

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 7th October, 2009 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor B Dykes (Chairman)
Councillor G Merry (Vice-Chairman)

Councillors T Beard, M Davies, S Furlong, L Gilbert, S Jones, A Kolker,
S McGrory, R Walker and J Weatherill

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors D Brown, A Moran and A Barratt

OFFICERS PRESENT

Rachel Goddard (Senior Lawyer), David Garratt (Development Control
Manager – Macclesfield Office), Rosamund Ellison (Principal Planning
Officer) and Hannah Parish (Principal Planning Officer)

Apologies

Councillors D Bebbington and B Howell

77 CODE OF CONDUCT - DECLARATIONS OF INTEREST/PRE- DETERMINATION

Councillor R Walker declared a personal and prejudicial interest in application number 09/1624W on the grounds that he had previously had business dealings with the applicant. In accordance with the Code of Conduct, he withdrew from the meeting during consideration of this item.

Councillor A Barratt, who was in attendance at the meeting, declared a personal interest in respect of application number 09/2624C on the grounds that he was a member of Odd Rode 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.

Councillor D Brown, who was in attendance at the meeting, declared a personal interest in respect of application number 09/2082C on the grounds that he was a member of Congleton Town 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.

Councillor A Moran, who was in attendance at the meeting, declared a personal interest in respect of application number 09/1445N on the grounds that he was a member of Nantwich Town 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.

78 MINUTES

RESOLVED – That the minutes of the meeting held on 16 September 2009 be approved as a correct record and signed by the Chairman.

79 09/2082C - ERECTION OF 6000 FREE RANGE CHICKEN UNIT, LAND OFF LAMBERTS LANE, CONGLETON FOR MR J A ECKERT

Note: Councillor D Brown (the Ward Councillor), Councillor D Martin (on behalf of Congleton Town Council), and Mr T Byrne, Mr P Coleshaw, Mr P Bona and Dr R Garnsey (objectors) attended the meeting and addressed the Committee on this matter. Mr I Pick (agent) had registered his intention to address the Committee on this matter but did not speak.

The Committee considered a report regarding the above planning application.

RESOLVED – That on the basis of:

- (a) concerns raised in late representations in relation to:
 - the GCN survey and information to show that badgers use the site;
 - the lack of information to demonstrate the business is actually viable and can finance the labour requirements which will be needed for the unit
 - the absence of a full MEXE Assessment report on the canal bridge
- (b) the planning officer's verbal recommendation for refusal, contrary to the recommendation for approval as set out in the committee report and updates

the application be REFUSED for the following reasons:

1. Notwithstanding the submitted Great Crested Newt Population Size Class Assessment Survey dated May 2007 and the letter dated 12th August 2009 which updates that report the submission fails to demonstrate that the provision of the poultry unit and the use of the adjoining land by free range chickens will not adversely affect the favourable conservation status of Great Crested Newts. Further the submissions fail to recognise the badger paths across the site and take this into consideration. To allow the development would be contrary to policy NR.2 (Wildlife and Nature Conservation) of the adopted Congleton Borough Local Plan First Review.

2. Insufficient information is submitted with the viability assessment to satisfactorily demonstrate that the unit can support the cost of the labour required for the unit bearing in mind the long hours required for this type of operation. It is considered that more than one employee would be required. To allow the development would be contrary to policy BH13 (New Agricultural Buildings) of the adopted Congleton Borough Local Plan First Review.
3. Insufficient information, specifically an up to date MEXE assessment, is required to show that the canal bridge can accommodate the weight of the vehicles generated by the poultry unit without damage to the listed canal bridge. To allow the development would be detrimental to the Grade II listed structure and contrary to policy BH4 of the Congleton Borough Local Plan First Review.

