

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 17th December, 2014 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, W S Davies,
S Hogben, P Groves, A Kolker, D Marren, M A Martin, S McGrory and R West

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors S Corcoran, D Flude, J Hammond, A Martin and A Moran

OFFICERS PRESENT

Nigel Curtis (Principal Development Officer - Highways)
Daniel Evans (Principal Planning Officer)
Charlotte McKay (Lawyer)
Susan Orrell (Principal Planning Officer)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors I Faseyi

102 DECLARATIONS OF INTEREST/PRE DETERMINATION

The following declarations were made in the interests of openness:

With regard to application number 14/0143N, Councillor P Groves declared that he knew two of the objectors and that he was a member of Nantwich Civic Society. He also ate at The Residence. However, he had kept an open mind and felt comfortable staying in the room and participating in the decision.

With regard to application number 14/4588N, Councillor P Groves declared that he was a member of Stapeley & District Parish Council. He had also voted against the application when it had been considered by the Strategic Planning Board and that he had attended the public inquiry. However, he had kept an open mind and felt comfortable staying in the room and participating in the decision.

With regard to application number 14/0143N, Councillor P Butterill declared that she was a member of Nantwich Town Council and Nantwich Civic Society, but that she had kept an open mind.

With regard to application number 14/0143N, Councillor D Marren declared that he was a member of Nantwich Town Council, but that he had not taken part in any discussions in respect of the application and had not made comments on it.

With regard to application number 14/3687C, Councillor R Bailey declared that she had visited the school and seen the buildings. However, she had no connection with the applicant and had kept an open mind.

All Members of the Committee declared that they had received correspondence regarding application number 14/4518C.

With regard to application numbers 14/2018N and 14/2082N, Councillor S Hogben declared that he was a member of Shavington-cum-Gresty Parish Council, but that he had not discussed these applications and had kept an open mind.

With regard to application number 14/4165N, Councillor S Hogben declared that he had a disclosable pecuniary interest, as the site adjoined his house. Councillor Hogben declared that he would withdraw from the meeting during consideration of this item.

With regard to application number 14/1147C, Councillor A Kolker declared that he had advised residents but that he had not expressed an opinion and had kept an open mind.

With regard to application number 14/3687C, Councillor A Kolker declared that he was a governor at the school. Councillor Kolker declared that he would exercise his separate speaking rights as a Ward Councillor and withdraw from the meeting during consideration of this item.

With regard to application number 14/4769C, Councillor G Merry declared that she was a member of Sandbach Town Council but that she was not a member of its planning committee and that she had not discussed this application. She also knew one of the objectors and the owners of number 16 but she had not discussed this application with them and had kept an open mind.

103 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 19 November 2014 be approved as a correct record and signed by the Chairman.

104 14/0143N FORMER BOWLING GREEN, WATERLODE, NANTWICH: ERECTION OF 7 DWELLINGS WITH INTEGRAL GARAGES AND ASSOCIATED CAR PARKING FOR BLACK & WHITE CHESHIRE LTD

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

Note: Councillor A Martin (Ward Councillor) and Councillor A Moran (Neighbouring Ward Councillor) 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 for the following:

- Prior submission of a noise survey and mitigation in terms of the impact from the adjacent business 'The Residence'
- A Committee site inspection to enable Members to assess the impact of the proposed development
- Clarification of Flood Risk impact
- Updated plan to show 200% car parking provision

105 **14/4588N LAND TO REAR OF 144, AUDLEM ROAD, NANTWICH, CHESHIRE CW5 7EB: RESERVED MATTERS APPLICATION FOR THE ERECTION OF 33 DWELLINGS WITH ASSOCIATED WORKS TO INCLUDE LANDSCAPING FOLLOWING APPROVED OUTLINE 13/1223N FOR WAINHOMES (NORTH WEST) LTD**

Note: Councillor A Martin (Ward Councillor) 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 Councillor Martin to speak.

Note: Mr P Cullen (on behalf of Protect Stapeley Group), Mr P Staley (objector) and Mr S Harris (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 the application be DEFERRED for clarification on the outstanding flood risk/drainage information requested by Cheshire East Council's Flood Risk Manager.

106 **14/1907C THE ORCHARD, HOLMES CHAPEL ROAD, SOMERFORD, CONGLETON CW12 4SP: DEMOLITION OF 2 EXISTING BUNGALOWS AND GLASSHOUSES ASSOCIATED WITH A HORTICULTURAL NURSERY AND THE CONSTRUCTION OF 2, TWO-STOREY DETACHED DWELLINGS, A TWO-STOREY BUILDING COMPRISING 2 FLATS AND 6 DETACHED BUNGALOWS WITH A NEW SHARED ACCESS FOR PLANT DEVELOPMENTS LTD**

Note: Mr N Smith 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 DEFERRED to allow consideration of the impact of recent government guidance on the affordable housing requirements.

