

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 3rd June, 2009 at Lecture Theatre, Crewe Library,
Prince Albert Street, Crewe, Cheshire CW1 2DH

PRESENT

Councillor B Dykes (Chairman)
Councillor G Merry (Vice-Chairman)

Councillors T Beard, D Bebbington, M Davies, S Furlong, L Gilbert, J Jones,
S Jones, A Kolker, R Walker and J Weatherill

OFFICERS PRESENT

Rachel Goddard (Senior Lawyer), David Malcolm (Development Control
Manager – Sandbach Office) and David Snelson (Principal Planning Officer –
Crewe Office)

Apologies

Councillors S McGrory and A Richardson

22 CODE OF CONDUCT - DECLARATIONS OF INTEREST/PRE- DETERMINATION

Councillor A Moran, who was in attendance at the meeting, declared a personal interest in respect of application number P09/0109 on the grounds that he was a member of Nantwich 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.

Councillor Mrs G Merry declared that it appeared she had predetermined application number 09/0423C on the grounds that she had called in the application, and withdrew from the meeting during consideration of this item.

Councillors T Beard and J Jones declared that it appeared they had predetermined application number 09/0755N on the grounds that they had called in the application, and withdrew from the meeting during consideration of this item.

Councillors T Beard, D Bebbington, M Davies, B Dykes, Miss S Furlong, L Gilbert, J Jones, Mrs S Jones, A Kolker, Mrs G Merry, R Walker and Mrs J Weatherill declared a personal interest in respect of application number 09/0773M on the grounds that they knew the applicant. In accordance with the code of conduct, they remained in the meeting during consideration of this item.

Councillors P Mason, A Moran and R West, who were in attendance at the meeting, declared a personal interest in respect of application number 09/0773M on the grounds that they knew the applicant. In accordance with the code of conduct, they remained in the meeting during consideration of this item.

Councillor J Jones declared a personal interest in respect of agenda item number 10 on the grounds that he was a former student of the Manchester Metropolitan University. In accordance with the code of conduct, he remained in the meeting during consideration of this item.

Councillor Mrs S Jones declared a personal interest in respect of agenda item number 10 on the grounds that the Manchester Metropolitan University, Alsager Campus, was in her Ward and that she was a member of Alsager Town Council, which had been consulted on proposals relating to the MMU site. In accordance with the code of conduct, she remained in the meeting during consideration of this item.

23 MINUTES

RESOLVED – That the minutes of the meeting held on 13 May 2009 be approved as a correct record and signed by the Chairman.

24 P09/0109 DEMOLITION OF EXISTING PUBLIC HOUSE AND ERECTION OF RESIDENTIAL DEVELOPMENT COMPRISING 12 TWO BEDROOM HOUSES AND 2 ONE BEDROOM FLATS, THE MILLFIELD HOTELBLAGG AVENUE NANTWICH FOR PLOVERDALE LIMITED

Note: Councillor A Moran (the Ward Councillor) 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 APPROVED subject to the following conditions:

1. Standard time
2. Approval of materials
3. Approval of surfacing materials
4. Provision of car parking spaces
5. Details of covered and secure cycle storage to be submitted to and approved in writing by the Local Planning Authority and retained thereafter
6. Diversion of public sewer
7. Drainage details to include for sustainable drainage measures (SUDS) to be submitted and approved and thereafter implemented
8. Approved points of access to be constructed to Cheshire East Council standards and remaining existing access to be stopped up

9. Details of all boundary treatments to include fencing at rear of the site adjoining properties on Meeanee Drive to be submitted and approved in writing by the Local Planning Authority and retained thereafter
10. Details of landscaping to be submitted to and approved in writing by the Local Planning Authority
11. Approved landscaping to be implemented
12. Provision of bin storage areas
13. Removal of permitted development rights for extensions and detached structures
14. Approved plans
15. Hours of working 0730-1800 Mon-Fri, 0800 – 1400 Sat
16. Wheelwash facility to be provided

25 09/0423C CONSTRUCTION OF DETACHED DWELLING AND NEW VEHICULAR ACCESS, 24 COLLEY LANE SANDBACH FOR MR E PENNINGTON

Note: Dr P Cuthbert (on behalf of the Colley Lane Residents Group), Mr S Holland (an objector) and Mr J Cooksey, Hulme Upright Ltd (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 proposed development would have an adverse impact on the residential amenity of adjacent property by virtue of the loss of light to No.20 Colley Lane contrary to Congleton Local Plan Policy GR6.

