

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 21st July, 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, B Dykes, S Furlong, S McGrory, R Walker
and R Westwood

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors E Alcock and D Topping

OFFICERS IN ATTENDANCE

Sheila Dillon	Senior Solicitor (for Minute 36 only)
Rachel Goddard	Senior Lawyer
David Townsend	Interim Business Lead Development Management (South)

APOLOGIES

Councillors S Davies, B Howell, J Jones, S Jones, A Kolker and J Weatherill

34 DECLARATIONS OF INTEREST

Councillor Walker had previously declared that, as Vice Chairman of the Public Rights of Way Committee, he would not participate in the debate or vote on Application No.09/4240C (Marsh Farm, Congleton) to avoid fettering his discretion in respect of a Right of Way on the site. Having received clarification from officers that the location of the Right of Way would not be affected by the application, he considered that the grounds on which he had made his previous declaration no longer applied. Therefore, he stated his intention to take part in the debate and vote on item 5 (Application No. 09/4240C).

Councillor Merry: Personal Interest in item 6 (Application No. 10/1179C) as residents in the vicinity of the application were known to her.

Councillor Dykes: Personal and Prejudicial Interest in item 8 (Application No. 10/1409N) as a Wulvern Housing Board Member. In accordance with the Code of Conduct, he withdrew from the meeting during consideration of this item.

Councillor Westwood: Personal and Prejudicial Interest in item 8 (Application No. 10/1409N) as a Wulvern Housing Board Member. In accordance with the Code of Conduct, he withdrew from the meeting during consideration of this item.

Councillor Beard: Personal and Prejudicial Interest in item 8 (Application No. 10/1409N) as a Wulvern Housing Board Member. In accordance with the Code of Conduct, he withdrew from the meeting during consideration of this item.

The Senior Lawyer and Legal Advisor to the Committee, Ms R Goddard declared a Personal and Prejudicial Interest in item 13 (Application No.10/1659N) as her brother was employed by the applicant. In accordance with the Code of Conduct, she withdrew from the meeting during consideration of this item.

Councillors Beard and Westwood reported that they had received correspondence in respect of item 5 (Application No.09/4240C) but had not responded to it nor had they formed an opinion on the item referred to.

35 MINUTES

RESOLVED:

That the Minutes of the meeting held on 30 June 2010 be approved as a correct record.

36 **10/1659N - BOMBARDIER TRANSPORTATION, WEST STREET, CREWE, CW1 3JB: TO ERECT TWO STOREY 81 BED CARE HOME (CLASS C2: RESIDENTIAL INSTITUTION) FOLLOWING SITE REMOVAL OF AN EXISTING CAR PARK FOR KEENRICK CARE HOMES & SEDDON**

The Committee gave consideration to a report on Planning Application 10/1659N (West Street, Crewe) together with an update.

Note: Having declared a personal and prejudicial interest in this item, Ms Goddard withdrew from the meeting prior to discussion and voting on the item. Ms S Dillon (Senior Solicitor) took her place as Legal Advisor to the Committee for this item only.

RESOLVED:

That Application 10/1659N be DEFERRED contrary to officer recommendation for the following reason –

To enable issues relating to outstanding highway matters (i.e. accurate information about bus services serving the site, the provision of bus stops/bus shelters and the provision of a pelican crossing) to be resolved.

**37 09/4240C - MARSH FARM, NEWCASTLE ROAD, CONGLETON:
RESIDENTIAL DEVELOPMENT OF 52 UNITS ON MARSH FARM,
CONGLETON FOR JS BLOOR (WILMSLOW) LTD & JANE LOWE**

The Committee gave consideration to a report (including an oral report on the site visit) on Planning Application 09/4240C (Marsh Farm, Congleton).

Notes: (1) Councillor D Topping, the Ward Councillor, was in attendance and addressed the Committee on this matter;

(2) Ms J Unsworth (objector) was in attendance and addressed the Committee on this matter; and

(3) Mr M Waite (representing the applicant, Bloor Homes) was in attendance and addressed the Committee on this matter.

