

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 19th May, 2010 at Council Chamber, Municipal  
Buildings, Earle Street, Crewe CW1 2BJ

## **PRESENT**

Councillor L Gilbert (Vice-Chairman)

Councillors T Beard, S Davies, B Dykes, J Jones, S Jones, R Walker and  
J Weatherill

## **NON-COMMITTEE MEMBERS IN ATTENDANCE**

Councillors Rhoda Bailey, D Brickhill, M Hollins and R Westwood

## **OFFICERS PRESENT**

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

## **Apologies**

Councillors G Merry, D Bebbington, B Howell, A Kolker and S McGrory

### **1 COUNCILLOR BRIAN DYKES**

The Vice-Chairman expressed the Committee's gratitude to Councillor  
Dykes, who had served as Chairman of the Southern Planning Committee  
during its first year.

### **2 CODE OF CONDUCT - DECLARATIONS OF INTEREST/PRE- DETERMINATION**

Councillor S Jones declared a personal interest in respect of application  
number 10/0741C on the grounds that she was a member of Alsager  
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 R Walker declared a personal interest in respect of application  
number 10/0712N 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 R Walker declared that he had called in application number  
10/0997N, but that the officer's report and the subsequent update 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 J Jones declared a personal and prejudicial interest in application number 10/1327C on the grounds that he knew the applicant. In accordance with the Code of Conduct, he withdrew from the meeting during consideration of this item.

### **3 MINUTES**

RESOLVED – That the minutes of the meeting held on 21 April 2010 be approved as a correct record and signed by the Chairman.

### **4 10/0712N USE OF EXISTING AGRICULTURAL BUILDING TO HOUSE LIVESTOCK, LAND AT MOSS LANE, WARMINGHAM, CREWE FOR MRS L MOUNTFORD**

Note: Councillor M Hollins (Ward Councillor), Parish Councillor Mrs N Higson (on behalf of Warmingham Parish Council) and Mrs L Mountford (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. Method of slurry removal containment to be submitted for approval.
3. Approved plans

### **5 10/0739C 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 (including an oral report of the site inspection) regarding the above planning application.

RESOLVED – That Listed Building Consent be GRANTED subject to the following conditions:

1. Commencement of development within 3 years
2. Accordance with approved plans
3. Materials to be submitted and approved

4. Windows/doors to be timber and painted or stained in a colour to be agreed

**6 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) had registered their intention to address the Committee on this matter but did not speak.

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. Commencement of development within 3 years
2. Accordance with approved plans
3. Materials to be submitted and approved
4. Windows/doors to be timber and painted or stained in a colour to be agreed
5. Removal of Permitted Development for Windows/Openings within side elevation

**7 10/0997N PROPOSED NEW DWELLING, LAND OFF WHITES LANE, WESTON, CREWE FOR MR & MRS WITTER**

Note: The Principal Planning Officer confirmed that the wording which Councillor Walker had used on the call-in form had not prejudiced his ability to determine this application.

Note: Councillor D Brickhill (Ward Councillor), Parish Councillor J Cornell (on behalf of Weston & Basford Parish Council), Mr J Unwin (objector) and Mr C Bowen, Bower Edleston Architects (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 the application be DEFERRED for further discussions with the applicant with respect to the size, scale, siting and impact on residential amenity of the proposed development.

**8 09/3658N VARIATION/REMOVAL OF CONDITIONS, 416 NEWCASTLE ROAD, SHAVINGTON CUM GRESTDY, CREWE, CW2 5EB FOR MRS GRINNOLI**

Note: Councillor R Westwood (non-Committee Member) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application and an oral update by the Southern Area Manager – Development Management.

RESOLVED – That the application be DEFERRED for a Committee site inspection so that Members can assess the impact of the proposed variation/removal of conditions on the open countryside.

**9 10/0194C CHANGE OF USE OF 'OPEN LAND' FOR USE AS GARDEN (CLASS C3) WITH ERECTION OF FENCE TO ENCLOSE LAND, WITH PLANTING TO RESPECT EXISTING STREET SCENE, 17 REDESMERE CLOSE, SANDBACH FOR MR & MRS KENILWORTH**

Note: The Southern Area Manager - Development Management read a representation from Ward Councillors G Merry and B Moran, who were unable to attend the meeting and address the Committee in person on this matter.

