LANDSCAPING (RESUBMISSION OF LPA REF: 14/1946C) FOR BETLEY COURT ESTATE**

Note: The Planning and Enforcement Manager read a representation from Councillor S Corcoran (Ward Councillor), who had registered his intention to address the Committee but was unable to attend the meeting.

Note: Town Councillor J Cartlidge and Mrs J Redmond (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**

(a) That the application be REFUSED for the following reasons:

1. The Local Planning Authority considers that having regard to the context of developments in the Sandbach area and the scale of the proposed development that it would be premature following the publication consultation draft of the Sandbach Neighbourhood plan. As such allowing this development would prejudice the outcome of the neighbourhood plan-making process and would be contrary to guidance contained at Paragraph 216 of the NPPF and guidance contained within the NPPG.
2. Whilst it is acknowledged that there is a presumption in favour of sustainable development in the planning balance, it is considered that the development is unsustainable because of the conflict with the draft Sandbach Neighbourhood plan and because of the unacceptable environmental and economic impact of the scheme in terms of loss of best and most versatile agricultural land and open countryside. These factors significantly and demonstrably outweigh the social benefits in terms of its contribution to boosting housing land supply, including the contribution to affordable housing. As such the proposal is contrary to Policies PS8 and H6 of the adopted Congleton Borough Local Plan First Review 2005 and Policies PG 5 and SE 2 of the Cheshire East Local Plan Strategy – Submission Version and the provisions of the NPPF.

(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 the Head of Planning (Regulation), in consultation with the Chairman (or in her absence the Vice Chairman) of 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.

(c) 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 – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall 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 for 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. Provision of Public Open Space and a NEAP (8 pieces of equipment) to be maintained by a management company in perpetuity
3. Provision of contributions of £151,848.06 (for primary education) and £163,426.90 (for secondary school education).
4. Highways Contribution of £62,500
5. Bus stop improvement Contribution of £25,000

**15 14/5639C LAND BOUNDED BY MOSS LANE/STATION ROAD, SANDBACH: ERECTION OF 44 DETACHED AND SEMI-DETACHED DWELLINGS, CAR PARKING AND ASSOCIATED FOR BELLWAY HOMES & REVELAN GROUP PLC**

Note: Town Councillor J Cartlidge had registered his intention to address the Committee but did not speak.

Note: Mr J Narsai-Latham 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 completion of a Section 106 Legal Agreement to secure the following:

1. A scheme for the provision of affordable housing – 4 units to be provided as social rent/affordable rent. The scheme shall 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 for 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. Provision of a contribution of £65,000 towards off-site affordable housing provision
  3. A scheme of management for the on-site amenity green space and the landscape buffer along the northern boundary in perpetuity

and the following conditions:-

1. Standard Time
  2. Approved Plans
  3. Details of existing and proposed ground levels to be submitted to approved by the local planning authority
  4. Submission of materials for the development to be submitted to approved by the local planning authority
  5. Details of overland flow to be submitted to approved by the local planning authority
  6. Details of scheme for the disposal of surface water to be submitted to approved by the local planning authority
  7. SUDS provision to be submitted to approved by the local planning authority
  8. Contaminated land to be submitted to approved by the local planning authority
  9. Construction Management Plan to be submitted to approved by the local planning authority
  10. Piling Method Statement to be submitted to approved by the local planning authority
  11. Dust Control to be submitted to approved by the local planning authority
  12. Details of glazing and acoustic ventilation on a plot by plot basis to be submitted to approved by the local planning authority prior to the first occupation
  13. Implementation of the approved landscape plan
  14. Breeding Birds incorporation of nesting measures
  15. Boundary Treatment to be submitted to approved by the local planning authority
  16. Removal of Permitted Development Rights for extensions and outbuildings on plots 8, 22, 31, 36 and 38
- (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 the Head of Planning (Regulation), in consultation with the Chairman (or in her absence the Vice Chairman) of 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.

