

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 18th November, 2009 at Lecture Theatre, Crewe Library,
Prince Albert Street, Crewe, Cheshire CW1 2DH

PRESENT

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

Councillors T Beard, D Bebbington, L Gilbert, J Jones, S Jones, A Kolker,
S McGrory, R Walker and J Weatherill

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillor Rachel Bailey

OFFICERS PRESENT

Rachel Goddard (Senior Lawyer), David Malcolm (Southern Area Manager -
Development Management) and David Snelson (Principal Planning Officer)

Apologies

Councillors M Davies, S Furlong and B Howell

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

All Members declared a personal interest in respect of application number 09/2718W on the grounds that they were members of Cheshire East Borough Council, which was the applicant. In accordance with the code of conduct, they remained in the meeting during consideration of this item.

Councillor S McGrory declared a personal interest in respect of application numbers 09/0481C and 09/2718W on the grounds that he was a member of Middlewich Town Council, which had been consulted on the proposed developments. In accordance with the code of conduct, he remained in the meeting during consideration of this item.

Councillor R Walker declared that he had called in application number 09/1037N, but that the officer's report did not accurately reflect the wording which he had used on the call-in form. He had not expressed an opinion and had not fettered his discretion. Councillor Walker also declared that he had received correspondence in relation to the application.

Rachel Goddard, Senior Lawyer, declared a personal and prejudicial interest in application number 09/1037N on the grounds that she had a personal connection with the site in question. In accordance with the

Code of Conduct, she withdrew from the meeting during consideration of this item.

Councillor J Jones declared that, with respect to application number 09/1037N, he had had dealings with the site in question 20 years ago. He stated that he had no connection with the present owner of the site and that he had no interest to declare in the application.

Councillor G Merry declared a personal interest in respect of application number P09/2392C on the grounds that she was a member of Sandbach Town Council, which had been consulted on the proposed development. In accordance with the code of conduct, she remained in the meeting during consideration of this item.

Councillor S Jones declared a personal and prejudicial interest in application number 09/2856C on the grounds that she knew the applicant. In accordance with the Code of Conduct, she withdrew from the meeting during consideration of this item.

95 MINUTES

RESOLVED – That the minutes of the meeting held on 28 October 2009 be approved as a correct record and signed by the Chairman.

96 **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**

Note: Mr P Taylor (applicant) attended the meeting and addressed the Committee on this matter.

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

RESOLVED – That the application be APPROVED subject to the prior completion of a Section 106 Agreement to secure £2000 for local traffic management issues arising from the increased use of St Ann's Walk and to support the decriminalised parking initiatives

and the following conditions:

1. Commencement of development (3 years)
2. Development in accordance with approved/amended plans
3. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and

approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period.

The Statement shall provide for

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works

4. Prior to the commencement of any works on site a scheme for the phasing and timescales of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure that the new floodlit all weather sports facility (including surfacing, lighting and fencing) is constructed, completed and available for use within the first phase of development prior to first occupation of the dental facility/medical centre buildings. The scheme shall be implemented in full accordance with the approved details.
5. Submission / approval and implementation of finished ground, floor and road levels, including cross sections and longitudinal sections.
6. Submission / approval and implementation of suite of detailed design drawings for the proposed access and parking layouts, to be approved by the LPA. Parking provision will be provided at the levels offered on the Jefferson Sheard Drawing: Ref 4051 No. 2010 Rev E, though with a fully accessible layout and retained thereafter.
7. Submission / approval and implementation of Scheme of Improvement works to be carried out to 'White Horse Alley' pursuant to condition no. 4.
8. Submission / approval / implementation of removable bollards / gates to prevent unauthorised access to parking areas outside centre opening hours
9. Submission / approval / implementation of design and position of cycle racks. Racks to be made available prior to first use of the buildings in accordance with the scheme of phasing to be agreed pursuant to condition no 3.
10. Submission / approval / implementation of any proposed CCTV installation
11. Submission / approval / implementation of details of landscaping to include replacement planting (Including replacements for 5 years and management method statement.
12. Submission / approval / implementation of scheme of tree protection measures during construction
13. Submission / approval / implementation of details of boundary treatments including gates and ball secure fencing, retaining walls, and details of boundary/levels, including those adjacent to Bembridge Court.