RESOLVED:

That application 09/4240C be APPROVED subject to the completion of a Section 106 Agreement relating to affordable housing and public open space provision and the following conditions -

1. Commence development within 3 years
2. Development in accordance with agreed drawings
3. Submission of details/samples of external materials
4. Submission and implementation of a scheme of tree protection measures
5. Submission and implementation of a method statement for construction in relation to trees and landscaping on the site
6. Submission and implementation of a scheme of landscaping of the site
7. Submission and implementation of details of boundary treatments
8. Submission of a detailed drainage scheme
9. Limits on hours of construction
10. Limits on hours of piling
11. Submission of detailed access and junction plans
12. The dwellings shall not be occupied until the access and junction are completed in accordance with the approved details
13. Omission of the lateral deflections on the submitted layout plan
14. Submission of surveys and mitigation methods for the protection of breeding birds
15. Submission of details of features for breeding birds and bats
16. Submission of details of Local Equipped Area of Play
17. Submission of scheme to limit surface water run-off
18. Submission of a scheme to manage flood risk
19. Submission of a scheme to deal with the risks associated with contamination on the site
20. Submission of a scheme of acoustic measures required to protect the amenities of future occupiers

21. Before the development is commenced, the applicant to submit details of the siting and design for a pedestrian refuge on the A34 for the purposes of improved highway safety. If details acceptable to the Highways Authority are forthcoming, the pedestrian refuge shall be provided before any dwelling is occupied.

38 10/1179C - 14 SMITHFIELD LANE, SANDBACH: DEMOLITION OF EXISTING HOUSE AND ERECTION OF 7 NO. 3 AND 4 BEDROOM HOUSES (RE-SUBMISSION OF APPLICATION NO. 09/3069C FOR MR S BOURNE, BRIGHOUSE HOMES (SANDBACH) LTD

The Committee gave consideration to a report (including an oral report on a site visit) on Planning Application 10/1179C (14 Smithfield Lane, Sandbach).

Notes: (1) Councillor E Alcock, the Ward Councillor, was in attendance and addressed the Committee on this matter;

(2) Mr D Smith (objector) was in attendance and addressed the Committee on this matter; and

(3) Ms J Naylor (Emery Planning on behalf of the applicant, Brighouse Homes) was in attendance and addressed the Committee on this matter.

RESOLVED:

That Application 10/1179C be REFUSED contrary to officer recommendation for the following reasons –

1. The proposal is out of keeping with the character of the area by reason of the scale of the dwellings, the form of layout and the density of development, contrary to Policies GR1 and GR2 of the Congleton Borough Local Plan.

2. The proposal would result in additional traffic and parking on Smithfield Lane, which has a narrow carriageway and is often obstructed by parked vehicles. The proposal would be contrary to the interests of highway safety and the free flow of traffic. The development is contrary to Policy GR9 of the Congleton Borough Local Plan.

39 10/1125N - ASTON LOWER HALL, DAIRY LANE, ASTON JUXTA MONDRUM, CW5 6DS: PROPOSED AGRICULTURAL HAY, STRAW AND FARM IMPLEMENTS STORAGE BUILDING FOR MR J THOMASSON

The Committee gave consideration to a report on Planning Application 10/1125N (Aston Lower Hall, Aston) together with an update.

RESOLVED:

That Application 10/1125N be APPROVED subject to the following conditions –

1. Commence development within 3 years
2. Development in accordance with the approved plans
3. Materials as specified in application forms
4. Recommendations of Protected Species Survey to be implemented
5. Building not to be used for livestock housing

**40 10/1409N - NOVA COURT, WEST STREET, CREWE, CW1 3JD:
CONSTRUCTION OF 18 NEW TOWN HOUSES FOR WULVERN
HOUSING**

The Committee gave consideration to a report on Planning Application 10/1409N (Nova Court, Crewe) together with an update.

Notes: (1) Having declared a personal and prejudicial interest in this item, Councillors Beard, Dykes and Westwood withdrew from the meeting prior to discussion and voting on the item; and

(2) Mr Dunne, an objector to the application, was in attendance at the meeting but had exceeded the deadline to register his intention to speak. The Committee agreed that in the interest of balance, he be allowed to speak in accordance with paragraph 2.8 of the Protocol for Public Speaking Rights. Accordingly, Mr J Dunne addressed the Committee on this matter.

RESOLVED:

That Application 10/1409N be APPROVED subject to the completion of a Section 106 Agreement and subject to the following conditions –

1. Commence development within 3 years
2. Submission of sample materials
3. Development in accordance with the approved plans
4. Removal of all permitted development rights
5. Submission of boundary treatment details
6. Submission of sample surfacing materials
7. Submission of noise attenuation details
8. Implementation of renewable energy measures as specified
9. Submission of landscaping plan
10. Implementation of landscaping plan
11. Car parking and turning head shown on plans to be provided and maintained
12. Submission of cycle parking and bin storage details
13. Implementation of mitigation measures specified within protected species survey

14. Submission of drainage details
15. Contaminated land condition
16. Submission of details for lighting scheme

**41 10/1551N - AUDLEM COUNTRY HOME, SCHOOL LANE, AUDLEM:
EXTENSION IN TIME LIMIT FOR P05/0007 RELATING TO
EXTENSIONS AND ALTERATIONS TO EXISTING CARE HOME TO
PROVIDE SELF CONTAINED ACCOMMODATION FOR THE ELDERLY**

The Committee gave consideration to a report on Planning Application 10/1551N (Audlem Country Home, Audlem: Extension of Time Limit for Application P05/0007).

