

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 21st April, 2010 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, S Davies, S Furlong, L Gilbert, B Howell,
J Jones, S Jones, A Kolker, S McGrory, R Walker and J Weatherill

OFFICERS PRESENT

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

Apologies

Councillor M Davies

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

Councillor R Walker declared that he had received correspondence in
relation to application number 08/1236/OUT.

Councillor R Walker declared a personal interest in respect of application
number 10/0712N on the grounds that he knew the applicant.

Councillor B Dykes declared a personal interest in respect of application
number 10/0283N on the grounds that he knew the applicant. In
accordance with the code of conduct, he remained in the meeting during
consideration of this item.

Councillor G Merry declared that in calling in application number 10/0392C
she had expressed an opinion and therefore fettered her discretion.
Councillor Merry withdrew from the meeting during consideration of this
item. Councillor Merry also declared a personal interest in respect of the
application on the grounds that she was a member of Sandbach Town
Council, which had been consulted on the proposed development.

Councillor G Merry declared a personal interest in respect of application
numbers 10/0739C and 10/0747C on the grounds that she was a member
of Sandbach Town Council, which had been consulted on the proposed
developments. In accordance with the code of conduct, she remained in
the meeting during consideration of these items.

Councillor P Mason declared a personal and prejudicial interest in respect of application number 10/0461C on the grounds that he was a member of the Plus Dane Housing Board. In accordance with the code of conduct, he withdrew from the meeting prior to the commencement of consideration of this item.

155 **MINUTES**

RESOLVED – That the minutes of the meeting held on 31 March 2010 be approved as a correct record and signed by the Chairman.

156 **10/0392C ERECTION OF STEEL FENCE APPROXIMATELY 2.5 METRES HIGH ABOVE EXISTING BRICK BOUNDARY WALL, SANDBACH CAR AND COMMERCIAL DISMANTLERS, MOSTON ROAD, SANDBACH, CW11 3HL FOR MR A BOOTE, SANDBACH CAR AND COMMERCIAL DISMANTLERS LTD**

Note: Having declared that in calling in this application she had expressed an opinion and therefore fettered her discretion, Councillor G Merry withdrew from the meeting during consideration of this item.

The Committee considered a report regarding the above planning application.

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

1. Standard time limit.
2. Compliance with the approved plans.
3. Notwithstanding the details on the submitted plan, the fencing shall be solid (not mesh) fencing, details of which and a method of fixing to be submitted and agreed by the Local Planning Authority.

157 **10/0665N TWO RETAIL UNITS INCLUDING ASSOCIATED PARKING, SERVICING AND SITE ACCESS. A UNIT OF 371 SQ. M TO BE USED FOR CLASS A1 AND A UNIT OF 93 SQ. M TO BE USED FOR ANY USE WITHIN USE CLASSES A1, A2, A3 OR A5, FORMER GEORGE HOTEL WEST STREET CREWE FOR POCHIN DEVELOPMENTS & MALAHAT PROPERTIES**

Note: The Principal Planning Officer read a representation from Councillor R Cartlidge (Ward Councillor), who was unable to attend the meeting and address the Committee in person on this matter.

Note: Mr B Reay, Pochin Developments (on behalf of the applicants) attended the meeting and addressed the Committee on this matter. Mr G Dyson, Malahat Properties Ltd (on behalf of the applicants) 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 the following conditions:

1. Standard Time Limit – 3 years
2. Materials
3. Approved plans
4. Restriction of large unit to convenience goods retail only
5. Restriction of small unit to use classes A1, A2, A3 or A5 only
6. No subdivision of units
7. Provision of cycle parking
8. Submission, approval and implementation of acoustic attenuation
9. Submission, approval and implementation of odour extraction
10. Opening hours to be restricted to 7am to 11pm – Monday to Sunday
11. Delivery times to be restricted to 8am to 7pm Monday to Saturday with only newspapers to be delivered (via the front door) before 8am on any day.
12. Submission and approval of external lighting scheme
13. Disposal of construction waste
14. Details of recycling / bin storage
15. A scheme of security measures (such as CCTV or barriers) to be submitted and agreed by the Local Planning Authority
16. Drainage and water system
17. Implementation of approved access and parking
18. Surfacing materials
19. Submission, approval and implementation of boundary treatment
20. Submission and approval of landscaping
21. Landscaping Implementation
22. Submission and approval of tree protection measures
23. Implementation of tree protection

