

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 26th June, 2013 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, R Cartlidge, W S Davies,
P Groves, A Kolker, D Marren, M A Martin, S McGrory, D Newton and
A Thwaite

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors D Brickhill, J Hammond, S Hogben, A Martin, A Moran, P Nurse
and J Wray

OFFICERS PRESENT

Nigel Curtis (Principal Development Officer - Highways)
Rachel Goddard (Senior Lawyer)
Ben Haywood (Principal Planning Officer)
David Malcolm (Southern Area Manager – Development Management)
Julie Zientek (Democratic Services Officer)

Minutes No. 17 and 32 Only:
Chris Hudson (Principal Forestry and Arboricultural Officer)

Apologies

Councillor J Clowes

15 DECLARATIONS OF INTEREST

The following declarations were made in the interests of openness:

With regard to application number 13/0493N, Councillor S Davies declared that he had raised money for the applicant's charity when he was Mayor of Crewe and Nantwich Borough Council. In accordance with the code of conduct, Councillor Davies withdrew from the meeting during consideration of this item.

With regard to application number 13/1864N, Councillor S Davies declared that he knew the applicant. In accordance with the code of conduct, Councillor Davies withdrew from the meeting during consideration of this item.

Councillor P Butterill declared that she had received correspondence regarding application number 12/4741N. Councillor Butterill also declared that she was a member of Nantwich Town Council, which had been consulted on the proposed development, and a member of Nantwich Civic Society, but that she had not taken part in any discussions in respect of the application and had not made comments on it.

Councillor A Thwaite declared that he had received correspondence regarding application numbers 13/0493N and 13/0616N.

With regard to application number 13/1688N, Councillor A Thwaite declared that he had previously had a close working relationship with the applicant, and that he would withdraw from the meeting during consideration of this item.

With regard to application numbers 12/4741N and 13/1843N, Councillor D Marren declared that he was a member of Nantwich Town Council, but that he had not taken part in any discussions in respect of the applications and had not made comments on them.

With regard to application number 12/4741N, Councillor P Groves declared that he considered he had pre-determined the application. Councillor Groves declared that he would exercise his separate speaking rights as a Councillor and withdraw from the meeting during consideration of this item.

With regard to application number 13/0003N, Councillor P Groves declared that he had been appointed as a Council representative on the Board of Wulvern Housing and that he had taken part in a discussion regarding housing in the area. Councillor Groves declared that he would withdraw from the meeting during consideration of this item.

Councillor G Merry declared that she had received correspondence regarding application number 13/0616N.

With regard to application number 12/4741N, Councillor A Moran, who was in attendance at the meeting, declared that he was a member of Nantwich Town Council and that he had discussed the application.

With regard to application number 12/4741N, Councillor A Martin, who was in attendance at the meeting, declared that he was a member of Nantwich Town Council and that he had discussed the application.

With regard to application number 13/0003N, Councillor S Hogben, who was in attendance at the meeting, declared that he was a member of Shavington-cum-Gresty Parish Council.

With regard to application number 13/0493N, Councillor J Hammond, who was in attendance at the meeting, declared that he was a member of Haslington Parish Council.

With regard to application number 13/1688N, Julie Zientek, Democratic Services Officer, declared that the applicant was a former Congleton Borough Council colleague, with whom she had worked in the past.

16 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 29 May 2013 be approved as a correct record and signed by the Chairman.

17 12/4741N-APPLICATION TO ERECT 60 DWELLINGS AND ASSOCIATED WORKS AT LAND AT COG TRAINING CENTRE, CREWE ROAD, NANTWICH, LAND AT COG TRAINING AND CONFERENCE CENTRE, CREWE ROAD, NANTWICH, CHESHIRE FOR DAVID MAJOR, STEWART MILNE HOMES NORTH WEST ENGLAND

Note: Having exercised his separate speaking rights as a Ward Councillor, Councillor P Groves withdrew from the meeting during consideration of this item.

Note: Councillor A Martin (Ward Councillor), Councillor A Moran (Neighbouring Ward Councillor) and Mr S Boone (objector) attended the meeting and addressed the Committee on this matter.