Note: Mrs C Bruderer and Mr D Skeels (objectors), and Mr D Coppack (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 update by the Southern Area Manager – Development Management.

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

1. Commencement of development within 3 years
2. Accordance with approved plans
3. Scheme of Landscaping to be submitted and approved
4. 5 yrs maintain planting
5. Removal of Permitted Development rights for gates, walls, fences and means of access

**10 10/0596N NEW AGRICULTURAL LIVESTOCK BUILDING, RED HALL FARM, MIDDLEWICH ROAD, NANTWICH CW5 6PE FOR MR P VAUGHAN, RED HALL FARM, MIDDLEWICH ROAD, NANTWICH CW5 6PE**

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. Materials used shall be in accordance with those specified in the application unless different materials are first agreed with the local planning authority
4. The building shall be used for the housing of livestock and no machinery or dairy parlour equipment shall be installed in the building without prior submission and approval of a planning application.

**11 10/0695N REMOVAL OF CONDITION 8 ON APPLICATION P96/0228 RELATING TO OCCUPANCY, THE SHIELINGS, BACK LANE, WALGHERTON, NANTWICH, CW5 7NQ FOR MR M CLARKE**

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be APPROVED.

**12 10/0741C DEMOLITION OF EXISTING CO-OPERATIVE FOODSTORE. CONSTRUCTION OF NEW CO-OPERATIVE FOODSTORE, ASSOCIATED SERVICE AREA AND RETAIL UNITS. RECONFIGURATION AND REFURBISHMENT OF EXISTING TOWN CENTRE CAR PARK AND PUBLIC OPEN SPACE, 19-23 LAWTON ROAD, ALSAGER FOR KIMBERLEY DEVELOPMENTS PLC, 33 ST JAMES STREET, LONDON**

Note: Mrs S Dyke (objector) and Mr P Pearce (applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application and an oral update by the Southern Area Manager – Development Management.

RESOLVED - That the application be APPROVED subject to:

The prior signing of a Section 106 agreement to include:

- Submission of a Travel Plan Framework to an annual monitoring report and nominated travel plan co-ordinator and financial contribution of £5000 to cover monitoring of the Travel Plan by the Council.
- Detailed scheme for off-site highway works to include:
  - Prior to commencement, submission of a detailed design for the upgrade of existing pedestrian crossings to Lawton Road and Bank Corner to PUFFIN facilities fully implemented prior to first occupation.
  - Prior to commencement, submission of detailed TRANSYT design for the new signal controlled junction and its linked operation with the existing signal junction at Bank Corner and controlled crossing.

- Upgrade existing bus stop lay-by adjacent to the civic centre.
  - Financial contribution of £7500 to cover local traffic management at the junction of Lawton Road with an additional financial contribution of £10,000 to cover future maintenance of road markings associated with the new junction onto Lawton Road
- Provision of compensatory public open space in accordance with the amended approved plans, or any subsequently amended plan, having regard to condition no16 (Finalised car park layout), which shall also include landscape specification, drainage and boundary treatments.
  - That the precise design of the new play equipment is to agreed with the Council before being fully installed by the applicants at their expense (with an appropriate mechanisms for inspection and sign off).
  - That the agreement secures an appropriate financial Contribution to cover shortfall in amenity Greenspace provision (the precise figure will be confirmed) to be spent within 800m of the site.
  - Precise details of the construction phasing to be agreed with the Council prior to the commencement of development covering timeframes for: -
    - Construction and occupation of the supermarket element
    - Construction of the small retail units and restaurant
    - Construction of compensatory public open space and play equipment, with consideration given to the need to provide a play area as early as possible, with safety as a priority
    - Construction and laying out of the car park area
    - Construction and opening of the new junction onto Lawton Road and provision of new pedestrian crossings / other offsite highway works
  - Development to be fully constructed in accordance with the approved plans within the agreed timeframes.
  - That the developer provides 25 new pop-up market stalls, fixed anchor points and pop-up electric sockets of a design and specification to be agreed with the Council.
  - Mechanism to ensure that public art and Christmas Lights can be displayed within the new public square by Cheshire East Borough Council and/or Alsager Town Council.
  - Mechanism to allow public events to take place, organised by Cheshire East Borough Council and / or Alsager Town Council, within a defined area on the proposed public square.

