

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 6th February, 2013 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

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

Councillors Rhoda Bailey, 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 G Baxendale and S Jones

OFFICERS PRESENT

Nigel Curtis (Principal Development Officer - Highways)
Daniel Evans (Principal Planning Officer)
Rachel Goddard (Senior Lawyer)
David Malcolm (Southern Area Manager – Development Management)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors D Bebbington

122 DECLARATIONS OF INTEREST

The following declarations were made in the interests of openness:

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.

With regard to application number 12/4391N, Councillors G Merry and J Weatherill declared that they had been appointed as Council representatives on the Cheshire Fire Service, which had been consulted on the application.

With regard to application number 12/4833C 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 application.

With regard to application number 12/4907C, Nigel Curtis declared a disclosable pecuniary interest. In accordance with the code of conduct, he withdrew from the meeting during consideration of this item.

Councillor A Thwaite declared that, as a local Ward Councillor, he was aware of application numbers 12/4082C and 12/4143C but had kept an open mind.

Councillor J Clowes declared that, as a local Ward Councillor, she was aware of application numbers 12/4309N and 12/4391N but had not been contacted regarding the applications.

123 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 16 January 2013 be approved as a correct record and signed by the Chairman.

124 12/3570N HIGH ASH, CAPPERS LANE, SPURSTOW CW6 9RP: ERECTION OF TWO AGRICULTURAL BUILDINGS FOR HIGH ASH FARM LTD

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be DEFERRED to allow officers to obtain further information with respect to the use of the proposed building and to clarify whether such use is essential.

125 12/3832N EGERTON HALL FARM, SHAY LANE, EGERTON SY14 8AE: RETROSPECTIVE APPLICATION FOR ERECTION OF MARE ACCOMMODATION, STALLION BARN, HORSE WALKER, SURFACING OF LORRY PARKING AND ANCILLARY BUILDING CLADDING FOR HARTHILL STUD LLP

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be DEFERRED to allow officers to obtain further details with respect to noise mitigation measures to protect the fishery.

126 12/4082C TALL ASH FARM TRIANGLE, BUXTON ROAD, CONGLETON, CHESHIRE CW12 2DY: CONSTRUCTION OF THREE NEW RESIDENTIAL DWELLINGS (RESUBMISSION OF APPLICATION REFERENCE 12/0106C) FOR P, J & MS M HUDSON

The Committee considered a report regarding the above planning application.

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

1. Time (Standard)
2. Plans
3. Materials
4. Hours of construction
5. Hours of piling
6. Piling method statement
7. Prior submission and approval of site compound position
8. Landscaping (details)
9. Landscaping (Implementation)
10. Boundary treatment
11. Obscure glazing (House 3 – First Floor bathroom window on western elevation)
12. Construction management plan
13. Drainage
14. Levels
15. Tree protection
16. Incorporation of bat features

127 12/4143C WAGGON AND HORSES, WEST ROAD, CONGLETON CW12 4HB: REMOVAL OF CONDITION 4 (MAXIMUM VEHICLE WEIGHT) ON PLANNING PERMISSION 12/3234C - ALTERATIONS AND EXTENSION TO EXISTING BUILDING FOR TESCO STORES LTD

Note: Councillor R Cartlidge left the meeting and returned during consideration of this item but after returning did not take part in the debate or vote.

Note: Councillor G Baxendale (Ward Councillor) and Mr M Brooke (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, for the reasons set out in the report, the application to remove Condition 4 (Maximum Vehicle Weight) of Planning Permission 12/3234C, which had been granted at the Southern Planning Committee meeting on 10 October 2012, be APPROVED, and that the approval be subject to the following conditions:

1. Standard time limit
2. Development in accordance with the approved plans
3. Submission and approval of external materials and finishes
4. Deliveries to be to between 0630 to 1900 hours
5. Opening hours to be between 0630 to 2300 hours
6. Details of lighting to be submitted to and approved
7. Details of bin storage to be submitted and approved

8. Details of acoustic enclosure of fans / compressors and noise generating equipment to be submitted and approved
9. Construction hours limited to 0800 to 1800 hours Monday to Friday, 0900 to 1400 hours on Saturdays and no working on Sundays or Public Holidays
10. Submission of a method statement should pile foundations be required
11. Submission of a method statement for any floor floating taking place

128 12/4309N 1, CHECKLEY NEW FARM, TURNCOCKS LANE, WRINEHILL CW3 9DD: PROPOSED STEEL PORTAL FRAMED BUILDING FOR THE HOUSING OF GRAIN FOR NEIL MOORE, EWH MOORE

The Committee considered a report regarding the above planning application.

