

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 9th April, 2014 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, P Butterill, R Cartlidge, J Clowes,
W S Davies, P Groves, A Kolker, D Marren, M A Martin and D Newton

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors Rachel Bailey, D Brickhill, M Jones, A Moran and B Moran

OFFICERS PRESENT

Nigel Curtis (Principal Development Officer - Highways)
Daniel Evans (Principal Planning Officer)
Thomas Graham (Solicitor)
Margaret Hopley (Environmental Health Officer) - Minute No. 130 Only
Phil Mason (Senior Enforcement Officer) - Minute No. 130 Only
Susan Orrell (Principal Planning Officer)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors S McGrory and A Thwaite

160 DECLARATIONS OF INTEREST

The following declarations were made in the interests of openness:

With regard to application number 14/0381N, Councillor S Davies declared that he knew the applicant but that he had kept an open mind.

With regard to application number 14/0066N, Councillor D Newton declared that he had called in the application on the basis of concerns expressed by residents, 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.

With regard to application number 13/4904N, Councillor P Groves declared that, as a Ward Councillor, he had been contacted by a resident and had visited the site but had kept an open mind.

With regard to application number 14/0183N, Councillor J Clowes stated that the site was located on the boundary between two wards. The application had been called in by the other Ward Councillor on behalf of the local parish council and she had kept an open mind.

With regard to application number 13/4904N, Councillor P Butterill declared that she was a member of Nantwich Town Council, but that she had not taken part in any discussions in respect of the application.

With regard to application number 13/4818C, Councillor G Merry declared that she was a member of Sandbach Town Council and that she had received correspondence from the Headteacher regarding the application.

Members of the Committee declared that they had been sent a link to a u-tube video regarding application number 13/4818C.

161 **MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 12 March 2014 be approved as a correct record and signed by the Chairman.

162 **13/4818C SANDBACH COUNTY HIGH SCHOOL FOR GIRLS, MIDDLEWICH ROAD, SANDBACH, CHESHIRE CW11 3NT : THE INSTALLATION OF BIOMASS BOILER WITH ANCILLARY PLANT INCLUDING FLUE AND THE CONSTRUCTION OF THE PLAN ENCLOSURE. RESUBMISSION OF 13/3444C FOR MR JOHN BAILEY, MATHIESON BIOMASS LTD**

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

Note: Councillor B Moran (Ward Councillor), Mr A Hudson (objector) and Mr A Connor (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 report of the site inspection.

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

1. Full.
2. Approved Plans.
3. Hours of deliveries.
4. Hours of construction.
5. Stack height.
6. Boiler installation.
7. Boiler operation.
8. Notification of change of fuel.
9. Method of fuel delivery.

10. Maintenance schedule.
11. Operation agreement
12. Alterations to the maintenance schedule subject to notification.
13. Smoke emissions.
14. Noise mitigation scheme.

163 **14/0381N LAND AT BUNBURY HEATH, WHITCHURCH ROAD, BUNBURY: OUTLINE APPLICATION FOR ERECTION OF TWO DETACHED FAMILY HOUSES AND DOUBLE GARAGES, CLOSING OF EXISTING SHARED ACCESS AND PROVISION OF NEW SHARED ACCESS WITH ASSOCIATED LANDSCAPING FOR JAMES FRANCE-HAYHURST**

Note: Councillor M Jones (Ward Councillor) and Mrs J France-Hayhurst (applicant) 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 report of the site inspection.

RESOLVED – That, contrary to the planning officer's recommendation for refusal, the application be APPROVED, as in the context of service centre land allocation Parish Councils should be able to use design statements and housing land supply to determine where additional sites will be placed.

The approval to be subject to the following conditions:

1. Standard Outline
2. Submission of Reserved Matters
3. Submission of Materials
4. Hours of Construction
5. Piling method statement
6. Construction management plan

164 **14/0183N ADJ 16 HUNTERSFIELD, SHAVINGTON, CREWE CW2 5FB: 4 NO. DETACHED HOUSES AND ANCILLARY WORKS FOR RENEW LAND DEVELOPMENTS LTD**

Note: Councillor D Brickhill (Ward Councillor), Mr P Davies (objector) and Mr R Lee (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, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reasons:

1. The proposed development constitutes backland development and by reason of the siting of the dwellings the development would not

respect the pattern, character and form of the surroundings. The proposed development would be contrary to Policy BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

2. The proposed residential development is located within the Open Countryside, contrary to Policies NE2 (Open Countryside) and Res 5 (Housing in the Open Countryside) of the Crewe and Nantwich Replacement Local Plan, 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. The proposed development would also be contrary to the NPPF.

