

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 29th June, 2016 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,  
S Edgar, A Kolker, J Rhodes, B Roberts and B Walmsley

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

Councillors J Hammond and J Wray

### **OFFICERS PRESENT**

Daniel Evans (Principal Planning Officer)  
Patricia Evans (Senior Planning and Highways Lawyer)  
Andrew Goligher (Principal Development Control Officer - Highways)  
Sue Orrell (Principal Planning Officer)  
Julie Zientek (Democratic Services Officer)

### **Apologies**

There were no apologies for absence.

### **10 DECLARATIONS OF INTEREST/PRE DETERMINATION**

The following declarations were made in the interests of openness:

With regard to application number 16/0015N, Councillor S Edgar declared that he had made up his mind. He would exercise his separate speaking rights as a Ward Councillor and not take part in the debate or vote.

With regard to application number 16/1487N, Councillor J Hammond, who was in attendance at the meeting, declared that he was a member of Haslington Parish Council, which had been consulted on the application.

With regard to application numbers 15/5579C and 15/5650C, Councillor G Merry declared that she was a member of Sandbach Town Council, which had been consulted on the applications. She was not a member of its planning committee. She had not discussed these applications and had kept an open mind.

## 11 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 25 May 2016 be approved as a correct record and signed by the Chairman.

## 12 **16/0015N LAND TO REAR OF 46, CHESTNUT AVENUE, SHAVINGTON, CREWE, CHESHIRE CW2 5BJ: OUTLINE APPLICATION FOR THE DEMOLITION OF NO. 46 CHESTNUT AVENUE, SHAVINGTON AND ERECTION OF 44 DWELLINGS (INCLUDING ACCESS) AND ASSOCIATED WORKS FOR OSCAR PLANNING**

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

Note: Parish Councillor W McIntyre (on behalf of Shavington-cum-Gresty Parish Council) 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, a written update and an oral report of the site inspection.

RESOLVED – That the application be DEFERRED for the following:

- Details of the accessibility of the local schools by foot
- Clarification on the numbers at Shavington Primary and Secondary Schools
- Further information in relation to the loss of employment
- To enable an Education Officer to attend Southern Planning Committee when the application is considered

## 13 **16/1487N LAND NORTH OF POOL LANE, WINTERLEY: RESERVED MATTERS APPLICATION SEEKING CONSENT FOR APPEARANCE, LANDSCAPING, LAYOUT AND SCALE, FOLLOWING OUTLINE PLANNING PERMISSION FOR THE CONSTRUCTION OF UP TO 45NO. DWELLINGS (13/4632N) FOR JANE ASPINALL, BELLWAY HOMES LIMITED**

Note: Councillor J Hammond (Ward Councillor), Mr M Riley (objector) and Ms J Aspinall (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. In accordance with Outline
2. Development in accordance with approved plans
3. Soakaway drainage
4. Storm period drainage
5. External lighting condition
6. No removal of deadwood from trees
7. Hedgehog gaps in hedgerows
8. Implementation and construction of the access road serving Plots 13 – 17 – trees

- (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 Head of Planning (Regulation) 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.

**14 16/1575N LAND ADJACENT TO, LODMORE HOUSE, LODMORE LANE, BURLEYDAM: DEVELOPMENT OF AFFORDABLE HOUSING INCLUDING 3NO. 3BED 5PERSON HOUSES, 6NO. 2BED 4PERSON HOUSES, 4NO. 2BED 3PERSON FLATS AND 4NO. 1BED 2PERSON FLATS. 17 UNITS IN TOTAL WITH 30NO.PARKING SPACES AND PRIVATE GARDENS FOR MS KAREN WILFORD, A DACTUS HOUSING GROUP LTD**

Note: Ms P Christou 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**

- (a) That authority be DELEGATED to the Head of Planning (Regulation), in consultation with the Chairman of Southern Planning Committee, to APPROVE the application for the reasons set out in the report, subject to:
- the resolution of the issues raised by the Council's ecologist
  - comments from the Education Department
  - the completion of a s106 agreement to secure 100% affordable units
    - requires them to transfer all units to a Registered Provider
    - Includes provisions that require the affordable homes to be let to people who are in housing need and have a local connection, and older people to be given first choice in relation to the occupancy of

the ground floor units. The local connection criteria used in the agreement should match the Councils allocations policy.

