

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 27th June, 2012 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor G Merry (Chairman)
Councillor M J Weatherill (Vice-Chairman)

Councillors D Bebbington, P Butterill, R Cartlidge, J Clowes, W S Davies,
D Marren, S McGrory and D Newton

OFFICERS PRESENT

Rachel Goddard (Senior Lawyer)
Ben Haywood (Principal Planning Officer)
David Malcolm (Southern Area Manager – Development Management)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors Rhoda Bailey, P Groves, A Kolker, M A Martin and A Thwaite

17 DECLARATIONS OF INTEREST

Councillor R Cartlidge declared that in calling-in application number 12/1730N he appeared to express an opinion and had therefore fettered his discretion. Councillor Cartlidge exercised his separate speaking rights as a Councillor and withdrew from the meeting during consideration of this item.

Councillor J Clowes declared that she had called in application number 12/1349N, but that the officer's report did not accurately reflect the wording which she had used on the call-in form. She had not expressed an opinion and had not fettered her discretion.

Councillor G Merry declared that she had previously expressed an opinion with respect to application number 12/0871C and had therefore fettered her discretion. Councillor Merry withdrew from the meeting during consideration of this item and the Vice-Chairman, Councillor J Weatherill, took the Chair.

Councillor S McGrory declared a personal interest in respect of application number 12/0804C on the grounds that he was a member of Middlewich Town Council, which had been consulted on the proposed development. In accordance with the code of conduct, he remained in the meeting during consideration of this item.

18 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 6 June 2012 be approved as a correct record and signed by the Chairman.

19 **12/0650N LAND SOUTH OF MEADOW RISE, HOLMSHAW LANE, HASLINGTON: A NEW SINGLE-STOREY DWELLING FOR MR & MRS J COUPLAND**

Note: The Senior Lawyer advised Committee Members to disregard the contents of a document which had been circulated at the Southern Planning Committee meeting on 18 April 2012, and to base their decision on the contents of the officer's report, which included a letter from the applicant.

Note: Councillor R Hovey (on behalf of Haslington Parish Council), Mr I Hopkins (supporter) and Mr S Shreeve (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, for the reasons set out in the report, the application be REFUSED for the following reasons:

1. The proposal is for a new dwelling in the open countryside, which is contrary to the requirements of Policy RES.5 of the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011 and the applicant has failed to demonstrate that there are very special circumstances that outweigh the requirements of this policy.
2. The proposal does not constitute the infilling of a small gap in an otherwise built up frontage, contrary to the requirements of Policy NE.2 of the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011.

20 **12/0804C SILVER BIRCHES, CROXTON LANE, MIDDLEWICH, CHESHIRE CW10 9EZ: EXTENSION TO TIME LIMIT OF OUTLINE APPLICATION 08/1800/OUT FOR PROPOSED DEMOLITION OF AN EXISTING DWELLING AND FORMER NURSERY BUILDINGS AND THE ERECTION OF UP TO 12 NO. RESIDENTIAL UNITS WITH MEANS OF ACCESS FOR MR & MRS HOUGH**

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:

(a) The completion of a Deed of Variation to the Section 106 Agreement, with delegated authority being granted to the Head of Development to consult Greenspaces with respect to the Public Open Space contribution

(b) the following conditions:

1. Standard outline (time)
2. Submission of reserved matters
3. Phase II Land contamination
4. Hours of construction
5. Hours of piling
6. No burning of materials on site
7. Tree and shrubbery retention
8. No excavations for services within fenced off area
9. Protected species
10. Nesting birds
11. Incorporation of features for breeding birds.
12. Incorporation of wildlife pond

(c) the following informatives:

1. S.278 Agreement with Cheshire County Council to mitigate Part 1 claims and secure junction design detail.
2. The applicant is advised that they have a duty to adhere to the regulations of Part IIA of the Environmental Protection Act 1990, the National Planning Policy Framework and the current Building Control Regulations with regards to contaminated land. If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective works carried out in relation to this application shall be carried out to agreed timescales and approved by the LPA in writing. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

**21 12/0871C 7, WITHINGTON CLOSE, SANDBACH CW11 1YU:
EXTENSION TO TIME LIMIT FOR IMPLEMENTATION OF PLANNING
APPLICATION 09/0905C - EXTENSION TO PROVIDE ENLARGED
KITCHEN, LOUNGE, BEDROOMS 1, 2, 3, & 4, NEW DINING ROOM
AND PORCH FOR MR PETER O'DONNELL**

Note: Having made a declaration, Councillor G Merry withdrew from the meeting during consideration of this item and the Vice-Chairman, Councillor J Weatherill, took the Chair.