Note: Councillors R Cartlidge and J Weatherill arrived during consideration of this item but did not take part in the debate or vote.

The Committee considered a report regarding the above planning application, a written update and an oral report of the site inspection. The Principal Planning Officer also confirmed the Public Open Space contribution as £30,000 towards improvements to the Barony Park children's play area. In addition, as both the Council's Principal Forestry and Arboricultural Officer and the Strategic Highways Manager had confirmed that they were satisfied with the amended plans, the application was recommended for approval.

RESOLVED – That the application be DEFERRED to allow officers to undertake discussions with the applicant regarding amendments to the layout and pepper-potting of the affordable housing.

18 13/0003N-ERECTION OF 17 AFFORDABLE DWELLINGS - 5 NO. 3 BEDROOM HOUSES, 8 NO. 2 BEDROOM HOUSES AND 4 NO. 1 BEDROOM APARTMENTS, LAND OFF MAIN ROAD, SHAVINGTON, CHESHIRE FOR ANN LANDER, WULVERN HOUSING

Note: Councillor R Cartlidge declared that he had been appointed as a Council representative on the Board of Wulvern Housing but that he had not actively promoted the application. Councillor Cartlidge withdrew from the meeting during consideration of this item.

Note: Having declared his appointment as a Council representative to Wulvern Housing and his involvement with the application, Councillor P Groves withdrew from the meeting during consideration of this item.

Note: Councillor D Brickhill (Ward Councillor), Parish Councillor G McIntyre (on behalf of Shavington cum Gresty Parish Council) and Mr D Leake (objector) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

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

1. The Local Planning Authority considers that there is no need for affordable housing in this location as there are other sites within the area which are likely to come forward to meet the required need. As there is no need for affordable housing in this location the proposed development would have an unnecessary and harmful impact upon the Open Countryside and Green Gap and would be contrary to Policies NE.2 (Open Countryside), NE.4 (Green Gaps) and RES.8 (Affordable Housing in Rural Areas Outside Settlement Boundaries) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.
2. The Local Planning Authority considers that the proposed development by reason of its design and layout would be harmful to the character and appearance of the area. As a result the proposed development would be contrary to Policies BE.2 (Design Standards) and RES.8 (Affordable Housing in Rural Areas Outside Settlement Boundaries) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

19 13/0493N-A NEW SINGLE STOREY DWELLING, LAND BETWEEN MEADOW RISE AND ASH COTTAGE, OFF HOLMSHAW LANE, HASLINGTON FOR MR & MRS J COUPLAND

Note: Having made a declaration, Councillor S Davies withdrew from the meeting during consideration of this item.

Note: Councillor J Weatherill left the meeting prior to consideration of this application.

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

Note: Councillor J Hammond (Ward Councillor) and Mr J Coupland (applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

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

The Local Planning Authority granted approval for the dwelling on the basis that the exceptional personal circumstances pertaining to the applicant and his daughter and in particular the nature of her individual disability, were sufficient material considerations to outweigh local plan policy. The proposed variation to condition 9 would open up occupancy of the dwelling to anyone, with any form of disability, such that those exceptional personal circumstances may not apply, and there would be insufficient material considerations to outweigh Policy NE.2 of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

20 **13/0616N-REDEVELOPMENT OF PART OF FORMER WIDDOWSON AND DALEBROOK FACTORY SITE FOR STORAGE AND DISTRIBUTION PURPOSES, INCLUDING DEMOLITION OF EXISTING BUILDINGS, ERECTION OF NEW BUILDINGS, PROVISION OF LOADING/UNLOADING AREA AND IMPROVED JUNCTION OF BASFORD ROAD WITH GRETTY ROAD, WIDDOWSON-DALEBROOK, BASFORD ROAD, CREWE FOR MORNING FOODS LIMITED**

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

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

Note: Councillor S Hogben (Ward Councillor) and Mrs P Gray (objector) attended the meeting and addressed the Committee on this matter.