165 **14/0084N LAND AT MAW GREEN ROAD, CREWE CW1 4HH:
ERECTION OF 8 NO. DWELLINGS, VEHICULAR ACCESS,
ASSOCIATED CAR PARKING AND LANDSCAPING FOR RJC
REGENERATION LTD**

Note: Councillor D Marren declared that Mr Spruce was a fellow parish councillor, and that he would not take part in the debate or vote.

Note: Mr R Spruce attended the meeting and addressed the Committee on behalf of the applicant.

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

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:
 1. Time limit.
 2. Approved plans
 3. Materials to be approved.
 4. Tree/hedgerow protection including replacement if necessary.
 5. Submission of landscape details.
 6. Implementation of landscape details.
 7. Prior to the commencement of development, details of a drainage scheme for the site shall be submitted to and approved in writing by the LPA (in consultation with UU and Network Rail). The development shall only proceed in accordance with the approved details.
 8. Controls over any piling operations.
 9. Submission of a noise assessment with mitigation methods to address traffic noise.
 10. Provision of electric vehicle charging points.
 11. The bungalows shall be life time homes
 12. Remove PD for the proposed bungalows

- (b) That, 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 Planning and Place Shaping Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

166 **12/3427N EXISTING P.E.T. HIRE CENTRE LIMITED 68- 70, EARLE STREET, CREWE CW1 2AT: VARIATION OF CONDITION 2 ON PLANNING PERMISSION P01/0074 TO ALLOW FOR A1 NON-FOOD RETAIL FOR CARL BANKS, P.E.T. HIRE CENTRE LIMITED**

Note: Mr D Brown attended the meeting and addressed the Committee on behalf of the applicant.

The Committee considered a report regarding the above planning application and an oral update by Ms S Orrell, Principal Planning Officer, which confirmed that Highways had no objection to the proposed development.

RESOLVED – That authority be DELEGATED to the Planning and Place Shaping Manager in consultation with the Chairman to approve the application for the reasons set out in the report, subject to:

- (a) consultation with Environmental Health regarding air quality and no objection being received
- (b) the imposition of any additional conditions suggested by Environmental Health
- (c) the following conditions:
 - 1. Standard Time limit
 - 2. Plan References
 - 3. Bulky Goods:–
The range and type of goods to be sold from the non-food retail units hereby permitted shall be restricted to the following: DIY and/or garden goods; furniture, carpets and floor coverings; camping, boating and caravanning goods; motor vehicle and cycle goods; and bulky electrical goods.
 - 4. Materials
 - 5. Cycle Parking
 - 6. Car Parking
 - 7. Access
 - 8. Landscaping
 - 9. Hours of Operation
 - 10. No External Storage

11. Drainage

167 **13/4648N FORMER STAPELEY WATER GARDENS, LONDON ROAD, STAPELEY, CHESHIRE CW57LH: REPLAN OF PLOTS 110-120 AT FORMER STAPELEY WATER GARDENS, LONDON ROAD, STAPELEY FOR DAVID WILSON HOMES**

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

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 S106 Agreement comprising the following Heads of terms:

1. Provision of 30% affordable housing units – 50% to be provided as social rent/affordable rent with 50% intermediate tenure
2. The provision of a LEAP and Public Open Space and maintenance and management details
3. Financial Contribution of £54,231 towards Primary School Education
4. Financial Contribution of £47,000 towards Highways Improvements
5. Details of Access road arrangements for Angling Centre and details to be provided of private drive to be provided once angling centre ceases

and the following conditions

1. Standard Time Limit
2. Plan references
3. Materials to be submitted and Agreed
4. Details of Boundary Treatment to be Submitted and agreed
5. Details of Surfacing Materials to be Submitted and Agreed
6. Remove Permitted Development Rights
7. Details of Drainage Scheme to be Submitted and Approved
8. Landscaping Submitted
9. Landscaping Implemented
10. Car Parking
11. Details of External Lighting to be Submitted and Agreed in Writing
12. Doors/Windows to be set behind a 55mm Reveal

168 **13/4904N LAND OFF WRENS CLOSE, NANTWICH: FULL PLANNING PERMISSION FOR 11 DWELLINGS INCLUDING ACCESS AND ASSOCIATED INFRASTRUCTURE FOR MR F LLOYD-JONES, THOMAS JONES AND SONS**

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

Note: Councillor D Bebbington left the room during consideration of this application.

Note: Ms G Barry (objector) and Mr S 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 a written update.

