

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 24th November, 2010 in the Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

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

Councillors W T Beard, D Bebbington, W S Davies, B H Dykes, S Furlong,
E Howell, J Jones, S Jones, A Kolker, S McGrory, R Walker and
M J Weatherill

IN ATTENDANCE:

Councillor P Mason Portfolio Holder for Procurement, Assets and
Shared Services
Councillor R Cartlidge

OFFICERS:

Stephen Irvine Planning and Development Manager
David Malcolm Southern Area Manager – Development
Management
Ben Haywood Principal Planning Officer
Rachel Goddard Senior Lawyer
Carol Jones Democratic Services Officer

105 DECLARATIONS OF INTEREST/PRE-DETERMINATION

The following declarations were made by Committee Members:

Councillor W T Beard: Personal and prejudicial interest in Agenda Item 10
(10/3824N – 8 Coppenhall Lane, Crewe) on the basis that he was a friend
of the applicant and her husband, Councillor Roy Cartlidge.

Councillor Beard declared that in calling-in Application No. 10/3966N
(agenda Item 13 – land adjoining 45 Holland Street and The Backlands,
Crewe) he had formed an opinion and had, therefore, fettered his
discretion. He exercised his separate speaking rights as a Ward
Councillor and withdrew from the meeting during consideration of the item.

Councillor S Furlong: Personal and prejudicial interest in Agenda Item 8
(10/1269C – Bath Vale Works, Congleton) on the basis that she had
supported an objector to the development. Having declared the interest,
Councillor Furlong withdrew from the meeting during consideration of the
item.

Councillors G Merry and M J Weatherill each declared a personal interest in Agenda Item 8 (10/1269C – Bath Vale Works, Congleton) as they were Members of Cheshire Fire Authority which had been consulted on the application.

Councillors G Merry, D N Bebbington, S Furlong, R Walker and M J Weatherill each reported that they had received correspondence from JASP Planning Consultancy in respect of the applications for Elworth Hall Farm, Sandbach.

Each Member of the Committee declared a personal interest in agenda item 10 (Application No. 10/3824N – 8 Coppenhall Lane, Crewe for Mrs Julie Cartlidge) on the basis that they were colleagues of Councillor Roy Cartlidge, the husband of the applicant.

The following declarations were made by visiting Councillors:

Councillor R Cartlidge: Personal and prejudicial interest in Agenda Item 10 (10/3824N – 8 Coppenhall Lane, Crewe) as he was the husband of the applicant.

Councillor P Mason: Personal interest in Agenda Item 8 ((10/1269C – Bath Vale Works, Congleton) on the basis that he was a Member of Congleton Town Council which had been consulted on the application.

106 **MINUTES OF PREVIOUS MEETING**

RESOLVED: That the Minutes of the Meeting held on 3 November 2010 be approved as a correct record and signed by the Chairman.

107 **10/1765C THE PARTIAL DEMOLITION OF THE EXISTING SITE (INCLUDING MODERN AGRICULTURAL BUILDINGS AND EXISTING DWELLING) CONVERSION OF THE REMAINING EXISTING BUILDINGS TO FORM 7 DWELLING AND THE ERECTION 11 ADDITIONAL DWELLINGS WITHIN THE CURTILAGE OF THE EXISTING RESIDENTIAL PROPERTY, ELWORTH HALL FARM, DEAN CLOSE, ELWORTH FOR BELL DEVELOPMENTS LTD**

Note: Mr S Pemberton (Agent for the applicant) addressed the Committee on this matter.

The Committee considered a report in respect of the above planning application, together with an oral report of the site inspection.

RESOLVED: That delegated powers be granted to the Head of Planning and Housing to APPROVE the application subject to the removal of the objections from the Contaminated Land Officer, and the following conditions:

