

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 28th October, 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, N Mannion (substitute for Councillor
Rhodes), B Roberts and B Walmsley

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillor D Hough

OFFICERS PRESENT

Daniel Evans (Principal Planning Officer)
Patricia Evans (Lawyer)
Ben Haywood (Major Applications - Team Leader)
Chris Hudson (Principal Forestry and Arboricultural Officer)
Paul Hurdus (Highways Development Manager)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors D Marren and J Rhodes

96 DECLARATIONS OF INTEREST/PRE DETERMINATION

The following declarations were made in the interests of openness:

With regard to application number 15/3840N, Councillor B Roberts
declared that it was in his Ward. He had not discussed this application
and had kept an open mind.

With regard to application number 15/2910N, Councillor D Bebbington
declared that he had received correspondence and that the application
had been discussed by the parish council. He had not discussed this
application and had kept an open mind.

With regard to agenda item number 17, Councillor S Edgar declared that it
was in his Ward. He had not discussed this application and had kept an
open mind.

With regard to agenda item number 18, Councillor G Merry declared that it was in her Ward. She had not discussed this application and had kept an open mind.

97 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 30 September 2015 be approved as a correct record and signed by the Chairman.

98 **15/3157N LAND OFF PARADISE LANE, CHURCH MINSHULL: DEMOLITION OF EXISTING BUILDINGS, ERECTION OF 11 NO. DWELLINGS (INCLUDING 4 NO. AFFORDABLE DWELLINGS), ACCESS ROADS, GARAGING, CAR PARKING AND LANDSCAPING FOR SOTREX 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, 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 completion of a Section 106 Agreement to secure:
 - 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. A contribution of £32,685 to secondary education.

and the following conditions:

- 1. Commencement
- 2. Approved plans
- 3. Submission of external material

4. Submission of full details of boundary treatments
 5. Submission of a scheme for disposing of foul surface water
 6. Submission of a Phase II Contaminated Land Report
 7. Submission of drainage scheme to include foul and surface water including sustainable drainage systems
 8. Tree protection scheme
 9. Breeding bird survey for works in the nesting season
- (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, a Section 106 Agreement be entered into based on the above Heads of Terms.

99 14/2915N LAND WEST OF BROUGHTON ROAD, CREWE: OUTLINE PLANNING APPLICATION FOR ERECTION OF UP TO 53 NO RESIDENTIAL UNITS WITH ASSOCIATED INFRASTRUCTURE AND ANCILLARY FACILITIES IN OUTLINE WITH ACCESS DEFINED FOR MG AND LF LTD

Note: Mr R Adams 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, the application be APPROVED subject to a S106 agreement to secure:
- Education contributions of £108,463 (10 places) towards primary accommodation and £114,399 (7 places) towards secondary.
 - Open space provision and management
 - Provision and phasing of 30% affordable housing with 65% to be provided as social/affordable rent and 35% provided as intermediate tenure
 - Offsite ecological mitigation – pond creation

and the following conditions:

1. Submission of reserved matters
2. Implementation of reserved matters
3. Time limit for submission of reserved matters

4. Commencement of development
5. Development in accord with approved plans
6. Details for disposal of surface water to be submitted
7. Scheme for management of overland flow from surcharging of the site's surface water drainage system during heavy rainfall
8. Environmental Management Plan to be submitted and agreed by the planning authority
9. External lighting details to be approved
10. Noise mitigation scheme to be submitted
11. Travel plan to be submitted
12. Electric vehicle charging point to be provided
13. Phase II site investigation to be submitted
14. Refuse storage facilities to be approved
15. Ground levels to be submitted with reserved matters application
16. Method statement for reasonable avoidance measures for reptiles to be submitted.
17. Reserved matters to include Arboricultural Impact Assessment
18. Hedgerow Assessment to be submitted

Informative

Reserved matters to include housing for older people/ disabled people and pepper potting.

- 100 **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 NIAL MELLAN, PERSIMMON HOMES NORTH WEST**

Note: Councillor D Hough (Ward Councillor), Town Councillor S Helliwell (on behalf of Alsager Town Council) and Ms A Snook (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 – That the application be DEFERRED to enable officers to seek revised plans to increase the separation from pylons to a minimum of 13m.