RESOLVED

(a) That the application be REFUSED for the following reasons:

1. The proposed residential development is unsustainable because it is located within the Open Countryside, contrary to Policy NE.2 (Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan, Policy PG 5 of the Cheshire East Local Plan Strategy – Submission Version and the principles of the National Planning Policy Framework and create 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.
2. Insufficient information has been submitted with the application relating to ecology in order to assess adequately the impact of the proposed development having regard to reptiles. In the absence of this information it has not been possible to demonstrate that the proposal would comply with Policy NE.9 of the Crewe and Nantwich Replacement Local Plan 2005 and the NPPF.

(b) That, 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 Planning and Place Shaping Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

(c) That, should this application be the subject of an appeal, authority be delegated to the Planning and Place Shaping Manager in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

Note: In accordance with paragraph 31.4 of the Committee and Sub-Committee Procedure Rules, Councillor D Marren requested that the minutes of the meeting record that he abstained.

169 **13/4963N REASEHEATH COLLEGE, REASEHEATH, NANTWICH, CW5 6DF: CONSTRUCTION OF AN EARTH BUNDED DIRTY WATER LAGOON FOR STEVE CHALLINOR**

The Committee considered a report regarding the above planning application.

RESOLVED – That authority be DELEGATED to the Planning and Place Shaping Manager in consultation with the Chairman to approve the application for the reasons set out in the report, subject to:

- (a) consultation with the Environment Agency and no objection being received
- (b) the imposition of any additional conditions suggested by the Environment Agency
- (c) the following conditions:
 - 1. Standard time 3 years
 - 2. Materials as stated
 - 3. Plans
 - 4. Only dirty water sourced from the Reaseheath Farm

170 **13/5162N LAND EAST OF 22 HEATHFIELD ROAD, AUDLEM CW3 0HH: OUTLINE APPLICATION FOR ERECTION OF UP TO 26 DWELLINGS, ACCESS AND OPEN SPACE RESUBMISSION OF 13/3210N FOR FRANK HOCKENHULL, HOCKENHULL PROPERTIES LTD**

Note: Councillor Rachel Bailey (Ward Councillor), Parish Councillor H Jones (on behalf of Audlem Parish Council), Mr S Amies (on behalf of a local representative group) and Mr G Seddon (objector) attended the meeting and addressed the Committee on this matter.

Note: Mr F Hockenhull (applicant) had not registered his intention to address the Committee. However, in accordance with paragraph 2.8 of the public speaking rights at Strategic Planning Board and Planning Committee meetings, the Committee agreed to allow Mr Hockenhull to speak.

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

- (a) That the application be REFUSED for the following reasons:
1. The proposed residential development is unsustainable because it is located within the Open Countryside, contrary to Policy NE.2 (Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan, Policy PG 5 of the Cheshire East Local Plan Strategy – Submission Version and the principles of the National Planning Policy Framework and create 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.
 2. The proposal fails to make adequate provision for infrastructure requirements and community facilities, in the form of medical provision, the need for which arises directly as a consequence of the development, contrary to Policy BE 5 of the adopted Borough of Crewe and Nantwich Replacement Local Plan. It is therefore socially unsustainable contrary to the provisions of the National Planning Policy Framework
- (b) That, 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 Planning and Place Shaping Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Planning and Place Shaping Manager in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

171 **13/5284N OVERWATER MARINA, COOLE LANE, NEWHALL,
CHESHIRE CW5 8AY: VARIATION OF CONDITION 10 (WORKSHOP
REPAIRS, SERVICING, CLEANING/PAINTING OF HULLS AND
MAINTENANCE) & CONDITION 11 (HIRE BOATS) ON 13/0673N FOR
MRS JANET MAUGHAN**

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. Approved plans
2. Maintenance of landscaping approved under condition 5 of P08/1239
3. No Boats moored at the marina shall be used as the main or only dwelling for any persons
4. Workshop for repairs/servicing /maintenance only for boats based at the marina or those arriving by water only
5. No outside storage, excluding storage of boats awaiting repair,
6. Hours of operation for workshop 08.00 until 18.00 Mondays to Saturdays with no working on Sundays and Bank Holidays
7. The café in facilities building shall be limited to the area shown on drawing number 6039/2/P/101 rev C and shall be restricted to Use Class A3 only, with no permitted changes usually allowed under the Use Classes Order. The building shall not be extended in any way without prior submission and approval of a separate planning application.
8. Shop and Chandlery to be limited to sale of food items and goods required by boaters and not general retail
9. Withdraw permitted development rights for statutory undertakers
10. All workshop repairs, servicing, cleaning/painting of hulls and maintenance shall take place inside the building with doors closed, with the exception of pressure washing, hull painting and light engineering repairs which shall be permitted to take place on the hard standing outside the marina.
11. No pressure washing, hull painting and light engineering repairs shall take place outside the hours of 08:00 till 18:00 Mondays to Saturdays with no working on Sundays and Bank Holidays.