107 **14/4518C SOMERFORD PARK FARM, HOLMES CHAPEL ROAD, SOMERFORD CW12 4SW: RETROSPECTIVE APPLICATION FOR RETENTION OF A NEW STABLE BUILDING WITH ANCILLARY GROOM'S ACCOMMODATION FOR SIMON KING**

Note: Ms T Cook 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 scale, height and massing of the development results in a building which detracts from the openness of the countryside and has an adverse impact on the landscape and the character of the area. It is therefore contrary to the Local Plan Policies PS8, GR1, GR2, GR5, RC5 and E5 of the adopted Congleton Borough Local Plan First Review 2005 as well as Policies PG5 and SD2 of the emerging Cheshire East Local Plan Strategy – Submission Version and advice within the NPPF.

108 **14/4300N LODGE FARM INDUSTRIAL ESTATE, AUDLEM ROAD, HANKELow, CHESHIRE: OUTLINE PLANNING APPLICATION WITH SOME MATTERS RESERVED FOR REDEVELOPMENT OF THE SITE TO PROVIDE UP TO 22 DWELLINGS AND AN AREA OF PUBLIC OPEN SPACE FOR BRIDGE PROPERTIES LTD**

Note: Councillor D Bebbington declared that one of his relations lived in a property adjoining the field.

Note: Parish Councillor G Foster (on behalf of Hankelow Parish Council) 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

- (a) That, for the reasons set out in the report and the update report, the application be APPROVED subject to completion of Section 106 Legal Agreement to secure the following:

1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:
 - The numbers, type, tenure and location on the site of the affordable housing provision
 - The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing
 - The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
 - The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
2. Provision of Public Open Space and a LEAP to be maintained by a private management company
3. Secondary School Education Contribution of £49,028
4. Medical Infrastructure Contribution of £21,319, to be paid prior to commencement

And the following conditions:-

1. Standard Outline
2. Submission of Reserved Matters
3. Time limit for submission of reserved matters
4. Approved Plans
5. Construction Method Statement for any piling works
6. Dust control measures
7. Contaminated land
8. Bat mitigation measures
9. Prior to undertaking any works between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds. A report of the survey and any mitigation measures required to be submitted and agreed by the LPA.
10. Prior to the commencement of development the applicant to submit detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds. Such proposals to be agreed by the LPA. The proposals shall be permanently installed in accordance with approved details.
11. The reserved matters application shall include retention of the boundary hedgerows
12. Submission of an updated badger survey in support of any future reserved matters application.
13. Submission of a Construction Method Statement including Reptile mitigation measures in support of any future reserved matters application.
14. Any reserved matters to be supported by proposals for the ecological enhancement of the proposed public open space area.
15. Submission of a habitat management plan.

16. Reserved matters application to include details of existing and proposed levels
 17. No development should commence on site until such time as detailed proposals for disposal of surface water and foul water have been submitted to and agreed in writing by the LPA
- (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 the Head of Strategic and Economic Planning, in consultation with the Chairman (or in her absence the Vice Chairman) of 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.

109 **14/1147C LAND TO SOUTH OF MAIN ROAD, GOOSTREY, CHESHIRE: RESIDENTIAL DEVELOPMENT (USE CLASS C3) FOR UP TO 25 DWELLINGS WITH CONSTRUCTION OF ACCESS FROM MAIN ROAD, AREAS OF PUBLIC OPEN SPACE, LANDSCAPING AND ASSOCIATED WORKS FOR LINDA SIMPSON**

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

Note: Councillor M Martin left the meeting during consideration of this application.

Note: Professor Garrington attended the meeting and addressed the Committee on behalf of Jodrell Bank, which was a consultee.

Note: Parish Councillor P Godfrey (on behalf of Goostrey Parish Council), Mrs J Stubbs (objector) and Ms V Hunter (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

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

Whilst it is acknowledged that there is a presumption in favour of sustainable development in the planning balance, it is considered that:

- the development is unsustainable because the unacceptable economic, environmental and social impact of the scheme upon the efficient operation of the Jodrell Bank Observatory and its internationally important work significantly and demonstrably outweighs the economic and social benefits in terms of its

contribution to boosting housing land supply, including the contribution to affordable housing. As such, the proposal is contrary to Policy PS10 of the adopted Congleton Borough Local Plan First Review 2005 and Policy SE14 of the Cheshire East Local Plan Strategy Submission Version that seeks to limit development that impairs the efficiency of the Jodrell Bank radio telescope as well as the provisions of the National Planning Policy Framework.