Note: Mr J Borrowdale (on behalf of the applicant) had not registered his intention to address the Committee. 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 Mr Borrowdale to speak.

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. Time limit

2. Approved plans
3. Materials as stated in the application
4. Submission of a Phase II Contaminated Land Site Investigation Report
5. Submission of details of any external lighting
6. Hours of construction/demolition restricted to 8am to 6pm Monday to Friday, 9am to 2pm Saturday, with no working on Sundays and Public Holidays
7. Submission of a landscaping scheme
8. Implementation of landscaping scheme
9. The hours of operation of the business/activity/use in the northern part of the site to be limited to 06:00hrs to 20:00hrs on Monday to Friday and 06:00hrs to 14:00hrs on Saturday but at no time on Sundays or Public Holidays

21 13/0972C-SINGLE STOREY INFILL FRONT EXTENSION, TWO STOREY REAR EXTENSION, 22, HAWTHORNE CLOSE, HOLMES CHAPEL FOR GARETH MILLS

Note: Mr P Davis (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. The Southern Area Manager – Development Management also reported that a further representation had been received from neighbour objectors.

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

1. Standard Time Limit
2. Approved Plans
3. Materials to match
4. Remove PD for side windows
5. Hours of construction

22 13/1200C-GROUND AND FIRST FLOOR SIDE/REAR EXTENSION TO DWELLING, 36, HAWTHORNE CLOSE, HOLMES CHAPEL FOR MR & MRS S DOUBLE

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

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

1. Standard time
2. In accordance with submitted plans
3. Materials to match existing
4. Hours of construction

23 13/1267N-DEVELOPMENT OF 18 RESIDENTIAL DWELLINGS AT LAND TO REAR OF 110 REMER STREET, LAND TO THE REAR OF REMER STREET, CREWE FOR FRAZER LLOYD-JONES, THOMAS JONES & SONS LTD

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

RESOLVED – That consideration of this matter be DEFERRED to a future meeting of the committee, to enable officers to provide updated ecological reports, clarify the highways contribution and provide additional highways information.

24 13/1338N-REMOVAL OF THE EXISTING CAR SALES SITE AND BUILDING AND THE ERECTION OF 7NO ONE BED AND 7NO TWO BED FLATS IN A 3 STOREY BLOCK (RESUBMISSION), STEWART STREET MOTORS, STEWART STREET, CREWE FOR STEWART STREET MOTORS

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

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

Note: Councillor P Nurse (Ward Councillor) had not registered his intention to address the Committee. 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 Councillor Nurse to speak.

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. Approved Plans
3. Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays
4. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays
5. No development shall take place until details of external lighting has been submitted to and agreed in writing by the Local Planning Authority.
6. Noise assessment

7. Acoustic enclosures
8. Bin Storage
9. Sound insulation and noise reduction in accordance with Building Regulations Approved document E
10. Prior to the commencement of development a Phase II Contaminated Land Assessment shall be submitted to the LPA for approval in writing.
11. Submission and approval of materials
12. Submission of landscaping scheme
13. Submission of Boundary Treatment
14. Highway and car parking works to completed prior to first occupation
15. Removal of permitted development rights, extensions and outbuildings

- (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 Planning and Place Shaping Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

25 13/1531N-CONSTRUCTION OF NEW FOODSTORE WITH ASSOCIATED CAR PARKING, SERVICING FACILITIES AND LANDSCAPING, CONDITION 7 TO BE VARIED (12/4107) TO EXTEND THE DELIVERY PERIOD BY ONE HOUR IN THE MORNING, SITE OF THE EARL, NANTWICH ROAD, CREWE FOR G BROWN, ALDI UK

Note: Councillor S Hogben (Ward Councillor) and Mr C Cunio (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED – That, for the reasons set out in the report, the application be APPROVED subject to a revised condition 7 as follows:

- There shall be no deliveries to the site except between the following times 0600 – 2300 Monday to Saturdays and 0800 to 2200 Sundays for the first 12 months from the first occupation of the retail store. These delivery hours shall be discontinued on or before that date and shall revert to Monday – Friday 08.00hrs - 20.00hrs; Saturday 08.00hrs - 20.00hrs; Sunday 10.00hrs - 17.00hrs unless a further permission to amend those opening hours has first been granted on application to the Local Planning Authority.

