

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 26th August, 2009 in the Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

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

Councillors W T Beard, D Bebbington, L Gilbert, B Howell, J Jones, S Jones,
A Kolker, A Richardson, R Walker and J Weatherill

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors A Moran, L Smetham and A Thwaite

OFFICERS IN ATTENDANCE

David Malcolm Development Control Manager – Sandbach
David Snelson Principal Planning Officer
Nicky Folan Solicitor

APOLOGIES

Councillors M Davies, S Furlong and S McGrory

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

Councillor B H Dykes declared a personal and prejudicial interest in Planning Application No. 09/2035N on the basis that he had called-in the application and, as a Member of Bunbury Parish Council had been present at the Parish Council meeting when the application had been discussed. He declared a personal and prejudicial interest in agenda item 17 (Report in relation to variation of Section 106 Agreement for affordable housing units provided under planning permissions P05/0703 and P06/1125 – Moseley House, Audlem for Wulvern Housing, on the basis that he was a member of the Wulvern Housing Board.

Councillor W T Beard declared a personal interest in Planning Application No. 09/2053N on the basis that he was acquainted with the applicant; and a personal and prejudicial interest in agenda item 17 on the basis that he was a member of the Wulvern Housing Board.

Councillor R Walker declared a personal interest in Planning Application No. 09/1853N on the basis that he had called-in the application and had been in receipt of correspondence in respect of the application.

Councillor J Jones declared a personal interest in Planning Application No. 09/1255N on the basis that a friend of his lived in the immediate vicinity of the premises' address.

Councillor A Moran (non-Committee Member) declared a personal interest in Planning Application No. 09/1255N as a Member of Nantwich Town Council which had been consulted on the application.

Councillor A Thwaite (non-Committee Member) declared a personal and prejudicial interest in Planning Application No. 09/0509C on the basis of a long-standing business relationship which related to the former use of the premises.

55 MINUTES

RESOLVED: That the minutes of the meeting held on 5th August 2009 be approved as a correct record and signed by the Chairman.

56 **09/1255N NEW SINGLE DWELLING, LAND ADJACENT TO 87 CREWE ROAD, NANTWICH, CHESHIRE FOR MR J. STUART**

(Note: Councillor A Moran, Ward Councillor, addressed the Committee on this planning application.)

The Committee considered a report in respect of Planning Application No. 09/1255N.

RESOLVED - That the application be **REFUSED** for the following reasons:

- 1 Over-cramming of dwellings
- 2 Plot of insufficient size for the dwelling
- 3 Larger dwelling than approved at outline stage
- 4 Contrary to Policy BE2

57 **09/0509C CONSTRUCTION OF 90 BED NURSING HOME (C2), VALE MILL, PRIESTY FIELDS, CONGLETON, FOR BRITANNIA DEVELOPMENTS CHESHIRE LIMITED**

(Note: Mrs R Pickles made representations in respect of this planning application.)

The Committee considered a report in respect of Planning Application No. 09/0509C.

RESOLVED – That the application be **DEFERRED** to the September meeting of the Committee –

- 1 For consideration of additional information in respect of the application

- 2 To enable an assessment of the EC Habitats Directive to be undertaken

58 09/0589N PROPOSED CHANGE OF USE OF EXISTING RETAIL SHOWROOM TO MOSQUE WITH ASSOCIATED COMMUNITY FACILITIES, 47A ELECTRICITY STREET, CREWE, CHESHIRE, FOR THE SHAHJALAL MOSQUE, 145 WALTHALL STREET, CREWE

(Note : Mr M Yardy (objector) spoke against the planning application.)

The Committee considered a report in respect of Planning Application No. 09/0589N.