1. Standard 3 year time limit
2. Compliance with approved plans
3. Submission and approval of materials
4. Removal of permitted development rights plots 1- 7 and 15 – 18
5. Provision of car parking
6. Construction of Access
7. Scheme of drainage
8. No discharge of surface water to foul sewer
9. Creation of habitat of breeding birds/bats
10. Breeding Bird Survey prior to any work between 1st March and 31st August
11. Approval of any external lighting
12. Submission and approval of bin stores
13. Construction hours limited 08.00 to 18.00 Monday to Friday and 09.00 to 14.00 on Saturday.
14. Restriction of foundation piling to 9am to 5pm Monday to Friday and no works of this nature on Saturday, Sunday or Bank Holiday
15. Submission and approval of boundary treatment
16. Submission and approval of landscaping
17. Implementation of landscaping
18. Tree Protection Measures
19. No works within protected areas
20. Special construction measures for hard surfaces within protected areas.
21. No consent for rebuilding of farm buildings
22. The rainwater goods to the barn conversions to be cast metal and painted.
23. The roof-lights to be "Conservation Roof-lights" set as flush as possible with roof covering.
24. The doors and windows to the barn conversions to be fabricated in timber and set behind a 100 mm brick reveal.
25. Drawings, to a scale not less than 1:5, of specimen window frames to the barn conversions to include sections and clear indication of methods to be submitted.
26. The existing vents to the barn conversions shall be filled by means of recessed Staffordshire Blue bricks, bedded in black dyed mortar.
27. Any proposal to alter roof trusses to the barn conversions to be submitted to, and approved in writing by, the Local Planning Authority.
28. All external timber in the barn conversions to be painted or opaque-stained in colour to be approved with the Local Planning Authority.
29. The doors of the garages to the barn conversions to be fabricated in timber and vertically boarded.
30. Contaminated Land Report/Remediation
31. Provision of 10% renewable energy.

10/2006C THE DEMOLITION OF THE EXISTING BUILDINGS (INCLUDING AGRICULTURAL BUILDINGS AND EXISTING DWELLING) AND THE REDEVELOPMENT OF THE SITE WITH 26 DWELLINGS AND ASSOCIATED WORKS, ELWORTH HALL FARM, DEAN CLOSE ELWORTH FOR BELL DEVELOPMENTS LTD

Note: Mr S Pemberton (Agent for the applicant) addressed the Committee on this matter.

The Committee considered a report in respect of the above planning application, together with an oral report of the site inspection.

RESOLVED: That the application be REFUSED for the following reasons:

1. The proposed residential development within the open countryside would be contrary to the provisions of Policies PS8 and H6 of the adopted Congleton Borough Local Plan First Review. Whilst it is acknowledged that the Council does not currently have a five year housing land supply and that, accordingly, in the light of the advice contained in PPS3 it should consider favourably suitable planning applications for housing, the current proposal is not considered to be “suitable” as it is located on the periphery of Sandbach, rather than Crewe. It would undermine the spatial vision for the area and wider policy objectives as it would be contrary to the general thrust of the Core Strategy Issues and Options which directs the majority of new development towards Crewe, as well as the Council’s Draft Interim Planning Policy on the Release of Housing Land, which articulates the same spatial vision. This would be contrary to advice in PPS.3 and PPS1, which states these emerging policies are material considerations. For these reasons the Housing Land Supply arguments advanced by the applicants are considered to be insufficient to outweigh the general presumption against new residential development within the Open Countryside as set out in the adopted development plan.
2. The Contaminated Land Report submitted with the application was commissioned in November 2007 and may not represent current site conditions. In addition the report identified high levels of hazardous gases present on site that have the potential to render the area unsuitable for residential development unless the source can be accurately identified and mitigated. The proposal is therefore contrary to the provisions of Policies NR6 and NR7 (Reclamation of Land) and Policy GR6 (Amenity and Health) of the adopted Congleton Borough Local Plan First Review as well as PPS23 Planning and Pollution Control.

109 **10/2200N PROPOSED EXTENSION OF EXISTING HOTEL AND COMPLEX INCLUDING A NEW EXTENSION (ADDING 68 ROOMS), A NEW RECEPTION EXTENSION, REFURBISHMENT AND EXTENSION TO EXISTING CABARET ROOM AND BAR AND BUNBURY HOUSE ACCOMMODATION, NEW COURTYARD BLOCK (11 ROOMS) AND THE REFURBISHMENT AND EXTENSION OF EXISTING SPA FACILITIES, ALVASTON HALL HOTEL, PEACH LANE, WISTASTON FOR WARNER LEISURE HOTELS**

The Committee considered a report in respect of the above planning application, together with an oral report of the site inspection.

RESOLVED: That the application be APPROVED subject to the following conditions:

1. Standard
2. Materials to be submitted and approved
3. Provision of car parking prior to first occupation
4. Cycle parking to be provided prior to first occupation
5. Submission of, and approval of, landscaping scheme
6. Maintenance of landscaping scheme for a five year period
7. Scheme of tree protection to be submitted and implemented
8. Arboricultural Method Statement to be submitted and implemented
9. No works within protected areas
10. Scheme of drainage to be submitted and implemented
11. Details of creation of new habitats to be submitted and implemented.

110 **10/1269C ERECTION OF 126 NO. DWELLINGS, PROVISION OF PUBLIC OPEN SPACE AND ASSOCIATED WORKS, BATH VALE WORKS, BATH VALE, CONGLETON FOR BOVIS HOMES LTD**

Note: Councillor P Mason (Ward Councillor), Mr R Blindell (Objector) and Mr B Herrod (applicant) each addressed the Committee on this matter.