The following additional condition:

- The acoustic fence shall be erected, as detailed in the information submitted by the applicant, prior to the first delivery taking place.

And the other conditions as imposed on planning permission 12/4107N.

26 13/1654N-DEMOLITION OF ROYAL SCOT PUBLIC HOUSE & CONSTRUCTION OF 14NO. 2 BEDROOM HOMES FOR SOCIAL HOUSING, ROYAL SCOT, PLANE TREE DRIVE, CREWE FOR MR NICK POWELL

Note: Having declared that he had been appointed as a Council representative to Wulvern Housing, Councillor R Cartlidge withdrew from the meeting during consideration of this item.

Note: Councillor D Marren left the meeting prior to consideration of this application.

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.

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 satisfactory submission of a further bat survey and the following conditions:
1. Standard time 3 years
 2. Approved Plans
 3. Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays
 4. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays and method statement
 5. Dust Control
 6. Prior to the commencement of development a Phase I Contaminated Land Assessment shall be submitted to the LPA for approval in writing.
 7. Submission and approval of materials
 8. No development shall take place until a scheme has been submitted to and approved in writing by the local planning authority showing the development will meet at least Level 3 of the Code for Sustainable Homes (2007). The scheme shall be implemented as approved and retained thereafter.
 9. Implementation and submissions of landscaping scheme
 10. Implementation of Boundary Treatment, and

11. Implementation and submission of bin storage
 12. Dwellings to be retained as affordable housing
 13. Drainage details to be submitted
 14. Highway and car parking works to completed prior to first occupation
 15. Removal of permitted development rights, extensions and outbuildings
 16. Prior to undertaking any works between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds. A report of the survey and any mitigation measures required to be submitted and agreed by the LPA.
 17. Prior to the commencement of development the applicant to submit detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds including swifts. Such proposals to be agreed by the LPA. The proposals shall be permanently installed in accordance with approved details.
- (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 Planning and Place Shaping Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

**27 13/1688N-VARIATION OF CONDITION NO 2 OF PERMISSION
12/3548N, REASEHEATH COLLEGE, MAIN ROAD, NANTWICH,
CHESHIRE FOR MR SIMON KENNISH**

Note: Having made a declaration, Councillor A Thwaite withdrew from the meeting during consideration of this item.

Note: Mr S Kennish (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

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

1. Standard
2. Plans
3. Materials
4. Surfacing Materials
5. Drainage
6. Cycle Shelters
7. Landscaping Submitted
8. Landscaping Implemented
9. Car Parking

10. Travel Plan
11. Roof Cows
12. Tree Protection Measures
13. Lighting Scheme to be Submitted and Approved
14. Hours of Construction
Monday to Friday 08:00 to 18:00 Hours
Saturdays 09:00 to 14:00 Hours
Sundays and Public Holidays Nil
15. Pile Foundations
Monday to Friday 08:30 to 17:30 Hours
Saturday 08:30 to 13:00 Hours
Sundays and Public Holidays Nil
16. Floor Floating
Monday to Friday 07:30 to 20:00 Hours
Saturday 07:30 to 13:00 Hours
Sundays and Public Holidays Nil
17. Dust Control – in order to minimise dust arising from demolition/construction activities a scheme shall be submitted and approved
18. Features for Breeding Birds
19. No Development within the Bird Breeding Season
20. Additional Green Walls for the elevations facing Wettenhall Road and Crewe Alexander Training Ground.
21. No development shall take place until a scheme to minimise dust emissions arising from construction activities on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The construction phase shall be implemented in accordance with the approved scheme, with the approved dust suppression measures being maintained in a fully functional condition for the duration of the construction phase.
22. Detailed Specification of the cycleway to include width, signage, materials used in the surface and to include any temporary arrangements.
23. Details of the Boundary Treatment to the refuse store to be submitted and agreed in writing
24. Colour of Louvre doors to be submitted and agreed in writing

28 13/1708N-CHANGE OF USE FROM OFFICE TO 6 BEDSIT FLATS (WITHIN THE SAME PROPERTY), 92-94, NANTWICH ROAD, CREWE FOR DAVE EASTON

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

Note: Councillor S Hogben (Ward Councillor) had registered his intention to address the Committee on this matter but had left the meeting prior to consideration of this application.