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

- 1 Standard
- 2 Materials
- 3 Surfacing materials
- 4 Car parking provision
- 5 Cycle parking provision
- 6 Access gates set back
- 7 Vehicle turning area
- 8 Boundary treatment
- 9 No external speakers
- 10 Approved plans
- 11 Mosque use only; no other use in Class D1

59 09/0819N CHANGE OF USE FROM AGRICULTURE TO FISH REARING AND ANGLING CENTRE AND FORMATION OF PONDS AND LAKES, ERECTION OF BUILDINGS (INCLUDING TEMPORARY DWELLING) AND PROVISION OF ACCESS AND PARKING, LAND ADJACENT PINNACLE FARM, COOLE LANE, NEWHALL, NANTWICH, CHESHIRE FOR THE REILLY & SEIPP PARTNERSHIP

The Committee considered a report in respect of Planning Application No. 09/0819N).

RESOLVED – that the application be DEFERRED for a site visit and consideration of agricultural assessment.

60 09/1127C THE DEMOLITION OF EXISTING PROPERTY AND THE REDEVELOPMENT OF THE LAND, INCLUDING 43 NO. 1, 2 AND 3 BED USE CLASS C2 RESIDENTIAL ACCOMMODATION WITH CARE, CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS, MOSSLEY HOUSE, BIDDULPH ROAD, CONGLETON, CW12 3LQ, FOR MR DEAN FISHER GLADMAN CARE HOMES LTD

(Notes: (a) Councillor A Thwaite, Ward Councillor, spoke on this planning application; and

(b) Mr T Dean, Gladman Care Homes Ltd. spoke in support of the application.)

The Committee considered a report in respect of Planning Application No. 09/1127C.

RESOLVED – That the application be DEFERRED to the September meeting of the Committee to enable Officers to consider additional information and to conduct further ecological surveys.

61 09/1586N ERECTION OF AN EXERCISE SPORTS SCIENCE FACILITY, A SYNTHETIC ALL WEATHER PITCH, ASSOCIATED CAR PARKING AND ACCESS WORKS, MMU CREWE CAMPUS, CREWE GREEN ROAD, CREWE, FOR MMU

The Committee considered a report in respect of Planning Application No. 09/1586N.

RESOLVED – That the Head of Planning and Policy be granted delegated authority to APPROVE the application, (a) subject to the conditions listed below; (b) the satisfactory outcome of surveys by Cheshire East Council's Ecologist; and (c) if any issues were raised, the application be re-submitted to the September meeting of the Committee for determination.

- 1 Standard
- 2 Plans
- 3 Materials
- 4 Landscaping scheme
- 5 Implementation of landscaping (including replacements for 5 years and management method statement)
- 6 Arboricultural Method Statement to include, *inter alia*, details of tree and hedge protection scheme and details of construction of access road and hard-standing under trees
- 7 Access road and parking spaces to car park boundaries adjacent to trees to have permeable surface
- 8 Implementation of tree and hedge protection
- 9 Travel plan
- 10 Provision of car parking
- 11 Scheme for surface water regulation system including interceptors
- 12 Scheme for management of overland flow
- 13 Site to be drained on a separate system with only foul drainage connected into foul sewer
- 14 Acoustic attenuation of ancillary mounted equipment
- 15 Lighting diagrams
- 16 Hours of operation for all-weather pitch shall be restricted to 8 am – 10 pm Monday to Friday and 9 am to 6 pm Saturday, Sunday and Bank Holidays
- 17 Boundary treatment – to include provision of gates at each end of the proposed acoustic fence
- 18 Scheme of sustainable measures to be submitted and approved

- 19 Scheme of construction waste recycling to be submitted and approved
- 20 Provision of cycle storage and showers
- 21 Improvement works to be carried out to the network of paths to the rear of the site and the Macon Way Puffin Crossing

62 09/1664C RETENTION OF EXISTING ANNEXE BUILDING. CHANGE OF USE TO FORM INTEGRAL GARAGE, GAMES ROOM, TOILET FACILITIES AND LOFT STORAGE. ASSOCIATED CAR PARKING AND LANDSCAPING, BROWNLOW FARM, BROWNLOW HEATH LANE, NEWBOLD ASTBURY, CONGLETON, FOR J. EKin CONSTRUCTION

*(Notes: (a) Councillor A Thwaite, Ward Councillor, addressed the Committee on the application;
(b) Councillor A Barratt (non-Committee Member) spoke on the application; and
(c) Mr R Spruce, Picea Design Ltd, spoke in support of the application.)*

The Committee considered a report in respect of Planning Application No. 09/1664C.

