

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 22nd September, 2010 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

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

Councillors T Beard, D Bebbington, S Davies, B Dykes, S Furlong, J Jones,
S Jones, A Kolker, S McGrory, R Walker and R Westwood

OFFICERS IN ATTENDANCE

Mrs R Goddard (Senior Lawyer) and Mr D Townsend (Interim Business Lead
Development Control (South))

74 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs B Howell and
Mrs J Weatherill.

75 DECLARATIONS OF INTEREST

Councillor B Dykes declared a personal interest in application 10/3191M
Erection of New General Storage and Implement Shed. Erection of Horse
Walker- Resubmission of 09/3106M, Land At Woodford Lane, Newton,
Macclesfield for Mrs T Jackson by virtue of the fact that he was a
colleague of the applicant and in accordance with the Code of Conduct he
remained in the meeting during consideration of the application.

Councillor R Walker declared that in respect of application 10/2457N
Change of use from horticultural to equestrian. Provision of open air
menage, stable block, horse walker, muck midden and hay store.
Variation of occupancy of tied dwelling to include occupation for equestrian
management, Little Island Nurseries, Haymoor Green Road, Wybunbury,
CW5 7HG for Mr G. Heath he had been approached by the applicant as to
why he had called-in the application. He informed the Committee that his
conversation with the applicant was in relation to his reasons for calling in
the application and that he had not come to any conclusions regarding the
application.

76 MINUTES OF PREVIOUS MEETING

(During consideration of this item Councillor Mrs S Jones arrived to the
meeting).

RESOLVED

That the minutes of the meeting held on 1 September 2010 be approved as a correct record and signed by the Chairman subject to an amendment to condition no.26 in respect of minute no.65, application 10/1093N to read as follows:-

‘Raised planting to be situated in the courtyard’.

77 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

78 10/2131C RESERVED MATTERS APPLICATION TO CONSIDER THE APPEARANCE, LANDSCAPING, LAYOUT AND SCALE OF THE PROPOSED DEVELOPMENT OF 41 DWELLINGS FOLLOWING OUTLINE APPROVAL 10/0021C, PROPOSED HOUSING DEVELOPMENT OFF, CREWE ROAD, SANDBACH FOR HOLLINS STRATEGIC LAND AND TAYLOR WIMPEY

Note: Mr C Cunio (agent for the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report (together with an oral update on the site visit) regarding the above planning application.

RESOLVED

That the application be approved subject to the signing of a Deed of Variation to the Section 106 Agreement, changing the affordable housing provision from eight 2 bed houses and four 2 bed apartments, to twelve 2 bed houses, and subject to the following conditions:

1. Development carried out in complete accordance with the approved plans
2. Notwithstanding the details shown on the approved plans, prior to commencement of development a revised and fully detailed scheme for the landscaping of the site, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall make adjustments to the planting to account for revisions to the highway service strips. The scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations, such as cutting regimes,

associated with tree, shrub, hedge, grass and wildflower meadow establishment) schedules of plants noting species, plant sizes, proposed numbers and densities. The details shall comply with the schedule of works itemised in the Landscape Management Plan submitted with the application dated July 2010.

3. The landscaping shall be carried out in complete accordance with the approved scheme, unless any variation is first agreed in writing by the Local Planning Authority.
4. Prior to the commencement of development, a revised layout scheme shall be submitted to the Local Planning Authority for approval in writing. The revised layout shall include service strips that extend fully around the perimeter of all three cul-de-sacs. The development shall be carried out in complete accordance with the approved details.
5. The bat and bird boxes, as detailed in the Specification of Provisions for Bats and Birds. Bird nest boxes, bat boxes/ bat bricks to be provided on dwellings shall be installed at the time of construction of the dwellings and retained thereafter. Bird boxes to be installed in the wildlife area shall be installed in accordance with a timetable which shall be submitted and agreed before development commences.
6. Notwithstanding the details shown on the proposed fencing layout, all rear garden areas shall be provided with 1.8m high, privacy panel fencing (or similar), details of which will be submitted for written approval. The fencing shall be installed prior to the first occupation of the dwellings to which it relates.
7. Prior to the occupation of the first dwelling, the six parking spaces to Zan Drive shall be laid out and available for use. The parking shall thereafter be retained as car parking for residents in Zan Drive and their visitors.
8. Notwithstanding the details shown on the approved plans, a scheme for buffer planting on the boundary of Plot 35 and number 7, Zan Drive, has been submitted to and approved in writing by the Local Planning Authority. The planting scheme shall be completed in

complete accordance with the approved details unless any variation is approved in writing.

