

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 21st November, 2012 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor G Merry (Chairman)
Councillor M J Weatherill (Vice-Chairman)

Councillors Rhoda Bailey, D Bebbington, P Butterill, R Cartlidge, J Clowes,
W S Davies, P Groves, A Kolker, D Marren, M A Martin, S McGrory, D Newton
and A Thwaite

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors S Corcoran and B Moran

OFFICERS PRESENT

Rachel Goddard (Senior Lawyer)
Ben Haywood (Principal Planning Officer)
Chris Hudson (Principal Forestry and Arboricultural Officer)
Neil Jones (Principal Development Officer – Highways Development)
David Malcolm (Southern Area Manager – Development Management)
Julie Zientek (Democratic Services Officer)

Apologies

None

81 DECLARATIONS OF INTEREST

The following declarations were made in the interests of openness:

With regard to application number 12/3076C, Councillor Rhoda Bailey declared that she had previously assisted the applicant with a case that went to appeal.

With regard to application number P09/0014, Councillors R Cartlidge and P Groves declared that they had been appointed as Council representatives on the Board of Wulvern Housing but that they had not actively promoted the application.

Councillor P Butterill declared that, notwithstanding the publication in the press of a letter from her regarding development on Greenfield sites, she had kept an open mind with respect to all the applications on the agenda for the current meeting, and that she would consider each item on its merits, having heard the debate and all the information.

Councillor D Bebbington declared that, notwithstanding the publication in the press of a letter from him regarding the Keep it Green Campaign, he had kept an open mind with respect to all the applications on the agenda for the current meeting, and that he would consider each item on its merits, having heard the debate and all the information.

Councillor J Clowes declared that, as Health and Adult Social Care Portfolio Holder, she had no conflict of interest with regard to application numbers 12/3877N and 12/3740N.

With regard to application number 12/2225C, Councillor S McGrory declared that he was a member of Middlewich Town Council, and that he had had various contacts regarding the application but had not expressed an opinion.

With regard to application numbers 12/3603C, 12/1650C and 12/1455C, Councillor G Merry declared that she was a member of Sandbach Town Council, but that she had not taken part in any discussions in respect of the applications.

82 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 31 October 2012 be approved as a correct record and signed by the Chairman.

83 12/3603C LAND ON THE SOUTH SIDE OF DRAGONS LANE, DRAGONS LANE, MOSTON, SANDBACH, CHESHIRE CW11 3QB: THE USE OF LAND FOR THE STATIONING OF CARAVANS FOR RESIDENTIAL PURPOSES FOR 4 NO. GYPSY PITCHES TOGETHER WITH THE FORMATION OF ADDITIONAL HARD STANDING AND UTILITY/ DAYROOMS ANCILLARY TO THAT USE FOR MARTIN SMITH

The Chairman reported that this application had been withdrawn from the agenda to enable officers to address ecological issues that had been raised prior to the meeting.

84 12/3458N WADES GREEN FARM, MINSHULL LANE, CHURCH MINSHULL, NANTWICH, CHESHIRE CW5 6DX: ERECTION OF AN AGRICULTURAL BUILDING FOR BARN EGG PRODUCTION FOR IAN HOCKNELL, I & K HOCKNELL

Note: Councillor P Butterill left the meeting and returned during consideration of this item but did not take part in the debate or vote.

Note: Mr I Pick (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 Principal Planning Officer.

RESOLVED – That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Standard
2. Plans
3. Materials
4. Drainage
5. Landscaping Submitted
6. Landscaping Implemented
7. External Lighting
8. Method for the Control of Flies
9. Treatment of Manure from Site
10. The Auto Start Generator and Ridge Fans to be Installed and Maintained in Accordance with Manufactures Instructions
11. Surfacing Materials

85 12/3076C BETCHTON COTTAGE FARM, CAPPERS LANE, BETCHTON, CHESHIRE CW11 2TW: EXTENSION OF SITE AREA AND CONSTRUCTION OF A HARD STANDING FOR STORAGE OF SKIPS FOR TOM GARDINER, WILLIAM BEECH SKIP HIRE LTD

The Committee considered a report regarding the above planning application and an oral update by the Principal Planning Officer.

