

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 28th June, 2023 in the Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor J Bratherton (Chair)
Councillor A Kolker (Vice-Chair)

Councillors L Buchanan, J Clowes, L Crane, A Critchley, A Gage, G Marshall,
M Muldoon and J Wray

OFFICERS IN ATTENDANCE

Dan Evans, Principal Planning Officer
Gareth Taylerson, Principal Planning Officer
Andrew Goligher, Highways Officer
James Thomas, Principal Planning and Highways Lawyer
Rachel Graves, Democratic Services Officer

1 APOLOGIES FOR ABSENCE

Apologies were received from Councillors R Bailey, J Bird, A Burton,
L Crane and L Smith. Councillors J Clowes, A Critchley and G Marshall
attended as substitutes.

2 DECLARATIONS OF INTEREST/PRE DETERMINATION

In respect of application 22/4964N, Councillor A Critchley declared that
prior to being re-elected and campaigning with print literature he had
broadly supported the principle of the idea being presented by the Youth
Zone and had also made such comments when acting as a substitute at
various Children's and Families Committees. He had responded to
residents who have asked questions about specifics by directing them to
the application and have not offered any opinion on these. He stated he
was approaching the item with an open mind and had not predetermined
the decision.

In relation to applications 22/4662C and 22/4609C, Councillor M Muldoon
declared that he was a member of the Sandbach Town Council Planning
Committee which had considered these applications and therefore would
not take part in the consideration of them.

3 MINUTES OF PREVIOUS MEETING

RESLOVED:

That the minutes of the meeting held on 5 April 2023 be approved as a
correct record.

4 PUBLIC SPEAKING

The public speaking procedures were noted.

5 22/4203N - PARKSIDE, BUNBURY LANE, BUNBURY, CW6 9QZ - OUTLINE PERMISSION FOR DEMOLITION OF ONE DWELLING AND ERECTION OF UP TO 25 ENTRY-LEVEL HOMES (FIRST HOME DWELLINGS), ACCESS OFF BUNBURY LANE AND ALL OTHER MATTERS RESERVED

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:

Councillor Becky Posnett (ward councillor), Bunbury Parish Councillor Andrew Thomson and Ms Isabel Noonan (objector).

RESOLVED:

That the application be REFUSED for the following reason:

- 1 The proposed development would cause harm in terms of the;
 - The sustainability/car dependent nature of the site
 - The cramped over-developed nature of the development
 - The loss of open countryside
 - A high concentration of affordable homes in one location

The harm identified would not outweigh the benefits of first homes and the proposed development is contrary to policies SD1, SD2, SE1, SE6, PG2, PG6 and PG7 of the CELPS, PG8, PG9, GEN1 and HOU13 of the SADPD, H1 and H3 of the BNP and the NPPF.

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

Should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

S106	Amount	Triggers
First Homes (entry homes)	100% on site provision	In accordance with phasing plan.
Education	Final number of units x £17,959.00 x 0.91	To be paid prior to the occupation of the 10 th dwelling

NHS	1 bed – £612 2 bed – £875 3 bed – £1225 4 bed – £1531 5 bed – £2100	To be paid prior to the occupation of the 10 th dwelling
POS	Combined amenity and play £3,000 per dwelling Recreation & Outdoor Sport £1,000 per dwelling Allotment/food growth £562.50 per dwelling	To be paid prior to the occupation of the 10 th dwelling

This decision was contrary to the recommendation in the report.

The meeting adjourned for a short break during which Councillor L Buchanan left the meeting and did not return.

6 22/4662C - COTTON FARM, MIDDLEWICH ROAD, HOLMES CHAPEL, CHESHIRE, CW4 7ET - DEVELOPMENT OF 3 NO. BUILDINGS, TOTALLING 4,422M.SQ (USE CLASS B8 - STORAGE AND DISTRIBUTION), ASSOCIATED INFRASTRUCTURE AND LANDSCAPING

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:

Holmes Chapel Parish Councillor Brian Bath and Rachel Thornley (agent).

RESOLVED:

That the application be REFUSED for the following reasons:

- 1 The proposal constitutes an urban encroachment into the open countryside which would harm the character and appearance of the area and the wider landscape. The proposal relates to a speculative form of development which does not require a countryside location and is not essential development within the open countryside. The proposal is contrary to Policies PG2, PG6, SD1, SD2, SE4 and EG2 of the Cheshire East Local Plan Strategy, RUR10, ENV3 and ENV4 of the Site Allocations and Development Policies Document, ES2 and CE5 of the Holmes Chapel Neighbourhood Plan 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.