80 09/1624W - RETROSPECTIVE PERMISSION FOR THE IMPROVEMENT AND EXTENSION OF AN EXISTING AGRICULTURAL TRACK FOR USE IN ASSOCIATION WITH AGRICULTURAL AND GREEN WASTE COMPOST OPERATIONS AT FOXES BANK AND WHITTAKERS GREEN FARM, PEWIT LANE, HUNSTERTON, NANTWICH, CHESHIRE, CW5 7PP FOR MR F.H RUSHTON

Note: Having declared a personal and prejudicial interest in this application, Councillor R Walker withdrew from the meeting during consideration of this item.

Note: Mrs J Cross (objector) attended the meeting and addressed the Committee on this matter. Councillor D Brickhill (Ward Councillor) had registered his intention to speak but did not attend the meeting.

The Committee considered a report regarding the above planning application.

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

1. Approved plans;
2. Construction details provided and where necessary reconstructed;
3. Maintenance to ensure level surface and no rutting, potholing or ponding water;
4. Passing bays to be constructed in accordance with approved plans and retained and kept clear throughout the life of the development;
5. Restoration in the event of cessation of waste operations at Whittakers Green Farm; and
6. Any deposit of mud or debris on the adjacent highway resulting from the access track, shall be moved immediately from the highway.

81 09/2043C - SINGLE STOREY SIDE EXTENSION: RETROSPECTIVE 46 FAIRFIELD AVENUE, SANDBACH, CHESHIRE, CW11 4BP FOR MR. S. MOGRIDGE

Note: Councillor S Holland (on behalf of Sandbach Town Council) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

Committee Members noted that in the penultimate paragraph of the officer appraisal section of the report 'unlawful' should be replaced by 'unauthorised'.

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

1. Three-year time limit.
2. The development shall be undertaken in accordance with the materials submitted namely Dark Brown Forticrete Gemini tiles and Ibstock Appleton Harvest Blend bricks.

82 09/1339N - RESTORATION OF PECKFORTON CASTLE TO PROVIDE 11 BEDROOMS AND ADDITIONAL PUBLIC HOTEL SPACE, PECKFORTON CASTLE FOR MAJORSTAGE HOLDINGS

Note: Mr J Edwards (agent) 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 APPROVED subject to the following conditions:

1. Standard
2. Plans
3. Materials
4. Conservation area style roof lights
5. Drainage
6. Materials
7. Mortar Mix
8. Hinges to proposed stair glazed screen Painted Black
9. Stainless Steel Patches to Proposed Stair Glazed Screen
10. Metal frame to rooflights to be painted black
11. Colour of doors to lift
12. Finished colour of doors
13. Door hinges painted black
14. Stone steps in Bistro to be retained
15. All existing Fireplaces and their grates to be restored and retained

16. All air vents and grills should be painted black
17. All external windows to be single glazed
18. Cleaning Mechanism of stonework
19. Details of approach to blown sandstone
20. All plaster to be lime based
21. Retain existing oven ranges
22. Restore/replace windows and their openings like for like
23. Details of lack of DPM
24. Details of dealing with rotten timber
25. Describe and illustrate all replacement doors
26. Describe and illustrate proposed replacement radiators
27. To be constructed in accordance with the structural engineers report
28. Rainwater goods to be cast iron and painted black
29. Bat boxes
30. To be constructed in accordance with the mitigation package.

[Note: Following consideration of this item, Councillor M Davies left the meeting.]

83 09/1332N - RESTORATION OF PECKFORTON CASTLE TO PROVIDE 11 BEDROOMS AND ADDITIONAL PUBLIC HOTEL SPACE, PECKFORTON CASTLE FOR MAJORSTAGE HOLDINGS (LISTED BUILDING CONSENT)

Note: Mr J Edwards (agent) had registered his intention to address the Committee on this matter but did not speak.

