

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 10th April, 2013 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor G Merry (Chairman)

Councillors Rhoda Bailey, D Bebbington, P Butterill, R Cartlidge, J Clowes,
W S Davies, P Groves, A Kolker, D Marren, M A Martin, D Newton and
A Thwaite

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors D Brickhill, D Brown, M Parsons and J Wray

OFFICERS PRESENT

Nigel Curtis (Principal Development Officer - Highways)
Daniel Evans (Principal Planning Officer)
Rachel Goddard (Senior Lawyer)
David Malcolm (Southern Area Manager – Development Management)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors M J Weatherill and S McGrory

159 DECLARATIONS OF INTEREST

The following declarations were made in the interests of openness:

With regard to application number 13/0018N, Councillor R Cartlidge declared that he had been appointed as a Council representative on the Board of Wulvern Housing but that he had not participated in the discussions at Wulvern Housing with respect to this application and therefore felt comfortable declaring his appointment to Wulvern, staying in the room and participating in the decision.

With regard to application number 13/0018N, Councillor P Groves declared that he had been appointed as a Council representative on the Board of Wulvern Housing but that he had not participated in the discussions at Wulvern Housing with respect to this application and therefore felt comfortable declaring his appointment to Wulvern, staying in the room and participating in the decision.

With regard to application number 13/0403N, Councillor S Davies declared that he had called in the application on the basis of concerns raised by the

parish council, and that the wording in the officer's report did not reflect his own views. He had kept an open mind and would consider the application on its merits, having heard the debate and all the information.

Councillor P Butterill declared that, notwithstanding the publication in the press of a letter from her regarding development on Greenfield sites, she had kept an open mind with respect to all the applications on the agenda for the current meeting and that she would consider each item on its merits, having heard the debate and all the information. Councillor Butterill also stated that, as she had now made the same declaration on several occasions, it was not her intention to do so at future meetings, but she would continue to keep in mind the need to have an open mind on each matter in which she was involved in the decision, and would withdraw if any case arose in the future where she considered she had fettered her discretion.

With regard to application numbers 13/0210N and 13/0415N, Councillor J Clowes declared that she had called in the applications but had not been involved in any discussions and had kept an open mind.

With regard to application number 13/0506C, Councillor A Kolker declared that he was a governor at the school and would withdraw from the meeting during consideration of this item.

With regard to application number 13/0880C, Councillor A Kolker declared that he knew the applicant, who was a member of one of the parish councils in his Ward.

With regard to application number 13/0757C, Councillor A Thwaite declared that he had attended a meeting with his fellow Ward Members, the applicant and the Southern Area Manager – Development Management. He had not expressed an opinion and had kept an open mind.

With regard to application number 13/0506C, Councillor Rhoda Bailey declared that she knew the applicant in her capacity as the Cabinet Support Member for Children and Families.

Councillor D Bebbington declared that, notwithstanding the publication in the press of a letter from him regarding the Keep it Green Campaign, he had kept an open mind with respect to all the applications on the agenda for the current meeting, and that he would consider each item on its merits, having heard the debate and all the information. Councillor Bebbington also stated that, as he had now made the same declaration on several occasions, it was not his intention to do so at future meetings, but he would continue to keep in mind the need to have an open mind on each matter in which he was involved in the decision, and would withdraw if any case arose in the future where he considered he had fettered his discretion.

160 **MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 20 March 2013 be approved as a correct record and signed by the Chairman.

161 **13/0018N UNDERWOOD COURT AND WEST VIEW, UNDERWOOD LANE, CREWE: THE DEMOLITION OF 2NO. VACANT RESIDENTIAL CARE HOMES TO BE REPLACED WITH 34NO. 2 AND 3 BED HOMES WITH ASSOCIATED PARKING AND LANDSCAPING. THE PROPOSALS RESULT IN A CHANGE OF USE FROM C2 TO C3 FOR CHRISTOPHER PRIME, YOUR HOUSING GROUP**

Note: Ms F Chaplin (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 APPROVED, subject to the satisfactory completion of a Section 106 agreement to secure:

- Provision of commuted sum in lieu of on site provision of Childrens off site Play
- Education contribution - £65,078 for secondary education

and the following conditions:

- 1) Commencement of Development (3 years)
- 2) Approved Plans
- 3) Materials to be submitted
- 4) Details of Surfacing materials to be submitted
- 5) Detailed Landscaping Scheme to be submitted, scheme to include Council land adjacent
- 6) Landscaping Scheme Implementation and maintenance
- 7) Tree protection measures to be submitted
- 8) Tree retention
- 9) Details of Boundary treatments to be submitted for approval – such details to include all gates(including to parking court)
- 10) Scheme to retain 100% as being affordable units in perpetuity
- 11) Parking to be made available prior to occupation
- 12) Parking Courts to be surfaced and drained in accordance with scheme to be submitted and implemented prior to first occupation
- 13) Hours of construction:
Monday – Friday 08:00 to 18:00 hrs
Saturday 09:00 to 14:00 hrs
Sundays and Public Holidays Nil
- 14) Hours of pile driving:
Monday – Friday 08:30 – 17:30 hrs
Saturday 08:30 – 13:00 hrs

Sunday and Public Holidays Nil

- 15) Phase II Contaminated Land Survey prior to commencement
- 16) Details of any lighting to be submitted and approved
- 17) Breeding birds surveys if any works are undertaken between 1st March and 31st August in any year,
- 18) Detailed proposals of features suitable for use by breeding birds to be submitted
- 19) Construction Management Plan to be submitted and approved in writing prior to the commencement of development. Implementation in accordance with the approved plan.
- 20) Finished levels throughout site to be submitted and approved
- 21) 10% Renewable energy
- 22) Permitted development removal (all extensions and alterations Classes a-e)

162 **13/0210N LAND SOUTH OF NEWCASTLE ROAD, HOUGH, CHESHIRE:
OUTLINE APPLICATION FOR THE DEVELOPMENT OF FOURTEEN
AFFORDABLE HOMES OF MIXED TYPE AND TENURE.
RESUBMISSION OF 11/4548N FOR MR THOMAS BARTLAM**

Note: Councillor D Brickhill (Neighbouring Ward Councillor), Parish Councillor C Pywell (on behalf of Hough & Chorlton Parish Council), Ms D Hewitt (on behalf of a Local Representative Group), Mr D Rock (objector) and Mr D Taylor (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 Southern Area Manager – Development Management which confirmed the receipt of an amended plan showing a revised boundary.

RESOLVED – That the application be REFUSED for the following reasons:

1. The proposed development relates to the provision of affordable housing within the open countryside adjacent to the Hough Settlement Boundary. The application is not supported by an adequate rural housing needs survey which relates to the Parish of Hough. Furthermore the rural housing need survey carried out by the Parish Council does not identify a need for affordable housing within the Parish of Hough. As a result there is no identified need for the proposed development and it would be harmful to the principles of sustainable development. The development would be contrary to Policy RES.8 (Affordable Housing in Rural Areas Outside the Settlement Boundaries) of the Borough of Crewe and Nantwich Replacement Local Plan 2012, the Interim Planning Statement on Affordable Housing and the NPPF.
2. The proposed development would be located adjacent to woodland which is protected by a Tree Preservation Order. This

woodland overhangs the application site and the extent of tree works to accommodate the proposed development would harm the trees in question. Furthermore the indicative layout does not demonstrate that the proposed development can be accommodated on the site without resulting in future pressures to remove the TPO trees which would be harmful to nature conservation and the character and appearance of the area. 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.

163 **13/0757C LAND AT CANAL ROAD, CONGLETON CW12 3AP:
RESIDENTIAL DEVELOPMENT WITH ACCESS OFF WOLSTANHOLME
CLOSE, RESERVED MATTERS APPLICATION FOR APPEARANCE,
LANDSCAPING, LAYOUT AND SCALE FOR WAINHOMES
DEVELOPMENTS LIMITED**

Note: Councillor D Brown (Ward Councillor) 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 Southern Area Manager – Development Management.

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

1. Reserved Matters
2. Development in accordance with approved plans
3. Contaminated land – site completion report to be submitted pursuant to condition 8 of outline approval
4. Drainage in accordance with submitted detail (except for pond discharge)
5. Landscape scheme in accordance with submitted detail
6. Implementation of landscaping
7. Tree protection with adherence to Arboricultural Method Statement
8. Site specific details of no dig construction for footpath
9. Development to be carried out in accordance with submitted levels and set out on site for LPA approval
10. Materials as per application
11. Removal of permitted development rights classes A-E for plots 10-17 inclusive
12. Removal of permitted development rights for openings for plots 1, 2, 4, 5, 7, 8, 9, 10, 14 and 17
13. Obscured glazing within southeast facing side elevation of plots 7 and 8.
14. Notwithstanding details Plot 7 shall be 450mm lower at 127.35 FFL
15. Implementation of changes to Plots 7, 10-17 commence within 3 months and completed within 12 months
16. Additional landscaping Plot 7