- the following conditions:
  1. Standard
  2. Approved plans
  3. Submission of samples of building materials
  4. Surfacing materials
  5. Piling Foundations
  6. Major development construction phase environmental management plan
  7. Lighting
  8. Travel Information Pack
  9. Electric Vehicle Infrastructure
  10. Dust control
  11. Contaminated Land
  12. Soil forming materials
  13. Unknown Contaminated Land
  14. Removal of PD
  15. Programme of archaeological work
  16. Foul water condition
  17. Surface water condition
  18. Suds Drainage and management condition
  19. Tree and hedgerow protection
  20. Improved landscape scheme retaining existing hedges
  21. Landscape implementation
  22. Nesting Birds
  23. Bird nesting features
  24. Hedgehog features
  25. Updated Badger Report

- (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 Head of Planning (Regulation) 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.

**15 15/5579C LAND ON THE SOUTH SIDE OF DRAGONS LANE, MOSTON, SANDBACH, CHESHIRE CW11 3QB: REMOVAL OF CONDITION 3 ON APPLICATION 12/0971C TO MAKE PERMISSION PERMANENT AND REMOVE LIMITATION ON OCCUPANCY TO NAMED PERSONS FOR MR MARTIN SMITH**

Note: Prior to consideration of this application, the meeting was adjourned for refreshments.

Note: Councillor J Wray (Ward Councillor) and Parish Councillor A Holder (on behalf of Moston Parish Council) attended the meeting and addressed the Committee on this matter.

Note: Mr M Smith (applicant) 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 Smith to speak.

The Committee considered a report regarding the above planning application.

#### RESOLVED

- (a) That, contrary to the planning officer's recommendation for approval, the application be REFUSED.
- (b) That authority be DELEGATED to the Head of Planning (Regulation), in consultation with the Chairman of Southern Planning Committee, to formulate the wording of the reason for refusal.

16 **15/5650C THIMSWARRA FARM, DRAGONS LANE, MOSTON:  
VARIATION OR REMOVAL OF CONDITION 5 ON APPLICATION  
14/3086C FOR MR P COSNETT**

Note: Councillor J Wray (Ward Councillor) and Parish Councillor A Holder (on behalf of Moston Parish Council) 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 be APPROVED subject to the following conditions:

1. Personal occupancy (named occupants within the report) and use of the land as a residential caravan site shall be discontinued on or before 14 September 2018
2. Approved plans
3. Occupation by gypsies and travellers
4. Landscaping scheme to be submitted within 3 months
5. No more than four caravans (no more than two static caravans)
6. External lighting to be approved
7. Details of external colour of stable block to be submitted
8. Manure storage details to be submitted
9. Drainage details to be submitted within 3 months
10. No commercial use of the site and no vehicle over 3.5 tonnes parked / stored on site

**17 16/0325C LAND ADJACENT TO 36, BLACK FIRS LANE, SOMERFORD CW12 4QQ: OUTLINE PLANNING APPLICATION FOR THE ERECTION OF 3 NO. DWELLINGS FOR GARETH JACKSON**

Note: Ms N Gibson had registered her 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 - That, for the reasons set out in the report, authority be DELEGATED to the Head of Planning (Regulation), in consultation with the Chairman of Southern Planning Committee, to formally notify the University of Manchester (Jodrell Bank), with a further 21 day consultation period, of the intention to grant planning permission subject to the following conditions:

1. Commencement of Development (Outline)
2. Submission of Reserved Matters (Access, Appearance, Landscaping, Layout and Scale)
3. Reserved Matters to be informed by indicative layout
4. Details of existing and proposed ground levels
5. Details of surface and foul water drainage – Prior submission/approval
6. Landscaping Reserved Matters Application shall include details of existing trees to be retained along with measures for their retention
7. All subsequent Reserved Matters Application shall be supported by an updated protected species survey with regard to Badgers and Bats
8. Access reserved matter shall detail access and visibility as approved detailed on approved visibility plan
9. Dust Control Measures – Prior submission/approval
10. Contaminated Land Survey – Prior submission/approval
11. Soil Importation testing
12. Unidentified Contamination
13. Jodrell Bank insulation measures

**18 16/1309N 13, BUXTON AVENUE, CREWE CW1 6EU: CHANGE OF USE OF EXISTING DWELLING HOUSE TO FORM 6 NO BEDSITS AND 1 NO FLAT WITH EXTERNAL STAIR FOR TOMER SPITKOWSKI**

Note: The Principal Planning Officer read a representation from Councillor S Brookfield (Ward Councillor), who was unable to attend the meeting.