26 09/0430C ERECTION OF TWO DWELLINGS, LAND ADJACENT TO 6 BRINDLEY WAY, CONGLETON FOR MR P KIRBY

Note: Councillor P Mason (the Ward Councillor), Mr E Thomas (an objector) and Mr D Tatton, VWB Architects (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 APPROVED subject to the following conditions:

1. The development hereby approved shall commence within three years of the date of this permission
2. The development hereby approved shall be carried out in total accordance with the approved plans numbered 3452/03C, 3452/04, 3452/05C received by the Local Planning Authority on 3rd March 2009

3. No development involving the use of any facing or roofing materials shall take place until samples of the materials to be used in the construction of all external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order), no development (as defined by Section 55 of the Town and Country Planning Act 1990) as may otherwise be permitted by virtue of Classes A-E of Part 1 Schedule 2 of the Order shall be carried out
5. Prior to the commencement of development:
 - A contaminated land Phase 1 report shall be submitted to, and approved in writing by the Local Planning Authority (LPA).
 - Should the Phase 1 report recommend that a Phase 2 investigation is required, a Phase 2 investigation shall be carried out and the results submitted to, and approved in writing by the LPA.
 - If the Phase 2 investigations indicate that remediation is necessary, a Remediation Statement including details of the timescale for the work to be undertaken shall be submitted to, and approved in writing by, the LPA. The remedial scheme in the approved Remediation Statement shall then be carried out in accordance with the submitted details.
 - Should remediation be required, a Site Completion Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the first use or occupation of any part of the development hereby approved.
6. The hours of construction of the development hereby permitted shall be restricted to 0800 to 1800 hours on Monday to Friday, 0900 to 1300 hours on Saturday, with no work at any other time including Sundays and Public Holidays.
7. The hours of foundation works or other piling on site shall be restricted to 0830 to 1730 hours on Monday to Friday, 0930 to 1230 hours on Saturday, with no work at any other time including Sundays and Public Holidays.
8. The approved development shall not be occupied until the approved accesses that are required for the development have been constructed in accordance with the approved plans and has been formed and graded to the specification of the Local Planning Authority, which is available from the Highway Authority, and the required visibility splays have been provided, all to satisfaction in writing of the Local Planning Authority.
9. Prior to commencement of development a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include proposed finished ground levels or contours, details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or

grass establishment), schedules of plants noting species, plant sizes, the proposed numbers and densities and an implementation programme.

10. The landscaping plan shall be implemented in full accordance with the approved scheme within the first planting season following completion of the development hereby approved, or in accordance with a programme first agreed in writing with the Local Planning Authority. Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within five years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.
11. Prior to commencement of development a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the occupation of the dwellings hereby approved and shall be carried out in accordance with the approved details and permanently retained unless otherwise first approved in writing by the Local Planning Authority.
12. No development shall commence until an ecological assessment of the potential impacts on the Site of Special Scientific Interest as a result of this development has been carried out, submitted to and approved in writing by the Local Planning Authority. The assessment shall be carried out by a suitably qualified person and shall include mitigation measures for the protection of the Site of Special Scientific Interest. Any mitigation measures shall be carried out in accordance with an agreed timetable.
13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification), no windows / dormer windows other than those expressly authorised by this permission shall be constructed.

27 09/0755N TWO STOREY SIDE EXTENSION AND CONSERVATORY, 25 WAREHAM DRIVE CREWE FOR MRS S PRINGLE

Note: Mr S Edge (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 proposed development would be sited in close proximity to the side facing kitchen window of No.27 Wareham Drive resulting in an overbearing and form of development causing significant overshadowing, loss of light and demonstrable harm to the amenities of that property. The

proposed development would therefore be contrary to Policies BE.1 (Amenity) and RES.11(Improvements and Alterations to Existing Dwellings) of the Borough of Crewe and Nantwich Replacement Local Plan 2011, and guidance contained within the Local Development Framework Extensions and Householder Development Supplementary Planning Document (2008).

28 09/0773M SINGLE STOREY FRONT EXTENSION AND PITCHED ROOF OVER EXISTING FLAT ROOF, 23 ASHFORD ROAD WILMSLOW FOR MR W FITZGERALD

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be APPROVED subject to the following conditions:

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Materials to match existing

29 CONFIRMATION OF THE MANCHESTER METROPOLITAN UNIVERSITY, ALSAGER CAMPUS, INTERIM TREE PRESERVATION ORDER 2008

The Committee considered a report regarding a Tree Preservation Order which had been made by Congleton Borough Council on 17 December 2008.

The Order covered the majority of the Manchester Metropolitan University, Alsager Campus, and some additional parcels of land in the immediate vicinity containing trees which could be affected by the planned redevelopment of the site. In due course, a more specific Order would be required, identifying individual trees and groups of trees suitable for retention within the context of the redeveloped site. The Order had been served on persons with an interest in the land and a number of representations have been received. If the Tree Preservation Order was not confirmed, the protection it afforded trees would lapse on 16 June 2009.

RESOLVED – That the Manchester Metropolitan University, Alsager Campus, Interim Tree Preservation Order 2008 be confirmed, subject to a modification to the plan to exclude land at Grove House, Sunnyside, Alsager.

The meeting commenced at 2.00 pm and concluded at 3.45 pm

Councillor B Dykes (Chairman)