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

1. Standard Time
2. Approved Plans
3. Materials as Application

129 12/4373N SITE ADJACENT SUNNYBANK CAR PARK, PYMS LANE, CREWE: NEW BUILD SHOWROOM WITH ASSOCIATED CAR PARKING FOR STEVE ELLIOT, BENTLEY MOTORS LTD

The Committee considered a report regarding the above planning application.

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

1. Standard 3 year time limit
2. Accordance with Amended Plans
3. Materials to be submitted
4. Landscaping submission – to include native species and details of any mounding
5. Landscaping implementation
6. Breeding bird survey to be carried out prior to commencement of any works during nesting season
7. Details of the site access to be submitted and approved by the LPA and shall include the provision of dropped kerbs at either side of the access
8. Hours of construction limited
9. Hours of operation limited
10. Details of lighting to be submitted prior to first use

130 **12/4391N 416, NEWCASTLE ROAD, SHAVINGTON, CHESHIRE CW2 5EB: CONSTRUCTION OF TWO SINGLE-STOREY BUILDINGS TO BE USED FOR B1 (OFFICE/LIGHT INDUSTRIAL) AND B8 (STORAGE AND DISTRIBUTION) PURPOSES TOGETHER WITH CAR PARKING (AMENDMENTS TO APPROVED APPLICATIONS 10/0714N AND 10/4539N) FOR MR JOHN PARTON**

Note: Mr N Smith (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 following conditions:

1. Standard time limit 3 years
2. Materials to be submitted to the LPA and approved in writing
3. Surfacing materials to be submitted to the LPA and approved in writing
4. 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
5. Condition to specify the approved plans
6. The car parking shown on the approved plans to be provided before the unit hereby approved is first occupied
7. Cycle parking facilities to be submitted to the LPA and approved in writing
8. Shower facilities to be submitted to the LPA and approved in writing
9. Drainage details including oil interceptors to be submitted to the LPA and approved in writing
10. External lighting to be submitted to the LPA and approved in writing
11. No external storage
12. When an end user is established and before any sales commence there shall be submitted for the prior written approval of the Local Planning Authority an internal floor plan indicating the extent and location of the trade counter (also indicating the customer access and the relationship of the sales counter with the remaining floor area). The trade counter shall be implemented in accordance with the approved internal floor plan referred to above indicating the extent and location of the trade counter. This condition is to ensure that the trade counter is kept as an ancillary element to protect the vitality and viability of the town centre
13. Any ancillary trade sales within the unit shall be restricted to non-food goods and, for the avoidance of doubt, sales of food, clothing, footwear, leisure goods, freestanding domestic furniture and non-bulky electrical goods for domestic use shall not be permitted.
14. Landscaping to be submitted to the LPA and approved in writing
15. Landscaping to be completed

16. Details of any acoustic enclosures to be submitted to the LPA and approved in writing
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 Mondays to Fridays, 08:00 to 13:00 hours on Saturdays, with no work at any other time including Sundays and Public Holidays.
18. Details of any pile driving to be submitted to the LPA and approved in writing
19. The units hereby permitted shall not operate or be open to the public outside 0800 hours to 2000 hours Mondays to Saturdays, nor at any time on Sundays, Bank or Public Holidays.
20. No deliveries shall be taken at or despatched from the unit hereby permitted outside 0800 hours to 1800 hours Mondays to Saturdays, nor at any time on Sundays, Bank or Public Holidays.
21. No external activities

131 12/4566N LAND OFF BESWICK DRIVE, CREWE, CHESHIRE: A STUDENT ACCOMMODATION FACILITY WITH ASSOCIATED CAR PARKING, ACCESS AND LANDSCAPING. THE FACILITY WILL PROVIDE 195NO. BEDROOMS OVER FIVE FLOORS AND 48NO. PARKING SPACES FOR DAVID SMYTHE, SWANSWAY GARAGES GROUP

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

The Committee considered a report regarding the above planning application.