RESOLVED – That authority be DELEGATED to the Development Management and Building Control Manager in consultation with the Chairman to approve the application for the reasons set out in the report, subject to no new issues being raised following the advertisement of the application as a departure from policy

and the following conditions:

1. Time limit.
2. Compliance with the approved plans.
3. Skips stored on the site shall not exceed a height of 2.5m from ground level.
4. Submission and implementation of a tree and hedgerow protection scheme.
5. Submission and implementation of details of the post and rail fence at the north western end of the site.
6. Retention of hedgerow.
7. Hours of use to be consistent with the main site.

86 12/2225C LAND AT 50A, NANTWICH ROAD, MIDDLEWICH, CHESHIRE CW10 9HG: RESIDENTIAL DEVELOPMENT COMPRISING DEMOLITION OF EXISTING BUNGALOW & OUTBUILDINGS & ERECTION OF 24 DWELLINGS INCLUDING

**ACCESS, PARKING, LANDSCAPING & ASSOCIATED WORKS FOR
P E JONES (CONTRACTORS) LIMITED**

Note: Councillor M Martin arrived during consideration of this item but did not take part in the debate or vote.

Note: Mr G Kench (on behalf of a local representative group), Mr B Cole (objector) and Ms H Hartley (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 and an oral report of the site inspection.

RESOLVED – That the application be DEFERRED to allow officers to seek clarification regarding the width of the access off Nantwich Road and its suitability for construction vehicles, and to undertake further discussions with the applicant regarding pepper-potting of the affordable housing.

**87 12/3877N LAND ADJOINING THE BRIDGE INN, BROAD STREET
CREWE: EXTENSION TO TIME LIMIT ON PLANNING PERMISSION
10/0196N: CONSTRUCTION OF OLD PERSONS RESIDENTIAL
CARE HOME COMPRISING 46 SINGLE BEDROOMS AND 20
INDEPENDENCY UNITS, OF 2 STOREYS PLUS ATTIC DORMERS
FOR MR J WARTERS, TWO DALES LIMITED**

The Committee considered a report regarding the above planning application and an oral update by the Principal Planning Officer.

RESOLVED

(a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Standard time 3 years
2. Materials to be as per the letters of 13th September 2010 & 16th March 2011
3. Surfacing materials as per the attachments to the letter of 22nd July
4. Landscape scheme as per plan reference REV A
5. Landscape scheme to be completed in accordance with the approved details
6. Boundary treatment as per the attachments to the letter of 22nd July 2010 and attached to the e-mail of 7th March 2011 from Andy Pyatt
7. Provide car parking as shown on the approved plan
8. Drainage details as per plans reference 2500MM/D1 and 1130/11
9. Access to be constructed to CE spec
10. Footpath link to front of site to be provided in accordance with plan reference 1130/21 Revision G
11. Access to 175 Broad Street to be retained

12. Approved plans
13. Obscure glazing to be provided and retained
14. The noise attenuation measures described in paragraph 2.1 Traffic Noise Assessment and paragraph 2.2 Entertainment Noise Assessment of the Technical Report dated 7th October 2009 should be undertaken by the developer.
15. Window reveals of 55mm to be provided to all windows and doors
16. Restrict use of the site to use class C2 (Residential Institutions)
17. Cycle parking as per the agreed details
18. Gas Absorption Heat Pump to be provided and retained
19. Detail of window design details as attached to e-mail of 23rd July 2010

- (b) That, in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Development Management and Building Control Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

**88 12/1650C WATERWORKS HOUSE, DINGLE LANE, SANDBACH
CW11 1FY: DEMOLITION OF EXISTING TWO-STOREY DWELLING,
REMOVAL OF WATER TREATMENT STORAGE AND SETTLEMENT
TANKS, CONSTRUCTION OF 12 TWO-STOREY DETACHED
DWELLINGS TOGETHER WITH ASSOCIATED CAR PARKING AND
LANDSCAPING WORKS, CLOSURE OF VEHICULAR ACCESS
ONTO DINGLE LANE AND FORMATION OF NEW ACCESS ONTO
TIVERTON CLOSE FOR THE WATERWORKS TRUST**

Note: Prior to consideration of this application, the meeting was adjourned for ten minutes for a break.

