

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 29th May, 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, D Bebbington, P Butterill, J Clowes, W S Davies,  
A Kolker, M A Martin, D Newton and A Thwaite

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

Councillors D Hough, S Jones, M Simon and J Wray

## **OFFICERS PRESENT**

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

Minute No. 4 Only:

James Baggaley (Nature Conservation Officer)  
Chris Hudson (Principal Forestry and Arboricultural Officer)

## **Apologies**

Councillors R Cartlidge, P Groves, D Marren and S McGrory

## **1 DECLARATIONS OF INTEREST**

The following declarations were made in the interests of openness:

With regard to application number 13/1064C, Councillor A Kolker declared that the site was in his Ward and that he had received emails, but that he had kept an open mind.

With regard to application number 12/4318C, Councillor A Kolker declared that the site was in his Ward and the village where he lived, but that he had not discussed the application and had kept an open mind.

With regard to application number 12/4326C, Councillor A Kolker declared that he had attended meetings with the applicant and planning officers. He had fettered his discretion and would withdraw from the meeting during consideration of this item.

Councillor P Butterill declared that she was a member of Nantwich Town Council and a member of Nantwich Civic Society.

With regard to application number 13/0762N, Councillor J Clowes declared that she had called in the application on the basis of concerns raised by the parish council and local residents, and that the wording of her call in request in the officer's report did not reflect her own views. She had kept an open mind and would consider the application on its merits, having heard the debate and all the information.

With regard to application number 11/3349C, Councillor S Jones, who was in attendance at the meeting, declared that she was acquainted with the applicant and was a member of Alsager Town Council.

With regard to application number 11/3349C, Councillor D Hough, who was in attendance at the meeting, declared that he was acquainted with the applicant and one of the objectors, and that a member of his family was a friend of the applicant's daughter. After exercising his speaking rights as a Ward Councillor, he would withdraw from the meeting during consideration of this item.

## **2 MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 1 May 2013 be approved as a correct record and signed by the Chairman.

## **3 13/1064C HOLMES CHAPEL COUNTY PRIMARY SCHOOL, MIDDLEWICH ROAD, HOLMES CHAPEL, CHESHIRE CW4 7EB: CONSTRUCTION OF PRE-FABRICATED PRE-SCHOOL AND ASSOCIATED EXTERNAL WORKS FOR MR MICHAEL HALL, HAPPY DAYS CLUB & NURSERY SCHOOL**

Note: Mr C Glennon (objector), Mrs H Scott (supporter), Mr J Ashall and Mrs H Hall (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. The Southern Area Manager – Development Management also read a statement submitted by Councillor L Gilbert, one of the Ward Councillors, who was unable to attend the meeting.

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

1. Temporary 2 years
2. Approved Plans
3. Colour of materials to be agreed
4. Hours of Operation limited to 08.00 until 18.00 Mondays to Fridays

- 5 External lighting and alarm details to be submitted and agreed with the LPA
  6. The hours of noise generative / construction works taking place during the development (and associated deliveries to the site) shall be restricted to:

Monday – Friday	08:00 to 18:00 hrs
Saturday	09:00 to 14:00 hrs
Sundays and Public Holidays	Nil
  7. Maximum number of children to be 50
- 4 **11/3349C PLOT 1, LAND ADJACENT TO 6, HEATHEND ROAD, ALSAGER ST7 2SQ: SINGLE DETACHED DWELLING ON LAND ADJACENT TO NO. 6 HEATH END ROAD FOR MR ADRIAN GIRVIN**

Note: Councillor D Hough and Councillor S Jones (Ward Councillors), Mrs T Greenhough (objector), Mr D Girvin (supporter) and Mr A Girvin (applicant) attended the meeting and addressed the Committee on this matter.

Note: Having exercised his speaking rights as a Ward Councillor, Councillor D Hough withdrew from the meeting during consideration of this item.

Note: Mr T Bell and Mr T Greenhough (objectors) had registered their intention to address the Committee on this matter but did not speak.

Note: All Members of the Committee declared that they had received correspondence from the objector regarding the application.

