

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 18th September, 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, R Cartlidge, J Clowes, W S Davies,  
P Groves, A Kolker, D Marren, M A Martin, D Newton and A Thwaite

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

Councillors I Faseyi, R Fletcher, J Hammond, M Simon and L Smetham

### **OFFICERS PRESENT**

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

### **Apologies**

Councillors P Butterill and S McGrory

### **59 DECLARATIONS OF INTEREST**

With regard to application number 13/2529N, the Senior Lawyer reported that she had given advice to Committee Members by e mail that was subject to legal professional privilege.

With regard to application number 13/2847N, Councillor P Groves declared that he had been appointed as a Council representative on the Board of Wulvern Housing but that he had not participated in the discussions at Wulvern Housing with respect to this application and therefore felt comfortable declaring his appointment to Wulvern, staying in the room and participating in the decision.

With regard to application number 13/2847N, Councillor R Cartlidge declared that he had been appointed as a Council representative on the Board of Wulvern Housing.

With regard to application number 13/2529N, Councillor R Cartlidge declared that he had been approached by a member of the public.

With regard to application number 13/2529N, Councillors M Martin and D Newton declared that they were known to one of the public speakers.

With regard to application number 13/2841C Councillor G Merry declared that she was a member of Sandbach Town Council and that she had received correspondence regarding the application.

With regard to application number 13/2613C, Councillor G Merry declared that she was a member of Sandbach Town Council. In addition, as it may be considered that she had fettered her discretion, Councillor Merry declared that she would exercise her separate speaking rights as a Ward Councillor and would move from the Member seating area for the duration of the Committee's consideration of this item.

## **60 MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 21 August 2013 be approved as a correct record and signed by the Chairman.

## **61 13/2611M - RODE HEATH WOOD, BACK LANE, EATON, CONGLETON, CW12 2NL: REMOVAL OF CONDITION 12 OF APPROVED APPLICATION 06/2254P TO ALLOW SITING OF 32 TIMBER CLAD TWIN UNIT CARAVANS, ACCESS WORK AND LANDSCAPING FOR D NOAD**

Note: Councillor L Smetham (Ward Councillor) and Ms R Whaley (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Parish Councillor J Narraway (on behalf of North Rode Parish Council) had not registered his 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 Parish Councillor Narraway to speak.

The Committee considered a report regarding the above planning application. The Southern Area Manager – Development Management also clarified the wording of policy GC5.

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

The close season condition is required in conjunction with holiday occupancy conditions to prevent caravans being occupied as a main place of residence. In the absence of this condition the proposal would be contrary to policy GC5 of the Macclesfield Borough Local Plan 2004 and the National Planning Policy Framework.

**62 13/2654M - RODE HEATH WOOD, BACK LANE, EATON, CONGLETON, CW12 2NL: APPLICATION TO REMOVE CONDITION 3 OF PREVIOUSLY APPROVED APPLICATION 09/3544M TO ALLOW THE HOLIDAY PARK TO OPERATE ALL YEAR ROUND FOR DAVID NOAD**

Note: Councillor L Smetham had registered her intention to address the Committee on this matter but did not speak.

Note: Ms R Whaley attended the meeting and addressed the Committee on behalf of the applicant.

The Committee considered a report regarding the above planning application.

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

The close season condition is required in conjunction with holiday occupancy conditions to prevent caravans being occupied as a main place of residence. In the absence of this condition the proposal would be contrary to policy GC5 of the Macclesfield Borough Local Plan 2004 and the National Planning Policy Framework.

**63 13/2529N - LAKESIDE SUPERBOWL, UNIT 1, PHOENIX LEISURE PARK, DUNWOODY WAY, CREWE, CW1 3AJ: CHANGE OF USE OF PART OF THE BUILDING, FROM CLASS D2 (LEISURE) TO CLASS A3 (RESTAURANTS), WITH EXTERNAL ALTERATIONS TO CREATE INDIVIDUAL GLAZED SHOPFRONTS TO THE FRONTAGE AND DOORWAYS TO THE REAR AND PROVISION OF RAMPED AND STEPPED WALKWAY TO THE NORTH OF THE BUILDING TO IMPROVE ACCESSIBILITY TO THE TOWN CENTRE FOR ALBERMARLE PROPERTY OPPORTUNITIES LLP**

Note: Councillor I Faseyi (Ward Councillor), Mr A Aspinall and Mr J Abraham (objectors), and Mr A Hume (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, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposed change of use would result in the loss of an existing indoor leisure facility which is well used by the local residents, community groups and makes a positive contribution to the social and cultural life of that community. Given that it is the only such facility within the Crewe area it would have an adverse impact on the range of facilities available to local residents. No replacement facility is being proposed and in the interests of promoting healthy communities the development is considered contrary

to Crewe & Nantwich Local Plan Policy RT15 and CF3 and paragraph 69 and 70 of the NPPF.