Note: A statement from Councillor B Moran was read out by the Southern Area Manager – Development Management.

Note: Mr S Walton (objector) attended the meeting and addressed the Committee on this matter.

Note: Mrs D Darnes had registered her intention to address the Committee on this matter but did not speak.

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
2. Approved Plans
3. Materials to match existing
4. Hours of construction 07:30 – 18:00 Mon to Fri, 08:30 – 13:00 Sat, no working Sun or Public holidays
5. Scheme for the protection of any trees to be retained

**22 12/1346N MAGPIE HOUSE, 57, EARLE STREET, CREWE CW1 2AS:
CHANGE OF USE FROM A2 OFFICE AND SUBDIVISION TO FORM 18
SELF CONTAINED BED-SITTING ROOMS FOR MR K VICKERS,
CRIMEWATCH SECURITIES**

Note: Councillor G Merry returned to the meeting prior to consideration of this item and took the Chair.

Note: A statement from Councillor C Thorley was read out by the Southern Area Manager – Development Management.

Note: Mrs L Fleet (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 update by the Southern Area Manager – Development Management.

The Southern Area Manager – Development Management reported that revised plans had been received, and that the application was for 18 units and 14 parking spaces.

RESOLVED – That the application be DEFERRED

- (a) for a Committee site inspection to enable Members to assess the impact of the proposed development
- (b) for further information in relation to car parking, the proposed financial contribution, bin storage and fire escapes.

23 12/1349N HUNSTERSON FISHERIES, LAND OFF BIRCHALL MOSS LANE, HUNSTERSON, NANTWICH, CHESHIRE CW5 7PH: PROPOSED FISHERMANS RETREAT BUILDING FOR MR F STRICKLAND

Note: Councillor C Brewin (on behalf of Doddington & District Parish Council) and Mr R Frodsham (objector) 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:

In the opinion of the Local Planning Authority the development is not considered to be essential for the purposes of outdoor recreation and is therefore contrary to Policy NE.2 of the Borough of Crewe and Nantwich Replacement Local Plan 2011. Furthermore, the nature of its appearance and use of inappropriate materials will have an adverse impact on the character and appearance of the Open Countryside contrary to Policy BE.2 of the Crewe and Nantwich Replacement Local Plan 2011 and also guidance contained within the National Planning Policy Framework.

24 12/1456N LAND OFF BESWICK DRIVE, CREWE: A 5,550SQM STUDENT ACCOMMODATION FACILITY CONSISTING OF TWO ACCOMMODATION BLOCKS WITH ASSOCIATED CAR PARKING, ACCESS AND LANDSCAPING FOR DAVID SMYTHE, SWANSWAY GARAGES GROUP

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

The Committee considered a report regarding the above planning application, a written update and an oral update by the Southern Area Manager – Development Management.

RESOLVED – That, for the reasons set out in the report, the application be REFUSED for the following reasons:

1. The proposed development relates to the provision of 204 one bed apartments for student accommodation with the provision of 33 off street parking spaces. This level of parking provision is less than half of the maximum standard identified at Appendix 8.1 of the Local Plan and the area suffers from displaced parking from the existing student accommodation. The lack of off-street car parking on the site would further increase displaced car parking and would be detrimental to highway safety and the character and appearance of the area. As a result the proposed development would not be sustainable development and would be contrary to Policy BE.2 (Design Standards) and TRAN.9 (Car Parking

Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the NPPF.