9. Removal of permitted development rights to plots 1 to 4 inclusive, 8 to 11 inclusive and 38 to 41 inclusive.

79 10/2544C FIRST FLOOR EXTENSION TO FORM ADDITIONAL BEDROOM WITH EN-SUITE FACILITY, ALTERATION TO EXISTING BATHROOM TOGETHER WITH SINGLE STOREY GROUND FLOOR GARDEN ROOM, 94 PARK LANE, CONGLETON, CW12 3DE FOR MR MACHIN

Note: Councillor A Thwaite (Ward Councillor) attended the meeting and addressed the Committee on this matter.

The Committee considered a report (together with an oral update on the site visit) regarding the above planning application.

RESOLVED

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

1. Standard 3 years
2. Development in accordance with the approved plans
3. Material samples to be submitted and approved in writing
4. Rainwater goods to match those on existing building
5. All fenestration shall be set behind a reveal of 100 mm
6. All windows and doors in the external elevations of the proposed development shall be fabricated in timber
7. Bathroom window glazing and opening details to be submitted and approved in writing.

80 10/2645N NEW DWELLING, LAND OFF WHITES LANE, WESTON, CREWE, CHESHIRE FOR MR & MRS D WHITTER

The Committee considered a report regarding the above planning application. In addition a further oral update was provided at the meeting in respect of car parking spaces which had been amended to reflect the Officers advice which was to provide 5 car parking spaces and not the 7 as originally had been offered by the applicant.

The Committee requested that there be an amendment to condition 4 to include the following wording:-

“The parking and turning area, and driveway, shall be constructed using permeable surfacing materials in accordance with details to be submitted to and approved in writing by the Local Planning Authority. “

RESOLVED

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

1. Standard time limit
2. Plans Reference
3. Details of finished floor levels to be submitted, approved and implemented
4. Details of surfacing materials, in particular permeable materials to be submitted, approved and implemented
5. Details of materials to be submitted, approved and implemented
6. Details of boundary treatment to be submitted, approved and implemented
7. Details of landscaping to be submitted including the boundary separating the application site from Elbury and the site frontage
8. Landscaping to be implemented and maintained for a 5 Year period
9. Remove PD Rights for all alterations, extensions and outbuildings
10. All services to be located underground
11. Provision shall be made for car parking spaces at all times
12. Details of the method, timing and duration of any pile driving shall be approved and implemented.
13. Contaminated Land Survey phase I report to assess potential/actual contamination risks to be submitted and approved. Should the phase I report recommend that a phase II investigation is required, the phase II investigation shall be carried out and the results submitted and approved. Should the phase II report indicate remediation is required, a Remediation Statement shall be submitted and approved. The remedial scheme in the approved Remediation Statement shall then be carried out. Should remediation be required, a Site Completion Report detailing the conclusions and actions taken at each stage of the works, including

validation works, shall be submitted and approved prior to the first use or occupation of any part of the development

14. No development shall commence until an assessment of traffic noise (and vibration) has been submitted and approved. The recommendations in the report shall be implemented in accordance with the approved details.

15. The hours of construction and associated deliveries to the site shall be restricted to 0800 to 1800 hours Monday to Friday, 0800 to 1300 hours Saturday, with no work at any other time

16. Details of drainage system including septic tanks, soakaways, permeable surfaces to be submitted, approved and implemented.

17. All proposed doors/windows and any subsequent replacements shall have a Minimum 55mm Reveal

18. No agricultural vehicles to park within the curtilage of the proposed development

19. No development shall take place until detailed drawings outlining the site's access arrangements have been submitted to and approved by the LPA and no part of the development shall be occupied until the access has been constructed in accordance with approved drawings.

81 10/3028N APPLICATION FOR REMOVAL OR VARIATION OF A CONDITION FOLLOWING GRANT OF PLANNING PERMISSION, MMU CREWE CAMPUS, CREWE GREEN ROAD, CREWE, CW1 5DU FOR MANCHESTER METROPOLITAN UNIVERSITY

Note: Mr Alexander McCallion (agent for the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report (together with an oral update on the site visit) regarding the above planning application.

RESOLVED

That the application be refused for the following reason:-

In the opinion of the Local Planning Authority the condition is necessary, and without it the application would not have complied with the relevant

development plan policies BE.3 (Access and Parking), TRAN.3: (Pedestrians), TRAN.5 (Provision for Cyclists) and would have been refused. The condition is also considered to be, relevant to planning; relevant to the development to be permitted; enforceable and precise. Whilst the University's financial position is noted, having regard to the advice in PPS1 in respect of financial hardship, and the extent of the works required it is not considered that the condition places an unreasonable burden on the University. It considered that the amenity impact of the new cycle and pedestrian path would be minimal and for these reasons the condition is considered to be reasonable in all other respects. The condition therefore complies with all 6 tests as set out in Circular 11/95 and should be retained.

