

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 12th January, 2011 at Council Chamber, Municipal  
Buildings, Earle Street, Crewe CW1 2BJ

### **PRESENT**

Councillor G Merry (Chairman)  
Councillor L Gilbert (Vice-Chairman)

Councillors W S Davies, B H Dykes, S Furlong, A Kolker, S McGrory,  
R Walker, M J Weatherill and R Westwood

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

Councillors Rachel Bailey, R Domleo, M Martin and C Thorley

### **OFFICERS PRESENT**

Rachel Goddard (Senior Lawyer)  
Daniel Evans (Planning Officer)  
David Malcolm (Southern Area Manager – Development Management)

### **Apologies**

Councillors W T Beard, D Bebbington, E Howell, J Jones and S Jones

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

Councillor R Walker declared a personal interest in respect of application number 10/1250N on the grounds that he was a member of Stapeley & District Parish Council, which had been consulted on the proposed development. In accordance with the code of conduct, he remained in the meeting during consideration of this item.

### **134 MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 15 December 2010 be approved as a correct record and signed by the Chairman.

### **135 10/1250N ERECTION OF 9 NO. DETACHED DWELLINGS AND ASSOCIATED DETACHED GARAGING. REFURBISHMENT AND EXTENSION OF 2 NO. EXISTING DWELLINGS (FOOLPENNY HALL AND CROSSLANDS COTTAGE) AND THE DEMOLITION OF EXISTING OFFICE BUILDING AT THE PADDOCK - FOOLPENNY HALL. FORMATION OF NEW ACCESS ONTO LONDON ROAD. RE-**

**SUBMISSION OF 09/2012N, FOOLPENNY HALL, LONDON ROAD,  
STAPELEY FOR MR. S. WILLIAMS**

Note: Mr A Gentil (objector) and Mr M Ollier (architect 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, an oral report of the site inspection and an oral update by the Southern Area Manager - Development Management.

RESOLVED – That the Head of Planning and Housing be granted delegated authority to APPROVE the application following negotiation regarding the siting of the garage on plot 2.

Approval to be subject to the following conditions:

1. Standard
2. Plans
3. Materials
4. Submission / approval / implementation of boundary treatment
5. Submission / approval / implementation of a scheme of drainage to include the following:-
  - a. surface water shall not be discharged to the foul / combined sewer
  - b. surface water discharge to the soakaway / SUDS / Pond
  - c. a scheme to limit the surface water run-off generated by the proposed development,
  - d. The discharge of surface water from the proposed development to mimic that which discharges from the existing site.
  - e. a scheme to manage the risk of flooding from overland flow of surface water,
6. No building over public sewer
7. Submission / approval / implementation of a landscape management plan
8. Submission / approval / implementation of a access arrangement
9. Prior to any commencement of works between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds.
10. Submission / approval / implementation of features into the scheme suitable for use by roosting bats and breeding birds.
11. Submission / approval / implementation of design for retained part of pond
12. Contaminated land report
13. The hours of construction (and associated deliveries to the site) of the development shall be restricted to 08:00 to 18:00 hours on Monday to Friday, 08:00 to 13:00 hours on Saturday, with no work at any other time including Sundays and Public Holidays.
14. Submission / approval / implementation of details of any pile driving operations.

15. Submission / approval of a scheme of landscaping
16. Implementation of landscaping
17. Scheme of tree protection
18. No works within protected areas
19. Arboricultural method statement
20. Remove permitted development rights.

136 **10/4236N ERECTION OF HAY STORE/BARN AND CHANGE OF USE OF AGRICULTURAL LAND TO LAND USED FOR KEEPING HORSES, LAND TO THE NORTH OF 50 WHITCHURCH ROAD AUDLEM FOR MR M BARNETT**

Note: Councillor R Bailey (Ward Councillor), Mr A Chalkeley (objector) and Mr M Barnett (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, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposed hay store by reason of its height and proximity to neighbouring property No. 46 Whitchurch Road Audlem would have an adverse impact on amenity of the occupiers of that property, contrary to Local Plan Policy BE1.

137 **10/4682N 4 NO. APARTMENTS: GROUND FLOOR 2 APARTMENTS, FIRST FLOOR 2 APARTMENTS, LANDSCAPING/TURNING HEADS, CAR PARKING FOR 9 VEHICLES INCLUDING EXISTING FLATS, LAND SOUTH WEST OF GREYSTONE PARK, CREWE FOR AS DEVELOPMENTS LTD**

Note: Councillor C Thorley and Councillor M Martin (Ward Councillors) and Mr R Clews (objector) attended the meeting and addressed the Committee on this matter.

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

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

1. The proposed development by virtue of its design would have an adverse impact on the character and appearance of the area, and on the street scene, contrary to Local Plan Policy BE2 and SPD on Backland Development.
2. The development by virtue of its proximity to neighbouring property would be over dominant and cause unnecessary overshadowing to

those properties and their occupiers, contrary to Local Plan Policy BE1 and the SPD.