14. Submission / approval / implementation of scheme for the acoustic enclosure of any fans, compressors or other equipment with the potential to create noise.
15. Submission / approval / implementation of scheme of flood lighting detailing positions, angle of lights, type of beam, and zero lux spillage unless any variation is agreed.
16. Submission / approval / implementation of materials samples including surfacing of hardstandings.
17. Submission / approval / implementation of Sustainable Urban Drainage System (SUDS).
18. Submission / approval / implementation of refuse storage facilities.
19. Site to be drained on a separate system with only foul drainage connected into foul sewer
20. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.
21. Protection from noise during construction - hours of construction limited to:
Monday – Friday 08:00 hrs 18:00 hrs
Saturday 09:00 hrs 13:00 hrs
With no Sunday or Bank Holiday working.
22. Protection from Pile Driving – hours limited to:
Monday – Friday 08:30 hrs – 17:30 hrs
Saturday 09:30 hrs – 12:30 hrs
With no Sunday or Bank Holiday working.
23. No deliveries during construction shall be taken at or despatched from the site outside the hours of 9 am to 5 pm Monday to Friday and 9 am to 1 pm on a Saturday. Therefore prohibiting overnight parking and early morning deliveries so reducing any unnecessary disturbance.
24. Hours of operation for all weather pitch shall be restricted to 8am-10pm Monday to Friday and 9am to 6pm Saturday, Sunday and Bank Holidays.
25. The roof void of the existing buildings to be removed shall be inspected during the removal of the roof coverings to check for the presence of any bat species by an ecologist with a Natural England bat survey licence. If bats are found at any stage of the work, then all works shall cease immediately and a scheme for their protection shall be submitted to the Local Planning Authority. The scheme shall include provisions for the timing of the approved development works, measures for the protection of bats during development and for the retention of the existing or the provision of an alternative habitat. The scheme will remain subject to the written approval of the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to any further works being carried out.

26. Travel Plan to be submitted and agreed.

97 09/1037N ERECTION OF ADDITIONAL STABLES, EXTENSION OF EXISTING BUILDING AND ERECTION OF HAYSTORE OAKHANGER EQUESTRIAN CENTRE, HOLMSHAW LANE, OAKHANGER, NR CREWE, CHESHIRE, CW1 5XE FOR MR G O' SHEA

Note: Having declared a personal and prejudicial interest in this application, Rachel Goddard, Senior Lawyer, withdrew from the meeting during consideration of this item.

Note: The Principal Planning Officer clarified that the application included a detached hay store along the southern boundary of the site.

Note: Mr C Bevington and Mr A Lloyd-Weston (objectors) and Miss C Collins (applicant) attended the meeting and addressed the Committee on this matter.

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

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

- 1: Standard
- 2: Materials, including green coloured roof
- 3: Surfacing materials
- 4: Landscaping – to include improved hedging along boundary with Greenfields
- 5: Landscape implementation
- 6: Protection of footpath
- 7: Noise insulation of implement store
- 8: Ancillary uses only – no separate commercial repairs/maintenance
- 9: Manure storage
- 10: Plans
- 11: Boundary treatment to be agreed alongside boundary to Greenfields (to include a fence)

98 09/0509C CONSTRUCTION OF 90 BED NURSING HOME (C2) VALE MILL, PRIESTY FIELDS, CONGLETON FOR BRITANNIA DEVELOPMENTS CHESHIRE LIMITED

Note: The Southern Area Manager reported that in respect of protected species there was no satisfactory alternative to the proposal.

Note: Mrs R Pickles (supporter) 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. Submission of reserved matters
2. Implementation of reserved matters
3. Time limit for submission of reserved matters
4. Development in accordance with submitted plans
5. Samples of materials to be submitted
6. Construction specification / method statement, including hours of construction, access, demolition, disposal of spoil, wheel wash
7. Noise assessment required
8. Air quality assessment
9. A scheme for the acoustic enclosure of fans and other machinery required
10. Odour extraction system required
11. Dust mitigation during construction
12. External lighting to be agreed prior to development
13. Protection from noise during construction (hours of construction)
14. Time constraints on any pile driving
15. Contaminated land desk-top assessment to be submitted
16. Details of drainage
17. Sustainable urban drainage -scheme to be submitted
18. A scheme for the provision and management of a buffer zone alongside the brook
19. A scheme to ensure finished floor levels of the proposed building are set no lower than 92.91m above Ordnance Datum (mAOD) to be submitted.
20. Tree protection
21. Tree pruning / felling specification
22. Protection of breeding birds
23. Details of landscaping to be submitted
24. Implementation of landscaping
25. Landscape and habitat management plan
26. Bat mitigation/enhancement
27. Woodland management plan
28. All parking, access and traffic areas to be completed and marked out prior to first occupation.
29. Cycle storage facilities for care home
30. Implementation of a programme of archaeological work in accordance with a written scheme of investigation
31. Provision of features into the landscaping scheme suitable for use by breeding birds including swifts.
32. Prior to the commencement of any works between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds.
33. Travel Plan to be submitted and agreed.

