

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 3rd November, 2010 at Council Chamber, Municipal  
Buildings, Earle Street, Crewe CW1 2BJ

### **PRESENT**

Councillor G Merry (Chairman)  
Councillor L Gilbert (Vice-Chairman)

Councillors W T Beard, D Bebbington, W S Davies, B H Dykes, B Howell,  
J Jones, S Jones, A Kolker, R Walker, M J Weatherill and R Westwood

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

Councillors R Cartlidge, R Fletcher, M Martin and P Mason

### **OFFICERS PRESENT**

Rachel Goddard (Senior Lawyer)  
Ben Haywood (Principal Planning Officer)  
David Townsend (Interim Business Lead Development Management, South)

### **Apologies**

Councillors S Furlong and S McGrory

### **96 DECLARATIONS OF INTEREST/PRE-DETERMINATION**

Councillor J Jones declared a personal and prejudicial interest in respect of application number 10/3262N on the grounds that he lived in the vicinity of the application site and knew the owner of the site. In accordance with the Code of Conduct, he withdrew from the meeting during consideration of this item.

Councillor S Jones declared a personal interest in respect of application number 10/3581C on the grounds that she was acquainted with the developer and 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.

Councillors G Merry, J Weatherill and R Fletcher declared personal interests in respect of application number 10/1269C, on the grounds that they had been appointed as Cheshire East Council representatives on Cheshire Fire Authority which had been consulted on the proposed development. In accordance with the code of conduct, they remained in the meeting during consideration of this item.

Councillor A Kolker declared that he had called in application number 10/3317C but had not expressed an opinion and had not fettered his discretion.

With respect to agenda item 10 (Section 106 Agreement for Planning Application P08/0728 for planning permission for the erection of 6 enabling dwellings and the creation of 52 car parking spaces together with other renovation works at The Badger Inn, Over Road, Church Minshull), Members who had been Members of the former Crewe and Nantwich Borough Council when it had approved planning application P08/0728 declared that they were approaching the application to amend the Section 106 Agreement without predetermination.

Councillor P Mason, who was in attendance at the meeting, declared a personal interest in respect of application number 10/1269C 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.

#### 97 **MINUTES**

RESOLVED – That the minutes of the meeting held on 13 October 2010 be approved as a correct record and signed by the Chairman.

#### 98 **10/1269C ERECTION OF 126 NO. DWELLINGS, PROVISION OF PUBLIC OPEN SPACE AND ASSOCIATED WORKS, BATH VALE WORKS, BATH VALE, CONGLETON FOR BOVIS HOMES LTD**

Note: Councillor P Mason (Ward Councillor), Mr R Blindell (objector) and Mr B Herrod (applicant) attended the meeting and addressed the Committee on this matter.

Note: Councillor J Jones declared that he had received correspondence in relation to this application.

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

RESOLVED – That the application be DEFERRED to allow negotiations to take place between the applicant and council officers regarding the possibility of siting the play area within the proposed development.

99 **10/3262N REDEVELOPMENT OF THE EXISTING RETAIL PREMISES "CREWE SADDLERY" AND THE ERECTION OF 11 DWELLINGS AND ASSOCIATED ACCESS, PARKING AND GARDEN AREAS, LAND ADJACENT TO 97 BROUGHTON ROAD, CREWE FOR FIELDCREST PARTNERSHIP**

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

Note: Councillor M Martin (Ward Councillor), Mr B Wilkinson (objector) and Mr N Thorns (applicant) attended the meeting and addressed the Committee on this matter.

Note: All Members declared that they had received correspondence in relation to this application.

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

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

1. Commencement within 3 years
2. Amended plans
3. Samples / details of external materials to be used in the construction of the dwellings to be submitted, approved and implemented.
4. Details of surface materials to be submitted, approved and implemented.
5. Details of boundary treatment to be submitted, approved and implemented.
6. Tree protection measures to be submitted, approved and implemented.
7. Tree on northern site boundary to be retained unless otherwise agreed in writing by the Local Planning Authority.
8. Existing hedges around the site to be retained unless otherwise agreed in writing by the Local Planning Authority
9. No close board or other similar fences to be placed against existing boundary hedgerows or new hedgerow provided on the western site boundary at any time.
10. If demolition or development commence in bird nesting season the site to be checked for nesting birds and protection afforded to any nests.
11. Details of measures for nesting birds to be submitted, approved and implemented.
12. No development to commence and no demolition until a scheme for the recycling and reuse of materials from the existing buildings/ structures on site has been submitted and approved. Works to proceed only in accordance with the approved details.

13. Full details of all sustainable development measures to be incorporated in the development to be submitted, approved and implemented.
14. Details of external lighting to be submitted, approved and implemented.
15. Construction hours and delivery hours to be limited to 0800-1800 hours Mondays to Friday and 0800-1400 hours on Saturdays with no working on Sundays and Bank Holidays.
16. Details of pile driving to be submitted, approved and implemented if required.
17. Contaminated land survey to be submitted with remediation if necessary and implementation of remediation.
18. Scheme for foul drainage to be submitted, approved and implemented.
19. Scheme for the control and storage of surface water run off to be submitted, approved and implemented. To be based on Sustainable Drainage solutions with use of permeable hard surfaces.
20. Details of levels to be submitted, approved and implemented.
21. Obscure glazing to be provided to the side elevations of plots 5, 6, 10 and 11.
22. Details of the boundary walls adjacent to plot 10 and in front of plot 7 to be submitted, approved and implemented.
23. No development shall take place until detailed drawings outlining the site's access; visibility splays and the road layout have been submitted to and approved by the LPA, and no part of the development shall be occupied until the access has been constructed in accordance with approved drawings and to CEC specification.
24. The proposed highway within the development shall be designed in accordance with Manual for Streets and constructed in accordance with the specification within the Cheshire County Council Design Aid Manual 1996.

