

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 6th January, 2010 at Council Chamber, Municipal  
Buildings, Earle Street, Crewe CW1 2BJ

### **PRESENT**

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

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

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

Councillor Rhoda Bailey

### **OFFICERS PRESENT**

Rachel Goddard (Senior Lawyer), David Malcolm (Southern Area Manager -  
Development Management), Rosamund Ellison (Principal Planning  
Officer) and David Snelson (Principal Planning Officer)

### **Apologies**

Councillors M Davies, S Furlong, B Howell, S McGrory and J Weatherill

### **112 CODE OF CONDUCT - DECLARATIONS OF INTEREST/PRE- DETERMINATION**

Councillor B Dykes declared a personal and prejudicial interest in respect of agenda item 12 (Section 106 Agreement for Planning Application for Residential Development on land off Barony Road, Nantwich) on the grounds that he had been appointed as a Cheshire East Council representative on the Board of Wulvern Housing. In accordance with the Code of Conduct, he withdrew from the meeting during consideration of this item.

Councillor G Merry declared a personal interest in respect of application numbers 09/3337C and 09/3921C on the grounds that she was a member of Sandbach Town Council, which had been consulted on the proposed developments. In accordance with the code of conduct, she remained in the meeting during consideration of these items.

Councillor T Beard declared a personal and prejudicial interest in respect of agenda item 12 (Section 106 Agreement for Planning Application for Residential Development on land off Barony Road, Nantwich) on the grounds that he had been appointed as a Cheshire East Council representative on the Board of Wulvern Housing. In accordance with the

Code of Conduct, he withdrew from the meeting during consideration of this item.

Councillor S Jones declared that in calling in application numbers 09/0930C and 09/3455C she had expressed an opinion and therefore fettered her discretion. Councillor Jones exercised her separate speaking rights as a Ward Councillor and withdrew from the meeting during consideration of these items. Councillor Jones also declared a personal interest in respect of the applications on the grounds that she was a member of Alsager Town Council, which had been consulted on the proposed developments.

Councillor L Gilbert declared a personal interest in respect of application number 09/1663C on the grounds that he was a member of Holmes Chapel Parish 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. (Note: Councillor Gilbert subsequently declared that his interest was in respect of application number 09/3239C and not 09/1663C.)

#### 113 **MINUTES**

RESOLVED – That the minutes of the meeting held on 9 December 2009 be approved as a correct record and signed by the Chairman.

#### 114 **09/0930C TWO RESIDENTIAL UNITS TO REAR OF 38 PIKEMERE ROAD, ON EXISTING REAR GARDEN LAND, 38 PIKEMERE ROAD, ALSAGER FOR MR ANDREW CHATTERTON**

Note: Having exercised her separate speaking rights as a Ward Councillor, Councillor S Jones withdrew from the meeting during consideration of this item.

Note: Mr A Chatterton (applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report (including an oral report of the site inspection) regarding the above planning application.

RESOLVED – That the application be DEFERRED to enable planning officers to undertake further discussions with the applicant.

#### 115 **09/3455C TWO DETACHED HOUSES WITH GARAGES, 36 PIKEMERE ROAD, ALSAGER FOR MR & MRS P BOLDEN**

Note: Having exercised her separate speaking rights as a Ward Councillor, Councillor S Jones withdrew from the meeting during consideration of this item.

Note: Mrs Atkin and Mr M Williams (objectors) attended the meeting and addressed the Committee on this matter.

The Committee considered a report (including an oral report of the site inspection) regarding the above planning application.

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

1. Commence development within 3 years
2. Development in accordance with agreed drawings
3. Submission of details/samples of external materials
4. Submission of scheme of protection for trees ,shrubs and hedges
5. Submission of method statement relating to the construction of the driveway and drainage
6. Should evidence of any protected species be found during construction works shall stop
7. Standard hours of construction (0730-1800 Monday - Friday, 0730-1400 Saturday) and limits on hours of piling
8. Submission of details of boundary treatments
9. Remove permitted development rights for alterations to roofs
10. Submission of existing and proposed floor levels
11. Landscaping
12. Landscaping - implementation

**116 09/1663C THE CONSTRUCTION OF 10 NEW AFFORDABLE HOUSES AND NEW ACCESS ROAD, LAND ADJACENT POOLWOOD COTTAGES, HOLMES CHAPEL ROAD, SOMERFORD FOR PLUS DANE GROUP**

Note: Councillor N Alcock (on behalf of Somerford Parish Council) and Mr J Ashall (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report (including an oral report of the site inspection) regarding the above planning application.

RESOLVED – That the application be DEFERRED to enable officers to supply further details regarding the local need for affordable housing, distances to schools and access for buses.

