

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 22nd October, 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, P Butterill, J Clowes, I Faseyi, S Hogben,  
P Groves, A Kolker and M A Martin

## **NON-COMMITTEE MEMBERS IN ATTENDANCE**

Councillors S Corcoran and D Hough

## **OFFICERS PRESENT**

Patricia Evans (Lawyer)  
Peter Hooley (Planning & Enforcement Manager)  
Neil Jones (Principal Development Officer - Highways)  
Julie Zientek (Democratic Services Officer)

## **Apologies**

Councillors D Bebbington, W S Davies, D Marren and S McGrory

## **83 DECLARATIONS OF INTEREST/PRE DETERMINATION**

The following declarations were made in the interests of openness:

With regard to application number 14/2906N, Councillor R Bailey declared that she knew the applicant and her husband. She had not seen them recently, and had not discussed the application with them.

With regard to application number 14/2867C, Councillor A Kolker declared that he had called in the application. He had advised neighbours as a Ward Councillor but 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 14/3853N, 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.

All Members of the Committee declared that they had received correspondence from the Ward Councillor regarding application number 14/3862N.

With regard to application number 14/2906N, Councillor G Merry declared that she knew the applicant and her husband. They were not personal friends, and she had not discussed the application with them.

#### **84 MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 24 September 2014 be approved as a correct record and signed by the Chairman.

#### **85 13/4081C CARDWAY BUSINESS PARK, LINLEY LANE, ALSAGER, STOKE-ON-TRENT ST7 2UX: OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT FOR UP TO 110 DWELLINGS FOR MR J REDFERN, CARDWAY LIMITED**

Note: Councillor D Hough (Ward Councillor), Hon Alderman D Bould (on behalf of Alsager Residents Action Group and Alsager Town Council), Ms S Helliwell (objector) and Mr A Knott (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, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposed development will result in the loss of protected open space in an area of deficiency, as such the benefits of the proposal in terms of its contribution to the housing land supply in this area are outweighed by the adverse impacts upon the provision of open space in this locality. The proposal is therefore contrary to Policy RC2 of the Congleton Borough Local Plan First Review 2005, Policy CS12 of the Cheshire East Local Plan Strategy Submission Version 2014 and Para 74 of the National Planning Policy Framework.

#### **86 14/3624C LAND TO THE NORTH OF 24, CHURCH LANE, SANDBACH CW11 2LQ: ERECTION OF 13 DWELLINGS (RE-SUBMISSION 13/5221C) FOR CHELMERE HOMES LTD**

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

Note: Councillor S Corcoran (Ward Councillor), Town Councillor A Wood (on behalf of Sandbach Town Council) and Mr G Clark (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

- (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 Policies PS8 and H6 of the Congleton Borough Adopted Local Plan First Review 2005, Policy PG5 of the emerging Cheshire East Local Plan Strategy – Submission Version 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 the proposed development 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 and consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.
  2. The proposed residential use would be subject to unacceptable levels of noise generated from the M6 Motorway. The site is not suitable for residential development due to the inability to mitigate noise to a satisfactory level for outside living/amenity areas without significant mitigation. Such mitigation in the form of the proposed 4 metre high noise attenuation barrier would appear visually intrusive and prominent and would appear detrimental to the character and appearance of the site and the area. The approval of the development would be contrary to Policies GR1, GR2 and GR6 of the adopted Congleton Borough Local Plan First Review and SE1, SD1 and SD2 of the emerging Cheshire East Local Plan Strategy – Submission Version, thereby causing harm to the objectives of those policies.

Informative: The Local Planning Authority expresses concern regarding the potential impact that the existing Air Quality would have on the residential amenity afforded to the future occupants of proposed dwellings owing to the close proximity of the development to the M6 Motorway.

- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Principal Planning Manager, in consultation with the Chairman (or in her absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

- (c) That, should this application be the subject of an appeal, authority be delegated to the Principal Planning 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.