158 **10/0947N PROPOSED RESIDENTIAL DEVELOPMENT COMPRISING OF 9 NO. 2 STOREY DWELLINGS INCLUDING ASSOCIATED PARKING & VEHICLE ACCESS, FORMER GEORGE HOTEL WEST STREET CREWE FOR POCHIN DEVELOPMENTS & MALAHAT PROPERTIES**

Note: Mr A Jones (supporter) and Mr B Reay, Pochin Developments (on behalf of the applicants) attended the meeting and addressed the Committee on this matter. Mr M Reeves (supporter) and Mr G Dyson, Malahat Properties Ltd (on behalf of the applicants) had registered their 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 Head of Planning and Policy be granted delegated authority to APPROVE the application following the expiration of the

publicity period on 28 April 2010, subject to no new issues being raised and the following conditions:

1. Standard Outline Condition
2. Submission of Reserved Matters
3. Materials
4. Approved Plans
5. Contaminated Land

159 **08/1236/OUT OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT, CLOSE CARE /RETIREMENT UNITS AND CARE HOME WITH ACCESS SOUGHT FOR APPROVAL AT OUTLINE STAGE, LAND AT BROOK STREET/MILL STREET, BUGLAWTON, CONGLETON FOR MOTTRAM VENTURES LIMITED**

Note: Councillor R Walker left the meeting prior to consideration of this item.

Note: Councillor Rachel Bailey arrived in the meeting during consideration of this item.

Note: Councillor P Mason (Ward Councillor) attended the meeting and addressed the Committee on this matter. Ms A Freeman, Emery Planning Partnership, (on behalf of the applicant) had not registered her 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 Ms Freeman to speak.

The Committee considered a report regarding the above planning application.

RESOLVED - That the application be APPROVED subject to:

The prior completion and signing of a Section 106 agreement in respect of the following Heads of Terms:

1. Provision of 30% affordable housing split equally between social rented and intermediate housing (including either shared ownership, Rent to Home Buy or discount for sale) but of a split to be agreed by Cheshire East Housing Section.
2. Provision of 30% affordable housing for the proposed close care/retirement apartments
3. Submission of an operational statement relating to the proposed care home and retirement apartments including nomination rights from Cheshire East waiting list

4. Green Travel Plan Management Arrangements and necessary financial contribution.
5. Financial contribution towards off-site highway works to cover footpath and bus stop enhancements
6. Financial contribution of £53,834 to public open space. Provision of children's play equipment on site at the applicant's expense but with detail to be agreed by Cheshire East. Precise details of management plan for POS to be submitted and agreed.
7. Applicants to purchase and install bridge to Congleton Park but with details to be agreed by Cheshire East.
8. Scheme for ecological and landscape enhancements and long-terms management Plans
9. Possible contribution to Drainage (UU)

and

The following conditions:

1. Outline application time limit
2. Reserved Matters – Layout, Scale, Appearance and Landscaping
3. Development parameters in accordance with indicative plans (Care home to north accessed from Mill Street) (Residential on Southern Parcel accessed from Brook Street)
4. Restriction to no more than 74 dwellings, 72 bed carehome and 36 retirement apartments
5. Contaminated land condition (including further intrusive investigation and remediation)
6. Detailed scheme for noise mitigation to be agreed and implemented prior to first occupation
7. Detailed scheme for dust mitigation during demolition and construction
8. Restrictions on hours of construction
9. Restriction on hours of piling activity
10. Restriction on hours of construction vehicle deliveries
11. Precise details for carehome filtration and extraction systems
12. External lighting strategy to be submitted agreed
13. Detailed Tree Protection Scheme to submitted, agreed and fully implemented
14. Protection of Breeding Birds
15. Detailed mitigation strategy for bats based on the TEP Option One retention strategy including wheelhouse structural works.
16. Scheme for watercourse protection during construction
17. Proposed building floor levels 600mm above freeboard allowance
18. Roads, parking and footways 300mm above freeboard allowance

19. Detailed scheme for compensatory flood storage to be agreed before commencement of development and fully implemented thereafter
20. Surface water regulation to be submitted and agreed
21. Scheme for management of overland flows from surcharging of surface water drains to be submitted and agreed prior to commencement of development
22. 8m buffer strip and wildlife corridor to be retained adjacent to the watercourse
23. Site levels to be strict accordance with Peter Mason Cut and Fill Drawings unless otherwise agreed in writing
24. New vehicular access to Brook Street to be constructed to base course before other construction works commence and fully implemented before first occupation of any dwellings
25. Site waste management plan
26. Scheme for Archaeological investigation
27. 10% renewable energy increasing to 15% if required by RSS
28. Precise details of all boundary treatments within the site to be agreed to include public open space and riverside areas or footpaths
29. Precise details of internal footbridge connection two areas of POS to be submitted, agreed and fully implemented within an agreed timescale