**64 13/1573N - HUNTSBANK BUSINESS PARK, CREWE ROAD, WISTASTON, CREWE, CW2 6QT: DEMOLITION OF EXISTING WAREHOUSE / SHOWROOM AND ADJOINING SINGLE-STOREY BRICK OFFICE STRUCTURE FORMING UNIT 1. NEW BUILD EXTENSION TO ADJACENT INDUSTRIAL BUILDINGS TO PROVIDE TWO NEW UNITS TO REPLACE UNIT 1 FOR W M EWINGTON, W M EWINGTON & CO LTD**

Note: Councillor R Cartlidge left the meeting during consideration of this item.

Note: Councillor M Simon (Ward Councillor) and Parish 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, a written update 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 satisfactory completion of a S106 agreement to secure £5,000 towards traffic management and the following conditions:

1. Standard 3 year time limit
2. Approved Plans
3. Details of Materials to be submitted and approved in writing
4. Details of any external lighting to be submitted and approved in writing
5. Details of bin storage areas to be submitted and approved in writing
6. Opening hours to be between 0700 to 2200 hours
7. Deliveries to be to between 0700 to 1900 hours
8. Restrict Food Retail Floor Space to maximum of 377 sq m
9. Restrict the Use and goods sold in Unit 1b to Non-food
10. No subdivision or amalgamation of the units
11. Access to be formed in accordance with the approved plans
12. Car parking and turning areas to be constructed and made available prior to the units being occupied
13. Contaminated Land Report
14. Pile foundations
15. Noise Control – Hours of Construction
16. Floor Floating method statement to be submitted
17. Acoustic Enclosure of fans and compressors
18. Tree Protection Condition
19. Details of Boundary Treatments to be submitted

- (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 Planning and Place Shaping 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.

**65 13/1607C - SPARK LANE FARM, CONGLETON ROAD, ARCLID, CW11 2UJ: CONVERSION OF EXISTING BARN STRUCTURES, DEMOLITION OF REDUNDANT STRUCTURES AND NEW BUILD CONSTRUCTION TO FORM 8NO DWELLINGS FOR KEITH RADCLIFFE**

Note: Mr J Webster attended the meeting and addressed the Committee on behalf of the applicant.

The Committee considered a report regarding the above planning application.

**RESOLVED**

- (a) That the application be REFUSED for the following reasons:
1. The proposed residential development is unsustainable because it is located within the Open Countryside, where according to Policies PS8 and H6 of the adopted Congleton Borough Local Plan First Review 2005, there is a presumption against new residential development. Such development would be harmful to its open character and appearance, which in the absence of a need for the development should be protected for its own sake. The Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework. As such the application is also contrary to the emerging Development Strategy. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.
  2. Visibility at the proposed access to the site from the A534 Spark Lane, is substandard and would result in an unacceptable impact in terms of road safety, contrary to Policy GR9 of the adopted Congleton Borough Local Plan First Review 2005 and the provisions of the National Planning Policy Framework.
  3. The proposed development, by virtue of its isolated location and dangerous walking environment along Spark Lane (A534), due to the lack of pavement on both sides of this 50 and 60 miles per hour speed limit road, would be car dependant and thereby comprises unsustainable development contrary to the National Planning Policy Framework.

4. The proposed conversion of the building referred to as The Stables, would involve significant extension of the building. As a result the proposal does not comply with the requirements of Policy BH15 of the adopted Congleton Borough Local Plan First Review 2005, which, inter-alia, states that the conversion of rural buildings will only be allowed if the building is permanent and substantial and would not require extensive alteration, rebuilding or extension.
5. Insufficient information has been submitted with the application relating to changes in levels in order to assess adequately the impact of the proposed development having regard to trees to be retained on the site. In the absence of this information, it has not been possible to demonstrate that the proposal would comply with Development Plan policies and other material considerations.
- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to Planning and Place Shaping Manager, in consultation with the Chairman (or in her absence the Vice-Chairman of the Southern Planning Committee), to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

**66 13/2553N - 285 NANTWICH ROAD, CREWE, CW2 6PF: CHANGE OF USE FROM A LARGE SIX BEDROOMED RESIDENTIAL HOME TO A RESIDENTIAL HOUSE OF MULTIPLE OCCUPANCY HOUSING 8 TENANTS FOR MISS STEPHANIE JAMES, JAMES HOLDRIDGE PROPERTIES**

Note: Mr R James attended the meeting and addressed the Committee on behalf of the applicant.