**87 14/4304C LAND OFF MOSS LANE, SANDBACH, CHESHIRE: OUTLINE APPLICATION FOR 13 NEW DWELLINGS FOR MR PETER RICHARDSON**

Note: Councillor S Corcoran (Neighbouring Ward Councillor) and Town Councillor A Wood (on behalf of Sandbach Town Council) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

**RESOLVED**

- (a) That the application be REFUSED for the following reason:

The proposed residential development is unsustainable because it is located within the Open Countryside, contrary to Policies PS8 and H6 of the Congleton Borough Adopted Local Plan First Review 2005 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 and consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.

- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Principal Planning Manager, in consultation with the Chairman (or in her absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Principal Planning 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, as follows:

1. A commuted payment of £6,842.20 towards off-site Public Open Space enhancement and maintenance
2. A commuted payment of £15,602.80 towards off-site Children's Play Space enhancement and maintenance
3. 30% Affordable Housing provision – All 4 units to be socially rented. Pepper-potted and tenure blind, provided no later than 50% occupation. Transferred to registered provider.

**88 14/0841N LAND OFF SPINNEY DRIVE, WESTON: RESIDENTIAL DEVELOPMENT OF 4 DETACHED HOUSES FOR G MCDERMOTT, CDM DEVELOPMENTS (NORTH WEST) LTD**

The Chairman reported that this application had been withdrawn from the agenda prior to the meeting.

**89 14/2867C SANDY LANE, CRANAGE, KNUTSFORD CW4 8HR: CONSTRUCTION OF NEW HOUSE FOR HELEN EDWARDS**

Note: Mr I Armstrong and Mr J Volpicelli (objectors) and Miss J Ashall (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**

- (a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Time (Standard)
2. Plans
3. Prior submission of facing and roofing details
4. Prior submission of surfacing materials
5. Window obscure glazed and top-hung opening only (First-floor northern side elevation)
6. Landscaping (Details)
7. Landscaping (Implementation)
8. Boundary treatment
9. Tree retention
10. Tree protection
11. Arboricultural Method Statement
12. Prior submission of a drainage plan
13. Removal of PD rights – (Part 1 Classes A-E)
14. Removal of PD rights – (Part 2 Class A)
15. Breeding birds

- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Principal Planning Manager, in consultation with the

Chairman (or in her absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

**90 14/2906N 16, GAINSBOROUGH ROAD, CREWE CW2 7PH: CHANGE OF USE FROM C4 HMO TO SUI GENERIS 7 BED HMO FOR WENDY WHITTAKER-LARGE, WELCOME PROPERTIES**

Note: Councillor K Hickson (Ward Councillor) 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 Councillor Hickson to speak.

Note: Mrs W Whittaker-Large (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. Standard time 3 years
2. Materials
3. Plans
4. Cycle Storage
5. Bin Storage

**91 14/3862N HORSE SHOE INN, NEWCASTLE ROAD, WILLASTON CW5 7EP: OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF THE FORMER PUBLIC HOUSE AND OUTBUILDINGS AND ERECTION OF UP TO FOUR RESIDENTIAL UNITS WITH ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS AT THE HORSESHOE INN, NEWCASTLE ROAD, WILLASTON FOR FREDERIC ROBINSON LTD**

Note: Mr P Hooley, Planning and Enforcement Manager, read a statement submitted by Councillor B Silvester (Ward Councillor), who was not in attendance at the meeting.

Note: Mr N Fillingham attended the meeting and addressed the Committee on behalf of the applicant.

The Committee considered a report regarding the above planning application.