**172 14/0066N 114, EARLE STREET, CREWE, CHESHIRE CW1 2AQ:
DEMOLITION OF EXISTING DWELLING HOUSE; PARTIAL
DEMOLITION OF FORMER BLOCKBUSTER STORE AND CHANGE
FROM USE FROM CLASS A1 TO CLASS A3 AND A5; AND
ASSOCIATED ACCESS AND LANDSCAPING WORKS FOR UBS
GLOBAL ASSET MANAGEMENT (UK) LIMITED**

Note: Mr T Price attended the meeting and addressed the Committee on behalf of the applicant.

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 completion of a Section 106 Agreement to secure £7,500 towards local traffic management/local parking measures.

and the following conditions

1. Standard Time Limit
2. Plan References
3. Materials to be submitted and agreed in writing

4. Surfacing materials to be submitted and agreed in writing
5. Landscaping scheme to be submitted
6. Landscaping Implemented
7. Tree Protection measures
8. Method Statement for the construction to hardstanding to be submitted and agreed in writing
9. Drainage scheme to be submitted and agreed in writing and to include information relating to interceptors and grease traps
10. Prior to first use all parking and new/revised points of access will be properly constructed and available for use.
11. Hours of Use (Restaurant)

Sunday - Thursday	07.00 hrs	23.00 hrs
Friday - Saturday	07.00 hrs	24.00 hrs
12. Hours of Use (Drive Through Lane)

Sunday - Thursday	07.00 hrs	24.00 hrs
Friday - Saturday	07.00 hrs	01.00 hrs
13. The electrostatic precipitator shall be installed and maintained in accordance with the manufacturers instructions
14. Dust Controls
15. The developer shall provide Electric Vehicle Infrastructure in the parking area proposed as part of this development.
16. Noise Vibration Test to be submitted and Agreed in Writing
17. External Lighting to be submitted and agreed in writing
18. Pile foundations

Monday – Friday 09:00 – 17:30 hrs
Saturday 09:00 – 13:00 hrs
Sunday and Public Holidays Nil
19. Details of customer litter bins within the car park to be submitted and approved in writing.

Informative:- Prior to first development the developer will enter into and sign a Section 184 agreement and construct the new access to CEC Highways specification.

173 14/0456N 271, NEWCASTLE ROAD, WYBUNBURY, NANTWICH, CHESHIRE CW5 7ET: VARIATION OF CONDITIONS 2 & 8 ON APPROVAL 13/3046N - CHANGE OF USE FROM SHOT-BLASTING HEAVY GOODS VEHICLES TO CAR REPAIRS, DISMANTLING AND SALVAGE OF PARTS FOR MR VICTOR PICKERING

Note: Councillors D Bebbington and R Cartlidge left the room prior to consideration of this application.

Note: Councillors A Kolker, M Martin and D Newton left the meeting prior to consideration of this application.

Note: Mr D Evans, Principal Planning Officer, read a statement submitted by Councillor D Brickhill (Ward Councillor), who had registered his intention to address the Committee but had left the meeting prior to consideration of this application.

Note: Mr R Ellison attended the meeting and addressed the Committee on behalf of an objector.

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:

The variation of conditions 2 and 8 would prejudice the amenity of the occupiers of the adjacent residential properties by reason of noise and disturbance. The development would be contrary to Policy BE.1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

174 **14/0308C LAND OFF BROOK STREET, CONGLETON, CHESHIRE: VARIATION OF CONDITIONS 2 (ARBORICULTURAL IMPLICATIONS) AND 24 (VEHICULAR ACCESS) AS TO PLAN 882/P/PL01 REV K ON APPROVED APPLICATION 12/0410C (RESIDENTIAL DEVELOPMENT FOR 54 DWELLINGS) FOR N BURNS, MORRIS HOMES NORTH LTD**

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be DEFERRED to enable officers to secure an amended plan showing details of replacement tree planting within the site.

175 **14/0515N NEW BENTLEY SHOWROOM LAND ADJACENT SUNNYBANK CAR PARK, CREWE: VARIATION OF CONDITION 9 (HOURS OF OPENING) ON APPROVAL 12/4373N - NEW BUILD SHOWROOM WITH ASSOCIATED CAR PARKING FOR BENTLEY MOTORS LTD**

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

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. Accordance with Amended Plans
2. Materials in accordance with those details already discharged
3. Landscaping in accordance with those details already discharged
4. Landscaping implementation
5. Breeding bird survey in accordance with those details already discharged

6. Construction of Access in accordance with approved plans
7. Hours of construction limited
8. Hours of opening limited to times specified
9. Details of lighting in accordance with those details already discharged

The meeting commenced at 1.00 pm and concluded at 6.43 pm

Councillor G Merry (Chairman)