164 **13/0247C SANDERSON WAY, MIDDLEWICH, CHESHIRE: ERECTION OF UP TO 7NO. B1, B2 AND B8 UNITS WITH ASSOCIATED ACCESS ROAD, SERVICE YARDS, CAR PARKS AND LANDSCAPING FOR BOB NICHOLSON, POCHIN LAND AND DEVELOPMENT LIMITED AND CRJ SERVICES LIMITED**

The Committee considered a report regarding the above planning application and a written update.

RESOLVED – That authority be DELEGATED to the Development Management and Building Control Manager in consultation with the Chairman to approve the application for the reasons set out in the report, subject to the receipt of a satisfactory ecological survey and the following conditions:

1. Standard (3 years)
2. Plans
3. Materials as per application
4. Landscaping (details – including buffer zone)
5. Landscaping (implementation)
6. Prior submission of a Schedule of works to improve Footpath 19 within the site
7. Prior submission of surface-run off limitation measures
8. Prior to commencement submission of an implementation programme of archaeological work

165 **13/0403N 32, NANTWICH ROAD, WRENBURY, CHESHIRE CW5 8EN: OUTLINE APPLICATION FOR ERECTION OF SMALL 2-STOREY DWELLING ON VACANT LAND FOR MS SHIRLEY WARDLE**

Note: Mr J Pound (on behalf of the applicant) had registered his intention to address the Committee on this matter but did not attend the meeting.

The Committee considered a report regarding the above planning application, a written update, an oral report of the site inspection and an oral update by the Southern Area Manager – Development Management which confirmed the date of the previous meeting as 20 March 2013.

RESOLVED – That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposed dwelling would not respect the pattern, character and form of the surrounding area and therefore have an adverse impact on the streetscene contrary to Policy BE.2 (Design Standards) of the Crewe and Nantwich Replacement Local Plan 2011.

166 **13/0415N 20, PASTURES DRIVE, WESTON CW2 5SD: PROPOSED 2 STORY REAR EXTENSION FOR MR ANDREW BEARDMORE**

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

Note: Parish Councillor J Cornell (on behalf of Weston & Basford Parish Council) and Mr G Kinsey (objector) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED – That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reasons:

1. The proposed extension by virtue of its scale and mass would be out of character with the surrounding area and therefore contrary to BE.2 (Design Standards) of the Crewe and Nantwich Replacement Local Plan 2011.
2. The proposed extension would have an unacceptable impact on neighbouring amenity by means of overshadowing and overbearing impact and therefore is contrary to BE.1 (Amenity) of the Crewe and Nantwich Replacement Local Plan 2011.

167 **13/0501N LAND ADJACENT TO NEW FARM BUILDINGS, BUNBURY COMMON ROAD, BUNBURY, TARPORLEY, CHESHIRE: ERECTION OF A TEMPORARY AGRICULTURAL WORKERS DWELLING - RESUBMISSION OF 12/0083N FOR MR RICHARD BROSTER, R & H BROSTER & SONS**

Note: Dr S Bowman (objector) and Mr R Broster (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 APPROVED subject to the following conditions:

1. Time - temporary consent for 3 years
2. Plans
3. Materials as per application
4. Details of surfacing materials
5. Landscaping (Details)
6. Landscaping (Implementation)
7. Boundary treatment
8. PD removal – Class E
9. Agricultural workers only

- 168 **13/0506C HOLMES CHAPEL COMPREHENSIVE SCHOOL, SELKIRK DRIVE, HOLMES CHAPEL, CHESHIRE CW4 7DX: 1) DEVELOPMENT OF A NEW 2 STOREY EXTENSION TO THE EXISTING SIXTH FORM AND ARTS BLOCK. 2) RELOCATION OF T1 PORTACABIN TO MAKE WAY FOR NEW EXTENSION TO THE SOUTH OF THE CAMPUS. 3) MINOR RECLADDING OF THE EXISTING SIXTH FORM AND ARTS BLOCK TO UPGRADE ELEVATION. 4) MINOR EXTERNAL LANDSCAPING WORKS TO CAR PARK THE NEW 2 STOREY EXTENSION FORMS THE MAIN PART OF THIS APPLICATION. EXTERNALLY THERE IS MINOR LANDSCAPE WORKS TO CREATE A NEW ARRIVAL PLAZA, AN OUTDOOR TEACHING TERRACE AND MINOR RECONFIGURATION OF THE CAR PARK AND FOOTPATHS FOR MR DENIS OLIVER, HOLMES CHAPEL COMPREHENSIVE SCHOOL**

Note: Having declared that he was a governor at the school, Councillor A Kolker withdrew from the meeting during consideration of this item.