82 10/2457N CHANGE OF USE FROM HORTICULTURAL TO EQUESTRIAN. PROVISION OF OPEN AIR MENAGE, STABLE BLOCK, HORSE WALKER, MUCK MIDDEN AND HAY STORE. VARIATION OF OCCUPANCY OF TIED DWELLING TO INCLUDE OCCUPATION FOR EQUESTRIAN MANAGEMENT, LITTLE ISLAND NURSERIES, HAYMOOR GREEN ROAD, WYBUNBURY, CW5 7HG FOR MR G. HEATH

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

The Committee considered a report (together with an oral update) regarding the above planning application.

RESOLVED

That the application be refused for the following reasons:-

1. The proposed development relates to a newly created rural business and the Local Planning Authority considers that the applicant has failed to demonstrate that there is a clearly established functional need, that the development meets the financial test specified within Annex A of PPS7 and that the applicant has the ability to develop the enterprise. As a result the variation of the condition would not be acceptable as it has not been possible to establish that the stated intentions are genuine, are reasonably likely to materialise and are capable of being sustained for a reasonable period of time. To allow the development would be contrary to the provisions of PPS 7 (Sustainable Development in Rural Areas) and Policies RES.5 (Housing in the Open Countryside) and RES.6 (Agricultural and Forestry Occupancy Conditions) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.
2. The Local Planning Authority considers that there is insufficient land to serve a stable block of the size proposed for this enterprise in

accordance with guidance given by the British Horse Society. In the absence of a detailed justification to explain how the enterprise would operate under such circumstances the proposed stable block by reason of its size and scale would result in an overdevelopment of the site and an unwarranted intrusion into the open countryside that would harm its character and appearance. The proposed development would therefore be contrary to Policies NE.2 (Open Countryside) and RT.6 (Recreational Uses in the Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

83 10/2880N NEW 6M HIGH BUCCANEERS TOWERS PLAY INSTALLATION WITHIN QUEENS PARK PLAY AREA, QUEENS PARK, VICTORIA AVENUE, CREWE, CW2 7SE FOR CHESHIRE EAST COUNCIL

Consideration was given to a report in respect of the above application.

RESOLVED

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

1. Standard Time Limit
2. Approved Plans
3. Materials as submitted

84 10/3210N EXTENSION TO TIME LIMIT - REF: P07/1221 (OUTLINE PERMISSION FOR DEMOLITION OF NURSING HOME AND CONSTRUCTION OF FOURTEEN DWELLINGS), MINSHULL COUNTRY NURSING HOME, MINSHULL NEW ROAD, CREWE, CW1 3PP FOR KEENRICK NURSING HOMES LTD

The Committee considered a report on the above planning application.

RESOLVED

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

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Materials as application

85 10/3191M ERECTION OF NEW GENERAL STORAGE AND IMPLEMENT SHED. ERECTION OF HORSE WALKER-

RESUBMISSION OF 09/3106M, LAND AT WOODFORD LANE, NEWTON, MACCLESFIELD FOR MRS T JACKSON

Note: Mr Robert Woodward (agent for the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report on the above planning application.

RESOLVED

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

1. Standard Outline 1 – the reserved matters
2. Standard Outline 2 – time
3. Standard Outline 3 – implementation /reserved matters submission
4. Materials to be submitted and approved in writing
5. Surfacing materials to be submitted and approved in writing
6. Boundary treatment to be submitted and approved in writing
7. Retention of garage space for the housing of a private motor car
8. Landscape to be submitted and approved in writing
9. Landscape to be completed in accordance with the approved details
10. Tree and hedgerow protection to front boundary
11. Drainage Details to be submitted and approved in writing
12. Removal of trees/hedgerow outside the bird breeding season
13. Contaminated land survey to be submitted and approved
14. A Footway/cycle link shall be provided across the front of the site along the length of the Minshull New Road frontage
15. Access to be carried out in accordance with the approved plans
16. The hedgerow to the front boundary shall be retained and not replaced with fencing/walls or other means of enclosure
17. Remove PD Rights
18. Prior to the commencement of development details of the proposed garden outbuildings shall be submitted and approved in writing

86 APPEAL SUMMARIES

The Committee considered a summary of appeal decisions.

Members thanked Officers for defending two of the decisions at Appeal that had been made against Officers recommendations. The fact that the Inspectorate had agreed with Members and dismissed both Appeals was a credit to the Committee.

RESOLVED - That the appeal summaries be noted.

The meeting commenced at 2.00 pm and concluded at 3.23 pm

Councillor G Merry (Chairman)