- the development is unsustainable because the unacceptable environmental impact of the scheme upon the rural character and appearance of the site from Dromedary Lane (FP Goostrey NO 6) significantly demonstrably outweighs the economic and social benefits in terms of its contribution to boosting housing land supply, including the contribution to affordable housing. As such, the proposal is contrary to Policy PS8, GR2 and GR3 of the adopted Congleton Borough Local Plan First Review 2005 as well as the provisions of the National Planning Policy Framework.
- (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 the Principal Planning Manager, in consultation with the Chairman (or in her absence the Vice Chairman) of 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.
- (c) That, should this application be the subject of an appeal, authority be given to enter into a S106 Agreement to secure the following:

Heads of terms:

1. A commuted payment of £29,575.00 for the maintenance over a 25 year period of on-site Amenity Green Space (including the footpath link).
2. A commuted payment of £5,494.20 for the upgrade of the Booth Bed Lane site which would be spent on upgrading the equipment and infrastructure.
3. A commuted payment of £17,910.00 for the maintenance over a 25 year period of off-site Children and Young Persons Provision.
4. 30% Affordable Housing provision – 8 units. Provided no later than 50% occupation. Transferred to registered provider. A tenure split of 65% social rent (or affordable rent) and 35% intermediate tenure.

110 **14/2018N 246, NEWCASTLE ROAD, BLAKELOW CW5 7ET: 2 NO. DETACHED AND 2 NO. SEMI DETACHED HOUSES FOR RENEW LAND DEVELOPMENTS LTD**

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

Note: Councillor D Brickhill had registered his intention to address the Committee as Ward Councillor but was not in attendance at the meeting.

Note: Mr R Lee had registered his intention to address the Committee on behalf of the applicant but did not speak.

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 3 years
 - 2. Plans
 - 3. Materials
 - 4. Landscaping Scheme
 - 5. Implementation of Landscaping Scheme
 - 6. Retention of Existing Hedges
 - 7. Boundary Treatments
 - 8. Submission / Approval and Implementation of Dust Suppression Scheme
 - 9. Submission / Approval and Implementation of Piling Method Statement
 - 10. Contaminated Land
 - 11. Bin Storage
- (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 the Head of Strategic and Economic Planning, in consultation with the Chairman (or in her absence the Vice Chairman) of 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.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Principal Planning Manager in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

111 **14/2082N ADJ 16, HUNTERSFIELD, SHAVINGTON CW2 5FB: 2 NO. SEMIS AND 2 NO. DETACHED HOUSES AND ANCILLIARY WORKS-
RESUBMISSION OF 14/0183N FOR RENEW LAND DEVELOPMENTS LTD**

Note: Councillor D Brickhill had registered his intention to address the Committee as Ward Councillor but was not in attendance at the meeting.

Note: Mr P Davies (objector) and Mr R Lee (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, for the reasons set out in the report, the application be APPROVED subject to the following conditions:
 - 1. Time - 3 years
 - 2. Plans
 - 3. Scheme of landscaping
 - 4. Landscaping completion
 - 5. Boundary Treatment
 - 6. Materials
 - 7. Permitted Development rights
 - 8. Hours of construction
 - 9. Nesting bird survey
 - 10. Breeding birds
 - 11. Construction Management Plan
 - 12. Submission of a plan to show refuse vehicle tracking on the access
- (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 Principal Planning 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.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Principal Planning Manager in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

112 **14/2648N LAND OFF GUTTERSCROFT, HASLINGTON, CREWE:
RESIDENTIAL DEVELOPMENT OF 13NO. TWO STOREY HOUSES,
6NO. ONE BED APARTMENTS, ASSOCIATED ROADS AND
GARAGES FOR MR KEVIN HIGGINS, CRANSLEIGH ESTATES**

Note: Councillor J Hammond (Ward Councillor) had registered his intention to address the Committee but did not speak.

Note: Parish Councillor R Hovey attended the meeting and addressed the Committee on behalf of Haslington Parish Council.

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 completion of a Section 106 Agreement to secure the affordable housing (all rented) and the following conditions:
1. Standard time 3 years
 2. Approved Plans
 3. Submission of amended layout plan showing 2m service strip
 4. Construction of access improvements to Gutterscroft prior to the commencement of the construction of the dwellings
 5. Pile driving limited to 09:00 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays
 6. Construction method statement
 7. Materials to be submitted for approval
 8. Tree and hedgerow protection measures
 9. Landscaping details including boundary treatments to be submitted and approved
 10. Implementation of landscaping
 11. Prior to the commencement of development details of existing and proposed levels are to be provided.
 12. Protection of birds during the breeding season
 13. Incorporation of features to house breeding birds, including House Sparrows and Swifts.
 14. Submission of external lighting details
 15. Submission of foul and surface water drainage details
 16. Obscure glazing to the side elevation of the apartments with details of the window fittings to be submitted and approved
 17. Existing and proposed land levels to be submitted and approved

Informative:

Applicant to investigate having street lights adopted by Cheshire East Council

- (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 Principal Planning 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.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Principal Planning Manager in consultation with the

Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

113 14/0841N LAND OFF SPINNEY DRIVE, WESTON: RESIDENTIAL DEVELOPMENT OF 4 DETACHED HOUSES FOR G MCDERMOTT, CDM DEVELOPMENTS (NORTH WEST) LTD

Note: Councillors S McGrory and J Weatherill left the meeting prior to consideration of this application.

