

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 21st December, 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, P Butterill, J Clowes, W S Davies, S Edgar,  
J Rhodes, B Roberts and B Walmsley

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

Councillors P Bates and P Groves

## **OFFICERS PRESENT**

Daniel Evans (Principal Planning Officer)  
Patricia Evans (Senior Planning and Highways Lawyer)  
Andrew Goligher (Principal Development Control Officer - Highways)  
Phil Mason (Senior Enforcement Officer - Environmental Protection)  
Gareth Taylerson (Principal Planning Officer)  
Julie Zientek (Democratic Services Officer)

## **Apologies**

Councillors D Bebbington and A Kolker

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

The following declarations were made in the interests of openness:

With regard to application number 16/1987N, Councillor S Edgar declared that he had previously spoken against the application. He would exercise his separate speaking rights as a Neighbouring Ward Councillor and not take part in the debate or vote.

Councillor S Davies declared that he had called in application number 15/1437N, which was in his Ward. 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 16/4784N, Councillor B Roberts declared that it was in his Ward. He had not discussed this application and had kept an open mind.

With regard to application number 16/4784N, Councillor J Rhodes declared that it was in her Ward. She had not discussed this application and had kept an open mind.

With regard to application number 16/1987N, Councillor J Clowes declared that she had called in the application on behalf of the parish council but that she had kept an open mind and had not taken part in any discussions regarding the matter.

## 90 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 23 November 2016 be approved as a correct record and signed by the Chairman.

## 91 **16/1987N BASFORD OLD CREAMERY, NEWCASTLE ROAD, CHORLTON CW2 5NQ: NEW INDUSTRIAL BUILDING REPLACING EXISTING BUILDINGS, RETAINING B1, B2 AND B8 CLASSIFICATIONS FOR TOTAL CONCRETE PRODUCTS LTD**

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

Note: Parish Councillor A Broome (on behalf of Hough and Chorlton Parish Council) and Mr P Grant (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 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 limit
2. Approved plans
3. Materials in accordance with the details submitted with the application
4. Restriction on operational hours (including deliveries to and from the site) to 8am to 6pm Monday to Friday, 9am to 2pm Saturday and no working on Sundays or public holidays
5. Submission of details of external lighting
6. Any cutting operations that take place outside the buildings shall be restricted to the acoustic cutting area
7. All other fabrication activities shall take place within the building
8. While fabrication and concrete work is taking place inside the buildings, all external doors shall remain closed

9. Submission of a detailed design and method statement including the structure and foundations of the proposed building (for HS2 Safeguarding)
10. Provision of an electrical vehicle charging point
11. Submission of phase I Preliminary Risk Assessment and if necessary a Phase II Ground Investigation and Risk Assessment (Contaminated Land)
12. Submission of a revised scheme of landscaping
13. Details of a concealed entrance sign to the west of the site as entering the Bridge to be submitted and approved
14. Implementation of the approved landscaping
15. Details of an acoustic screen along the northern boundary to be submitted and approved
16. Swept path to be kept clear as shown on the submitted plans

#### Informatives

1. Asbestos – Duty of responsibility to comply with the HSE
  2. No parking/storage consented on Network Rail 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 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.

**92 15/5369C SOMERFORD BOOTHS HALL, CHELFORD ROAD, SOMERFORD CW12 2LY: FULL PLANNING APPLICATION PROPOSING THE CONVERSION OF THE GRADE II\* LISTED HALL FROM OFFICES TO RESIDENTIAL AND DEMOLITION OF THE EXISTING BUILDINGS AND THE ERECTION OF A RESIDENTIAL DEVELOPMENT SET IN ATTRACTIVE LANDSCAPING AND OPEN SPACE WITH ASSOCIATED ACCESS AND CAR PARKING ARRANGEMENTS FOR P HOGARTH**

Note: The Principal Planning Officer drew Committee Members' attention to the written update, which set out the Inspector's views on the further modifications needed to the Cheshire East Local Plan Strategy. The Inspector's recommendations meant that more weight could be attributed to the emerging policies of the Cheshire East Local Plan Strategy and housing supply policies which were deemed out of date by the absence of a 5 year supply.