160 10/0283N INDUSTRIAL NEW BUILD DEVELOPMENT CONSISTING OF SIX UNITS, TOGETHER WITH INFRASTRUCTURE, ANCILLARY WORKS AND NEW AGRICULTURAL ACCESS TRACK, LAND AT DROME FARM, WARDLE INDUSTRIAL ESTATE, GREEN LANE, WARDLE, NANTWICH FOR MR P POSNETT

The Chairman reported that the above planning application had been withdrawn from the agenda.

161 10/0461C DEMOLITION OF EXISTING MILL AND ERECTION OF 12NO 100% AFFORDABLE HOUSES, THE BROMLEY CENTRE, BROMLEY ROAD, CONGLETON CW12 1PT FOR PLUS DANE GROUP

Note: Having declared a personal and prejudicial interest in this application, Councillor P Mason left the meeting prior to consideration of this item and did not return.

Note: Mrs E Cowdray, Cowdray Planning Consultancy (on behalf of Whittaker & Biggs) (objector) and Ms L Dowd, Dowd Town Planning, (on behalf of the applicant) attended the meeting and addressed the Committee on this matter. Mr D Chadwick (objector) 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 Section 106 agreement to secure the provision of social rented housing and a contribution of £10,000 towards public open space over five years

and

The following conditions:

1. 3yr Time Limit
2. Development in accordance with approved plans
3. Materials to be agreed prior to construction commencing (including window frames, doors and balconies)
4. Site levels in accordance with approved plans
5. Standard contaminated land condition but which includes reference to gas monitoring and foundation design
6. Detailed scheme for noise mitigation to be agreed and implemented prior to first occupation
7. Scheme for mitigation of dust during demolition and construction
8. Restriction on hours of construction
9. Removal of permitted development rights
10. Landscaping condition and implementation
11. Precise details of boundary treatments to be agreed
12. Precise layout of car parking court to be submitted and agreed prior to commencement of development
13. Gas membrane protection

162 **10/0643N CHANGE OF USE FROM AGRICULTURAL LAND TO ALLOTMENT PURPOSES FOR THE USE OF THE RESIDENTS OF WESTON AND BASFORD, LAND NORTH WEST OF WESTON LANE, CROTHA MILL ROAD, WESTON, CREWE FOR WESTON AND BASFORD PARISH COUNCIL, MALT KILN COTTAGE, ENGLESEA BROOK LANE, BARTHOMLEY, CREWE, CW2 5QW**

Note: Councillor J Cornell (on behalf of the applicant, Weston & Basford Parish Council) and Councillor J Hammond (Ward Councillor) attended the meeting and addressed the Committee on this matter.

Note: The Chairman had agreed to a request to vary the order of speaking, to enable the Ward Councillor to speak after the representative of Weston & Basford Parish Council.

The Committee considered a report regarding the above planning application.

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

1. Standard time
2. Approved plans

3. No development to commence until a sample of the timber cladding to be used on the storage container has been submitted and approved.
4. No development to commence until landscaping details have been submitted and approved.
5. Implementation and maintenance of landscaping
6. Tree protection in accordance BS 5837:2005 to TPO trees on site frontage
7. Immediately prior to the commencement of any works between 1st March and 31st August in any year, a survey for the presence of nesting birds shall be carried out.
8. No development to commence until detailed drawings of the new access and parking have been submitted and approved.
9. No development to commence until details of the closure of the existing access have been submitted and approved.
10. No buildings to be erected on the allotment plots without prior consent of the local planning authority.
11. No further buildings to be erected on any other land without prior consent of the local planning authority.