- 2 The proposal represents a utilitarian design which would appear cramped and in addition to the loss of open countryside and landscape harm the proposal fails to create high quality, beautiful and sustainable buildings and places. The proposed development conflicts with policies SD2, EG2 and SE1 of the Cheshire East Local Plan Strategy, GEN1 and RUR10 of the Site Allocations and Development Policies Document, CE5 of the Holmes Chapel Neighbourhood Plan and the NPPF.
- 3 Insufficient information has been provided with the application to demonstrate that an acceptable drainage solution could be secured for this proposed development. The proposed development is contrary to Policies SE13 of the Cheshire East Local Plan Strategy, ENV16 of the Site Allocations and Development Policies Document and CE7 of the Holmes Chapel Neighbourhood Plan and the NPPF.

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 has delegated authority to do so in consultation with the Chair of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

7 22/4609C - LAND OFF, MEADOWBANK AVENUE, WHEELOCK - CONSTRUCTION OF AFFORDABLE HOUSING

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:
Councillor Laura Crane (ward councillor) and Mr David Chapman (objector).

RESOLVED:

That the application be REFUSED for the following reason:

- 1 The proposed development represents a cramped over-development of the site and does not provide an acceptable design solution or standard of amenity (including compliance with space standards). The proposed development is contrary to policies SD1, SD2 and SE1 of the CELPS, HOU8 and HOU13 of the SADPD, H2 of the SNP and the NPPF.

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 has delegated authority to do so in consultation with the Chair of the

Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

S106	Amount	Triggers
Affordable Housing	100% on site provision	In accordance with phasing plan.
POS	<p>Combined amenity and play contribution of £45,000 to be spent to increase the capacity at Wheelock playing field and/or Lightley Close open space.</p> <p>Recreation & Outdoor Sport £1,000 per dwelling</p> <p>Allotment/food growth £562.50 per dwelling</p>	To be paid prior to the occupation of the 8th dwelling
Ecology	<p>X1 unit of biodiversity net gain</p> <p>£12,266 per unit and the council's £1,200 administration fee so total contribution:</p> <p>£13,466</p>	To be paid prior to the occupation of the 8th dwelling

This decision was contrary to the recommendation in the report.

8 22/1485C - LAND TO THE NORTH OF 24 CHURCH LANE, SANDBACH CW11 2LQ - ERECTION OF 4 DWELLINGS WITH ASSOCIATED ACCESS AND LANDSCAPING

Consideration was given to the above planning application.

A short statement was read out on behalf of the ward councillor - Councillor S Corcoran.

RESOLVED:

That the reasons set out in the report and update report the application be APPROVED, subject to the following conditions:

- 1 Time limit
- 2 Approved plans

- 3 Approval of details of facing and roofing materials
- 4 Implementation of the mitigation measures set out in the Noise Impact Assessment
- 5 Submission of details of low emission boilers
- 6 Provision of electric vehicle infrastructure
- 7 Soil and soil forming materials to be tested for contamination
- 8 Prior to occupation, evidence and verification information (for example: quantity/source of material, laboratory certificates, depth measurements, photographs) shall be submitted to, and approved in writing by, the Local Planning Authority.
- 9 If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority.
- 10 No development (other than demolition and site clearance works) shall commence until:
 - a) A proportionate risk assessment and (if appropriate) site sampling exercise is undertaken to address the risks posed by land contamination. This should be submitted to and approved in writing by the LPA.
 - b) Should the above indicate that remediation is necessary, a Remediation Strategy shall be submitted to and approved in writing by the LPA.

The remedial scheme shall be carried out in accordance with the approved Remediation Strategy unless otherwise agreed in writing by the LPA.
- 11 No part of the development hereby approved shall be occupied or in use prior to submission and approval in writing of a Verification Report prepared in accordance with the approved Remediation Strategy that covers that part of the development to be occupied or used.
- 12 Protection for breeding birds
- 13 Provision of features to enhance biodiversity
- 14 Submission of landscaping plan
- 15 Implementation of landscaping scheme
- 16 No development shall take place until a scheme of mechanical ventilation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show air drawn from the “clean” façade (furthest from the M6). Prior to the first occupation of any of the hereby approved dwellings, the agreed ventilation scheme shall be installed. The ventilation system shall not be capable of being disabled by the end user (except in emergency, for maintenance or repair). The agreed ventilation scheme shall be maintained in perpetuity.
- 17 Details of surface and foul drainage to be submitted and approved.