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 referral to the University of Manchester to notify them of the Council's intended decision, the completion of a s106 legal agreement to secure Public Open Space and its future maintenance and management by a management company comprising of:

- 1100 square metres of onsite new Amenity Greenspace (AGS) (or otherwise agreed)
- Onsite Local Area for Play (LAP) with a minimum of 100 square metres

and the following conditions:

1. Standard Time Limit (3 Years)
2. Accordance with approved and amended plans
3. Submission of materials
4. No alterations to original roof structure
5. Rainwater goods to be cast metal
6. Sample panel of lime render to be submitted
7. Detailed drawings of windows and doors
8. Doors and windows to be timber and painted
9. Any decorative treatment of rendered surfaces of the Hall shall be agreed with the LPA before works commence
10. Any repairs to garden wall to be agreed prior to works commencing
11. Detailed schedule of works to listed building to be submitted
12. Programme of archaeological work to be submitted
13. Detailed scheme / schedule of works to the listed hall
14. Structural survey to be submitted
15. Rooflights to be conservation style
16. Removal of permitted development rights for gates, walls, fences, extensions and outbuildings
17. Full restoration of the hall to be carried out before first occupation of 50% of the proposed dwellings
18. The proposed development to proceed in accordance with the recommendations made within submitted ecological assessments including bat mitigation and great crested newt mitigation
19. Prior to any commencement of works between 1<sup>st</sup> March and 31<sup>st</sup> August in any year, a detailed survey is to be undertaken for nesting birds
20. Detailed proposals for the incorporation of features into the scheme suitably for use by breeding birds including house sparrow.
21. Updated badger survey to be submitted
22. Habitat Management and Landscape Management Plan to be submitted including long-term design objectives, management responsibilities and maintenance schedules for all areas that are not within residential curtilages. To include removal of Rhododendron
23. Tree protection

24. Implementation of Tree protection
25. Updated Arboricultural Method Statement to be submitted for removal of existing hard standing
26. Landscaping scheme to be submitted
27. Implementation of landscaping
28. Details of boundary treatments to be submitted
29. Specification details for any areas of hard surfacing within tree root protection zones (to be no dig construction).
30. Accordance with submitted flood risk assessment
31. Details of levels to be submitted
32. Scheme of electromagnetic screening measures to be incorporated into new build dwellings
33. Scheme of Public Open Space to be submitted including the provision of 1100 square metres of Amenity Greenspace (AGS) and the provision of a Local Area for Play (LAP)
34. Site to be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
35. Contaminated land report to be submitted
36. Scheme for pile foundations to be submitted (if required)
37. Scheme for dust control during demolition / construction to be submitted
38. Construction Management Plan to be submitted
39. Electric vehicle infrastructure to be installed in each new build property

- (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.

**93 15/1437N HOLLY COTTAGE, GAUNTONS BANK, NORBURY, SY13 4HP: PROPOSED CONSTRUCTION OF ONE DWELLING ON LAND ADJACENT TO HOLLY COTTAGE FOR R LEWIS**

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

Note: Parish Councillor J Makin (on behalf of Marbury and District Parish Council), Mr D Smith (objector) and Ms S Jones (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, 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. Compliance with the approved plans
3. Materials to be submitted and approved
4. Retention of boundary treatment
5. Contaminated land report to be submitted and approved
6. Landscaping Scheme
7. Landscaping implementation
8. Construction Method Statement
9. Dust Control Report
10. Contaminated Land

(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.

94 **16/3262C LAND AT RADNOR PARK TRADING ESTATE, BACK LANE, CONGLETON: RESIDENTIAL DEVELOPMENT (USE CLASS C3) COMPRISING 30 NO. NEW AFFORDABLE DWELLINGS INCORPORATING 12 NO. THREE BED HOUSES, AND 16 NO. TWO BED HOUSES AND 2 NO. ONE BED MAISONNETTES WITH ASSOCIATED INFRASTRUCTURE AND INCIDENTAL OPEN SPACE INCLUDING A NEW ESTATE ROAD AND VEHICULAR AND PEDESTRIAN ACCESS OFF BACK LANE FOR WILLIAM FULSTER, M.C.I.DEVELOPMENTS LIMITED AND PLACES FOR PEOPLE GROUP LIMITED**

Note: Mr W Fulster (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, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposed development represents an overdevelopment of the site due to the lack of car parking provision, insufficient internal separation distances and insufficient private amenity space. The

proposed development is contrary to Policies GR1, GR2, GR6 and GR9 of the Borough of Congleton Local Plan and Policies SE1, SD1 and SD2 of the Cheshire East Local plan and the NPPF.

- (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.

95 **16/3286C 130, HOLMES CHAPEL ROAD, CONGLETON CW12 4NY: DEMOLITION OF EXISTING DILAPIDATED BUNGALOW AND GARAGE AND ERECTION OF 4 NO. DWELLINGS FOR MR DAVID DENTON**

Note: Councillor P Bates (Ward Councillor), Town Councillor A Martin (on behalf of Congleton Town Council), Mr B Haywood (objector) and Mr N Collins (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 to secure an alternative design/layout, including a dual frontage property at the junction with Holmes Chapel Road and the properties to be slightly angled at the junction.