163 **10/0678N ERECTION OF A POULTRY SHED AS AN EXTENSION TO AN EXISTING POULTRY UNIT, BRINDLEY FARM, WREXHAM ROAD, BURLAND, NANTWICH, CW5 8NA FOR RM & K WHITTAKER**

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

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 as submitted
4. Scheme of landscaping to be submitted
5. Scheme of landscaping to be implemented
6. Scheme of drainage to be submitted to include flood mitigation measures and details of waste water storage tanks
7. Details of acoustic attenuation measures to be submitted and approved

164 **10/0712N USE OF EXISTING AGRICULTURAL BUILDING TO HOUSE LIVESTOCK, LAND AT MOSS LANE, WARMINGHAM, CREWE FOR MRS L MOUNTFORD**

Note: Mrs N Higson (on behalf of Warmingham Parish Council) had not registered her 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 Mrs Higson to speak. Mr F Young (objector) also attended the meeting and addressed the Committee on this matter. Councillor Rachel Bailey (Ward Councillor) had registered her intention to address the Committee on this matter but following receipt of advice she declared a personal and prejudicial interest in the application and withdrew from the meeting during consideration of this item, in accordance with the Code of Conduct.

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 use on neighbouring amenity.

165 10/0747C 1 STOREY BRICK EXTENSION COMPRISING GROUND FLOOR KITCHEN AND ENTRANCE HALL, 1 OLD HALL COTTAGES, SANDBACH FOR MR OWEN SMITH

Note: Councillor Rhoda Bailey (Ward Councillor) and Mr S Clarke (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 character and appearance of the area.

166 10/0739C 1 STOREY BRICK EXTENSION COMPRISING GROUND FLOOR KITCHEN AND ENTRANCE HALL, 1 OLD HALL COTTAGES, SANDBACH FOR MR OWEN SMITH

As the proposed development which was the subject of the above application for Listed Building Consent was deferred for a Committee site inspection, the above planning application was also deemed deferred.

167 10/0796N NEW DWELLING, LAND ADJ TO SILOAN, MARSH LANE, RAVENSMOOR, CHESHIRE FOR MR & MRS K ALLMAN

Note: Councillor Rachel Bailey (Ward Councillor) attended the meeting and addressed the Committee on this matter. Mr A Matthews (objector) had registered his intention to address the Committee on this matter but was not present at the meeting.

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 to be submitted
4. Surfacing materials to be submitted
5. Scheme of landscaping to be submitted
6. Scheme of landscaping to be implemented
7. Scheme of drainage to be submitted
8. Boundary treatment to be submitted
9. Turning area and parking for 2 vehicles as shown on approved plan to be provided (prior to occupation) and thereafter retained
10. Gates to be set back from access and no obstruction above height of 600mm in visibility splay
11. Alterations to Siloan to be carried out prior to first occupation of new dwelling
12. Remove all PD
13. Phase I contaminated land survey required
14. Hours of Construction to 08:00 – 18:00 Monday to Friday, 08:00 – 13:00 on Saturdays and not at all on Sunday or BH Monday
15. Details of pile driving to be submitted

168 **10/0842N DEMOLITION OF EXISTING GARAGE AND SHEDS AND ERECTION OF REPLACEMENT GARAGE, THE WHITE HOUSE, DIG LANE, ACTON, CW5 8PB FOR MR A WILLIAMS**

Note: Councillor Rachel Bailey (Ward Councillor) and Mrs A Williams (applicant) attended the meeting and addressed the Committee on this matter. Mr A Williams (applicant) 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 subject to the following conditions:

1. Time limit
2. Materials
3. Building to be ancillary
4. No conversion to living accommodation without Local Planning Authority consent
5. Garage element for parking of vehicles only
6. Landscaping
7. Landscaping Implementation

the application be APPROVED contrary to the planning officer's recommendation for refusal. In the opinion of the Committee, the proposed garage will be modest in size, its bulk and massing will be an appropriate form of development in the open countryside, and it will not be

tantamount to a new dwelling in the open countryside. The proposed development will therefore not have a detrimental impact upon the character and appearance of the area.

169 **10/0843N AGRICULTURAL WORKERS DWELLING, FIELD OFF
COOLE LANE, NEWHALL, NANTWICH FOR MR D JOHNSON**

Note: Councillor S McGrory left the meeting prior to consideration of this item.

Note: Councillor Rachel Bailey (Ward Councillor), Mr D Shaw (Supporter) and Mrs K Johnson (applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application. In addition, the Southern Area Manager - Development Management reported that the applicant had redrawn the red edge around the entire field to enable the dwelling to be sited in a more appropriate location. The recommendation had therefore been amended to approval.

RESOLVED – That the Head of Planning and Policy be granted delegated authority to APPROVE the application, subject to further consultation on the amended plan and no new issues being raised.

The meeting commenced at 2.00 pm and concluded at 5.45 pm

Councillor B Dykes (Chairman)