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 satisfactory completion of a Section 106 agreement to ensure that the Great Crested Newt Mitigation Strategy is implemented to ensure the future protection of the Great Crested Newt habitat and that the site is managed in accordance with that strategy going forward

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 of a Phase 1 land contamination survey
- 5 Limits on hours of construction (8am to 6pm Mon-Fri, 8am to 1pm Sat, no working Sun or public holidays)
- 6 Limits on hours of piling (as above)
- 7 Submission of detailed landscaping scheme
- 8 Implementation of landscaping scheme

- 9 Retention of trees shown as being retained on the submitted plans
- 10 Submission and implementation of a drainage scheme
- 11 Submission and implementation of tree protection scheme
12. Submission of arboricultural method statement
13. Submission and implementation of surveys and mitigation methods for the protection of breeding birds
14. Submission and implementation of details of bat and bird boxes
15. Compliance with the Great Crested Newt Mitigation Strategy
16. Submission of additional details of GCN mitigation, including design of new pond, restoration of existing pond
17. Construction Management Plan

**5 12/4318C LAND ADJACENT TO SANDYACRE, 51, MAIN ROAD, GOOSTREY, CREWE CW4 8LH: CONSTRUCTION OF 3 NEW HOUSES ADJACENT TO SANDYACRE FOR MRS ALISON ROSE**

Note: Mr D Giles (supporter), Mr J Ashall and Mr A Rose (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

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

The Committee considered a report regarding the above planning application, a written update and an oral update by the Southern Area Manager – Development Management which confirmed amendments to the site area as shown in the officer's report.

RESOLVED – That the application be REFUSED for the following reason:

The proposal is located within the Open Countryside and would result in erosion of the physical gaps between built up areas, and given that there are other alternatives sites, which could be used to meet the Council's housing land supply requirements, the proposal is considered to be contrary to Policy PS.8 (Open Countryside of the Congleton Borough Local Plan First Review 2005, the National Planning Policy Framework and the emerging Development Strategy.

**6 12/4326C POOLWOOD COTTAGES, HOLMES CHAPEL ROAD, SOMERFORD, CONGLETON, CHESHIRE CW12 4SN: CHANGE OF USE OF LAND TO ALLOW USE FOR CONTRACTING AND PLANT HIRE USE TOGETHER WITH ASSOCIATED WORKS TO THE LAND INCLUDING EARTH BUND AND LAYING hardcore FOR JAMES ASHBROOK, J K ASHBROOK LTD**

Note: Having declared that he had predetermined the application, Councillor A Kolker withdrew from the meeting during consideration of this item.

Note: Mr J Ashbrook (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 completion of a Unilateral Undertaking to prevent the applicant from operating their business from Barnshaw Bank Farm and the following conditions:

1. Development in accordance with the approved plans.
2. Compliance with the recommendations contained within the submitted ground investigation report.
3. Compliance with the mitigation strategy contained within the Great Crested Newt Mitigation Strategy –Supplementary Report.
4. Submission and implementation of a scheme of landscaping that includes the recommendations within the Newt Mitigation Strategy – Supplementary Report.
5. Submission and implementation of a detailed design for the access on to the highway.
6. Submission and implementation of details of staining of boundary fencing.
7. Restriction of working hours as follows:

Monday to Friday	7am to 6pm
Saturday	8am to 2pm
Sunday & Public Holidays	No working

**7 12/4426N LAND SOUTH OF PYM'S LANE, CREWE, CHESHIRE CW1 3PL: PROPOSED DEVELOPMENT OF THE SITE TO PROVIDE A PERMANENT CAR PARK WITH A TOTAL OF 1817 CAR PARKING SPACES PLUS LORRY PARKING FOR UP TO 14 HGV'S FOR MR GARTH ROBERT, BENTLEY MOTOR LIMITED**

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 Approved / Amended Plans
3. Samples of surfacing materials to be submitted and approved in writing prior to development.
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. Construction of Access in accordance with approved plans
8. Hours of construction limited
9. Hours of operation limited
10. Submission of scheme to minimise dust emissions during demolition / construction
11. Details of lighting to be submitted prior to first use
12. Drainage details to be carried out in accordance with the submitted Flood Risk Assessment
13. Scheme to limit surface water runoff
14. Scheme to manage the risk of flooding from overland flow of surface water
15. Levels and ground modelling works

**8 13/0762N 4, PARK LANE MEWS, PARK LANE, HATHERTON CW5 7QX: PROPOSED NEW DETACHED CAR PORT WITH LOFT OVER FOR G BRITTON**

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

Note: Mr S Chettle (objector) 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 update of additional representations.

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

The proposed development would be out of keeping with the character, appearance of the existing converted barn/dwelling and would have a detrimental impact on its setting. As such, it is considered to be contrary to Policy BE.2 of the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011.

**9 13/0784C IVANHOE, HOLMES CHAPEL ROAD, BRERETON, CONGLETON CW12 4SP: RESIDENTIAL DEVELOPMENT OF 2NO UNITS FOR SHERRIE SHAW, BLOOR HOMES LTD - NORTH WEST**

Note: Councillor J Wray (Ward Councillor), Councillor J Deans (on behalf of Brereton Parish Council) and Mr A Lindsay (objector) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application and an oral update on ecology.