Note: Councillor R Cartlidge left the room prior to consideration of this application.

The Committee considered a report regarding the above planning application and an oral update by the Principal Planning Officer.

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 as per application
4. Landscaping to be submitted and agreed with the LPA
5. Implementation of the approved landscaping
6. External lighting details to be submitted and agreed with the LPA
7. The hours of noise generative* demolition / construction works taking place during the development (and associated deliveries to the site) shall be restricted to:

Monday – Friday	08:00 to 18:00 hrs
Saturday	09:00 to 14:00 hrs
Sundays and Public Holidays	Nil
8. Construction vehicles shall access the site via Selkirk Drive only

- 169 **13/0761C FORMER WAGGON AND HORSES, WEST ROAD, CONGLETON CW12 4HB: VARIATION OF CONDITION 2 (APPROVED PLANS) ON APPROVAL 12/4143C FOR TESCO STORES LTD**

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

Note: Councillor R Cartlidge returned to the room during consideration of this item but did not take part in the debate or vote.

Note: Ms E Warren (on behalf of the applicant) 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 limit
2. Development in accordance with the approved / amended plans
3. Submission and approval of external materials and finishes
4. Deliveries to be to between 0630 to 1900 hours
5. Opening hours to be between 0630 to 2300 hours
6. Details of lighting to be submitted to and approved
7. Details of bin storage to be submitted and approved
8. Details of acoustic enclosure of fans / compressors and noise generating equipment to be submitted and approved
9. Construction hours limited to 0800 to 1800 hours Monday to Friday, 0900 to 1400 hours on Saturdays and no working on Sundays or Public Holidays
10. Submission of a method statement should pile foundations be required
11. Submission of a method statement for any floor floating taking place

170 13/0791C LYNDAL & 2 SOMERFORD VIEW, HOLMES CHAPEL ROAD, BRERETON, CONGLETON CW12 4SP: OUTLINE APPLICATION FOR ERECTION OF FOUR NEW DWELLINGS INCLUDING IMPROVEMENT OF EXISTING ACCESS (RESUBMISSION) FOR MR & MRS F BAILEY & MR M BEECH

Note: Councillor J Wray (Ward Councillor), Councillor R Coulson (on behalf of Brereton Parish Council) and Mr A Lindsay (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 Principal Planning Officer.

RESOLVED – That the application be REFUSED for the following reason:

The proposed development, by means of its layout, and siting would be out of character with the existing residential development in this rural settlement contrary to Policies GR1, GR2, PS7 and H6 of the First Review of the Congleton Borough Local Plan and the National Planning Policy Framework.

171 13/0880C HOLLY HOUSE FARM, MIDDLEWICH ROAD, CRANAGE, CHESHIRE CW10 9LT: CONSTRUCTION OF ONE NEW DETACHED HOUSE (RESUBMISSION OF PLANNING APPLICATION REFERENCE 12/4578C) FOR GEORGE YARWOOD

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

Note: Mr J Halstead (supporter) and Mr I Pleasant (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 REFUSED for the following reason:

The proposal is for a new isolated dwelling in the countryside and as such is contrary to the NPPF. The unit would not serve agricultural workers, would not relate to a heritage asset, would not relate to the re-use of redundant or disused buildings and are not of exceptional or innovative design. By reason of the isolated location of the site and lack of local public amenities it is not considered that the proposal is in a sustainable location and as such, is contrary to the NPPF. The proposal would also be contrary to Policies PS8 (Open Countryside) and H6 (Residential Development in the Open Countryside and the Green Belt) of the Congleton Borough Local Plan First Review 2005.