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be APPROVED subject to:

(a) the following conditions:

1. Standard
2. Plans
3. Materials
4. Conservation style roof lights
5. Drainage
6. Materials
7. Mortar mix
8. Hinges to proposed stair glazed screen painted black
9. Stainless steel patches to proposed stair glazed screen
10. Metal frame to rooflights to be painted black
11. Submit colour of doors to lift
12. Finished colour of internal/external doors and any staining
13. Door hinges painted black
14. Stone steps in Bistro to be retained
15. Method Statement to show how the existing fireplaces and their grates are to be restored and retained

16. All air vents and grills should be painted black
17. All external windows to be single glazed
18. Cleaning Mechanism of stonework to be submitted
19. Details of approach to blown sandstone
20. All plaster to be lime based
21. Retain existing oven ranges in Bistro
22. Restore/replace windows and their openings like for like
23. Submit details of addressing the lack of DPM
24. Details of dealing with rotten timber to include the room to be left vacant for the bats
25. Describe and illustrate all replacement doors/windows
26. Conservation style radiators
27. To be constructed in accordance with the structural engineers report
28. Rainwater goods to be cast iron and painted black
29. Existing staircase in the Bistro to be retained
30. Manifestation details

(b) referral to the Government Office for the North West, as Peckforton Castle is a Grade 1 Listed Building.

84 09/0481C - RELOCATION OF EXISTING FLOODLIT ALL WEATHER SPORTS FACILITY, DEMOLITION OF EXISTING OAKLANDS MEDICAL CENTRE AND THE CONSTRUCTION OF 2 SEPARATE BUILDINGS COMPRISING A TWO-STOREY DENTAL FACILITY WITH PHARMACY AND A THREE-STOREY MEDICAL CENTRE WITH ASSOCIATED ACCESS AND PARKING, OAKLANDS MEDICAL CENTRE, ST ANNS WALK, MIDDLEWICH, CHESHIRE, CW10 9FG FOR MR DARREN OXLEY - OAKAPPLE

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be DEFERRED

- (a) For a Committee site inspection so that Members can assess the impact of the proposed development.
- (b) To enable planning officers to provide more information regarding:
 - (i) adequacy of car parking
 - (ii) appropriateness of design
 - (iii) improvements to White Horse Alley
 - (iv) a potential phasing scheme to ensure time without pitches is minimised.

[Note: Following consideration of this item, the meeting was adjourned from 3.50 pm to 4.00 pm.]

85 09/1445N - PROPOSED TWO STOREY SIDE EXTENSION AND FRONT CANOPY, 27 JACKSON AVENUE, NANTWICH, CHESHIRE CW5 6LL FOR MRS S LIGHTFOOT

Note: Councillor A Moran (the Ward Councillor) and Mr B Cull (objector) 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 DEFERRED for a Committee site inspection so that Members can assess the impact of the proposed development on the neighbouring residential property.

86 09/2624C - DETACHED GARAGE (RETROSPECTIVE), HEATHLANDS COTTAGE, STREET LANE, RODE HEATH, ST7 3SN FOR MR STEPHEN GATER

Note: Councillor A Barratt (Ward Councillor) and Mr G Allen (agent) 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 DEFERRED for a Committee site inspection so that Members can assess the impact of the development on the Green Belt and on the street scene.

87 09/2665N - REMOVAL OF 2 NO. CONDITIONS PREVIOUSLY APPLIED ON APPROVED APPLICATION P06/0547 NAMELY CONDITIONS 3 & 4 AND THE CONVERSION OF THE EXISTING GARAGE INTO AUXILIARY ACCOMMODATION WITH A POSSIBILITY OF RENTING OUT AS A HOLIDAY LET, 2 SWEDISH HOUSES, AUDLEM ROAD, HANKELow, CHESHIRE, CW3 0JF FOR MR & MRS HEMMINGS

The Committee considered a report regarding the above planning application.

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

- 1 Standard
- 2 Materials to match
- 3 Plans

The meeting commenced at 2.00 pm and concluded at 4.35 pm

Councillor B Dykes (Chairman)