## RESOLVED

(a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Time Limit (Outline)
2. Submission of reserved matters
3. Reserved Matters application made within 3 years
4. Development in accordance with approved plans
5. Details of materials to be submitted
6. Hours of Piling
7. Prior submission of a piling method statement
8. Prior submission of external lighting details
9. Prior submission of noise mitigation scheme
10. Prior submission of electric vehicle charging point details
11. Prior submission of a dust mitigation scheme
12. Prior submission of land contamination report
13. Prior submission of Boundary treatment
14. Removal of Permitted Development Rights (Classes A-E)
15. Safeguard breeding birds
16. Incorporation of features for breeding birds
17. No demolition until contract in place for redevelopment that has received full planning permission
18. Building recording condition

### Informatives:

1. Standard
2. S184 Agreement
3. Hours of construction
4. Contaminated Land

(b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Principal Planning Manager, in consultation with the Chairman (or in her absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

## **92 14/3538C SOMERFORD PARK FARM, HOLMES CHAPEL ROAD, SOMERFORD CW12 4SW: OUTLINE APPLICATION FOR A REPLACEMENT COVERED RIDING ARENA FOR MR & MRS KING**

Note: Councillor Rhoda Bailey left the meeting prior to consideration of this application.

Note: Ms A Freeman had registered her 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 outline – development to commence within 3 years or within 2 years of approval of reserved matters
2. Application for approval of reserved matters to be made within 3 years
3. Submission of reserved matters
4. Development to be carried out in accordance with approved plans
5. Reserved matters to comply with scale parameters
6. Materials to be submitted to and approved
7. Landscaping Scheme including details of boundary treatments to be submitted
8. Landscaping implementation
9. Submission of Tree Survey / Arboricultural Method Statement
10. Accordance with Ecological Survey
11. Details of external lighting to be submitted

**93 14/3853N FORMER SIR WILLIAM STANIER COMMUNITY SCHOOL, BADGER AVENUE, LUDFORD STREET, CREWE: VARIATION OF CONDITIONS 23 (IN ORDER FOR THE AFFORDABLE HOUSING STATEMENT TO READ IN CONJUNCTION WITH THE SITE LAYOUT) ATTACHED TO PLANNING PERMISSION 14/1708N VARIATION OF CONDITIONS 2 (TO FACILITATE EXISTING ELECTRICAL EASEMENT SHOWN ON SITE MASTER PLAN) AND CONDTION 6 (TO SUBSTITUTE BRICK TYPE IBSTOCK RAVENSHEAD TO HOLLINGTON BLEND) ON APPLICATION 13/4382N FOR MR CHRIS BENT**

The Committee considered a report regarding the above planning application.

RESOLVED

(a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Approved plans
2. Construction of Access
3. Provision of parking
4. Implementation of Materials – No approval for buff bricks
5. All piling operations shall be restricted to: Monday – Friday 09:00 – 17:30 hrs Saturday 09:00 – 13:00 hrs Sunday and Public Holidays Nil
6. Construction works taking place during the development (and associated deliveries to the site) restricted to: Monday – Friday 08:00 to 18:00 hrs Saturday 09:00 to 14:00 hrs Sundays and Public Holidays Nil



7. Submission, approval and implementation of details of any lighting prior to installation
  8. The mitigation recommended in Noise Mitigation report number 90291r0 shall be implemented prior to the use of the development / first occupation.
  9. Implementation of submitted Travel Plan
  10. Implementation of submitted dust control measures
  11. The development shall not be occupied until the remedial/protection measures included in the approved contaminated land report (REC Report Reference 02c45022, 28 November 2013) have been fully implemented and completed.
  12. Once the development is complete, a Site Completion Statement detailing the remedial/protective measures incorporated into the development hereby approved shall be submitted to and approved in writing by the LPA in full prior to the first occupation and use of this development.
  13. Features for use by breeding birds and bats
  14. Implementation of boundary treatment
  15. Implementation of drainage scheme approved as part of application 14/0869D
  16. Implementation of cycle parking within scheme
  17. Implementation of landscaping
  18. Arboricultural Method Statement in accordance with the report reference SE467/J/01/DH
  19. Retention of the railings and for them to be made good where necessary to enclose the front garden areas of the proposed dwellings
  20. To be maintained as affordable housing in perpetuity in accordance with approved affordable housing statement
- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Principal Planning Manager, in consultation with the Chairman (or in her absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

The meeting commenced at 1.00 pm and concluded at 3.50 pm

Councillor G Merry (Chairman)