Note: Councillor B Moran (Ward Councillor), Councillor S Corcoran (Visiting Member), Mr T Waite (objector) and Mr S Harris (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Following the public speaking, Councillor D Newton declared that he knew the applicant and withdrew from the meeting during consideration of this item.

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 reason:

The proposed development would have an unacceptable adverse impact on the Wildlife Corridor that is not outweighed by other matters of overriding interest namely housing land supply. The development is therefore contrary to Policies GR1 and NR4 of the adopted Congleton Borough Local Plan First Review 2005. The proposal would not represent sustainable development as it would not conserve or enhance the natural environment and would be contrary to paragraph 109 of the NPPF.

89 12/3431N LAND TO THE NORTH OF EARLE STREET, CREWE, CHESHIRE CW1 2AL: PROPOSED NEW BUILD TOOL AND PLANT HIRE UNIT (USE CLASS SUI-GENERIS), INCLUDING SITE ACCESS, CAR PARKING, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE FOR CARL BANKS, P.E.T. HIRE CENTRE LIMITED

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

Note: Ms C Clarke (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 and a site plan which was circulated at the meeting.

RESOLVED – That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Standard Time Limit
2. Plan References
3. Materials
4. Details of Secured Covered Cycle Parking to be Submitted and Agreed in Writing
5. Surfacing Materials to be submitted and agreed
6. Details of Boundary Treatment to be submitted and approved
7. Details of the bin storage area to be submitted and agreed in writing
8. Landscaping submitted
9. Landscaping implemented
10. Windows in the side elevation facing Greystone Park at first floor level to be obscurely glazed
11. No subdivision
12. Drainage scheme to be submitted and approved in writing
13. Contaminated land report
14. Car parking and turning areas to be made available prior to the first occupation of the building
15. The building shall be for the sale/hire of tools and plant only
16. Floor Floating
17. Hours of Construction

- | | | |
|--|-----------------------------|--------------------|
| | Monday – Friday | 08:00 to 18:00 hrs |
| | Saturday | 09:00 to 14:00 hrs |
| | Sundays and Public Holidays | Nil |
18. Hours of Operation
 19. No external lighting
 20. Pile foundations

| | |
|----------------------------|-------------------|
| Monday – Friday | 09:00 – 17:30 hrs |
| Saturday | 09:00 – 13:00 hrs |
| Sunday and Public Holidays | Nil |
 21. Trade Counter

90 P09/0014 LAND AT 2 & 4 HEATHFIELD AVENUE AND 29, 29A & 31 HIGHTOWN: DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF NEW BUILDINGS AND REDEVELOPMENT OF EXISTING LINK HOUSE TO PROVIDE 35 APARTMENTS AND TWO RETAIL UNITS WITH ASSOCIATED INFRASTRUCTURE FOR R.G. HARRIS LTD

Note: Having declared that they had been appointed as Council representatives to Wulvern Housing, Councillors R Cartlidge and P Groves withdrew from the meeting during consideration of this item.

Note: Mr G Allen and Mr N Powell (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 clarifying that RES 7 as modified was not a saved policy, but that the application was policy compliant.

RESOLVED – That, for the reasons set out in the report, the application be APPROVED, subject to the satisfactory completion of a Section 106 agreement to secure:

- Provision of commuted sum in lieu of on site provision of children's play equipment and casual recreational open space -£17,500.
- Provision of 11 affordable housing units Including a cascade for the occupation of the dwellings -
 - 1 Crewe
 - 2 Cheshire East

and the following conditions:

1. A03FP - Commencement of development (3 years)
2. A03AP - Development in accord with approved plans (numbered)
3. A02EX – Details of Proposed Materials
4. No demolition during bird breeding season or site checked by Ecologist
5. 10/% renewable energy provision
6. Access and car parking to be provided

7. Cycle rack details and to be provided
8. Solar panels to be provided and maintained and method statement
9. Landscaping
10. Landscaping implementation
11. Boundary treatment
12. Waste management plan
13. Sustainable urban drainage measures
14. Noise attenuation
15. Lighting scheme
16. Finished floor levels
17. Details of features for birds

**91 12/3164C LAND SOUTH OF PORTLAND DRIVE, SCHOLAR GREEN
CHESHIRE: PLOT SUBSTITUTION OF PLOTS 14-40 AND
ELEVATIONAL VARIATIONS TO PLOTS 7-13 AND 41-52 OF
PREVIOUSLY APPROVED APPLICATION 08/0712/FUL FOR BEN
BAILEY HOMES**

Note: Mr C Oxley (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 a written update.