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

RESOLVED – That consideration of this matter be DEFERRED to a future meeting of the committee, to enable officers to obtain further information on the parking layout and bin storage, and to ask the applicant to consider revising the layout of the building.

**67 13/2613C - OLD CHURCH HALL, VICARAGE LANE, ELWORTH, SANDBACH, CW11 3BW: DEMOLITION OF EXISTING BUILDING AND CHANGE OF USE TO ERECT 4 NO RESIDENTIAL DWELLINGS FOR C WRIGHT, FORWARD PROPERTY GROUP**

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

Note: The Southern Area Manager – Development Management read a statement submitted by Councillor B Moran, who was unable to attend the meeting.

Note: Having exercised her separate speaking rights as a Ward Councillor, Councillor G Merry moved from the Member seating area for the duration of the Committee's consideration of this item and Councillor J Weatherill, Vice-Chairman, took the Chair.

Note: Mr R Sproson (objector) and Mr J Shepherd (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 consideration of this matter be DEFERRED to a future meeting of the committee, to enable officers to obtain ecological information and assess the proposal against Policy E10.

**68 13/2637N - LAND NORTH EAST OF OAK FARM, HEATLEY LANE, BROOMHALL, CW5 8AH: ERECTION OF 2 NO. POULTRY BUILDINGS, LINK CONTROL ROOM, 4 NO. FEED BINS AND ASSOCIATED HARDSTANDING AND ACCESS ROAD (RESUBMISSION OF 13/0662N) FOR ANDREW HOLLINS**

Note: Mr I Pick attended the meeting and addressed the Committee on behalf of the applicant.

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 limit
- 2) Approved plans
- 3) Facing and roofing materials to be submitted
- 4) Landscaping scheme including hedgerow protection
- 5) Implementation of landscaping scheme
- 6) In accordance with protected species survey
- 7) Foul and surface drainage water details to be submitted
- 8) Submission of a waste management plan
- 9) Deliveries and collections from site including delivery and removal of livestock and waste only Monday- Friday 8am – 6pm
- 10) Visibility splay as approved plan; brought into use prior to construction
- 11) No external lighting

**69 13/2841C - LAND NORTH OF MOSS LANE, SANDBACH: OUTLINE APPLICATION FOR 13 NEW DWELLINGS FOR PETER RICHARDSON**

Note: Mr C Bowen attended the meeting and addressed the Committee on behalf of the applicant.

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

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

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 which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use. As such it and creates harm to interests of acknowledged importance. The Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework, consequently the application is premature to the emerging Development Strategy since there are no material circumstances to indicate that permission should be granted contrary to the development plan.

**70 13/2901C - LAND ADJACENT TO MEADOW VIEW, 118 DUNNOCKSFOLD ROAD, ALSAGER, ST7 2TW: DEVELOPMENT OF 8 MARKET DWELLINGS ON LAND TO THE NORTH OF CLOSE LANE, ALSAGER FOR STEPHANIE HURSTFIELD**

Note: Councillor R Fletcher (Ward Councillor) and Mr S Locke (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

(a) That the application be REFUSED for the following reason:

The proposed residential development is unsustainable because it is located within the Open Countryside on Grade 2 Agricultural Land, where according to Policies PS8 and H6 of the adopted Congleton Borough Replacement Local Plan 2005, there is a presumption against new residential development. Such development would be harmful to its open character and appearance, which in the absence of a need for the development should be protected for its own sake. The Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy



Framework. As such the application is also contrary to the emerging Development Strategy. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.

- (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 Planning and Place Shaping 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.

**71 13/3046N - 271 NEWCASTLE ROAD, WYBUNBURY, NANTWICH, CW5 7ET: CHANGE OF USE FROM SHOT-BLASTING HEAVY GOODS VEHICLES TO CAR REPAIRS, DISMANTLING AND SALVAGE OF PARTS FOR VICTOR PICKERING**

Note: The Southern Area Manager – Development Management read a statement submitted by Councillor D Brickhill, who was unable to attend the meeting.

Note: Mr D Pickering attended the meeting and addressed the Committee on behalf of the applicant.