172 13/0100C LAND AT 50A, NANTWICH ROAD, MIDDLEWICH, CHESHIRE CW10 9HG: RESIDENTIAL DEVELOPMENT COMPRISING DEMOLITION OF EXISTING BUNGALOW AND OUTBUILDINGS AND ERECTION OF 24 DWELLINGS INCLUDING ACCESS, PARKING, LANDSCAPING AND ASSOCIATED WORKS (RESUBMISSION) FOR P.E. JONES (CONTRACTORS) LIMITED

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

Note: The Senior Lawyer advised the Committee that there were sufficient differences between the previous application and this resubmitted application for Members to be able to approach it with an open mind.

Note: Councillor M Parsons (Ward Councillor), Mr S Molesworth (on behalf of a Local Representative Group), Mr B Cole (objector) and Ms H Hartley (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. There was also an oral update by the Southern Area Manager – Development Management, who clarified that

CIL Regulations did not cover the provision of affordable housing and reported comments from Councillor S McGrory, who was unable to attend the meeting.

RESOLVED - That, for the reasons set out in the report, the application be APPROVED, subject to the satisfactory completion of a Section 106 agreement to secure:

- Amenity green space contribution in lieu of on site provision:

Recreation Space	Enhanced Provision: £ 3,909.42 Maintenance: £ 8,750.50 25 years)
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Open Space	Enhanced Provision: £10,621.22 Maintenance: £22,089.00 (25 years)
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(and that consideration be given to ring fencing the contribution for investment in the open space/play area at Fountain Fields on Queen Street)

- Highways commuted sum of £30000 for provision of waiting restrictions and pedestrian improvements on Glastonbury Drive, Nantwich Road

and the following conditions:

1. Time limit – 3 years
2. Plans
3. Materials – samples to be agreed
4. Access to be constructed, formed and graded to satisfaction of highways authority
5. Protection of highway from mud and detritus during construction
6. Tree and hedgerow protection measures
7. Arboricultural Specification/Method statement
8. Details of Hard and Soft Landscaping to be submitted prior to commencement. Landscape scheme to include replacement native hedgerow planting and trees for ecological purposes and boundary treatments
9. Implementation of landscaping scheme
10. Submission of updated ecological survey (badger)
11. Breeding Bird Survey for works in nesting season
12. Bats and bird boxes
13. Translocation scheme for reptiles to proceed in full accordance with the submitted Reptile Mitigation Strategy produced by RSK dated October 2012 prior to commencement of any demolition or development on site
14. Site drainage on separate system - details to be submitted
15. The hours of construction/demolition of the development (and associated deliveries to the site) shall be restricted to: Monday –

Friday 08:00 to 18:00 hrs Saturday 09:00 to 14:00 hrs Sundays and Public Holidays Nil

16. Should there be a requirement to undertake foundation or other piling on site it is recommended that these operations are restricted to:
Monday – Friday 08:30 – 17:30 hrs Saturday 09:30 – 13:00 hrs
Sunday and Public Holidays Nil
17. Submission of mitigation measures to minimise any impact on air quality from construction dust
18. Submission of a Contaminated Land Phase II investigation.
19. Submission of Construction Management Plan (inc wheel wash facilities, location of contractors parking, storage of site cabins etc).
Construction traffic access via Nantwich Road only
20. 10% renewables
21. Construction specification/method statement
22. No new windows – gable elevations plot 12 and 15
23. Details of design / surfacing of proposed footpath links to site frontage
24. Landscaping to include replacement hedge planting to boundaries
25. Open plan estate layout – removal of permitted development rights for fences in front gardens
26. Removal of permitted development rights for extensions-plots 11,12,12a,14,15,16,17,18,19,20,21,22,23
27. Details of ground levels to be submitted
28. Details of bin/bike store to be submitted and implemented for plots 12-15
29. Method statement (trees) footpath link to Nantwich rd and construction of walls/access way to rear plot 12-15 - Nantwich Rd
30. Management scheme to be submitted for the maintenance of communal garden area plots 12-15
31. The parking provision to plots 12 to 15 shall be a maximum of 150%
32. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing set out in the Glossary to the National Planning Policy Framework. The scheme shall include:
 - The numbers, type, and location on the site of the affordable housing provision which shall consist of not less than 30% of the dwellings (7 units)
 - The tenure shall be split 65% social rented or affordable rented and 35% intermediate
 - The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing. No more than 80% of the open market dwellings shall be occupied before the affordable housing is completed and available for occupation.
 - 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.
- 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.
- The affordable homes to be built to the standards adopted by the HCA at the time of development and achieve at least Code for Sustainable Homes Level 3

The meeting commenced at 2.00 pm and concluded at 7.20 pm

Councillor G Merry (Chairman)