

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 6th April, 2011 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, S Furlong, J Jones,
A Kolker, R Walker, M J Weatherill and R Westwood

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors Rhoda Bailey and M Hollins

OFFICERS PRESENT

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

Apologies

Councillors B H Dykes, E Howell and S McGrory

188 DECLARATIONS OF INTEREST

Councillor A Kolker declared that in being a member of Mill Lane Action Group he had expressed an opinion and therefore fettered his discretion with respect to application number 11/0474C. Councillor Kolker exercised his separate speaking rights as a Ward Councillor and withdrew from the meeting during consideration of this item.

Councillor G Merry declared a personal interest in respect of application numbers 11/0119C and 11/0475C 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 S Davies declared that he had attended a public meeting in Wrenbury at which application number 11/0041N had been discussed, but that he had not taken part in the discussion and had not expressed a view.

189 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 16 March 2011 be approved as a correct record and signed by the Chairman.

190 **11/0474C BARNSHAW BANK FARM, MILL LANE, GOOSTREY CW4 8PW: CONVERSION OF EXISTING AGRICULTURAL BUILDING TO FORM 2NO PRIVATE DWELLINGS FOR MR J ASHBROOK**

Note: Having declared his membership of Mill Lane Action Group, Councillor A Kolker exercised his separate speaking rights as a Ward Councillor and withdrew from the meeting during consideration of this item.

Note: Councillor M Nicholls (on behalf of Goostrey Parish Council), Mrs C McCubbin (on behalf of Mill Lane Action Group) and Mr J Ashall (agent 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, a written update, an oral report of the site inspection and an oral update by the Principal Planning Officer.

RESOLVED – That, contrary to the planning officer's recommendation for refusal, the application be APPROVED subject to the following conditions:

1. The development hereby approved shall commence within three years of the date of this permission.
2. In accordance with plans.
3. This permission relates only to the conversion of the barn indicated on the drawings hereby approved. It does not grant or convey any consent or permission for any works of demolition, reconstruction, construction or alteration affecting the external appearance of the building, except where such works are indicated in the submitted plans/structural report or are otherwise first approved in writing by the Local Planning Authority.
4. Prior to commencement of development, all external materials to be submitted and approved.
5. The material and colour of all rainwater goods shall be cast iron, painted black unless otherwise agreed in writing. The rainwater goods shall be retained thereafter.
6. All fenestration shall be set behind a reveal of 100mm unless otherwise agreed in writing.
7. All windows and doors in the external elevations of the proposed development shall be fabricated in timber and shall be retained in such a form thereafter. The windows and doors shall be painted in a colour, details of which shall be first approved in writing by the Local Planning Authority and retained thereafter.

8. The roof lights in the development hereby approved shall be set flush with the angle of the surrounding roof slope. If this cannot be achieved, the degree of projection from the plane of the roof pitch shall be first agreed in writing by the Local Planning Authority.
9. Prior to the commencement of development:
 - (a) A contaminated land Phase I report to assess the actual/potential contamination risks at the site shall be submitted to, and approved in writing by, the Local Planning Authority.
 - (b) Should the Phase I report recommend that a Phase II investigation is required, a Phase II investigation shall be carried out and the results submitted to, and approved in writing by, the Local Planning Authority.
 - (c) Should the Phase II investigations indicate that remediation is necessary, a Remediation Statement shall be submitted to, and approved in writing, by the Local Planning Authority. The remedial scheme in the approved Remediation Statement shall then be carried out.
 - (d) Should remediation be required, a Site Completion Report detailing the conclusions and actions taken at each stage of the works, including validation works, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first use or occupation of any part of the development hereby approved.
10. Prior to the commencement of development, a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment.), schedules of plants noting species, plant sizes, the proposed numbers and densities and an implementation programme.
11. The approved landscaping plan shall be completed in accordance with the following:
 - (a) All hard and soft landscaping works shall be completed in full accordance with the approved scheme, within the first planting season following completion of the development hereby approved, or in accordance with a programme agreed with the Local Planning Authority.
 - (b) All trees, shrubs and hedge plants supplied shall comply with the requirements of British Standard 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of British Standard 4428(1989) Code of Practice for General Landscape Operations (excluding hard surfaces).

- (c) All new tree plantings shall be positioned in accordance with the requirements of Table 3 of British Standard BS5837: 2005 Trees in Relation to Construction: Recommendations.
 - (d) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.
12. Prior to the commencement of development a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the dwellings are first occupied. The boundary treatment shall be carried out in accordance with the approved details and permanently retained unless otherwise first approved in writing by the Local Planning Authority.
 13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order), no development (as defined by Section 55 of the Town and Country Planning Act 1990) as may otherwise be permitted by virtue of Class(es) A-G of Part 1 Schedule 2, Class A of Part 2 Schedule 2, or Class A, B, or E of Part 40 Schedule 2 of the Order shall be carried out.
 14. Prior to the commencement of development the applicant to submit detailed proposals for the incorporation of features into the scheme suitable for use by roosting bats. Such proposals to be agreed by the Local Planning Authority. The proposals shall be permanently installed in accordance with approved details.

The Committee was of the opinion that sufficient marketing information had been submitted with the application to demonstrate that every reasonable attempt had been made to secure suitable business re-use of the site. In addition, the proposal demonstrated that the location and the character of the site were such that residential use was the only appropriate use. The proposal was therefore in accordance with Planning Policy BH16 of the adopted Congleton Borough Local Plan First Review 2005.

191 **11/0041N LAND OFF NEW ROAD, WRENBURY: DEVELOPMENT OF 14 TWO-STOREY AFFORDABLE DWELLINGS FOR MR A GARNETT, MCINERNEY HOMES**

Note: Councillor M Hollins (Ward Councillor), Mr O Lowe (objector), Mr J Pound (supporter) and Mr D Whitney (agent 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, a written update, an oral report of the site inspection and an oral update by the Principal Planning Officer.

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

In the opinion of the Local Planning Authority the applicant has failed to demonstrate that there is a proven need for the development given that there are other brownfield sites available in the locality that could provide for affordable housing requirements within the area. The site is also considered to be unsustainable because it does not adjoin the settlement boundary, has poor footpath links to the village centre, is a greenfield site and its development would prejudice the redevelopment of brownfield sites within the area for affordable housing. The proposal is therefore contrary to Policy RES.8 of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

192 **11/0119C 11- 13, HIGHTOWN, SANDBACH CW11 1AD: NEW FULL GLAZED ENTRANCE TO NEW SHOPFRONT; NEW SLIDING PANELLED SHOPFRONT TO FOLD BACK TO ONE SECTION FOR COSTA COFFEE**

Note: Councillor Rhoda Bailey (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 APPROVED subject to the following conditions:

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Materials as application
4. Specification of window design / style

193 **11/0475C 11- 13, HIGHTOWN, SANDBACH CW11 1AD: CHANGE OF USE OF ONE PART OF THE EXISTING GROUND FLOOR UNIT FROM RETAIL (A1) TO A MIXED USE COFFEE SHOP (A1/A3) FOR COSTA LTD**

Note: Miss E Turner (agent on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Councillor Rhoda Bailey (Ward Councillor) had registered her intention to address the Committee on this matter but did not speak.

The Committee considered a report regarding the above planning application and a written update.

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

1. Development in accord with approved plans
2. Commencement of development (3 years)
3. Business hours (including Sundays)
4. Scheme of acoustic enclosures

194 **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 3.40 pm

Councillor G Merry (Chairman)