Note: Mr T Spitkowski (applicant) attended the meeting and addressed the Committee.

Note: Mr M Tweats (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 Smith to speak.

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 and the written update, the application be APPROVED subject to the following conditions:

1. Time (3 years)
2. Plans
3. Materials to Match
4. Details of covered bin storage compound to be provided
5. One bike parking space for each flat/bed sit to be provided

Informative:

1. NPPF
2. Hours of construction

(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 Planning (Regulation), 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.

**19 16/1658N T I MIDWOOD & CO, GREEN LANE, WARDLE, CHESHIRE CW5 6BJ: VARIATION OF CONDITION 4 ON APPLICATION 15/3163N - OUTLINE APPLICATION FOR EXTENSIONS TO THE EXISTING WAREHOUSE, THE ERECTION OF A CANOPY AND THE CONSTRUCTION OF A DELIVERY DOCK AND REPLACEMENT CAR PARKING, INCLUDING DETAILS OF ACCESS, APPEARANCE, LAYOUT AND SCALE (DETAILS OF LANDSCAPING RESERVED FOR SUBSEQUENT APPROVAL), FOLLOWING THE DEMOLITION OF AN EXISTING OFFICE BUILDING FOR T I MIDWOOD AND CO LTD**

Note: Councillor J Clowes left the meeting prior to 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. The subsequent approval by the Local Planning Authority before development of the landscaping of the site
  2. Application for reserved matters must be made not later than the expiration of three years from the date of this permission.
  3. Development to be implemented within 3 years of the date of the 1<sup>st</sup> October 2015 or expiry of 2 years from final approval of the last of the reserved matters.
  4. Approved Plans
  5. Parking to be provided before the approved extensions are first brought into use
  6. Materials to match existing
  7. Scheme for the disposal of surface water
- (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 Planning (Regulation) 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.

**20 16/2472M 14, LANGLEY ROAD, LANGLEY, CHESHIRE SK11 0DP:  
CERTIFICATE OF LAWFUL EXISTING DEVELOPMENT - SINGLE  
STOREY REAR EXTENSION, PART TWO STOREY/PART SINGLE  
STOREY SIDE EXTENSION AND SINGLE STOREY FRONT  
EXTENSION FOR MR C HOOLEY**

The Committee considered a report regarding an application for a Lawful Development Certificate for existing operational development at 14, Langley Road, Langley, Cheshire.

RESOLVED – That the report be noted.

**21 UPDATE FOLLOWING THE RESOLUTION TO APPROVE  
APPLICATION 15/1249N - PROPOSED CONSTRUCTION OF 10 NO.  
DWELLING COMPLETE WITH ACCESS, ASSOCIATED PARKING AND  
LANDSCAPING - GRENSON MOTORS CO LTD, MIDDLEWICH ROAD,  
MINSHULL VERNON, CHESHIRE, CW1 4RA**

The Committee considered a report regarding planning application 15/1249N which had been approved by the Southern Planning Committee subject to the completion of a Section 106 Agreement to secure affordable housing on this development and a number of conditions.

A recent Court of Appeal had ruled that a 2014 ministerial statement introducing the 'vacant building credit' and exempting small sites from affordable housing contributions was not unlawful. The Council was therefore unable to require affordable provision on this site.

RESOLVED – That, for the reasons set out in the report, the Heads of Terms for the S106 Agreement be removed from the Committee resolution and an additional condition be attached to state that the reserved matters application should have a maximum combined gross floorspace of no more than 1000sqm.

The meeting commenced at 10.00 am and concluded at 3.05 pm

Councillor G Merry (Chairman)