**100 10/3317C PROPOSED EXTENSION TO EXISTING DOUBLE GARAGE TO PROVIDE ANNEXE ACCOMODATION TO MAIN HOUSE, INCLUDING WORKSHOP, STUDY AND STORAGE AREA, 71 MAIN ROAD, GOOSTREY FOR CB HOMES LTD ON BEHALF OF MR R HART**

Note: Mr W Owen and Mr J Betts (objectors) and Mr R Hart (applicant) attended the meeting and addressed the Committee on this matter.

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

Note: The meeting was adjourned from 3.25 to 3.35pm to enable the Interim Business Lead Development Management (South) to clarify details with respect to the history of planning applications on this site.

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

1. Standard three years
2. In accordance with plan numbers
3. Materials as per planning application
4. Removal of permitted development rights for alterations to building
5. The development shall not be occupied at any time other than for purposes ancillary to the residential use of 71 Main Road, Goostrey.

101 **10/3581C TO CONSTRUCT NEW DETACHED DWELLING ON PART OF GARDEN LAND AT 2 RYDAL WAY FOLLOWING GRANT OF OUTLINE PLANNING CONSENT 08/1734/OUT, 2 RYDAL WAY, ALSAGER, ST7 2EH FOR MR S PALFREYMAN**

Note: Councillor D Bebbington left the meeting prior to consideration of this application.

Note: Councillor R Fletcher declared that he had received correspondence from an objector in relation to this application.

Note: Councillor R Fletcher (Ward Councillor) and Mr A Pickersgill and Mrs A Gallagher (objectors) attended the meeting and addressed the Committee on this matter.

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

RESOLVED – That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reasons:

1. The proposal, by reason of its size, height, form and design, would be a cramped form of development that would be intrusive in the street scene and out of keeping with the character of the existing properties in the immediate vicinity of the site. The proposal is therefore contrary to Policies GR1 and GR2 of the adopted Congleton Borough Local Plan First Review 2005.
2. The proposal, by reason of its size, height, design and position relative to the adjoining property number 176 Sandbach Road North, would be unduly dominant when viewed from that adjoining property, to the detriment of the residential amenities of the occupiers. The proposal is therefore contrary to Policy GR6 of the adopted Congleton Borough Local Plan First Review 2005.

102 **10/3185N DEMOLITION OF EXISTING BUILDING ON SITE AND THE PROVISION OF NEW WAREHOUSE FOR THE STORAGE AND DISTRIBUTION OF DRY GOODS TO COMPLEMENT EXISTING COLD STORAGE FACILITY ON NEIGHBOURING SITE - OWNED BY THE SAME COMPANY, UNITS 1-2 WRIGHTS PIES WAREHOUSE, FIRST AVENUE, CREWE, CW1 6BG FOR WRIGHTS PIES**

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. External materials to be submitted to the LPA and approved in writing and implemented
3. Surfacing materials to be submitted to the LPA and approved in writing and implemented
4. Development to be completed in accordance with the approved plans
5. Car parking provision shown on the approved plans to be provided
6. Details of cycle parking to be submitted and approved in writing by the LPA and implemented
7. Details of shower facilities which are to be provided within the building to be submitted and approved in writing by the LPA and implemented
8. Details of bin storage to be submitted to the LPA and approved in writing and implemented
9. Details of boundary treatment to be submitted to the LPA and approved in writing and implemented
10. Consent for B8 use only
11. Details of external lighting to be submitted to the LPA and approved in writing and implemented
12. No external storage on the site
13. Details of drainage to be submitted to the LPA and approved in writing
14. Prior to the commencement of development a Contaminated Land Assessment shall be submitted to the Local Planning Authority and approved in writing and any remediation measures shall be implemented
15. Details of any pile driving to be submitted to the LPA and approved in writing
16. Details of any acoustic enclosure of any fans, compressors or other equipment to be submitted to the LPA and approved in writing and implemented
17. The hours of construction (and associated deliveries to the site) of the development shall be restricted to 08:00 to 18:00 hours on Monday to Friday, 08:00 to 13:00 hours on Saturday, with no work at any other time including Sundays and Public Holidays.

103 **SECTION 106 AGREEMENT FOR PLANNING APPLICATION P08/0728 FOR PLANNING PERMISSION FOR THE ERECTION OF 6 ENABLING DWELLINGS AND THE CREATION OF 52 CAR PARKING SPACES TOGETHER WITH OTHER RENOVATION WORKS AT THE BADGER INN, OVER ROAD, CHURCH MINSHULL**

The Committee considered a report and an update regarding proposed alterations to the requirements for a Section 106 Agreement for the erection of 6 enabling dwellings and the creation of 52 car parking spaces together with other renovation works at The Badger Inn, Over Road, Church Minshull which were the subject of planning application P08/0728.

RESOLVED – That permission in respect of the planning application P08/0728 for the development at The Badger Inn be issued, subject to conditions as detailed in the decision by the special council of the former Crewe and Nantwich Borough Council on 4 February 2009 and subject to the applicant completing and signing a Section 106 Agreement to secure that the repairs to The Badger Inn are completed before any new residential development is commenced on the application site.

104 **APPEAL SUMMARIES**

The Committee considered a summary of appeal decisions.

RESOLVED - That the appeal summaries be noted.

The meeting commenced at 2.00 pm and concluded at 4.10 pm

Councillor G Merry (Chairman)