Note: Mr R Ellison (objector) had not registered his 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 Mr Ellison to speak.

The Committee considered a report regarding the above planning application and an oral update by the Southern Area Manager – Development Management confirming that the Highway Engineers had no objection to the proposal.

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

1. Plan References
2. Hours of Operation

Monday – Friday 08:00hrs – 18:00hrs  
Saturday 08:00hrs – 14:00hrs  
With no Sunday or Bank Holiday working

3. No Trade Counter or Sales to Members of the General Public
4. Height of any vehicles stacked not to exceed 2m
5. All activities that have the potential to create noise must take place within the building on site with all doors and windows closed

6. Drainage
7. Details of External Lighting, to include timing of lights
8. The site, including building, to be used solely for the dismantling of vehicles and for no other purpose
9. Management plan for the removal of waste material to and from the site
10. Details of the areas for storage and staff car parking be submitted for approval
11. Drainage Details

**72 13/3223N - HOLLY BUSH INN, CREWE ROAD, WINTERLEY, CW11 4RF: OUTLINE PLANNING PERMISSION FOR THREE NEW DETACHED TWO STOREY DWELLINGS ON LAND TO THE REAR OF PUBLIC HOUSE WITH ASSOCIATED EXTERNAL WORKS INCLUDING NEW ACCESS ROAD FOR REBECCA WILLIAMS, HOLLY BUSH INN**

Note: Councillors M Martin and D Newton left the meeting during consideration of this application.

Note: Councillor J Hammond declared that he had been a member of the Save the Holly Bush campaign group in 2003 and that he would leave the room after he had addressed the Committee.

Note: Councillor J Hammond (Ward Councillor), Parish Councillor R Hovey (on behalf of Haslington Parish Council) and Mr R McGinnes (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.

In response to a comment by the representative of Haslington Parish Council, the Senior Lawyer confirmed that the Council's Planning Protocol of Conduct in Relation to the Determination of Planning Matters stated that Members should *try* to attend site inspections organised by the Council, and that attendance at site visits was not mandatory. In addition, plans and photographs had been displayed at the meeting, and Members had confirmed that they were familiar with the site.

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

1. Time
2. Time for Reserved Matters
3. Approval of Reserved Matters
4. Approved Plans
5. No principal windows to side facing elevation of plot 3
6. Hours of construction and pile driving activities
7. Noise mitigation scheme
8. Maximum of 3No dwellings

9. No works within the breeding bird season
10. Nesting bird mitigation measures
11. At the reserved matters stage the developer will provide a revised access plan which takes into account the recommended revision of the 'x'-distance to the visibility splay.
12. Prior to first occupation, the proposed access will be constructed and the revised visibility splays provided – without impediment – in accordance with the revised plan required in Condition 11.
13. Retention of the boundary hedgerow along the northern boundary

**73 13/2757N - AUDLEM COUNTRY HOME, SCHOOL LANE, AUDLEM, CREWE, CW3 0BA: EXTENSION TO TIME LIMIT ON APPLICATION 10/1551N (RELATING TO EXTENSIONS AND ALTERATIONS TO EXISTING CARE HOME TO PROVIDE SELF CONTAINED ACCOMMODATION FOR THE ELDERLY) FOR R C CHAWNER, KEENRICK NURSING HOMES**

Note: Councillors J Clowes and A Kolker left the meeting prior to consideration of this application.

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. Commence development within 3 years.
2. Development in accordance with approved plans.
3. Samples of materials to be submitted, approved and used in the construction of the building.
4. Use of the premises as a nursing home together with self contained units for persons needing close care and other persons who may wish to live more independently where nursing care may be available if required and for no other purpose whatsoever. Occupants of the independent living units including close care units should be aged 60 years or more, or in the case of 2 bed units at least one of the occupants should be aged 60 years or more.
5. Details of boundary treatment to be submitted, approved and implemented
6. Details of appearance of ramps, guides, rails and finishes to be submitted, approved and implemented.
7. Details of appearance of balconies and galleries to be submitted, approved and implemented
8. Details of surfacing materials to be submitted, approved and implemented.
9. Landscaping scheme together with any trees/hedges to be retained and measures for their protection to be submitted and approved.
10. Implementation and maintenance of landscaping and tree protection measures.

11. Archway between the reception area/ lift and unit 12 shall not be enclosed without the prior submission and approval of a separate planning application.
12. Prior to first use of the development, provision of car park as per site layout and retention.
13. Programme of archaeological work to be submitted, approved and implemented.
14. Access to the site only via School Lane between Roseleigh and The Smithy and sign to be provided at entrance to the site to confirm this in accordance with details to be submitted and approved.