**117 09/3140N EXCAVATION OF A FISHING POOL, LAND SOUTH OF WYBUNBURY MERE, WRINEHILL ROAD, HOUGH, CREWE FOR MR A. WORTHINGTON**

Councillor R Walker declared that he had called in the application but that he had not expressed an opinion and had not fettered his discretion.

Note: Mr P Lowe (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 Standard
- 2 Landscaping to be submitted and approved
- 3 Landscaping to be implemented
- 4 Plans
- 5 A scheme of Bird and Bat boxes to be provided
- 6 Further works shall not commence within the bird breeding season without the submission of an up to date ecological survey
- 7 The soil mounds should be removed from the site within 1 month of the date of this permission
- 8 No overflow/discharge into the adjacent SBI
9. Pond to be used for private recreational use by the applicant and immediate family only.
10. Bund to be completed within 2 months of date of this permission

118 **09/3239C NEW PRE-FABRICATED LEARNING CENTRE AND ASSOCIATED CAR PARK, HOLMES CHAPEL COMPREHENSIVE SCHOOL, SELKIRK DRIVE, HOLMES CHAPEL, CW4 7DX FOR MR JEFF SHARP**

Note: Councillor L Gilbert declared a personal interest in respect of this application on the grounds that he was a member of Holmes Chapel Parish 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.

Note: Mr 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 – That the application be APPROVED subject to the following conditions:

1. Standard time limit
2. Plan numbers
3. Submission of all external materials and finishes for pre fabricated building
4. Car park materials to be permeable and details of such to be submitted prior to the commencement of development
5. Protection from noise during construction.
6. Submission of a landscaping scheme
7. Planting to be carried out in the first planting and seeding seasons

8. Full details of any lighting to be submitted prior to the commencement of development

119 **09/3337C DEMOLITION OF EXISTING INDUSTRIAL UNIT, CLEARANCE OF SITE AND REDEVELOPMENT BY THE ERECTION OF RESIDENTIAL UNITS, TRAINING CENTRE, HILL STREET, SANDBACH, CHESHIRE, CW11 3JE FOR MR CLARKE**

The Committee considered a report regarding the above planning application and a letter from the applicant's agent, which was summarised by the Southern Area Manager - Development Management.

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

Insufficient information has been submitted with the application in order to justify the loss of an existing employment site. The applicant has not made reasonable attempts to market the property for employment uses and has failed to demonstrate that there would be substantial planning benefits that would outweigh the loss of the site for employment purposes. The proposal is thereby contrary to Policies GR1 and E10 of the adopted Congleton Borough Local Plan First Review.

120 **09/3921C PROPOSED TWO PAIRS OF SEMI-DETACHED DWELLINGS, ASSOCIATED PARKING AND LANDSCAPING, LAND TO THE REAR OF 155, HEATH ROAD, SANDBACH, CHESHIRE, CW11 2LE FOR MR C LOWE**

Note: Councillor G Merry declared a personal interest in respect of this application on the grounds that Mrs C Lowe, who addressed the Committee on this matter, was also a member of Sandbach Town Council. In accordance with the code of conduct, she remained in the meeting during consideration of this item.

Note: Councillor Rhoda Bailey (the Ward Councillor) and Mrs C Lowe (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 DEFERRED for a Committee site inspection so that Members can assess the impact of the proposed development on the character and appearance of the area.

**121 SECTION 106 AGREEMENT FOR PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT ON LAND OFF BARONY ROAD, NANTWICH**

Note: Having declared a personal and prejudicial interest in this matter, the Chairman vacated the Chair in favour of the Vice-Chairman, Councillor G Merry, and withdrew from the meeting during consideration of this item.

Note: Having declared a personal and prejudicial interest in this matter, Councillor T Beard withdrew from the meeting during consideration of this item.

The Committee considered a report regarding a request to vary the terms of the Section 106 Agreement for the affordable units currently under construction in Barony Road, Nantwich.

**RESOLVED**

- (a) That the terms of the Section 106 Agreement be varied, to allow the shared ownership units to be provided for intermediate rent under the “Rent to Homebuy Scheme” as well as under a standard shared ownership lease.
- (b) That, as required in order to permit lettings under the “Rent to Homebuy scheme”, additional definitions for “Assured Short-hold Tenancy” and “Rent to Homebuy Unit” be provided.

**122 DAVID SNELSON**

The Chairman reported that David Snelson was about to leave Cheshire East Borough Council. The Committee thanked David for all his hard work and wished him every success in his future career.

The meeting commenced at 2.00 pm and concluded at 3.55 pm

Councillor B Dykes (Chairman)