RESOLVED – That the application be REFUSED for the following reasons:

1. The proposed residential development is unsustainable because it is located within the Open Countryside, contrary to Policies PS8 and H6 of the Congleton Borough Adopted Local Plan First Review 2005 and the principles of the National Planning Policy Framework. The Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework, and as such the application is also premature to the emerging Development Strategy. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.
2. Insufficient ecological information has been submitted with the application in order to assess adequately the impact of the proposed development on Great Crested Newts and therefore nature conservation. In the absence of this information, it has not been possible to demonstrate that the proposal would comply with Development Plan policy NR2 (Wildlife & Nature Habitats) and other material considerations.

**10 13/0927N ROCKWOOD INN, 204 ALTON STREET, CREWE CW2 7PT:  
DEMOLITION OF ROCKWOOD HOTEL/PUB AND DEVELOPMENT OF  
20 NEW APARTMENTS FOR LEE DAWKIN, RENEWLAND  
DEVELOPMENTS LTD & WULVERN HOUSING**

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 year time limit
2. Compliance with approved plans
3. Submission and approval of materials
4. Submission and approval of cycle parking within scheme
5. Submission and approval of contaminated land mitigation measures
6. Dust control measures
7. Piling hours to be restricted
8. Piling method Statement
9. Submission and approval of external lighting details
10. Construction Hours to be restricted
11. Bin Storage
12. Submission and approval of boundary treatment
13. Submission and approval of noise mitigation measures
14. Submission and approval of landscaping
15. Implementation of landscaping
16. Provision of Parking

17. Access works to be carried out prior to first occupation
18. Affordable Housing
19. Tree Protection
20. Implementation of Tree protection
21. Special construction measures under trees
22. No surface water, only foul water to discharge to sewer
23. Submission of scheme of drainage

**11 13/1022N 39, CHURCH LANE, WISTASTON CW2 8HA: LISTED BUILDING CONSENT FOR REPLACEMENT WINDOWS FOR MR JOSEPH RICHARDSON**

Note: Councillor M Simon (Ward Councillor) had not registered her intention to address the Committee. However, in accordance with paragraph 2.8 of the public speaking rights at Strategic Planning Board and Planning Committee meetings, the Committee agreed to allow Councillor Simon to speak.

Note: Councillor J Bond (on behalf of Wistaston Parish Council) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED – That, contrary to the planning officer's recommendation for refusal, the application be APPROVED, as the proposed use of timber framed double glazing would not have a significant adverse impact on the overall architectural and historic interest of this classically designed listed building.

The approval to be subject to the following conditions:

1. Standard time limit
2. Full details of materials/windows to be submitted/approved
3. Sample of double glazing to be submitted/approved

**12 13/1200C 36, HAWTHORNE CLOSE, HOLMES CHAPEL CW4 7QD: GROUND AND FIRST FLOOR SIDE/REAR ELEVATION TO DWELLING FOR MR & MRS S DOUBLE**

Councillor A Kolker declared that he had been contacted by a local resident but had not expressed an opinion.

The Committee considered a report regarding the above planning application. The Southern Area Manager – Development Management also read a statement submitted by Councillor L Gilbert, one of the Ward Councillors, who was unable to attend the meeting.



RESOLVED – That the application be DEFERRED for a Committee site inspection to enable Members to assess the impact of the proposed development.

**13 13/1379C LAND ADJACENT TO IVY HOUSE, HOLMES CHAPEL ROAD, SOMERFORD, CONGLETON, CW12 4SP: CONSTRUCTION OF TWO NEW DWELLINGS (RESUBMISSION OF PLANNING APPLICATION REFERENCE 12/4860C) FOR ARTHUR DAVIES**

Note: Councillor J Wray (Ward Councillor), Councillor R Coulson (on behalf of Brereton Parish Council), Mr A Lindsay (objector) and Mr J Ashall (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 the application be DEFERRED to enable officers to provide further information with respect to the status and locations of other developments in the area.

**14 13/1385N LOWER LIGHTWOOD GREEN FARM, WHITCHURCH ROAD, AUDLEM, CREWE, CHESHIRE CW3 0EP: NEW AGRICULTURAL CUBICLE BUILDING FOR MR CHRIS DODD**

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 years)
2. Plans
3. Materials as per application

The meeting commenced at 1.00 pm and concluded at 5.38 pm

Councillor G Merry (Chairman)