RESOLVED – That, for the reasons set out in the report, the application be APPROVED, subject to the satisfactory completion of a Section 106 agreement to link the scheme to the earlier permission

and the following conditions:

1. Standard time limit
2. Development in accordance with the approved and amended plans
3. Submission and approval of external materials and finishes
4. Submission of details of landscaping to include details of boundary treatments
5. Submission of arboricultural statement for retained trees
6. Details of drainage
7. Hours of piling restricted
8. Hours of construction restricted
9. Gas monitoring
10. Protected species
11. No works within bird breeding season without survey
12. Submission of details of levels
13. Obscured glazing
14. Removal of permitted development rights for openings

**92 12/3294N WARDLE BRIDGE FARM, NANTWICH ROAD, WARDLE
CW5 6BE: DEVELOPMENT OF NEW AGRICULTURAL MACHINERY
DEALERSHIP COMPRISING OF SHOWROOM, WORKSHOP, PARTS
COUNTER, ANCILLARY RETAIL SALES AND OFFICE BUILDING;**

EXTERNAL NEW AND USED VEHICLE DISPLAY AREAS; CAR PARKING AND ASSOCIATED LANDSCAPING, FOLLOWING DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES ON SITE FOR AGRICULTURAL MACHINERY (NANTWICH) LTD

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

RESOLVED – That, for the reasons set out in the report, the application be APPROVED, subject to the satisfactory completion of a Section 106 agreement to secure a financial contribution of £3,000 for the introduction of a weight restriction on the railway bridge to the right of the site, as Members considered that, in accordance with the Community Infrastructure Levy Regulations 2010, it was a) necessary to make the development acceptable in planning terms, b) directly related to the development and c) fairly and reasonably related in scale and kind to the development because it would pay for an order to restrict the size/weight of vehicles travelling to/from the site in the vicinity of the school

and the following conditions:

- 1 Standard
- 2 Reference to plans.
- 3 Materials
- 4 Construction of parking and access
- 5 Submission / approval and implementation of travel plan
- 6 Submission / approval of landscaping
- 7 Implementation of landscaping
- 8 Construction Hours limited to Monday – Friday 08:00 to 18:00 hrs; Saturday 09:00 to 14:00 hrs; Sundays and Public Holidays Nil
- 9 Submission / approval and implementation of external lighting
- 10 Building to be used for the display, sale, storage and repair of agricultural machinery with ancillary offices / retail sales only
- 11 The unit shall not be used for retailing any goods other than those genuinely associated with a an agricultural machinery dealership, and shall not be used for the retailing of any of the following goods:
 - Fashion clothing and footwear (other than country, equestrian and leisure clothing and footwear normally retailed within a country store);
 - Fashion accessories, including jewellery, cosmetics, toiletries and pharmaceutical products; books, newspapers and magazines (other than specialist publications or animal health products normally retailed within a country store);
 - Electrical goods (other than those which would normally be retailed within a country store);

- Kitchenware or goods associated with cookery
- 12 Widening of left turn radius off A51
- 13 Layby/passing bay between site and A51
- 14 Provision of ghost island/right turn off A51

**93 12/3007N LOWER FARM, WHITCHURCH ROAD, BURLEYDAM SY13
4AT: CONVERSION OF EXISTING REDUNDANT MILKING BARN
TO CREATE 9 RESIDENTIAL UNITS AND SUBDIVISION OF THE
EXISTING FARMHOUSE INTO 2 SEPARATE RESIDENTIAL UNITS
(EQUATING TO 11 DWELLINGS ON SITE), WITH ASSOCIATED
WORKS FOR I BARTON**

Note: Councillor M Boffey (on behalf of Dodcott-Cum-Wilkesley Parish Council) and Ms S Nicholls (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 report of the site inspection.