- (c) 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 affordable housing – 4 units to be provided as social rent/affordable rent. The scheme shall 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 for 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. Provision of a contribution of £65,000 towards off-site affordable housing provision
  3. A scheme of management for the on-site amenity green space and the landscape buffer along the northern boundary in perpetuity

**16 15/2080C THE HOLLIES, 16 SMITHFIELD LANE, SANDBACH, CHESHIRE CW11 4JA: CONSTRUCTION OF DORMER BUNGALOW WITH INTEGRAL GARAGE (RE-SUBMISSION OF REFUSED APPLICATION 14/4769C) FOR ANDY MINES, SMITHFIELD COURT LTD**

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

Note: The Planning and Enforcement Manager read a representation from Councillor S Corcoran (Ward Councillor), who had registered his intention to address the Committee but was unable to attend the meeting.

Note: Mr C Eastwood (objector) and Mr A Mines (applicant) attended the meeting and addressed the Committee on this matter.

Note: Town Councillor J Cartlidge had registered his intention to address the Committee but did not speak.

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 three year time limit
2. Approved plans
3. Materials as per application
4. Hours of piling
5. Prior submission of piling method statement
6. Prior submission of dust mitigation scheme
7. Tree mitigation – Implementation
8. Remove PD Rights – Extensions, Outbuildings and Garage Conversion

### Informatives:

1. NPPF
2. Hours of construction
3. Contaminated Land

(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 the Head of Planning (Regulation), in consultation with the Chairman (or in her absence the Vice Chairman) of 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.

## 17 **14/5108C THREE OAKS CARAVAN PARK, BOOTH LANE, MOSTON, SANDBACH CW10 0HE: PROPOSED EXTENSION TO EXISTING CARAVAN PARK TO FORM 24 ADDITIONAL PLOTS FOR MR THOMAS PRICE**

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be APPROVED subject to the satisfactory receipt of comments from Natural England and the following conditions:

1. Standard Time limit (3 Years)
2. Accordance with approved plans
3. Site limited to stationing of no more than 24 caravans
4. Prior to the commencement of development, detailed plans showing the visibility splays shall be submitted and provided prior to first occupation. Splays shall be kept clear.
5. Caravans restricted to use by Gypsy & Travellers only.
6. No development shall commence until details of drainage have been submitted and approved.
7. Existing boundary hedges and trees retained as part of a landscaping scheme, to be submitted and approved.



8. Implementation of approved landscaping scheme
  9. Submission of scheme to minimise dust emission
  10. Details of external lighting to be submitted
  11. Details of bin / refuse storage
  12. Amenity blocks provided prior to first occupation
- 18 **14/0775N COOLE ACRES, COOLE LANE, NEWHALL CW5 8AY: VARIATION OF CONDITION 18 (RETENTION OF DWELLING AND BUSINESS FOR FURTHER 3 YEARS) ON APPROVAL 09/0819N - CHANGE OF USE FROM AGRICULTURE TO FISH REARING AND ANGLING CENTRE AND FORMATION OF PONDS AND LAKES, ERECTION OF BUILDINGS (INCLUDING TEMPORARY DWELLING) AND PROVISION OF ACCESS AND PARKING FOR THE REILLY & SEIPP PARTNERSHIP**
- The Chairman reported that this application had been withdrawn from the agenda prior to the meeting.
- 19 **13/3508N SIR WILLIAM STANIER COMMUNITY SCHOOL, CORONATION STREET, CREWE, CHESHIRE CW1 4EB: RELOCATE EXISTING 2M METAL PALISADE BOUNDARY FENCE TOGETHER WITH INSTALLATION OF NEW PALISADE FENCE AND VEHICLE ACCESS GATES TO MATCH EXISTING TO NEW BOUNDARY LINE TO PLAYING FIELDS FOR MR R A JONES, CHESHIRE EAST COUNCIL**

Note: The Planning and Enforcement Manager read a representation from Councillor D Newton (Ward Councillor), who was unable to attend the meeting.

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. Time limit
  2. Approved plans
  3. Materials as stated in the application
- (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.