**74 13/2758N - AUDLEM COUNTRY HOME, SCHOOL LANE, AUDLEM, CREWE, CW3 0BA: EXTENSION TO TIME LIMIT ON APPLICATION 10/1912N (RELATING TO LISTED BUILDING CONSENT FOR EXTENSIONS AND ALTERATIONS TO EXISTING CARE HOME TO PROVIDE SELF CONTAINED ACCOMMODATION FOR THE ELDERLY) FOR R C CHAWNER, KEENRICK NURSING HOMES**

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. Commencement within 3 years
2. Plans as per P05/0710
3. Samples of materials to be submitted, approved and used in the construction of the building.
4. Detailed schedule of works and drawings together with a materials schedule for windows, doors, brickwork, stone work, plaster, roof materials, rain water goods, to be submitted approved and implemented.
5. Details of surfacing materials to be submitted, approved and implemented.
6. Details of appearance of balconies and galleries to be submitted, approved and implemented.
7. Details of boundary treatment to be submitted, approved and implemented.
8. Landscaping scheme together with any trees/hedges to be retained and measures for their protection to be submitted and approved.
9. Implementation and maintenance of landscaping and tree protection measures.
10. Details of appearance ramps including guides, rails and finishes to be submitted, approved and implemented.

**75 13/2847N - 89A BRADFIELD ROAD, CREWE, CW1 3RB: REMOVAL OF CONDITION 8 (RENEWABLE ENERGY) ON APPROVAL 13/0130N - DEMOLITION OF EXISTING BUNGALOW & GARAGE AND CONSTRUCTION OF 4 ONE BED APARTMENTS, 8 TWO BED HOUSES & 4 THREE BED HOUSES FOR MR N POWELL, WULVERN HOUSING**

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

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. Approved Plans
  2. Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays
  3. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays
  4. External Lighting to be carried out in accordance with plan reference 009518
  5. Development to be carried out in accordance with the Phase I and Phase II Contaminated Land Report. Details of the completion of the remediation and validation works to be submitted to the LPA for approval in writing
  6. Compliance with the approved materials
  7. Implementation of landscaping shown on plan reference 009516
  8. Boundary Treatment details to be implemented in accordance with plan reference 009516
  9. Obscure glazing to side elevation of plots 3 and 11
  10. Implementation of the approved nesting bird mitigation measures
  11. Dwellings to be retained as affordable housing
- (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 Planning and Place Shaping 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.

**76 FORTHCOMING APPEAL CONCERNING APPLICATION 12/3807C  
(LAND ADJ TO ROSE COTTAGES, HOLMES CHAPEL RD,  
SOMERFORD)**

Note: Mr A Lindsay (supporter) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding a forthcoming planning appeal in respect of the site at land adjacent to Rose Cottages, Somerford. At the Southern Planning Committee meeting on 13 December 2012, application 12/3807C had been refused contrary to the planning officer's recommendation for approval.

Since 13 December, the Council had published its up-to-date Strategic Housing Land Availability Assessment (SHLAA), which demonstrated that the Council could demonstrate a five year housing land supply.

**RESOLVED**

1. That authority be delegated to the Southern Area Manager – Development Management to ensure that the committee's earlier decision remains, which delegated authority has been exercised in the manner set out at paragraph 3 below.
2. That the Council contests the appeal on the basis that the proposal, due to its remote location, isolated from shops, services, employment sites, schools and other facilities, coupled with its scale, which is not considered to be "limited infilling"; does not constitute sustainable development. Given that the Authority can demonstrate a housing land supply in excess of 5 years, there is no need for the development, and the housing which it would provide could be accommodated elsewhere in a more sustainable location. The proposed development is therefore contrary to policies PS8 and H6 of the adopted Congleton Borough Local Plan First Review and the National Planning Policy Framework.
3. The Council maintains the reason for refusal specified by members on 13 December 2012 irrespective of the finding or otherwise of a Housing Land Supply of 5 or more years.
4. Additionally, given the Appeal is proceeding, to ensure appropriate provision of affordable housing and play space provision on site, that the Borough Solicitor be authorised to enter into a S106 Legal Agreement/ Unilateral Undertaking negotiations with the Applicants' legal representatives.

The meeting commenced at 1.00 pm and concluded at 7.00 pm

Councillor G Merry (Chairman)