2. The application site is located within flood zones 2 and 3 as identified by the Environment Agency. The submitted FRA does not comply with the requirements set out in paragraph 9 of the Technical Guide to the NPPF and does not provide a suitable basis for an assessment to be made of flood risks arising from the development. Furthermore the FRA relies on data from 2008 and is not considered to be up-to-date. In the absence of this information, to allow this development would be contrary to the NPPF, the Technical Guide to the NPPF and Policy NE.20 (Flood Prevention) of the Borough of Crewe and Nantwich Replacement Local Plan 2011
3. The proposed development would be located in close proximity to an Oak Tree which is protected by a Tree Preservation Order. The submitted arboricultural report suggests that this tree should be reduced by 25% to prevent damage to the tree from the development. The extent of tree reduction to accommodate the proposed development is not considered to be appropriate management in order to retain this tree. Furthermore the tree would be surrounded by hard standing and a retaining wall within the root protection area and together with the buildings to either side the development will have a detrimental impact upon the long term health and well being of the tree. The development would be contrary to Policy NE.5 (Nature Conservation and Habitats) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the NPPF.

25 12/1730N MUNICIPAL BUILDINGS, EARLE STREET, CREWE, CHESHIRE CW1 2BJ: TO PROVIDE ACCESS TO THE PRINCIPAL ELEVATION OF THE MUNICIPAL BUILDING BY RE-GRADING THE EXTERNAL PATH AND INTEGRATING A SESAME ACCESS LIFT TO THE INTERNAL FLIGHT OF STEPS. REFURBISHMENT AND MINOR ALTERATIONS TO THE FRONT RANGE OF GROUND FLOOR SUITE OF ROOMS TO INCORPORATE THE REGISTRATIONS DEPARTMENT. THE INTERNAL REFURBISHMENT WORK INCLUDES REDECORATION TO ALL THE FRONT RANGE OF GROUND FLOOR ROOMS AND RECONFIGURATION TO ALLOW ACCESS TO THE SUITE OF ROOMS TO BE DESIGNATED AS THE REGISTRATIONS DEPARTMENT FOR NICK COOK, CHESHIRE EAST COUNCIL

Note: Having exercised his separate speaking rights as a Councillor, Councillor R Cartlidge withdrew from the meeting during consideration of this item.

Note: Mr J Coath (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, for the reasons set out in the report, the application be referred to the Secretary of State with a recommendation of approval subject to the following conditions:

1. Standard (Listed Building).
2. Schedule of works,
3. All Materials to be used to be submitted to approved in writing,
4. All Painting to be same as existing,
5. All carpeting to be unpatterned and the same colour as existing,
6. All doors to match existing,
7. All fire places to be retained,
8. Full illustrative details of all call buttons and signs to be submitted for written approval,
9. Risers and treads to internal Sesame lift steps to be surfaced in materials to match the existing stairs
10. All studs to match others within building in colour and size and to be recessed within the steps.
11. Details of the proposed railings/balustrades to be submitted to and approved in writing
12. Ramp to be constructed in surfacing material to match the existing pathway
13. Schedule of approved plans

26 12/1780N ROSE HALL, DAIRY LANE, ASTON JUXTA MONDRUM, NANTWICH CW5 6DS: TWO STOREY EXTENSION TO FORM RESIDENTIAL ANNEX FOR MRS A MCALPINE

Note: Mr G Kaufman (objector) and Mr M Greenwood (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, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Standard Time
2. Materials to match existing dwelling
3. Obscure glazed window to first floor north elevation
4. Annex to remain ancillary to main dwelling for use of family members, friends or staff only and not used a holiday let, separate dwelling or for a business use
5. Approved plans
6. No permitted development rights

27 12/1798C 21, SHEARBROOK LANE, GOOSTREY CW4 8PR: FIRST FLOOR EXTENSION TO EXISTING PROPERTY AND TWO STOREY SIDE EXTENSION FOR MR J CARTWRIGHT

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

Note: Mr C Caulkin and Mr P Cross (objectors) 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 a Committee site inspection to enable Members to assess the impact of the proposed development.

28 PROPOSED DEED OF VARIATION TO THE SECTION 106 AGREEMENT IN RESPECT OF APPLICATION 09/4240C (MARSH FARM, NEWCASTLE ROAD, CONGLETON)

The Committee considered a report regarding a proposed Deed of Variation to the Section 106 Agreement in respect of application 09/4240C to allow for plots 36 and 37 to become shared equity tenure, plot 44 social rented and plot 35 to be released for open market sale.

RESOLVED – That the application be DEFERRED to allow officers to undertake further discussions with the developers and the Registered Social Landlord.

The meeting commenced at 2.00 pm and concluded at 5.45 pm

Councillor G Merry (Chairman)