**20 15/1664C MUNICIPAL OFFICES, MARKET SQUARE, CONGLETON, CHESHIRE: DEMOLITION OF EXISTING MUNICIPAL BUILDING, DISCONNECTION OF SERVICES AND CLEARING OF SITE. EXISTING DRAINAGE TO BE RETAINED. INSTALLATION OF LOW LEVEL TIMBER DIAMOND KNEE RAIL FENCING TO BOUNDARY. SITE TO BE DRESSED WITH TOPSOIL AND SEEDED FOR ROBERT EDWARDS, CHESHIRE EAST COUNCIL**

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 time 3 years
  - 2. Plans
  - 3. Submission of a Highway Method Statement
  - 4. Submission of a Dust Suppression Statement
  - 5. Construction hours
  - 6. Boundary treatments
- (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 the Head of Planning (Regulation), in consultation with the Chairman (or in her absence the Vice Chairman) of 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.
- (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.

**21 15/1871M LITTLE TREES, GAWSWORTH ROAD, GAWSWORTH, MACCLESFIELD, CHESHIRE SK11 9RA: PROPOSED ALTERATIONS AND EXTENSION OF BUNGALOW FOR DAVID SMETHAM**

Note: Councillor S Davies left the meeting prior to consideration of this application.

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 time – 3 years
- 2. Development in accordance with the approved plans

3. Materials as per the application

**22 14/5114C LAND AT CLOSE LANE, ALSAGER ST7 2TZ: RESERVED MATTERS APPLICATION FOR 74 DWELLINGS AND ASSOCIATED WORKS FOR OUTLINE APPLICATION (13/1305N) FOR BEN SUTTON, STEWART MILNE HOMES**

Note: Mrs S Helliwell (objector) and Mr S Daintith (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 and an oral report of the site inspection.

RESOLVED – That authority be DELEGATED to the Head of Planning (Regulation), in consultation with the Chairman and Vice Chairman of Southern Planning Committee, and Councillor D Marren (Ward Member) to APPROVE the application for the reasons set out in the report, subject to the approval of an Open Space Management Plan and the following conditions:

1. Plans
2. Materials
3. Landscaping scheme submission
4. Landscaping scheme implementation
5. Submission of boundary treatments
6. Submission of Construction Method Statement for the driveway and garage foundations
7. Compliance condition in accordance with recommendations set out in AIA
8. Submission of Construction Management Plan
9. Provision of wheel wash
10. Provision of Footway Link prior to occupation
11. Submission of Management Plan for the SBI to include details regarding:-
  - Site Layout Plan showing SBI element of the POS
  - Details of how the SBI and POS would be treated
  - Details of how the SBI would be kept separate from the more formal areas of POS
12. Submission of Management Plan for the Local Wildlife Site and reptile mitigation buffer to include details regarding:-
  - The way in which the required reptile mitigation would be incorporated into the proposal
13. Submission of an annotated Site Layout Plan demonstrating how the requirements of condition 6 (safeguarding onsite water courses) of the outline permission 13/1305N have been complied with
14. Piling Operations
15. Submission of Environmental Management Plan
16. Construction Hours
17. Noise mitigation – glazing
18. Noise mitigation – Acoustic fencing
19. Submission of individual Travel Plans

20. Provision of single electric vehicle charging point
21. Submission of Dust Suppression Statement
22. Submission of Contaminated Land Report
23. Details of existing and proposed land levels
24. Flood Resilience Scheme
25. Surface Water Drainage Scheme
26. Sustainable Drainage Scheme
27. Scheme for the Management of Overland Flow
28. Cycle parking details for all plots which do not have a garage

**23 14/3962N LAND NORTH OF POOL LANE, WINTERLEY, CHESHIRE:  
OUTLINE PLANNING PERMISSION FOR THE CONSTRUCTION OF UP  
TO 79NO. DWELLINGS FOR FOOTPRINT LAND AND DEVELOPMENT**

Note: Councillor R Bailey left the meeting prior to consideration of this application.

Note: Councillor J Hammond (Ward Councillor) and Mr M Riley (objector) attended the meeting and addressed the Committee on this matter.