RESOLVED – That the application be DEFERRED for a site visit.

63 09/1665C CONVERSION OF REDUNDANT BARNs TO FORM 2NO. DWELLINGS, ASSOCIATED DETACHED GARAGE AND LANDSCAPING, BROWNLOW FARM, BROWNLOW HEATH LANE, NEWBOLD ASTBURY, CONGLETON FOR J. EKin CONSTRUCTION

*(Notes: (a) Councillor A Thwaite, Ward Councillor, addressed the Committee on this application;
(b) Councillor A Barratt (non-Committee Member) spoke on the application; and
(c) Mr R Spruce, Picea Design Ltd, spoke in support of the application.)*

The Committee considered a report in respect of Planning Application No. 09/1665C.

RESOLVED – That the application be DEFERRED for a site visit.

64 09/1853N ERECTION OF AN AGRICULTURAL BUILDING TO INCREASE THE CAPACITY OF THE APPROVED FREE RANGE EGG UNIT FROM 3500 TO 7000 BIRDS (RESUBMISSION OF P08/1113), LAND NORTH WEST OF THE BEECHES, AUDLEM ROAD, HATHERTON, NANTWICH, CW5 7QT FOR MR D DONLAN

(Note: Mr I Pick, the applicant's agent, spoke in support of the application.)

The Committee considered a report in respect of Planning Application No. 09/1853N.

RESOLVED – That delegated authority be granted to the Head of Planning and Policy to approve the application with the following conditions, subject to further consideration of any late representations which may be received -

- 1 Standard time
- 2 Materials to be submitted and approved
- 3 Plans
- 4 Drainage details to be submitted and approved
- 5 Landscaping scheme
- 6 Implementation and maintenance of landscaping
- 7 A scheme of access and visibility improvements
- 8 Development to comply with the recommendations contained within the protected species survey
- 9 Works to stop if protected species found
- 10 Manure to be removed from the site
- 11 Details of lighting to be submitted for approval and no further lighting without the prior submission and approval of a planning application
- 12 Provision of waste water tank
- 13 No obstruction of public right of way

65 09/2035N DEMOLITION OF EXISTING INDUSTRIAL WORKSHOP AND ERECTION OF 6 AFFORDABLE DWELLINGS FOR RENT INCLUDING ASSOCIATED ACCESS, PARKING AND AMENITY AREAS, LAND OFF BUNBURY LANE, BUNBURY, CHESHIRE, FOR EQUITY HOUSING GROUP

(Notes: (a) Having declared a personal and prejudicial interest in this item, Councillor B H Dykes withdrew from the meeting and Councillor G Merry assumed the Chair;

(b) Mr N Dyer (representing Bunbury Parish Council) addressed the Committee on the application;

(c) Mr R Goodyer (objector) spoke against the application; and

(d) Mr N Thorns, Nigel Thorns Planning Consultancy, spoke in support of the application.)

RESOLVED – That the application be APPROVED subject to the completion of a S.106 Agreement to secure the development as affordable housing for social rent, in perpetuity, and the following conditions:

- 1 Standard time limit
- 2 Materials to be submitted and approved
- 3 Surfacing materials to be submitted and approved
- 4 Tree retention and protection
- 5 Drainage to be submitted and approved
- 6 Landscaping to be submitted and approved including the planting of seven trees to the Northern and Western boundaries
- 7 Landscaping to be implemented
- 8 Removal of permitted development rights