In order to give proper effect to the Committee’s intentions and without changing the substance of the decision, authority is delegated to the Head

of Planning, in consultation with the Chair (or in their absence the Vice Chair) of Southern Planning, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

9 **22/3818C - LAND EAST OF, CHELLS HILL, CHURCH LAWTON - FULL PLANNING APPLICATION FOR PERIODIC USE OF LAND ON AN ANNUAL BASIS (UP TO 56 DAYS PER CALENDAR YEAR) FOR MOTO-CROSS PURPOSES, RETENTION OF HARDSTANDING AND ACCESS, ACCESS ENHANCEMENTS, AND ASSOCIATED WORKS**

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:

Councillor Patrick Redstone (neighbouring ward councillor) and James Warrington (agent).

RESOLVED:

That the application be REFUSED for the following reasons:

- 1 The proposed development represents inappropriate development within the Green Belt, and no very special circumstances have been identified. The development would have an urbanising effect on the Green Belt, it does not preserve the openness of the Green Belt and conflicts with the aim of safeguarding the countryside from encroachment. Furthermore, the development would detract from the character and appearance of the site and have an adverse impact upon the landscape. The development is contrary to Policies PG3, SE4 and SD2 of the Cheshire East Local Plan Strategy and the NPPF.
- 2 The proposal would have a detrimental impact upon residential amenity due to noise and disturbance generated, whilst the suggested mitigation measures are not considered to be enforceable. Furthermore, the use of the site would cause harm to other users of the open countryside (such as the Canal and local footpath network) in terms of noise generation. As a result, the proposal would conflict with Policies SE7 of the Cheshire East Local Plan Strategy, HOU12 and RUR6 of the Site Allocations and Development Policies Document and the NPPF.
- 3 The development would cause less than substantial harm to the heritage assets (the Canal Conservation Area and Listed Structures) due to the urbanised appearance of the site and the noise and disturbance caused by the proposed use. This harm would not be outweighed by the public benefits of the proposed development. The proposed development is contrary to Policy SE7 of the Cheshire East Local Plan Strategy, and Policies HER1,

HER3 and HER4 of the Site Allocations and Development Policies Document and the NPPF.

- 4 The woodland on site is listed under the Priority Habitat Inventory. In the absence of a tree survey or an arboricultural impact assessment there is no evidence provided to demonstrate that the impacts on the woodland or roadside trees have considered or could be retained. The proposed development is contrary to Policies SE3 and SE5 of the CELPS, Policy ENV6 of the Site Allocations and Development Policies Document and the NPPF.

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 has delegated authority to do so in consultation with the Chair of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

10 **23/0376N - VACANT LAND AT, RICHARD GIBSON ROAD, HENHULL - NEW 1 FORM ENTRY PRIMARY SCHOOL TO ACCOMMODATE 210 PUPILS, WITH AN ADDITIONAL RESOURCES PROVISION FOR SEN PUPILS. ASSOCIATED PERIMETER FENCING FOR SAFEGUARDING, CAR PARK, CYCLE STORAGE, PLANT AND LANDSCAPED PLAY AREAS**

Consideration was given to the above planning application.

RESOLVED:

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

- 1 3 year time limit
- 2 Development in accordance with the approved plans
- 3 Details of proposed materials
- 4 Dust suppression methods
- 5 Lighting (amenity)
- 6 Piling details
- 7 Details of electric vehicle charging points
- 8 Details of low emission boilers
- 9 Remediation strategy
- 10 Verification report
- 11 Contaminated land soil testing
- 12 Contaminated land unexpected contamination
- 13 Details of a sustainable surface water drainage scheme and a foul water drainage scheme
- 14 SUDS
- 15 Lighting (bats)
- 16 No removal of any vegetation or the demolition or conversion of buildings shall take place between 1st March and 31st August in