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

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

1. Time limit
2. Approved plans
3. Submission of drawings showing windows/roof lights to all bedsit rooms
4. The development to be implemented and retained in accordance with the approved plan showing bin storage.

**29 13/1843N-VARIATION OF CONDITION 3 ON PLANNING PERMISSION
12/1488N- RESERVED MATTERS PLANNING APPLICATION
RELATING TO OUTLINE PERMISSION P05/0121 FOR THE ERECTION
OF 13 NO. DETACHED DWELLINGS, PARKING AND AMENITY
SPACE; AND THE RETENTION OF PUBLIC OPEN
SPACE/CHILDRENS PLAYGROUND, LAND OFF, MARSH LANE,
NANTWICH FOR ELAN HOMES LTD**

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

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

1. In accordance with outline
2. Approved plans
3. Materials implemented as agreed
4. Hours of construction
5. PD removal A-D
6. PD removal – Garage use
7. Obscure glazing & PD removal for replacements
8. Landscaping – Implementation
9. Tree protection – Implementation
10. Boundary treatment – Implementation
11. Lighting – Implementation
12. Structural stability – Implementation
13. Drainage – Implementation
14. Habitat survey – Implementation
15. Breeding bird features – Implementation
16. Construction method statement - Implementation

**30 13/1864N-RESERVED MATTERS APPLICATION FOLLOWING
OUTLINE PLANNING APPROVAL 11/2241N RE ACCESS,
APPEARANCE, LANDSCAPING, LAYOUT AND SCALE, LAND
ADJACENT ROYAL OAK, 94, MAIN ROAD, WORLESTON, CHESHIRE
FOR ARCHWAY HOMES LTD**

Note: Having made a declaration, Councillor S Davies withdrew from the meeting during consideration of this item and did not return.

Note: Mr K Bruce (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. The Southern Area Manager – Development Management also reported that Worleston Parish Council and Councillor Michael Jones, who had requested that the application be referred to the committee for determination, had confirmed that the matters of concern to them had been resolved.

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

1. The development to be carried out in accordance with the conditions set out in the outline planning permission, except as modified by this permission.
2. The development to commence within two years.
3. In accordance with approved plans
4. Materials in accordance with submitted details
5. Boundary treatment – Implementation
6. PD Removal (A to E)
7. Drainage details to be submitted (Pre-commencement)
8. Landscaping – Implementation
9. Breeding birds mitigation to be submitted and approved
10. Incorporation of features for breeding birds to be submitted and approved
11. Lighting details - Implementation
12. Hours of construction (Mon-Fri 08:00 – 18:00, Sat 09:00 – 14:00 Sun & Bank hol – nil)
13. Piling method, timing and duration to be submitted and approved
14. Bin storage details - Implementation
15. Tree and pond protection measures to be submitted and approved and provided during construction period
16. Construction Management Plan

**31 13/2051C-FIRST FLOOR EXTENSION (RESUBMISSION OF 13/0766C),
RUE MOSS COTTAGE, BACK LANE, SMALLWOOD, SANDBACH FOR
MR R STOCKWELL**

Note: Councillor J Wray (Ward Councillor) and Mr R Stockell (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 for a Committee site inspection to enable Members to see the extent of previous additions to the property.

32 CHESHIRE EAST BOROUGH COUNCIL (STAPELEY, THE MAYLANDS, BROAD LANE) TREE PRESERVATION ORDER

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 (Stapeley, The Maylands, Broad Lane) Tree Preservation Order 2013 be confirmed.

The meeting commenced at 1.00 pm and concluded at 6.50 pm

Councillor G Merry (Chairman)