

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 16th October, 2013 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, R Cartlidge, W S Davies, D Marren,
M A Martin, S McGrory, D Newton and A Thwaite

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors A Barratt, S Corcoran, B Moran and C Thorley

OFFICERS PRESENT

Nigel Curtis (Principal Development Officer - Highways)
Daniel Evans (Principal Planning Officer)
Patricia Evans (Lawyer)
David Hallam (Principal Conservation and Design Officer)
David Malcolm (Southern Area Manager – Development Management)
Julie Zientek (Democratic Services Officer)

Apologies

Councillor P Butterill

Apologies due to Council Business

Councillors J Clowes, P Groves and A Kolker

77 DECLARATIONS OF INTEREST

The following declarations were made in the interests of openness:

With regard to application number 13/3582C, Councillor R Bailey declared that she had been contacted by the applicant, the parish council and members of the public.

With regard to application number 13/3582C, all former Members of Crewe and Nantwich Borough Council declared that they knew the applicant's representative but that they had not discussed the application with him.

With regard to application numbers 12/2551C and 12/2552C, Councillor D Newton declared that he knew the applicant.

With regard to application number 13/3508N, Councillor D Newton declared that he had called in the application on the basis of concerns expressed in correspondence that he had received, and that the wording of his call in request 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 G Merry declared that she had received correspondence regarding application number 12/2551C.

With regard to application number 13/2613C, Councillor G Merry declared that she was a member of Sandbach Town Council. In addition, as it may be considered that she had fettered her discretion, Councillor Merry declared that she would exercise her separate speaking rights as a Ward Councillor and would move from the Member seating area for the duration of the Committee's consideration of this item.

With regard to application number 13/3727C, Councillor G Merry declared that she was a member of Sandbach Town Council.

Councillor A Thwaite declared that he had received correspondence regarding application numbers 12/2551C, 12/2552C and 13/2613C.

Councillor S McGrory declared that he had received correspondence regarding application numbers 12/2551C, 12/2552C and 13/2613C.

With regard to application number 13/3680C, Councillor S McGrory declared that he was a member of Middlewich Town Council.

All Members of the Committee declared that they had received correspondence regarding application number 13/3582C.

78 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 18 September 2013 be approved as a correct record and signed by the Chairman.

79 12/2551C DINGLE FARM, DINGLE LANE, SANDBACH CW11 1FY: ALTERATIONS TO AN EXISTING GRADE II LISTED FARMHOUSE, DEMOLITION OF TWO OUTBUILDINGS, CONVERSION OF BARN INTO ONE DWELLING, CONSTRUCTION OF 11 DWELLINGS TOGETHER WITH ASSOCIATED GARAGING, CAR PARKING AND LANDSCAPING WORKS FOR THE BENE OF THE ESTATE OF J M GOODWIN

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

Note: Councillor R Bailey declared that she knew Town Councillor M Benson but had not discussed the application with him.

Note: Councillor B Moran (Ward Councillor), Town Councillor M Benson (on behalf of Sandbach Town Council), Ms F Byrne (on behalf of Hands Off Our Sandbach), Dr A Bastock (objector) and Mr R Gascoigne (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, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The Local Planning Authority considers that the proposed development would result in an over intensive form of development that would have an adverse impact upon the setting of the Listed Building and the character of the area. As a result the proposed development is contrary to Policies GR1, GR2 and BH4 of the Congleton Borough Local Plan First Review 2005 and guidance contained within the NPPF.

80 **12/2552C DINGLE FARM, DINGLE LANE, SANDBACH CW11 1FY:
ALTERATIONS TO AN EXISTING GRADE II LISTED FARMHOUSE,
DEMOLITION OF TWO OUTBUILDINGS, CONVERSION OF BARN
INTO ONE DWELLING, CONSTRUCTION OF 11 DWELLINGS
TOGETHER WITH ASSOCIATED GARAGING, CAR PARKING AND
LANDSCAPING WORKS (LISTED BUILDING CONSENT
APPLICATION) FOR THE BENE OF THE ESTATE OF J M GOODWIN**

Note: Councillor D Marren arrived during consideration of this item but did not take part in the debate or vote.

Note: Councillor B Moran (Ward Councillor), Town Councillor M Benson (on behalf of Sandbach Town Council) and Mr R Gascoigne (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Ms F Byrne (on behalf of Hands Off Our Sandbach) and Dr A Bastock (objector) had registered their intention to address the Committee on this matter but did not speak.

The Committee considered a report regarding the above planning application. The Southern Area Manager – Development Management also reported that, in the light of the Committee's decision to refuse application number 12/2551C, the recommendation of officers was now to refuse this application for listed building consent.

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

The Local Planning Authority considers that the proposed development by virtue of the demolition of part of the building would have an adverse

impact upon the historic character of the Listed Building. As a result the proposed development is contrary to Policies BH4 and BH5 of the Congleton Borough Local Plan First Review 2005 and guidance contained within the NPPF.