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:
1. Standard – 3 years
 2. Materials to be submitted and approved
 3. Removal of all permitted development rights including no insertion of rooflights or other openings and no closing of existing openings.
 4. No rebuilding permitted; repair and refurbishment only
 5. Curtilage of dwellings should not extend beyond that illustrated in submitted drawings.
 6. Window reveal to be 100mm
 7. Demolition of existing buildings prior to occupation of the dwellings
 8. Provide car parking spaces prior to occupation
 9. Drainage details to be submitted and approved
 10. Landscaping to be submitted
 11. Landscaping to be completed
 12. Boundary treatment to be submitted and approved
 13. Rainwater goods to be black and metal
 14. Surfacing Materials to be submitted and approved
 15. Retention of window shutters
 16. Conservation style roof lights
 17. Timber doors and frames
 18. Contaminated Land
 19. Bin storage to be submitted and approved
 20. Approved plans
 21. Development to be carried out in accordance with Protected Species Mitigation Measures
 22. External lighting to be submitted and approved
 23. Works within the bird breeding season

24. Re-designed access to accommodate refuse vehicles
25. Hours of construction
26. Five metre buffer to Barnett Brook
27. Communal bin store

- (b) That, in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Development Management and Building Control Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

94 12/1455C LAND ON THE CORNER OF MOSS LANE AND STATION ROAD, ELWORTH, SANDBACH, CHESHIRE: OUTLINE PLANNING PERMISSION (WITH ACCESS FROM STATION ROAD APPLIED FOR) FOR THE ERECTION OF UP TO 41 DWELLINGS FOR REVELAN GROUP PLC

Note: Councillor S Corcoran (Visiting Member) and Mr A Dodson (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 report of the site inspection.

RESOLVED – That, for the reasons set out in the report, the application be APPROVED, subject to the satisfactory completion of a Section 106 agreement to secure the following:

- Provision of 30% affordable housing units – 65% to be provided as social rent/affordable rent with 35% intermediate tenure
- A commuted sum payment of £15,963.75 maintenance of on site POS
- Commuted sums for enhanced Provision of £12,361.95 and Maintenance sum of £40, 297.50 in lieu of Children's and Young persons provision
- A commuted payment of £75,924.03 towards primary school education and £81,713.45 secondary school education

and the following conditions:

1. Standard outline
2. Submission of reserved matters (landscaping, external appearance, layout and scale)
3. Approved plans
4. Scale Parameters - no higher 2 ½ storey
5. Landscaping to include boundary treatments

6. Contaminated land investigation (Phase 1)
7. Hours of construction/demolition
8. Details of pile driving operations
9. Submission of Environmental Management Plan (noise and air quality during demolition and construction)
10. Scheme to accord with Flood risk Assessment
11. Scheme of surface water regulation to be submitted
12. Only foul drainage to be connected to sewer
13. Retention of important trees
14. Submission of Comprehensive tree protection measures
15. Implementation of Tree protection
16. Timing of the works and details of mitigation measures to ensure that the development would not have a detrimental impact upon breeding birds.
17. Submission of details of boundary treatment
18. open plan estate
19. Provision of 2 m wide pavement to Station road/ Elton Crossing Road
20. Existing access to be closed off and made to adoptable standards
21. Private maintenance contract to be submitted and approved for Public Open Space
22. Existing vehicular access to be closed off and made up to adoptable standards as pavement
23. Renewable Energy

95 12/3740N CEDAR COURT, CORBROOK, AUDLEM, CREWE, CW3 0HF: PROPOSED ALTERATIONS TO CEDAR COURT TO PROVIDE A 35 BEDROOM NURSING HOME WITHIN THE EXISTING BUILDING FOR WHICH PLANNING PERMISSION HAS BEEN GRANTED FOR A NURSING HOME (REF: 10/4845N AND 11/4578N) FOR MORRIS & COMPANY LIMITED

Note: Councillors R Cartlidge, M Martin and D Newton left the meeting prior to consideration of this application.

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be DEFERRED to allow officers to consider a more restrictive condition on occupation and assess whether the rooms meet current standards.

The meeting commenced at 2.00 pm and concluded at 7.12 pm

Councillor G Merry (Chairman)