Note: Mr C Jones 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**

- (a) That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reasons:
  1. The proposed residential development is unsustainable because it is located within the Open Countryside contrary to Policies NE.2 (Open Countryside), NE.12 (Agricultural Land Quality) and RES.5 (Housing in the Open Countryside) of the Crewe and Nantwich Replacement Local Plan, Policy PG5 of the emerging Cheshire East Local Plan Strategy – Submission Version 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 creates harm to interests of acknowledged importance.
  2. The proposal would result in loss of the best and most versatile agricultural land the applicant has failed to demonstrate that there is a need for the development, which could not be accommodated elsewhere. The use of the best and most versatile agricultural land is unsustainable and contrary to Policy NE.12 of the Borough of Crewe and Nantwich Replacement Local plan 2011 and the provisions of the National Planning Policy Framework.

3. This application when taken cumulatively with other approved developments within Winterley would exceed the spatial distribution for Winterley and would be contrary to Policies PG2 and PG6 of the Cheshire East Local Plan Strategy - Submission Version.
- (b) 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 – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall 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 for 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. Provision of Public Open Space and a LEAP (5 pieces of equipment) to be maintained by a private management company (this should include the management of the boundary hedgerows)
  3. Secondary School Education Contribution of £163,427
  4. Cycle Parking Contribution £5,000

**24 ELWORTH WIRE MILLS, STATION ROAD, SANDBACH, CHESHIRE CW11 3JQ REF 14/5254C**

The Committee considered a report regarding a proposed amendment to the committee resolution relating to planning application 14/5254C, which had been approved by the Southern Planning Committee on 2 April 2014.

RESOLVED – That, for the reasons set out in the report, the resolution be amended to read as follows:

That the application be APPROVED subject to completion of a S106 Agreement making provision for:

- Affordable Housing comprising 47 units on site (100%) for affordable rent
- £119,602.21 commuted sum towards education
- £22,626.06 commuted sum towards Public Open Space Children and Young Persons Provision (Elworth Park)
- £13,344.24 commuted sum towards Public Open Space Amenity Greenspace (Elworth Park)

And the following conditions

1. Standard time limit 3 years
2. Development to be carried out in accordance with approved / amended plans
3. Submission of contaminated land report
4. Submission / approval and implementation of environmental management plan
5. Hours of construction limited
6. Hours of piling limited
7. Accordance with submitted noise mitigation scheme
8. Submission / approval and implementation of scheme to minimise dust emissions
9. Drainage - Foul drainage should be connected to foul sewer
10. Construction of approved access
11. Ecological mitigation to be carried out in accordance with submitted statement
12. Phase II Contaminated land report to be submitted to and approved in writing by the LPA
13. Bird breeding survey
14. Incorporation of features for breeding birds
15. Materials to be submitted and approved
16. Landscaping scheme to be submitted including management details and boundary treatments
17. Landscaping implementation
18. Submission of plan showing refuse vehicle tracking
19. Submission of a suite of design and construction plans for access
20. Parking to be provided as per approved plan prior to first occupation
21. Removal of permitted development rights Classes A-E
22. Provision of cycle parking
23. Provision of bin storage

**25 CHESHIRE EAST BOROUGH COUNCIL (HACK GREEN - LAND OFF COOLE LANE/CHRISHAM AVENUE) TREE PRESERVATION ORDER 2015**

Note: Mr A Shaw (objector) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above tree preservation order.

RESOLVED – That, for the reasons set out in the report, the Cheshire East Borough Council (Hack Green - land off Coole Lane/Chrisham Avenue) Tree Preservation Order 2015 be Confirmed.

**26 CHESHIRE EAST BOROUGH COUNCIL (WYBUNBURY - MAIN ROAD/PINFOLD CORNER) TREE PRESERVATION ORDER 2015**

The Committee considered a report regarding the above tree preservation order.

RESOLVED – That, for the reasons set out in the report, the Cheshire East Borough Council (Wybunbury - Main Road/Pinfold Corner) Tree Preservation Order 2015 be Confirmed.

The meeting commenced at 10.00 am and concluded at 6.47 pm

Councillor G Merry (Chairman)