81 13/2613C WEDDING BLISS, OLD CHURCH HALL, VICARAGE LANE, ELWORTH, SANDBACH CW11 3BW: DEMOLITION OF EXISTING BUILDING AND CHANGE OF USE TO ERECT 4 NO RESIDENTIAL DWELLINGS FOR C WRIGHT, FORWARD PROPERTY GROUP

With regard to application number 13/3582C, Councillor D Marren declared that the applicant's representative had been his direct line manager at Crewe and Nantwich Borough Council and that he would withdraw from the meeting during consideration of this item.

Note: Having exercised her separate speaking rights as a Ward Councillor, Councillor G Merry moved from the Member seating area for the duration of the Committee's consideration of this item and Councillor J Weatherill, Vice-Chairman, took the Chair.

Note: Councillor D Newton left the meeting and returned during consideration of this item but after returning did not take part in the debate or vote.

Note: Councillor B Moran (Neighbouring Ward Councillor), Mr R Sproson (objector) and Ms C Gascoigne (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, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposed development would be out of keeping with the character of the area due to the height, size and scale of the proposed houses. As a result the development would be contrary to Policy GR2 of the Congleton Borough Local Plan First Review 2005.

82 13/3727C GWENSTAN, 14 SMITHFIELD LANE, SANDBACH, CHESHIRE CW11 4JA: 3 BUNGALOWS IN GARDEN AREA FOR MR SMITHFIELD

Note: Councillor S Corcoran (Ward Councillor) and Mr D Smith (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 reason:

The form and layout of the proposed development is not sympathetic to the character of the surrounding area. The proposal is therefore contrary to Policies GR1 and GR2 of the adopted Congleton Borough Local Plan First Review 2005 and guidance contained within the NPPF.

83 13/3582C LAND ADJACENT TO UPPER THURLWOOD LOCKS, RODE HEATH, CHESHIRE: CONSTRUCTION OF FOUR DWELLINGS FOR MR K SHENTON

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

Note: Having declared that he knew the applicant's representative, Councillor D Marren withdrew from the meeting during consideration of this item.

Note: Councillor A Barratt (Ward Councillor), Mr G Roberts (on behalf of Odd Rode Parish Council), Mr C Bigley (objector), Mr B Moseley (supporter) and Mr P Ancell (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. The Principal Planning Officer also clarified the definition of brownfield land in the NPPF and reported that the closest neighbours to the proposed new dwellings would be 80 metres away, not 150 metres away as stated in the officer's report.

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

The erection of 4 detached, residential properties on this site is considered to have a greater impact upon the openness of the Green Belt than the existing derelict buildings, of which there are 2. As such, it is considered that the proposed development would be contrary Policy H6 (Residential Development in the Open Countryside and the Green Belt) and Policy PS7 (Green Belt) of the Congleton Borough Local Plan First Review 2005 and the Green Belt policies within the NPPF.

84 13/3680C LAND AT 50A, NANTWICH ROAD, MIDDLEWICH, CHESHIRE CW10 9HG: VARIATION OF CONDITION 2 ON APPROVAL 13/0100C TO ENABLE MINOR REVISIONS TO THE SITE LAYOUT TO ACHIEVE IMPROVED ACCESS AND IMPROVED MARKETABILITY OF DWELLINGS FOR P.E. JONES (CONTRACTORS) LIMITED

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 Deed of Variation to the Section 106 Legal Agreement attached to 13/0100C to secure incorporation of the layout detailed within 13/3680C 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, including replacement hedgerows
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) for access via Nantwich Road
20. Construction specification/method statement
21. No new windows – gable elevations plot 12 and 15
22. Details of design / surfacing of proposed footpath links to site frontage
23. Open plan estate layout – removal of permitted development rights for fences in front gardens
24. Removal of permitted development rights for extensions-plots 11,12,12a,14,15,16,17,18,19,20,21,22,23

25. Details of ground levels to be submitted
26. Details of bin/bike store to be submitted and implemented for plots 12-15
27. Method statement (trees) footpath link to Nantwich rd and construction of walls/access way to rear plot 12-15 - Nantwich Rd
28. Management scheme to be submitted for the maintenance of communal garden area plots 12-15
29. The parking provision to plots 12 to 15 shall be a maximum of 150%

85 13/3058N LAND TO REAR OF 11, EASTERN ROAD, WILLASTON CW5 7HT: RESIDENTIAL DEVELOPMENT OF 40 HOUSES FOR RICHARD LEE, RICHARD LEE LTD

Note: Councillor S McGrory left the meeting prior to consideration of this application.

Note: Mr R Lee (on behalf of the applicant) had registered his intention to address the Committee on this matter but did not speak.