- any year, unless a detailed survey has been carried out to check for nesting birds
- 17 Hedgehog Reasonable Avoidance measures
 - 18 Submission of an ecological enhancement strategy
 - 19 Updated badger survey prior to commencement of development
 - 20 Details of levels
 - 21 Development in accordance with the tree protection and special construction measures identified in the Landscape Tree Management and Pruning Schedule (4361-502) dated 16th May 2023, the Arboricultural Planning Statement (1051995_Conlon_Kingsley Fields School_APS) dated April 2023, Tree Protection Plan (dated 20/4/2023) and Landscape Sections – Footpath with No dig construction for existing tree RPA (4316-301) dated 19/4/2023
 - 22 An Arboricultural Clerk of Works
 - 23 Landscaping scheme to be implemented
 - 24 Details of improved safety of the pedestrian exit
 - 25 Details of site entrance/exit signage and markings
 - 26 After 6 months of opening, a Travel Plan should be submitted and approved with details of modes of travel to school and measures to reduce car trips.
 - 27 Details of School Keep Clear markings and advisory 20mph signage
 - 28 Details of habitat creation method statement and a 30 year habitat management plan for the retained and newly created habitats on site including a 30 year habitat management plan to detail how the newly created, enhanced and retained habitats will be managed achieve the target condition specified in the Biodiversity Metric Calculations submitted with the application.

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

- 11 **22/4964N - CAR PARK, OAK STREET, CREWE - PROPOSED ERECTION OF A PART SINGLE, PART TWO STOREY BUILDING TO PROVIDE A CLASS D2 YOUTH ZONE FACILITY WITH MINIBUS PARKING AND DRIVE IN DROP OFF LAYBY FROM OAK STREET WITH ACCESSIBLE CAR PARKING SPACE. A 5 A-SIDE ILLUMINATED (MUGA) PITCH IS LOCATED ON THE ROOF AT FIRST FLOOR LEVEL WITH AN ACOUSTIC SCREEN FROM PROPERTIES ON HIGH STREET. COVERED SECURE CYCLE PARKING TO THE NORTH ALONG WITH EXTERNAL RECREATION AREA WITH SECURE FENCING. SERVICE YARD TO THE NORTH ACCESSED OFF HIGH STREET PROVIDING ACCESS TO BIN STORAGE AND MINIBUS SPACE. ASSOCIATED BOUNDARY TREATMENTS AND HARD AND SOFT LANDSCAPING**

Consideration was given to the above planning application.

RESOLVED:

For the reasons set out in the report and update report the application be APPROVED, subject to the following conditions:

- 1 Commencement of development (3 years)
- 2 Development in accordance with approved plans
- 3 Details of materials and finishes
- 4 Details of levels
- 5 Details of secure cycle storage/parking
- 6 Implementation of works to widen Cross Street
- 7 Implementation of works to secure service access from High Street
- 8 Submission and approval of details of drop off/pick up bay
- 9 Submission of Landscaping details
- 10 Implementation of landscaping
- 11 Implementation of drainage scheme
- 12 Contaminated land - Submission and approval of Remediation Strategy
- 13 Contaminated land - Submission and approval of Verification Report
- 14 Contaminated land - soil testing
- 15 Measures to deal with unexpected contamination
- 16 Submission and approval of Travel Information Park
- 17 Implementation of noise mitigation measures
- 18 Implementation of a programme of archaeological work in accordance with an approved written scheme of investigation
- 19 Provision of features for nesting birds
- 20 Details of on-site Surface Water drainage scheme, infrastructure and management.

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 has delegated authority to do so in consultation with the Chair of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Prior to the consideration of the following item Councillors A Kolker and G Marshall left the meeting and did not return.

12 22/3942C - THE TEARDROP PADDOCK, HALL DRIVE, ALSAGER, ST7 2UD - CONVERSION OF PART OF STABLE BLOCK TO A SINGLE RESIDENTIAL DWELLING AND ANCILLARY WORKS

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:

Mr Richard Lee (agent).

RESOLVED:

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

- 1 Standard Time 3 years
- 2 Materials as per application
- 3 Development in compliance with the approved plans
- 4 Removal of Permitted Development Rights – Classes A, AA, B, C, D and E
- 5 Ancillary stables
- 6 Electric Vehicle Infrastructure provision
- 7 Ecological Enhancement
- 8 Importation of Soil
- 9 Unforeseen Contamination
- 10 Proportionate Contaminated Land Risk Assessment
- 11 Verification Report
- 12 Surface water regulation system (pre-commencement)

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 has delegated authority to do so in consultation with the Chair of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

The meeting commenced at 10.00 am and concluded at 2.16 pm

Councillor J Bratherton (Chair)