- 9 Bin storage details to be submitted and approved
- 10 Boundary treatment
- 11 Window reveal
- 12 Approved plans
- 13 Car parking provision to be provided prior to occupation
- 14 Scheme for management and retention of boundary hedgerows
- 15 Prior to the commencement of development details of solar panels to be submitted and approved
- 16 Contaminated land
- 17 Vegetation to be removed outside the bird-nesting season March and August
- 18 Loose rubble in the yard to be removed between March and October
- 19 Land levels
- 20 No obstruction of adjacent right of way

66 VARIATION OF SECTION 106 AGREEMENT FOR AFFORDABLE HOUSING UNITS PROVIDED UNDER PLANNING PERMISSIONS P05/0703 AND P06/1125 FOR RESIDENTIAL UNITS WITH SHOPS AT FORMER CANALSIDE YARD, NOW KNOWN AS MOSELEY HOUSE, KINGBUR PLACE, AUDLEM FOR WULVERN HOUSING

(Notes: (a) Councillor B H Dykes, having declared a personal and prejudicial interest in this item, had withdrawn prior to discussion of the item. Councillor G Merry had assumed the Chair;
(b) Councillor W T Beard, having declared a personal and prejudicial interest in this item, withdrew from the meeting during discussion and voting;
(c) Mr D Beardmore, Company Secretary – Wulvern Housing Ltd, spoke in support of the application.)

The Committee considered the report of the Head of Planning and Policy which sought approval for alterations to (1) the definition of affordable housing and (2) the Management Covenant in Schedule 2 of the Section 106 Agreement for the provision of four shared-ownership flats as affordable housing at the site formerly known as “Canalside Yard, Audlem” and now known as “Moseley House, Kingbur Place, Audlem”. The effect of the variations would be to allow residents to occupy the units for rent now, with a view to occupying the flats on a shared-ownership basis in the future.

RESOLVED – That the variations to the Section 106 Agreement as set out below be approved –

- (a) The definition of “affordable housing” be extended to include the words in italics as follows –

“Affordable Housing means subsidised housing accommodation that is accessible to Persons in Housing Need *and shall include accommodation provided at an intermediate rent under the “Rent to*

*Homebuy Scheme” and **Affordable** shall be construed accordingly. **Intermediate Rent** means a rent that is equivalent of 80% of the market rent achievable on the property.”*

(b) The Management Covenants in Schedule 2 to include the words in italics as follows –

1. “Managed at all times by an Affordable Housing Provider as Landlord in accordance with the terms and conditions of its usual and normal shared ownership lease or rental agreement of the type and style recommended and approved by the Housing Corporation *including an assured shorthold tenancy in the case of accommodation provided under the “rent to Homebuy Scheme”* AND IF SECURED WITHOUT PUBLIC SUBSIDY....”

67 09/2043C SINGLE STOREY SIDE EXTENSION, 46, FAIRFIELD AVENUE, SANDBACH, CHESHIRE, CW11 4BP, FOR MR. S. MOGRIDGE

(Note: Councillor B H Dykes re-joined the meeting at this point in the proceedings and resumed the Chair.)

The Committee considered a report in respect of Planning Application No. 09/2043C.

RESOLVED – That the application be DEFERRED to the September meeting of the Committee to enable revised plans to be submitted and for neighbour consultation.

68 09/2053N REPLACEMENT BEDROOM OVER EXISTING UTILITY ROOM TO ENABLE CREATION OF HOME OFFICE SPACE AND SHOWER AREA, LANE END COTTAGE, MARSH LANE, EDLESTON, NANTWICH, CW5 8PA, FOR MR K BURTON

(Note: Mr K Burton (the applicant) and Mr M W Houlston, spoke in support of the application.)

RESOLVED: That the application be REFUSED on the following grounds –

The position, scale and design of the proposed extension, when taken cumulatively with the existing alterations and extensions, will over-dominate the original dwelling to the detriment of its character and appearance and also the openness of the countryside, contrary to Policy RES.11 (Improvements and Alterations to Existing Dwellings) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

The meeting commenced at 2.00 pm and concluded at 5.05 pm

Councillor B Dykes (Chairman)