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:
 1. Standard time limit 3 years
 2. Approved Plans
 3. Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays or Bank Holidays
 4. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays or Bank Holidays
 5. No development shall take place until a scheme to minimise dust emissions arising from construction activities on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The construction phase shall be implemented in accordance with the approved scheme, with the approved dust suppression measures being maintained in a fully functional condition for the duration of the construction phase.

6. Prior to the commencement of development a Phase II Contaminated Land Assessment shall be submitted to the LPA for approval in writing.
 7. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment from Shepherd Gilmour, ref C822/DR/EAJ/V0225 dated November 2012 and the mitigation measures detailed within the FRA.
 8. No development until a detailed method statement for removing or the long-term control of Himalayan balsam on the site shall be submitted to and approved in writing by the local planning authority.
 9. No development shall take place until a scheme has been submitted to and approved in writing by the local planning authority showing how at least 10% of the predicted energy requirements of the development will be secured from decentralised and renewable or low-carbon sources. The scheme shall be implemented as approved and retained thereafter.
 10. Materials to be submitted and approved
 11. Landscaping scheme included within the application to be implemented
 12. Boundary Treatment details
 13. The parking spaces to be provided on the approved plan should be provided
 14. Cycle Parking Details to be submitted and approved by the LPA
 15. Environment Management Plan
 16. Details of Rainwater Harvesting
- (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.

132 12/4749C 63, FIELDS ROAD, ALSAGER ST7 2LX: DEMOLITION OF EXTENSIONS AND REFURBISHMENT OF ORIGINAL DWELLING HOUSE. CONSTRUCTION OF NEW DETACHED DWELLING HOUSE WITHIN THE GARDEN CURTILAGE FOR MR & MRS GOODALL

Note: Councillor P Groves left the meeting prior to consideration of this application.

Note: Councillor S Jones (Ward Councillor), Ms J Aspinall (objector) and Mr D Woodfine (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 following conditions:

1. Standard time – 3 years
2. External Materials (including a string detail) to be submitted to the LPA and approved in writing
3. The rebuilt gable of the house to be constructed in reclaimed brickwork from the demolished extension and in a bond to match the existing house, to be agreed prior to commencement via sample panel, or in other suitable alternative materials to be submitted to the LPA for approval in writing. Mortar and pointing to also be agreed via the sample panel, also include sample of supplementary bricks for the new dwelling to also be approved and sample panel provided
4. Submission of working details of verge and eaves treatments to be agreed to be designed as semi exposed rafter feet and purlin ends with reduced fascia board
5. Prior to commencement of development, working details at scale of 1:10 of entrance doorways into the retained dwelling and the new build to be submitted
6. A schedule of all windows to be replaced in the retained building, and 1:10 details of all new windows (including sections) to be submitted before commencement. In respect to the new house, 1:10 details of all windows including details of heads and sills.
7. A sustainable design strategy shall be developed as part of the detailed design of the scheme and shall be submitted prior to commencement this shall set out the performance of the development in respect to climate change mitigation and adaptation. This shall focus on building fabric, resource management, the potential for renewable/low carbon energy and in building adaptation measures into the building and landscape design
8. Submission of working details of chimney on new dwelling (1:10)
9. All rainwater goods to be in cast metal, finish to be agreed prior to installation
10. Landscaping Scheme
11. Landscaping to be implemented
12. Tree Protection Measures
13. Implementation of programme of tree works as identified in Arboricultural report.
14. Submission of Arboricultural Method statement to cover a programme of Arboricultural supervision, (including demolition works), no dig ground works within root protection areas and installation of services if within root protection areas.
15. Boundary treatment details to be submitted to the LPA and approved in writing
16. Remove PD Rights for extensions and alterations to the approved dwellings, including garage conversion

17. The hours of construction shall be limited to 08:00 – 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays or Bank Holidays
18. Pile Foundations operations limited to Monday – Friday 09:00 – 17:30 hrs, Saturday 09:00 – 13:00 hrs, Sunday and Public Holidays
Nil and method statement

Note – Contaminated Land

133 12/4750C 63, FIELDS ROAD, ALSAGER ST7 2LX: DEMOLITION OF EXTENSIONS AND REFURBISHMENT OF ORIGINAL DWELLING HOUSE. CONSTRUCTION OF NEW DETACHED DWELLING HOUSE WITHIN THE GARDEN CURTILAGE (CONSERVATION AREA CONSENT) FOR MR & MRS GOODALL

Note: Councillor S Jones (Ward Councillor) and Mr D Woodfine (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Ms J Aspinall (objector) 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.