101 **15/1640C LAND ADJACENT THE PUMP HOUSE, FORGE LANE, CONGLETON, CHESHIRE CW12 4HF: VARIATION OF CONDITION 2 (PLANS) ON APPROVED 09/3498C - DEMOLITION OF FOUR DWELLINGS, A COACH & HGV DEPOT BUILDING, A WORKSHOP & VARIOUS OUTBUILDINGS & CONSTRUCTION OF TWENTY DWELLINGS WITH ASSOCIATED GARAGES & CAR PARKING & ALTERATIONS TO ACCESS ROAD (RESUBMISSION 08/1019/FUL) FOR KEYWORKER HOMES NW**

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/deed of variation to secure the same Heads of Terms as per the original permission.

and the following conditions

1. Time Limit – 3 years from 26th September 2014
 2. Development in accordance with approved plans (as amended by this application)
 3. Materials to be agreed prior to construction commencing (including window frames, doors and balconies)
 4. Standard contaminated land condition
 5. Scheme for noise mitigation within new dwellings
 6. Restriction on construction hours to 08.00 to 18.00 Monday to Friday, 08.00 to 13.00 Saturday and no work on Sundays or Bank Holidays
 7. Removal of permitted development rights
 8. Submission of a scheme of landscaping to include replacement hedge planting using native species
 9. Implementation and 5 years landscape maintenance condition
 10. Tree protection measures
 11. Precise details of boundary treatments
 12. Precise layout of car parking court to be submitted and agreed prior to commencement of development
 13. Precise details of retaining wall to the western site boundary to be submitted and agreed
 14. Scheme for ecological enhancements for bats and birds
 15. Site levels condition
 16. Submission of a detailed suite of plans relating to the off site highway works
 17. Compliance with the recommendations contained within the ecological report
 18. Provision of a sustainable urban drainage system (SUDS)
- (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.

102 **15/2007N LAND OFF BESWICK DRIVE, CREWE, CHESHIRE CW1 5NP: THE ERECTION OF A CAR DEALERSHIP AND SHOWROOM (SUI GENERIS) WITH ASSOCIATED LANDSCAPING (TO BE SECURED BY CONDITION), CAR PARKING AND ACCESS ARRANGEMENTS FOR POCHIN'S LTD AND THE SWANSWAY GROUP**

Note: Mr C Copestake 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. Time (3 years)
 2. Plans
 3. Materials as per application
 4. Landscape – Prior approval of details
 5. Landscape – Implementation
 6. Protection of breeding birds
 7. Nesting features for birds – Prior approval of details
 8. Surface water storage and drainage scheme – Prior approval of details
 9. Drainage on separate system
 10. Hours of piling
 11. Piling method statement – Prior approval of details
 12. Floor floating method statement – Prior approval of details
 13. Lighting details - Prior approval of details
 14. Hours of operation
 15. Electric vehicle charging infrastructure - Prior approval of details
 16. Dust mitigation scheme - Prior approval of details
 17. Phase 1 and Phase 2 Contaminated Land Report - Prior approval of details

- (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 and Ward Member, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

103 **15/2008N LAND ADJACENT BESWICK DRIVE, CREWE, CHESHIRE:
THE ERECTION OF A PETROL FILLING STATION WITH ANCILLARY
SHOP FOR POCHIN'S LTD AND THE KAY GROUP**

Note: Mr C Copestake 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. Time (3 years)
 2. Plans
 3. Materials as per application
 4. Landscape – Prior approval of details
 5. Landscape – Implementation
 6. Protection of breeding birds
 7. Nesting features for birds – Prior approval of details
 8. Surface water storage and drainage scheme – Prior approval of details
 9. Drainage scheme – Prior approval
 10. The fixed fuel storage tanks and delivery lines of the filling station must have dual containment systems with interstitial leak detection and automatic alarm systems to identify any leakage of the primary containment system
 11. Hours of piling
 12. Piling method statement – Prior approval of details
 13. Environmental Management Plan – Prior submission of details
 14. Lighting details - Prior approval of details
 15. Electric vehicle charging infrastructure - Prior approval of details
 16. Dust mitigation scheme - Prior approval of details
 17. Phase 1 and Phase 2 Contaminated Land Report - Prior approval of details
- (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 and Ward Member, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

104 **15/2101C CARDWAY BUSINESS PARK, LINLEY LANE, ALSAGER ST7 2UX: OUTLINE PLANNING APPLICATION FOR A PHASED DEVELOPMENT OF UP TO 110 DWELLINGS FOR J. REDFERN, CARDWAY LIMITED**

Note: Councillor D Bebbington left the meeting and returned during consideration of this item but after returning did not take part in the debate or vote.