**138 10/4189C RESERVED MATTERS APPLICATION FOR APPROVED APPLICATION 07/0662/OUT - TEN DWELLING HOUSES, LAND ADJACENT TO 5 MIDDLEWICH ROAD, CRANAGE FOR CRANAGE PARISH COUNCIL**

The Chairman reported that the above planning application had been withdrawn by the applicant prior to the meeting.

**139 10/4486C REMOVAL OF CONDITIONS 3, 4 AND 5 ON APPROVAL 10/2631C RELATING TO MATERIALS, TREE PROTECTION AND ACCESS, 10 PADGBURY LANE, CONGLETON CW12 4LP FOR MR & MRS K PHILLIPS**

Note: Councillor R Domleo (Ward Councillor) and Mr R Hartley (objector) 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 update by the Southern Area Manager - Development Management.

RESOLVED – That the application be REFUSED for the following reason:

1. In the opinion of the Local Planning Authority the conditions in question meet the requirements of the 6 tests for planning conditions as set out in Circular 11/95 and are necessary in order to ensure that the proposed field access complies with policies GR9 New Development, GR2 Design, NR1 Trees and Woodlands and NR3 Habitats

**140 AMENDMENTS TO PLANNING APPLICATION 09/4076N FOR PLANNING PERMISSION FOR 11 HOUSES WITH PARKING, A NEW RECREATIONAL OPEN SPACE, FORMATION OF NEW VEHICULAR AND PEDESTRIAN ACCESSES ONTO ABBEY PARK WAY FOR LAND WEST OF 1 ABBEY PARK WAY, WESTON, CREWE FOR COUNTRYSIDE PROPERTIES**

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

Following approval of the application by the Southern Planning Committee at its meeting on 10 March 2010, a request had been received for the substitution of the area of recreational open space in front of plot 1 with the provision of an area to be used as front garden to the dwelling at plot 1, which would be landscaped as shown in the submitted application.

RESOLVED – That the application be APPROVED subject to the prior completion and signing of a variation to the Section 106 agreement to:

- (1) allow the country park and community hall to be managed and owned separately,
- (2) the development of the mixed use site for housing,
- (3) the payment of a commuted sum of £25,000 towards the initial set up and running costs of the community hall provided that there is transfer of the hall within 12 months of the date of the agreement

and the following conditions:

1. Amended plans
2. Details/ samples of materials to be submitted approved and implemented.
3. Details / samples of surface materials to be submitted approved and implemented.
4. Details of the boundary treatment, including the use of Cheshire Railings to the garden to the front of plot 1 to be submitted, approved and implemented. The approved boundary treatment to the front garden area at plot 1 shall be retained at all times and not altered without the prior submission and approval of a further planning application
5. Notwithstanding the submitted landscaping scheme no planting other than trees and grass shall be provided in the forward visibility splay. The forward visibility splay shall be provided before the residential development is first occupied and thereafter retained.
6. Implementation of landscaping scheme submitted modified in accordance with condition 5. Maintenance of plot planting.
7. The area in front of the dwelling at plot 1 shall be used solely as front garden to that dwelling and the trees and shrub planting within the landscaping scheme shall be retained at all times.
8. Access to garage court to be formed in accordance with submitted plans and CEC specification before dwellings 1-6 and 9-11 are first occupied.
9. Access to plots 7 & 8 to be formed in accordance with submitted plans and CEC specification before dwellings are first occupied.
10. Garages only to be used for parking of cars and no other use which would preclude car parking.
11. Parking to be provided for each dwelling before it is first occupied.
12. Submission of details of appearance of canopies to dwellings and implementation in accordance with details.
13. Provision of rear access between dwellings/gardens and garages to enable removal of waste / recycling bins.
14. Withdraw permitted development rights for alterations, extensions and outbuildings.
15. Provision of services in the hard surfaced area of the access to the garage court to ensure that planting is provided at each side of this access.
16. 3 year time limit.

141 **BROADHEATH HOUSE, SLADE LANE, OVER ALDERLEY, ALDERLEY  
EDGE - JUDICIAL REVIEW OF DECISION TO GRANT PLANNING  
PERMISSION**

The Committee considered a report regarding the decision of the High Court to quash the grant of planning permission for the development at Broad Heath House, Slade Lane, Over Alderley, Alderley Edge and the implications for the determination of future applications for replacement dwellings in the Green Belt.

RESOLVED - That the report be noted.

142 **APPEAL SUMMARIES**

The Committee considered a summary of appeal decisions.

RESOLVED - That the appeal summaries be noted.

The meeting commenced at 2.00 pm and concluded at 3.50 pm

Councillor G Merry (Chairman)