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

Note: Councillor J Hammond (Ward Councillor), Parish Councillor J Cornell (on behalf of Weston & Basford Parish Council), Mr P Grant (objector) and Mr W McDermott (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 the application be DEFERRED for the following reasons:

- to allow consideration of the impact of recent government guidance on the affordable housing requirements
- to allow planning officers to speak to the applicant regarding the concerns raised by the Parish Council
- to enable the applicant to provide clearer layout plans and clarify the separation distance to 63 Cemetery Road

114 14/4165N MANOR WAY CENTRE, MANOR WAY, CREWE CW2 6JS: ERECTION OF 14 NO. SEMI DETACHED HOUSES AND ANCILLIARY WORKS FOR RENEW LAND DEVELOPMENTS LTD

Note: Having made a declaration, Councillor S Hogben withdrew from the meeting during consideration of this item.

Note: Councillor D Flude (Ward Councillor) and Mr R Lee (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Mr E Shaw (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 Shaw to speak.

The Committee considered a report regarding the above planning application.

RESOLVED - That authority be DELEGATED to the Head of Strategic and Economic Planning, in consultation with the Chairman of Southern Planning Committee, to APPROVE the application for the reasons set out in the report, subject to receipt of an amended plan to show a scheme of tree planting (native species) and the following conditions:

1. Standard three year time limit
2. Approved plans
3. External materials to be submitted
4. Surfacing materials to be submitted
5. Scheme of landscaping to be submitted
6. Boundary treatment as shown on plan 1983-110
7. Prior to occupation access to the satisfaction of the SHTM and the LPA
8. Recommended bat mitigation measures to be implemented
9. Bird survey between 1st March and 31st August
10. PD rights removed
11. Pile driving Method Statement
12. Dust control
13. Contaminated land
14. Drainage scheme

115 **14/4769C THE HOLLIES, 16, SMITHFIELD LANE, SANDBACH, CHESHIRE CW11 4JA: DETACHED HOUSE WITH INTEGRAL GARAGE FOR ANDY MINES, SMITHFIELD COURT LTD**

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

Note: Councillor G Merry declared that her husband was a freemason.

Note: Councillor S Corcoran (Ward Councillor), Mr C Eastwood (objector) and Mr G Allen (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, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposed development by reason of its height, scale, massing and proximity to No 12 Booth Avenue would be detrimental to the visual amenity of the area and the amenities of the adjacent residential occupier. As such the development would be contrary to Policies GR1, GR2, GR3 and GR6 of the Congleton Borough Local Plan First Review 2005.

116 **14/3687C HOLMES CHAPEL COMPREHENSIVE SCHOOL, SELKIRK DRIVE, HOLMES CHAPEL, CHESHIRE CW4 7DX: PERMANENT RETENTION OF MODULAR TEACHING BUILDINGS TO PROVIDE TEACHING AND LEARNING FACILITIES FOR TONY HALSALL, HOLMES CHAPEL COMPREHENSIVE SCHOOL**

Note: Mr D Evans, Principal Planning Officer, read a statement submitted by Councillor L Gilbert (Ward Councillor), who was not in attendance at the meeting.

Note: Having exercised his separate speaking rights as a Ward Councillor, Councillor A Kolker withdrew from the meeting for the duration of the Committee's consideration of this item.

Note: Mr J Latham (objector) and Mr A Halsall and Miss E Warrington (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, for the reasons set out in the report, the application be APPROVED subject to the following conditions:
 - 1. Plan
 - 2. Materials
 - 3. Obscure glazing retention
 - 4. Submission within 1 month of determination of a scheme for the restoration of the rugby pitch margins.
- (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 the Head of Strategic and Economic Planning, in consultation with the Chairman (or in her absence the Vice Chairman) of 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.

117 NOTIFICATION OF URGENT DECISIONS

With respect to application number 13/4631N (Land at The Gables, Spurstow), the Chairman and Vice-Chairman of the Southern Planning Committee, in consultation with the Head of Strategic and Economic Planning, had taken the decision to withdraw the second reason for refusal in respect of housing land supply and instruct the Principal Planning Manager not to contest the issue at the forthcoming public inquiry.

RESOLVED – That the decision be noted.

The meeting commenced at 1.00 pm and concluded at 7.20 pm

Councillor G Merry (Chairman)