The Committee considered a report in respect of the above planning application.

RESOLVED: That the application be APPROVED, subject to the completion of a Section 106 Agreement to:

1. Make provision for the Public Open Space within the Application Site but without provision of an equipped play area.
2. Make provision for the Subsidised Housing in a location within the Application Site to be previously approved in writing by the Council. Provided always that the Subsidised Housing must be developed as an integral part of the overall scheme.
3. Make provision for 4 units of social rented housing and 3 units of discounted-for-sale housing; and

subject to the following conditions:

1. Standard
2. Plans
3. Materials
4. Boundary Treatment
5. Plan showing the specific details of the internal layout with regard to Manual for Streets Principles and the extent of the adoptable boundary to include full service strip provision.
6. Arboricultural Method statement to include tree protection, implementation of tree protection tree works and woodland management
7. Updated landscape proposals tree canopy adjustment plan
8. Updated detailed landscape scheme
9. Implementation of landscaping
10. Removal of Permitted Development Rights
11. The highway access shall be constructed in accordance with the recommendations of the Pedestrian Provision Road Safety Audit Stage 2
12. Provision of 10% renewable energy

111 **10/3808C EXTENSION TO TIME LIMIT - REDEVELOPMENT OF FORMER FACTORY TO PROVIDE 28 NO. NEW HOMES TO INCLUDED 12 AFFORDABLE HOMES PROVIDED BY RSL, FORMER CARDBOARD FACTORY, BETCHTON ROAD, MALKINS BANK FOR JOKARO LTD**

Note: Councillors E Howell and S Jones withdrew from the meeting at this point in the proceedings.

The Committee considered a report in respect of the above planning application.

RESOLVED: That the application be APPROVED subject to the completion of a revised Legal Agreement to secure a commuted sum *in lieu* of on-site open space provision (calculated in accordance with the Council's Interim Policy Note dated 24 September 2008) and the provision of 12 subsidised affordable housing units to be provided by a Registered Social Landlord, and the following conditions:

1. Implement development within 2 years of approval of last reserved matter
2. Submission of reserved matters within 3 years.
3. Submission of tree survey as part of reserved matters.
4. Submission of and approval of landscaping scheme as part of reserved matters.
5. Maintenance of landscaping scheme for a five year period.
6. Submission and approval of boundary treatment
7. Undertaking of ground and groundwater contamination report.
8. Access to CEC specification

9. Parking provision within the development to comply with CEC car parking standards.
10. Submission and approval of details relating to road construction
11. Submission for a scheme of drainage
12. Provision of visibility splays
13. Any reserved matters application to include provision for the retention and creation of natural habitats along the canal corridor and the eastern boundary of the site.
14. Suitable features for bats and breeding birds to be provided within the site
15. Development to take place in accordance with protected species report
16. To minimise disturbance to local residents during the construction period, no vehicles or service vehicles shall use the site between 18.00 and 08.00 Monday to Friday. Saturday working shall be limited to the hours of 08.00 and 13.00 and there shall be no construction activities on Sundays and Bank Holiday Mondays.
17. Provision of 10% renewable energy
18. Provision of details relating to foundation or other piling on site it is recommended that these operations are restricted to:

Monday – Friday	08:30 hrs – 17:30 hrs
Saturday	07:30 hrs – 13:00 hrs
Sunday	Nil

112 **10/3824N EXTENSION TO PROVIDE W/C AND SHOWER ROOM FOR DISABLED PERSON, LABURNUM HOUSE, 8 COPPENHALL LANE, CREWE, CW2 8TT FOR MRS JULIE CARTLIDGE**

Notes: (a) Having declared a personal and prejudicial interest in this item, Councillor W T Beard withdrew from the meeting during its consideration.

(b) Having declared a personal and prejudicial interest in this item, Councillor R Cartlidge withdrew from the meeting.

(c) Councillors E Howell and S Jones re-joined the meeting at this point in the proceedings.

The Committee considered a report in respect of the above planning application.

RESOLVED: That the application be APPROVED subject to the following conditions:

1. Commence development within 3 years.
2. Development in accordance with approved plans.
3. Materials to match the existing dwelling as closely as possible.

113 **10/3903N EXTENSION TO TIME LIMIT OF P07/1478 -
RESIDENTIAL DEVELOPMENT COMPRISING TWELVE THREE
BEDROOM TOWN HOUSES, RICHARD MULLOCK & SONS LTD,
WISTASTON ROAD, CREWE, CW2 7RL FOR RICHARD MULLOCK &
SONS LTD**

The Committee considered a report in respect of the above planning application.