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

1. Standard time – 3 years
2. The rebuilt gable of the house to be constructed in reclaimed brickwork from the demolished extension and in a bond to match the existing house, to be agreed prior to commencement via sample panel. Mortar and pointing to also be agreed via the sample panel,
3. Method statement for demolition and making good the rear gable wall of the retained part of the building
4. Approved plans

134 12/4833C THE BRAMBLES, SCHOOL LANE, SANDBACH, CHESHIRE CW11 2LS: OUTLINE APPLICATION FOR ONE DWELLING FOR CHRISTINE SIMMS

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

Note: Ms C Simms (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Councillor D Flude had registered her intention to address the Committee on behalf of the Ward Councillor but did not attend the meeting.

Note: The Southern Area Manager – Development Management read a statement from Councillor S Corcoran, the Ward Councillor, who was unable to attend the meeting.

The Committee considered a report regarding the above planning application, a written update 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 following conditions:

1. Standards
2. Approved Plans
3. Materials to be submitted
4. Drainage scheme
5. Landscaping scheme
6. Removal of Permitted Development rights
7. Hours of construction
8. Contaminated land assessment
9. Single-storey dwelling only

135 12/4860C LAND ADJACENT TO IVY HOUSE, HOLMES CHAPEL ROAD, BRERETON, CONGLETON CW12 4SP: CONSTRUCTION OF TWO NEW DWELLINGS FOR ARTHUR DAVIES

The Chairman reported that this application had been withdrawn by the applicant prior to the meeting.

136 12/4907C 15, BACK LANE, BRERETON CW11 1RP: GROUND FLOOR FRONT PORCH, GROUND FLOOR REAR PORCH, REPLACEMENT ROOF TO EXISTING SUN ROOM, EXISTING SHOWER ROOM AT GROUND FLOOR LEVEL, INTERNAL ALTERATIONS: REMOVE NON LOAD BEARING WALL BETWEEN KITCHEN AND DINING ROOM AND REPLACEMENT GARAGE (ATTACHED TO EXISTING GARAGE AT 13 BACK LANE BY AGREEMENT) FOR MR N CURTIS

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

Note: Having declared a disclosable pecuniary interest, Nigel Curtis left the meeting prior to consideration of this application.

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 following conditions:

1. Standard (3 years)
2. Plans

3. Materials as per application

137 **AMENDMENTS TO S106 LEGAL AGREEMENTS FOR AFFORDABLE HOUSING**

The Committee considered a report regarding the proposed delegation of amendments to legal agreements considered by Area Committees in respect of affordable housing tenure.

Applications subject to legal agreements involving the provision of affordable housing had increasingly been brought back to Committee with requests for changes to the affordable housing tenure, causing a delay in the decision-making process. The proposed delegation would allow negotiations in respect of legal agreements to progress to signing, enabling development works to commence in a timely fashion and assisting in delivering the 5 year housing land supply for the Borough.

RESOLVED

- (a) That authority be delegated to the Development Management and Building Control Manager, in consultation with firstly the Chairman of the Area Planning Committee (depending on which committee passed the original resolution to approve) and secondly with the Strategic Housing and Development Manager, to amend, where necessary, any resolution relating to the provision of affordable housing to allow for variations between social rented and affordable rented tenures and between the various types of intermediate tenure such as shared ownership, shared equity and discount for sale instead of the original resolution.
- (b) That such a delegation pertain until such time as a new local plan is adopted.
- (c) That, for the avoidance of doubt, this delegation does not extend to variations from rented (social or affordable) to intermediate tenure or vice versa.

The meeting commenced at 2.00 pm and concluded at 5.55 pm

Councillor G Merry (Chairman)