Note: Councillor D Hough (Ward Councillor), Town Councillor S Helliwell (on behalf of Alsager Town Council), Mr G Macdonald (objector) 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 and a written update.

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED subject to a 106 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.
 - constructed in accordance with the Homes and Communities Agency Design and Quality Standards (2007) and should achieve at least Level 3 of the Code for Sustainable Homes (2007).
 - 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 ($17 \times 17959 \times 0.91$) towards secondary education. This contribution is based on 110 units and will be phased on a 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 to be spent in Alsager
- 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 D with access strategy from wider area
 27. first reserved matters application to provide a detailed design/management regime for the Ecological Area
 28. Archaeological Watching Brief

Informatives:

1. Pepper potting of the affordable housing at the Reserved Matter stage
 2. Provision of older persons accommodation at the Reserved Matter stage
- (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, a planning agreement be entered into in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement as above.

105 **15/2232C LAND AT, MOSSLEY HOUSE, BIDDULPH ROAD, CONGLETON, CHESHIRE CW12 3LQ: FULL PLANNING APPLICATION FOR THE ERECTION OF 10 NO. DWELLINGS WITH ASSOCIATED GARAGES, CAR PARKING, LANDSCAPING, MEANS OF ACCESS AND SITE INFRASTRUCTURE FOR ELAN HOMES LTD**

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

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 and Vice-Chairman of Southern Planning Committee, to APPROVE the application for the reasons set out in the report, subject to:

- the viability report being found to be satisfactory
- the completion of a s106 Agreement to secure £5,000 for the provision of off-site, replacement tree planting
- the following conditions:
 1. Commencement
 2. Approved plans
 3. Materials in accordance with details submitted with the application
 4. Retention of trees identified for retention within the site
 5. Submission of tree and hedgerow protection measures
 6. Submission of a Construction Method Statement for the no-dig access off Biddulph Road
 7. Submission of a tree pruning/felling specification, including a 10 year management plan for the protected woodland fronting Biddulph Road
 8. Submission of an Arboricultural Method Statement
 9. The proposed access off Biddulph Road shall be constructed in accordance with the agreed specification (condition 6) and constructed prior to the commencement of any other development on the site
 10. Submission and approval of a Construction Management Plan including a construction compound within the site
 11. 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.
 12. Submission of an updated Remediation Strategy for contaminated land
 13. Provision of electric vehicle charging points for each dwelling
 14. Breeding bird survey for works in the nesting season
 15. Submission of details of features suitable for use by breeding birds including Sparrows and Swifts for inclusion within the site
 16. Submission of details of bat boxes for inclusion within the site

Informatives:

1. It is recommended that the hours of noise generative* demolition / construction works taking place during the development (and associated deliveries to the site) are restricted to:

Monday – Friday	08:00 to 18:00 hrs
Saturday	09:00 to 14:00 hrs

Sundays and Public Holidays

Nil

2. The developer will be required to enter into section 278 agreement of the Highways Act 1980 with the Highway Authority for the proposed works (illustrated in ashleyhelme drawing number 1087/SP/04 rev A but revised to include pedestrian crossings as conditioned above) that are within the existing highway boundaries.
- (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.

106 **15/2879C 49, PIKEMERE ROAD, ALSAGER, STOKE-ON-TRENT, CHESHIRE ST7 2SE: TWO STOREY SIDE EXTENSION WITH INTERNAL ALTERATIONS FOR MR A BUCKLEY**

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 three year time limit
 2. Plans
 3. Materials as per application
- (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.

107 **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**

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

RESOLVED – That the application be DEFERRED for the following:

- Further information with respect to the size of bedrooms/kitchens, bin stores, parking, communal sitting areas, laundry rooms, cycle stores
- Consultation with Leighton Hospital
- The submission of a Transport Statement
- A Committee site inspection to enable Members to assess the impact of the proposed development

108 15/3840N 48, WISTASTON ROAD, CREWE, CHESHIRE EAST, CW2 7RE: PROPOSED CONSTRUCTION OF APARTMENTS ON LAND FOR GHP4 LIMITED

Note: Mr A Mines (applicant) attended the meeting and addressed the Committee.

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 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 and submission of a piling method statement
 5. Submission of details of external lighting
 6. Submission of a Phase 1 Contaminated Land Report
 7. Compliance with submitted mitigation measures
 8. All parking spaces laid out and available for use prior to first occupation of any of the units
 9. Provision of 1 electric vehicle charging point
 10. Bin/recycling facilities to be provided and available for use prior to first occupation of any of the units
 11. Submission of drainage scheme to include the disposal of foul and surface water
 12. Bin stores to have gates
 13. Submission, approval and implementation of outdoor seating area
 14. External works to be completed prior to occupation
- (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.