96 **16/3974N LAND EAST OF WHITCHURCH ROAD, ASTON: OUTLINE APPLICATION FOR THE DEVELOPMENT OF UP TO 24 DWELLINGS WITH ALL MATTERS RESERVED EXCEPT ACCESS FOR CRANFORD ESTATES**

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

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

Note: Ms H Walker attended the meeting and addressed the Committee on behalf of the applicant.

The Committee considered a report regarding the above planning application and an oral report of the site inspection.

## RESOLVED

- (a) That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposed access point by reason of its siting at a bend in the road would not provide a safe and suitable access for road users and those accessing and entering the site and therefore would be harmful to highways safety which is contrary to Policies BE.2 and BE.3 of the Crewe and Nantwich Local Plan and the NPPF.

- (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.

- (c) That, should the application be subject to an appeal, approval be given to enter into a S106 Agreement to secure the following Heads of Terms:

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 POS and 5 piece LEAP and a scheme of management.
3. Commuted Sum payment in lieu of secondary education provision £65,371

97 **16/4408N LAND AT CHESTER ROAD, ALPRAHAM: OUTLINE APPLICATION FOR PROPOSED 2NO. RESIDENTIAL DWELLINGS FOR MR & MRS D EVANS**

Note: Mr R Lee 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 for further information in relation to the existing approved developments in Alraham in terms of the cumulative impact of the development.

**98 16/4784N LAND TO THE REAR OF, VALLEY HOUSE, 11, WALTHALL STREET, CREWE, CHESHIRE CW2 7JZ: RESUBMISSION OF PROPOSED CONSTRUCTION OF APARTMENTS AND ASSOCIATED PARKING, BIN STORAGE, CYCLE STORAGE AND ACCESS ARRANGEMENTS FOR D FYLES**

Note: Mr G Allen 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, for the reasons set out in the report, the application be APPROVED subject to the following conditions:
1. Standard time 3 years
  2. Approved Plans
  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. Submission and approval of details of materials
  5. Implementation of landscaping
  6. Implementation of tree protection measures
  7. Gas Protection Measures
  8. Standard Contaminated Land Condition
  9. Implementation of the submitted Construction Management Plan together with the retention of the existing car parking spaces which shall be kept clear for the construction period.
  10. Bins shall be only be stored within “Bin Store Area” except on collection day
  11. Parking spaces shall be provided prior to 1<sup>st</sup> occupation and retained thereafter
  12. Provision of electric vehicle charging points
- (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.

**99 16/4926N WOODLANDS HOUSE, 61B, LONDON ROAD, STAPELEY CW5 7JL: SINGLE DWELLING FOR MR & MRS CLARKE**

Note: Councillor P Butterill left the meeting during consideration of this application.

Note: Councillor P Groves (Ward Councillor) and Mr G Gibbs (objector) 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 reasons:

1. The proposal would intensify an existing access point and would fail to provide adequate visibility splays at a busy road junction to prevent harm to highway safety. The internal access would also provide inadequate width to allow a vehicle to safely pass through the site which is harmful to highway safety. The development is contrary to Policies BE.2 and BE.3 of the Crewe and Nantwich Local Plan and the NPPF.
2. The position of the proposed access would provide increased vehicle movements causing harm to the living conditions of the neighbouring dwellings by reasons of noise and disturbance. The development is contrary to Policy BE.1 of the Crewe and Nantwich Local Plan and the NPPF.
3. The proposed development does not respect the existing pattern of the development to the detriment of the character and appearance of the area. The proposal is contrary to Policy BE.2 of the Crewe and Nantwich Local Plan, the SPD on development on Backland and Gardens, and the NPPF.

**100 VARIATION OF CONDITION 27 ON APPLICATION 13/1305N - LAND TO THE WEST OF CLOSE LANE, ALSAGER**

The Committee considered a report regarding planning application 15/5654N, which had been refused against officer recommendation by the Southern Planning Committee on 3 August 2016. The committee report had referred to proposed Heads of Terms for a S106 Agreement, in the event that the application was subject to an appeal, but these had not been carried over into the minutes of the meeting.

RESOLVED – That a Deed of Variation of the S106 attached to application 13/1305N be entered into to secure the following:

- 30% of the dwellings to be affordable.
- 6 x bungalows for over 55's 4 x 1 bed; 2 x 2 bed (65:35 split affordable rent: intermediate)
- Commuted sum of £32,539 in lieu of primary education
- Commuted sum of £49,028 in lieu of secondary education

The meeting commenced at 10.00 am and concluded at 3.40 pm

Councillor G Merry (Chairman)