Note: Mr R Woodward (representing the applicant) was in attendance and addressed the Committee on this matter.

RESOLVED:

That Application 10/1551N be APPROVED subject to the following conditions –

1. Commence development within 3 years
2. Development in accordance with approved plans
3. Samples of materials to be submitted, approved and used in the construction of the building
4. Use of the premises as a nursing home together with self contained units for persons needing close care and other persons who may wish to live more independently where nursing care may be available if required and for no other purpose whatsoever. Occupants of the independent living units including close care units should be aged 60 years or more, or in the case of 2 bed units at least one of the occupants should be aged 60 years or more
5. Details of boundary treatment to be submitted, approved and implemented
6. Details of appearance of ramps, guides, rails and finishes to be submitted, approved and implemented
7. Details of appearance of balconies and galleries to be submitted, approved and implemented
8. Details of surfacing materials to be submitted, approved and implemented
9. Landscaping scheme together with any trees/hedges to be retained and measures for their protection to be submitted and approved
10. Implementation and maintenance of landscaping and tree protection measures
11. Archway between the reception area/lift and unit 12 shall not be enclosed without prior submission and approval of a separate planning application
12. Prior to first use of the development, provision of car park as per site layout and retention

13. Programme of archaeological work to be submitted, approved and implemented
14. Access to the site only via School Lane between Roseleigh and The Smithy and sign to be provided at entrance to the site to confirm this in accordance with details to be submitted and approved

42 10/1912N - AUDLEM COUNTRY HOME, SCHOOL LANE, AUDLEM: EXTENSION IN TIME LIMIT FOR P05/0710 RELATING TO EXTENSION AND ALTERATIONS TO EXISTING CARE HOME TO PROVIDE SELF CONTAINED ACCOMMODATION FOR THE ELDERLY

The Committee gave consideration to a report on Planning Application 10/1912N (Audlem Country Home, Audlem: Extension of Time Limit for Application P05/0710).

Note: Mr R Woodward (representing the applicant) was in attendance and addressed the Committee on the matter.

RESOLVED:

That Application 10/1912N be APPROVED subject to the following conditions –

1. Commencement within 3 years
2. Plans as per P05/0710
3. Samples of materials to be submitted, approved and used in the construction of the building
4. Detailed schedule of works and drawings together with a materials schedule for windows, doors, brickwork, stone work, plaster, roof materials, rain water goods, to be submitted, approved and implemented
5. Details of surfacing materials to be submitted, approved and implemented
6. Details of appearance of balconies and galleries to be submitted, approved and implemented
7. Details of boundary treatment to be submitted, approved and implemented
8. Landscaping scheme together with any trees/hedges to be retained and measures for their protection to be submitted and approved
9. Implementation and maintenance of landscaping and tree protection measures
10. Details of appearance ramps, including guides, rails and finishes to be submitted, approved and implemented

43 10/1555C - FORMER CARDBOARD FACTORY, BETCHTON ROAD, MALKINS BANK: EXTENSION TO TIME LIMIT - REDEVELOPMENT OF FORMER FACTORY TO PROVIDE 28 NO. NEW HOMES TO INCLUDE 12 AFFORDABLE HOMES PROVIDED BY RSL FOR JOKARO LTD

APPLICATION WITHDRAWN

44 10/1588N - LAND NORTH WEST OF TRAVELODGE AND SOUTH WEST OF RETAIL UNIT, BESWICK DRIVE, CREWE: ERECTION OF AN OFFICE DEVELOPMENT (B1 USE CLASS) WITH ASSOCIATED LANDSCAPING, CAR PARKING AND ACCESS ARRANGEMENTS FOR SWANSWAY GARAGES LTD

The Committee gave consideration to a report on Planning Application 10/1588N (Beswick Drive, Crewe) together with an update which gave details of the Environment Agency's comments. In response, it was explained that points 1 and 2 of the Agency's comments had already been dealt with either in the application or in the recommended conditions. Point 3 had been partly dealt with in the recommended conditions and to deal with the remainder, an additional condition was recommended requiring implementation of the flood risk assessment.