- Mechanism to ensure that only the development approved by this application is fully implemented and not either of the two alternative planning permissions 37808/3 and 05/0639/OUT are instead constructed.
- Mechanism to ensure that the proposed restaurant unit remains in its use class for a minimum period of five years.

and

The following conditions:

1. 3yr Time Limit
2. Development in accordance with approved amended plans received 29<sup>th</sup> April 2010.
3. All materials to be submitted and agreed prior to construction.
4. Restriction of retail floorspace within the supermarket to 1318m<sup>2</sup> net retail floorspace.
5. Standard Contaminated Land Condition
6. Restriction of hours of Construction Mon – Fri 07.30 to 17.30 hours, Sat 07.30 – 13.00 and not at all on Sundays and Bank Holidays
7. Restriction on hours of opening for supermarket Mon - Sat 07.30 – 22.00, Sun 10.00- 16.00
8. Restriction on hours of opening for other retail units Mon - Sat 07.30 – 22.00, Sun 10.00- 16.00
9. Restriction on hours of opening for the restaurant Mon - Sun 07.30 – 23.30
10. Restriction on hours of delivery for all units Mon - Sat 08.00 – 21.00, Sun 09.00- 16.00
11. Detailed scheme for noise mitigation for delivery areas (inc acoustic screens, control of HGV reversing alarms and refrigeration units)
12. Detailed scheme for noise mitigation for plant and equipment
13. Details scheme for extraction equipment re cooking equipment
14. No development shall commence until such time as the detailed design of the proposed new junction, based on site layout plan Dwg. No 113 / 349 /P11 Rev A, has been submitted to and approved in

writing by the Council, together with a timetable for the implementation of the works.

15. No development shall commence until such time as the detailed design of the proposed access road into the site from the new junction, based on site layout plan Dwg. No 113 / 349 /P11 Rev A, has been submitted to and approved in writing by the Council, together with a timetable for the implementation of the works.
16. Final layout of the car parking area to be agreed
17. Scheme for the provision of electric car charger points to be submitted and agreed
18. Precise details of CCTV scheme to be submitted and agreed
19. Submission of detailed public realm treatment strategy for the site to be submitted and agreed with the Council and fully implemented within an agreed timeframe. Scheme to include paving materials, planters, seating, street lighting specification, lighting scheme for the public square, cycle parking specification, trolley bay specification and boundary treatments for the site.
20. Precise detail of the surface water regulation system to be submitted and approved in writing and fully implemented thereafter. Scheme to include provision for 3600m<sup>2</sup> permeable paving and swale unless otherwise agreed.
21. Restriction of surface water discharge from the site to 85-litres/second.
22. Site to be drained on a separate system with only foul drainage connected into the foul sewer. Surface water should be discharged to a combination of SUDs and surface water sewer in accordance with the drainage strategy and parameters contained in part 5 of the WSP Flood Risk Assessment Dated Dec 09.
23. Standard landscaping scheme (Design and implementation).
24. Standard landscaping replacement planting within 5-years.
25. Scheme for tree protection during construction.
26. Breeding bird protection.
27. Ecological enhancements (bat and bird boxes and tree planting to be native species).
28. Precise details of all roller shutters to be submitted and approved in writing prior to the commencement of development



29. Site waste management plan to be submitted and agreed

30. Details of 10% renewable energy to be submitted and agreed

**13 10/1327C TEMPORARY USE OF LAND FOR THE STORAGE OF ROAD PLANINGS (IN RETROSPECT), LAND ADJACENT TO MIDPOINT 18 INDUSTRIAL ESTATE, HOLMES CHAPEL ROAD, MIDDLEWICH FOR TW FRIZELL (HAULAGE & PLANT HIRE) LTD, 344 CREWE ROAD, SHAVINGTON CUM GREYSTY, CREWE, CW2 5AD**

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

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, subject to no objections being received from the Strategic Highways Manager

and the following conditions:

1. Time limit of 12 months and restoration of the land following cessation of storage use
2. Erection of a gate to the satisfaction of the Local Planning Authority
3. Maximum height of stockpiles of 2.5 metres
4. Provision of water bowser on site when operational to control dust
5. Hours of operation limited to 0800 to 1800 Monday to Friday with no working on Saturdays, Sundays or Bank Holidays
6. Removal of planings within 1 metre of the base of the trunks of the conifer hedge

The meeting commenced at 2.00 pm and concluded at 5.10 pm

Councillor L Gilbert (Vice-Chairman)