109 **15/3873N SITE OF BRISTOL STREET MOTORS, MACON WAY, CREWE, CHESHIRE: VARIATION OF CONDITION 13 (RANGE OF GOODS) ON APPLICATION 12/0316N - PROPOSED NEW BUILD, NON-FOOD RETAIL UNIT, UP TO 3715 SQ.M (USE CLASS A1), INCLUDING ACCESS AND ASSOCIATED INFRASTRUCTURE FOR ANDREW BIRD, MACONSTONE 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 a Deed of Variation to the Section 106 Agreement to reference the new consent and the following conditions:
1. Commencement of Development
 2. Reserved Matters
 3. Plans
 4. Details of Materials to be submitted and approved in writing
 5. Details of Surfacing Materials to be submitted and approved in writing
 6. Details of any external lighting to be submitted and approved in writing
 7. Landscaping to be submitted
 8. Landscaping Implemented
 9. Details of secured covered cycle parking to be submitted and approved in writing
 10. Details of bin storage areas to be submitted and approved in writing
 11. Details of boundary treatment to be submitted and approved in writing
 12. Restrict the Use of Unit to A1
 13. The range and type of goods to be sold from the non-food retail units hereby permitted shall be restricted to the following: DIY and building supplies and/or garden goods; furniture, carpets and floor coverings; camping, boating and caravanning goods; motor vehicle and cycle goods; and bulky electrical goods.
 14. Access to be formed in accordance with the approved plans
 15. Car parking and turning areas to be constructed and made available prior to the unit being occupied
 16. No subdivision of the building
 17. Pile foundations
 18. Restrict Retail Floor Space to 3715sqm
 19. Contaminated Land Report
 20. Air Quality Assessment
 21. Noise Control – Hours of Construction
 22. Waste

23. Floor Floating
24. Hours of operation
25. Travel Plan to be submitted and approved in writing
26. Details of Car Park Opening Times to be submitted and approved
27. Oil Interceptors
28. Acoustic Enclosures
29. Accesses to be constructed in accordance with the submitted plans
30. Details of calor gas storage 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.
- (c) That, should the application be subject to an appeal, authority be approved to enter into a S106 Agreement to secure a Deed of Variation to the Section 106 Agreement to reference the new consent.

110 OUTLINE PLANNING FOR DEVELOPMENT OF 68 HOUSES INCLUDING NEW VEHICULAR ENTRANCE, BOUNDARIES, INFRASTRUCTURE AND LANDSCAPING, WITH PRIMARY ACCESS FROM THE CREWE ROAD SHOWN AND OTHER MATTERS RESERVED (15/1210N): OPEN GRASS LAND, CREWE ROAD, SHAVINGTON

The Committee considered a report regarding planning application 15/1210N, which had been refused by the Southern Planning Committee on 8 July 2015. The Committee was requested to consider further information that had been submitted in relation to reasons for refusal 2 and 3 in advance of an appeal which the applicant intended to lodge.

RESOLVED

- (a) That the appeal be defended in relation to reason for refusal 1 as existing and reason 2 on the following grounds:

The proposal would result in loss of the best and most versatile agricultural land and 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.

- (b) That reason for refusal 3 is not contested, on the basis of the amended indicative plan.

111 15/3767T APPLICATION TO REMOVE THREE PROTECTED PINE TREES AT 14 DEANS LANE, SANDBACH CW11 3HE

The Committee considered a report regarding an application to fell three protected Pine trees (with a proposal for their replacement) and the crown lifting of a fourth Pine tree at 14 Deans Lane, Sandbach, CW11 3HE. These trees were the subject of the Congleton Borough Council (Middlewich Road No.3, Sandbach) TPO 1993.

RESOLVED

- (a) That the application to fell three protected Pine trees forming part of Group G3 of the Congleton Borough Council (Middlewich Road No.3, Sandbach) TPO 1993 be REFUSED on the grounds that the submitted reasons do not justify the felling of the trees.
- (b) That consent be GRANTED for the crown lifting of Pine (T4) by removal of lower branches up to a height of no more than 4.5 metres from ground level.

The meeting commenced at 10.00 am and concluded at 3.10 pm

Councillor G Merry (Chairman)