RESOLVED:

Application 10/1588N be APPROVED subject to the following conditions –

1. Commence development within 3 years
2. Development in accordance with approved plans
3. Samples of materials to be submitted, approved and implemented
4. No trees shown to be retained in the Tree Survey, Assessment, Landscape Design and Management document shall be removed from the site without the prior written approval of the Local Planning Authority
5. Surface materials to be submitted, approved and implemented
6. Implementation of tree protection measures prior to the commencement of development and any site works, as detailed in the Tree Survey, Assessment, Landscape Design and Management prior to the occupation of the development
7. Implementation of the remedial works to trees including coppicing and work to remove Himalayan Balsam as detailed in the Tree Survey, Assessment, Landscape Design and Management prior to the occupation of the development except that T3 (Crack Willow) to be retained
8. Before development commences details of a revision to the submitted landscape scheme to be submitted and approved in writing for the provision of the perimeter planting on the southern side of the site. Implementation of revised landscape scheme as detailed in the Tree Survey, Assessment, Landscape Design and Management
9. Maintenance and management of landscaping as detailed in the Tree Survey, Assessment, Landscape Design and Management
10. No change of levels around the retained trees
11. Boundary treatment to match that on the existing western boundary to be provided
12. Withdrawn permitted development rights for other means of enclosure

13. Surface Water Regulation scheme to be submitted, approved and implemented based on the Flood Risk Assessment
14. Building to be set at specified level (still to be agreed through FRA) unless otherwise first agreed in writing
15. Contaminated land survey to be submitted and if necessary, remediation measures with site completion report when mitigation implemented
16. Details of pile driving if required to be submitted, agreed and implemented
17. Details of location of bat boxes and their provision
18. Details of the location of bird nest boxes and their provision
19. Details of waste recycling facilities to be submitted, approved and implemented. Provision of bin store and waste recycling facilities in accordance with submitted details
20. Provision of cycle store
21. Provision of showers to be available for use by all staff
22. Provision of car parking
23. Scheme to be submitted and approved for the provision of energy saving measures in the design of the building, its operation and implementation of the measures
24. Details of the construction of the tarmac pedestrian link within the application site (which links the shops and the development off Electra Way across the Valley Brook) to be submitted and approved before development commences. This shall include "no dig" construction where the path falls within Tree Root Protection Areas as identified within the Tree Survey, Assessment and Landscape design and Management document. The pedestrian route to be provided before the offices are first brought into use and thereafter retained.
25. Scheme for the maintenance of the pedestrian link to the shops to be submitted, approved before the pedestrian link is provided and implemented
26. Scheme for works to the bridge across the Valley Brook to be submitted, approved and implemented before the building is first occupied. In the event that third party land ownership issues (outside the control of the Council and the developer) prevent implementation of the scheme evidence of the explanation for the non-implementation shall be submitted in writing to the Local Planning Authority, which upon receipt of satisfactory evidence, shall agree in writing to the non-implementation
27. Scheme for maintenance of the bridge
28. Use for B1 office development only and no other purpose
29. Withdraw permitted development rights for extensions, alterations and hardstanding for offices
30. A scheme for working method statement to explain how the buffer zone to the Valley Brook will be protected during construction to be submitted before development commences, approved and implemented
31. Implementation of flood risk assessment

- 45 **10/2096N - LAND TO THE REAR OF 58 WELLINGTON ROAD, NANTWICH: AMALGAMATION OF 58 AND 58A WELLINGTON ROAD AND CONSTRUCTION OF NEW HOUSE WITHIN GROUNDS OF EXISTING PROPERTIES FOR MR AND MRS RICHARDS**

APPLICATION WITHDRAWN

- 46 **10/1887M - LUMB BROOK LIVERY, WOODFORD LANE, NEWTON, MACCLESFIELD - EXTENSION TO EXISTING MANEGE, ERECTION OF NEW TIMBER STABLE AND NEW ENTRANCE TO YARD (RETROSPECTIVE) FOR MR P JACKSON**

The Committee gave consideration to a report on Planning Application 10/1887M (Woodford Lane, Newton, Macclesfield).

Note: At this point in the meeting, each Member of the Committee present declared a personal interest in the application as the application site was owned by a fellow Cheshire East Councillor.

RESOLVED:

That Application 10/1887M be APPROVED.

- 47 **10/2026M - 11 MANOR PARK, SOUTH KNUTSFORD: SINGLE STOREY FRONT AND SIDE EXTENSION REAR CONSERVATORY ROOF LIGHT FOR MS O HUNTER**

The Committee gave consideration to a report on Planning Application 10/2026M (11 Manor Park, South Knutsford).

Note: At this point in the meeting, each Member of the Committee Present declared a personal interest in the application as the application site was owned by a fellow Cheshire East Councillor.

RESOLVED:

That Application 10/2026M be APPROVED subject to the following conditions –

1. Approved plans
2. Obscure glazing
3. Materials
4. Standard time

The meeting commenced at 2.00 pm and concluded at 4.15 pm

Councillor G Merry (Chairman)