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

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

The proposed residential development is unsustainable because it is located within the Green Gap, contrary to Policies NE.4, NE.2 and RES.5 of the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011 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. As such it and creates harm to interests of acknowledged importance. The Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework. As such the application is also contrary to the emerging Development Strategy. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.

86 13/3258N THORNTON HOUSE, EMBERTON PLACE, AUDLEM, CREWE CW3 0HL: CONSTRUCTION OF 10 BUNGALOWS WITH ASSOCIATED LANDSCAPING AND CAR PARKING FOR ADELE SUMMER, WULVERN HOUSING

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.

Note: Mr D Smith had registered his intention to address the Committee on behalf of the applicant but was not in attendance at the meeting.

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 3 years
2. Approved Plans
3. Securing the affordable housing
4. Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays
5. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays
6. No development shall take place until details of external lighting has been submitted to and agreed in writing by the Local Planning Authority.
7. Materials as stated in the application
8. Landscaping details including boundary treatment of car parking area to be submitted and approved
9. Implementation of landscaping
10. Prior to the commencement of development details of existing and proposed levels are to be provided.
11. Construction Management Plan
12. Submission of a further Phase II Contaminated Land Report
13. Submission of details of bin storage and collection
14. Compliance with the recommendations in the bat survey

87 13/3434N LAND ADJACENT TO 9, WALTHALL STREET, CREWE CW2 7JZ: PROPOSED CONSTRUCTION OF 15 APARTMENTS FOR GREENHOUSE, GREENHOUSE PROPERTY MANAGEMENT

Note: Councillor S Davies left the meeting prior to consideration of this application.

The Committee considered a report regarding the above planning application and a written update. Committee members also expressed their appreciation of the comments received from Crewe Town Council.

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

The Local Planning Authority considers that the proposed development by reason of its height and scale would result in an overbearing impact upon the character and appearance of the area and street-scene. As a result the proposed development is contrary to Policy BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the NPPF.

**88 13/3508N SIR WILLIAM STANIER COMMUNITY SCHOOL,
CORONATION STREET, CREWE, CHESHIRE CW1 4EB: RELOCATE
EXISTING 2M METAL PALISADE BOUNDARY FENCE TOGETHER
WITH INSTALLATION OF NEW PALISADE FENCE AND VEHICLE
ACCESS GATES TO MATCH EXISTING TO NEW BOUNDARY LINE TO
PLAYING FIELDS FOR MR R A JONES, CHESHIRE EAST COUNCIL**

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

Note: Councillor C Thorley (Ward Councillor) and Miss R Frost (objector) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED – That consideration of this matter be DEFERRED to allow discussion to take place between local residents and the applicant, and to enable officers to obtain further information regarding the proposed relocation of the fence.

**89 13/2809N 158, WISTASTON ROAD, WISTASTON CW5 6QT: 2
DETACHED DWELLINGS (OUTLINE) FOR MRS JANET JACKSON**

Note: Councillor J Weatherill reported that the first call in reason quoted in the officer's report had been provided by Councillor M Simon. Councillor Weatherill clarified that she had called in the application on the basis of concerns raised by Wistaston and Willaston Parish Councils, and that the wording of her call in request in the officer's report did not reflect her own views. She declared that she had kept an open mind and would consider the application on its merits, having heard the debate and all the information.

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) Commencement of Development (Outline)
- 2) Submission of Reserved Matters
- 3) Time Limit of Submission of Reserved Matters
- 4) Materials to be submitted and Agreed
- 5) Details of Boundary Treatment to be Submitted and agreed
- 6) Details of Surfacing Materials to be Submitted and Agreed
- 7) Remove Permitted Development Rights
- 8) Details of Drainage Scheme to be Submitted and Approved
- 9) Maximum of 2no. Dwellings
- 10) Dwellings not to exceed 7.5m in height

- 11) Prior to first development the developer will provide a detailed design plan for the proposed access which will show details of kerbing and tactile paving on the pedestrian desire line and the details of construction requirements to satisfy the standards required by Cheshire East Council Highway Authority.
- 12) Landscaping Submitted
- 13) Landscaping Implemented
- 14) Prior to the commencement of development an Arboricultural Method Statement shall be submitted and Approved in writing by the Local Planning Authority.
- 15) Tree Protection Measures
- 16) Car Parking

90 DEED OF VARIATION TO THE SECTION 106 AGREEMENT FOR PLANNING PERMISSION 10/4973C

The Committee considered a report regarding a proposed amendment to the requirements of the Section 106 Agreement relating to planning permission 10/4973C, which had been approved by the Committee at its meeting on 24 August 2011.

RESOLVED – That, for the reasons set out in the report, APPROVAL be granted for a Deed of Variation to the Section 106 Agreement linked to planning permission 10/4973C, to alter the location and amount of Public Open Space.

The meeting commenced at 1.00 pm and concluded at 5.52 pm

Councillor G Merry (Chairman)