RESOLVED: That the application be approved subject to the following conditions:

1. Standard time limit 3 years
2. Materials to be submitted and approved in writing
3. Surfacing materials to be submitted and approved in writing
4. Boundary treatment to be submitted and approved in writing
5. Landscape to be submitted and approved in writing
6. Landscape to be completed in accordance with the approved details.
7. Drainage details to be submitted and approved in writing.
8. Contaminated land survey to be submitted and approved.
9. Development to be carried out in accordance with the approved plans
10. Remove PD Rights.
11. The car parking provision shown on the approved plans is to be provided.
12. Details of external lighting to be submitted and approved in writing.
13. Construction hours (and associated deliveries to the site) shall be Restricted to 08.00 to 18.00 hours Monday to Friday, 09.00 to 14.00 Hours Saturday, with no working Sundays or Bank Holidays to Safeguard the amenity of local residents.
14. Prior to the new dwellings first being occupied, the commercial Buildings on the site shall be demolished and all material of demolition removed from the site.
15. Before the dwellings are occupied, the noise attenuation glazing, Ventilation and acoustic fencing shall be installed in accordance with the Noise and Vibration Survey received by the Local Planning Authority.
16. Prior to the commencement of development, details of how the proposed development will secure at least 10% of its predicted energy requirements from decentralised and renewable or low-carbon sources shall be submitted to the Local Planning Authority and approved in writing. The development shall be completed in accordance with the approved details which shall thereafter be retained.

114 **10/3918N PROPOSED RESIDENTIAL DEVELOPMENT
COMPRISING OF 9 NO. 2 STOREY DWELLINGS INCLUDING
ASSOCIATED PARKING & VEHICLE ACCESS, FORMER GEORGE
HOTEL 645 WEST STREET CREWE FOR MR F LLOYD- JONES,
THOMAS JONES & SONS**

The Committee considered a report in respect of the above planning application.

RESOLVED: That delegated authority be granted to the Head of Planning and Housing to APPROVE the application subject to (a) there being no objections raised by the Strategic Highways Manager; (b) no new material planning considerations being raised by residents; and (c) subject to the following conditions:

1. Standard time condition.
2. Materials to be submitted
3. Approved plans
4. Contaminated land
5. Construction hours
6. Pile driving
7. Landscape scheme
8. Landscape implementation
9. Access details including formation of footway to frontage
10. Car parking, access and turning space to be provided and retained
11. Obscure glazing to bathroom windows
12. Boundary treatment details
13. Permitted development rights for extensions and alterations and hardstanding removed
14. Bin storage details
15. Energy efficiency measures to be provided
16. Drainage details.

115 **10/3966N NEW TWO BEDROOMED BUNGALOW ON LAND
ADJOINING 45 HOLLAND STREET AND THE BACKLANDS, LAND
ADJOINING THE BACKLANDS CREWE CW1 3TZ FOR MR R PEART**

Note: Councillor W T Beard (Ward Councillor), Mrs S Briscoe (objector) and Mr R Peart (applicant) each addressed the Committee on this matter. Having addressed the Committee, Councillor Beard withdrew from the meeting during consideration of this item.

The Committee considered a report in respect of the above planning application.

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

The proposed development represents an unacceptable form of development. The siting of the bedroom windows within 1m of the site

boundaries would have a significant adverse impact upon the amenity of future occupants by reason of poor outlook and lack of natural light which is an indication that the proposed dwelling is too large and constitutes an overdevelopment of the site. In so doing, the proposals are contrary to Policies RES.2 (Unallocated Housing Sites), BE.1 (Amenity) within the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance with the SPD Development on Backland and Gardens and recent amendments to PPS3 Housing.

116 **10/4054N EXTENSION TO TIME LIMIT - FOR APPROVED
PLANNING APPLICATION P07/1076 FOR STORAGE BUILDING FOUR
SILOS AND TWO WASTE LIQUID TANKS, LAURELS FARM, CREWE
ROAD, WALGHERTON FOR JOSEPH HELER LTD**

The Committee considered a report in respect of the above planning application.

RESOLVED: That the application be APPROVED subject to the following conditions:

1. Standard time limit 3 years.
2. Materials to be submitted and approved in writing
3. Development to be carried out in accordance with approved plans
4. Buildings, silos and waste liquid tanks to be green in colour, unless otherwise agreed.
5. Landscape to be submitted and approved in writing
6. Landscape to be completed in accordance with the approved details.
7. Details of external lighting to be submitted and approved in writing.

The meeting commenced at 2.00 pm and concluded at 4.05 pm

Councillor G Merry (Chairman)