99 P09/2392C APPLICATION FOR OUTLINE PERMISSION FOR THE ERECTION OF UP TO 37 DWELLINGS (ACCESS ONLY) LAND NORTH OF CREWE ROAD, SANDBACH CW11 4QD FOR HOLLINS STRATEGIC LAND

Note: Mr P Sedgwick (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 REFUSED for the following reasons:

1. The proposal would result in the loss of Open Countryside to residential development contrary to Policy PS8 of the Local Plan.
2. The development would result in harm to the adjacent Wildlife Corridor by allowing residential development to encroach on the edge of the corridor contrary to Policy NR4 of the Local Plan.
3. Insufficient evidence has been put forward to substantiate the proposed density of 27 dph which is below the recommended level of 30 dph in PPS3: Housing thereby resulting in inefficient use of land contrary to paragraph 69 of PPS 3.
4. The proposed access arrangements would be harmful to existing highway arrangements potentially resulting in unacceptable highway safety contrary to Policy GR18 of the Local Plan.
5. Insufficient evidence has been put forward to show that the proposed development would not result in a harmful impact on protected species contrary to the EU Wildlife Habitats Directive
6. The applicant has failed to provide sufficient drainage details to show that the proposed development would not result in harmful surface water runoff rates contrary to Policy GR2 of the Local Plan
7. The development has failed to provide sufficient affordable housing in the absence of a viability report contrary to Policy H13 of the Local Plan.

100 09/2718W EXTENSION TO THE NORTH AND SOUTH OF CLEDFORD JUNIOR SCHOOL TO ACCOMMODATE THE AMALGAMATION OF CLEDFORD INFANTS AND JUNIOR SCHOOL, TO PROVIDE A SINGLE SITE PRIMARY SCHOOL AND AN ON SITE NURSERY, ASSOCIATED EXTERNAL WORKS, LANDSCAPING AND CAR PARKING CLEDFORD COUNTY JUNIOR SCHOOL, GEORGE VI AVENUE, MIDDLEWICH, CHESHIRE, CW10 0DD FOR MR PETER BROUGHTON, CHESHIRE EAST COUNCIL

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. Implementation time
3. Written notification
4. Art work for infants' activity/community hall
5. Materials to match existing and to be agreed where necessary
6. Details of shade canopies, gazebos and roller shutters
7. Specification details of solar panels agreed
8. No development shall commence until details of the construction specification of all new accesses adjoining the public highway has been submitted to, and approved in writing by, the Local Planning Authority. The approved accesses shall be constructed and integrated to a Cheshire East Council specification
9. Update and Revise School Travel Plan
10. Details of cycle storage
11. Site Drainage details agreed for attenuation rates
12. Drainage of the playing fields by 31 December 2010
13. Management and maintenance scheme for the playing fields
14. Community Use Scheme for indoor and outdoor sports provision
15. Playing field site restoration
16. 1.2m fence around the boundary of the car park
17. Restricted use of car park lights (not used between 22.00 and 8.00)
18. Security lighting to be on a motion sensor
19. Submission of revised lighting scheme to include the above and minimise light trespass on to the highway
20. Hours of operation of the community hall no later than 22:00
21. No audible feature on CCTV
22. Site clearance works to avoid the bird breeding season
23. Tree protection in accordance the arboricultural implications assessment
24. Comprehensive arboricultural method statement to include protection measures for all trees and details of special construction measures where works encroach within tree root protection areas and additional Tree Planting where additional losses occur 1:1 with an appropriate replacement agreed
25. Revise the submitted tree planting plan/landscaping plan
26. Landscaping maintenance and aftercare
27. Construction/method statement

101 09/2856C PROPOSED NEW DWELLING 122 SANDBACH ROAD NORTH, ALSAGER, ST7 2AW FOR MRS ROSEMARY LEESE

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

The Committee considered a report regarding the above planning application.

Committee Members noted that paragraphs 1 and 2 of the report should refer to 'Alsager Mere'.

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

1. Standard time limit
2. Plan numbers
3. Removal of permitted development rights classes A-E
4. Submission of all external materials and finishes
5. Boundary treatment details to be submitted
6. Decontamination of land
7. Protection from noise during construction.
8. Details of pile driving to be submitted
9. Submission of a landscaping scheme
10. Planting to be carried out in the first planting and seeding seasons
11. Tree protection
12. No excavations etc in approved tree protection area
13. Submission of an Arboricultural method statement
14. Details of precise position and levels to be submitted

102 **09/3100N NEW DWELLING LAND ADJ TO SILOAN, MARSH LANE, RAVENSMOOR, CHESHIRE FOR MR & MRS K ALLMAN**

Note: Councillor Rachel Bailey (the Ward Councillor) 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 reasons:

1. The proposed dwelling and adjacent dwelling, Siloan, would be accessed from Barracks Lane with their parking and turning areas to the rear of those dwellings, which is immediately adjacent to the boundary with the rear garden space of No.3 Barracks Lane. This arrangement would result in demonstrable harm to the amenity of No.3 Barracks Lane through noise and disturbance from vehicular movements. The proposed development would therefore be contrary to Policy BE.1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.
2. The proposals would result in an unacceptable erosion of the rear private amenity space of Siloan. The proposed development would therefore be contrary to Policy BE.1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.
3. The siting of the dwelling would represent an undesirable relationship with side facing ground floor principal windows causing harm to the

amenity of Siloan by reason of overdomination. The proposed development would therefore be contrary to Policy BE.1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

The meeting commenced at 2.00 pm and concluded at 4.15 pm

Councillor B Dykes (Chairman)