

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 28th November, 2018 at Council Chamber, Municipal  
Buildings, Earle Street, Crewe CW1 2BJ

## **PRESENT**

Councillor J Wray (Chairman)  
Councillor A Kolker (Vice-Chairman)

Councillors Rhoda Bailey, P Butterill, J Bratherton, J Clowes, S Davies,  
S Edgar (for Cllr Deakin), S Pochin, J Rhodes and B Walmsley

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

Councillors C Green, P Groves, D Marren and G Merry

## **OFFICERS PRESENT**

Daniel Evans (Principal Planning Officer)  
Andrew Goligher (Principal Development Control Officer - Highways)  
Susan Orrell (Principal Planning Officer)  
James Thomas (Senior Lawyer)  
Julie Zientek (Democratic Services Officer)

## **Apologies**

Councillors D Bebbington and M Deakin

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

The following declarations were made in the interests of openness:

All Members of the Committee declared that they had received  
correspondence with regard to application number 18/3123N.

With regard to application number 18/4123N, Councillor S Edgar declared  
that he was a member of Weston and Basford Parish Council. He had not  
discussed this application and had kept an open mind.

With regard to application number 18/4558N, Councillor J Clowes declared  
that she had called in the application on behalf of Hough and Chorlton  
Parish Council but that she had kept an open mind.

With regard to application number 18/3123N, Councillor B Walmsley  
declared that she was a Director of The Skills and Growth Company but  
she had not discussed the application.

Councillor J Bratherton declared that she had made up her mind with  
regard to application number 18/3123N and had signed the petition in  
support of the application.

### 35 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 31 October 2018 be approved as a correct record and signed by the Chairman.

### 36 18/3123N LAND SOUTH EAST OF CREWE ROAD ROADABOUT, UNIVERSITY WAY, CREWE: ERECTION OF A NEW FOODSTORE (USE CLASS A1), ACCESS, SUBSTATION AND ASSOCIATED CAR PARKING AND LANDSCAPING FOR MR GEORGE BROWN, ALDI STORES LIMITED

Note: Having declared that she had pre-determined the application, Councillor J Bratherton withdrew from the meeting for the duration of the Committee's consideration of this item.

Note: Councillor D Marren (Ward Councillor), Parish Councillor R Spruce (on behalf of Crewe Green Parish Council), Mr M Stockton (supporter) and Mr G Brown (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Principal Planning Officer reported that a petition had been received just prior to the meeting.

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 and the written update, the application be REFUSED for the following reasons:
1. The proposed development is located within an area allocated for employment uses as part of Policy E.1.1 of the Borough of Crewe and Nantwich Replacement Local Plan 2011. The loss of the site for employment purposes would not maintain an adequate and flexible supply of employment land within this part of the Borough and insufficient reasons have been advanced to justify a departure from this policy. As a result the proposed development would be contrary to Policy E.1.1 of the Borough of Crewe and Nantwich Replacement Local Plan 2011, Policy EG3 of the Cheshire East Local Plan Strategy and guidance contained within the NPPF.
  2. The Local Planning Authority considers that insufficient information has been provided by the applicant to demonstrate that the Grand Junction Retail Park site is unsuitable for the proposed development, and accordingly, that the application site does not represent a sequentially preferable alternative. The proposed development is contrary to Policy PG 5 of the CELPS and the NPPF.
  3. There is a small population of Great Crested Newts present at a pond a short distance from the application site and this proposed

development would result in a Medium Level adverse impact on this species as a result of the loss of terrestrial habitat and the risk of any newts present on site being killed or injured during the construction process. The proposed development fails two of the tests contained within the Habitats Directive and as a result would also be contrary to Policies NE.9 of the Crewe and Nantwich Replacement Local Plan 2011 and SE 3 of the Cheshire East Local Plan Strategy and guidance contained within the NPPF.

4. The proposed development would result in less than substantial harm to the heritage assets which adjoin the site. As the principle of the proposed development on a site allocated for employment uses is not accepted there are not considered to be public benefits which outweigh the harm. The proposed development is contrary to Policy SE 7 of the Cheshire East Local Plan Strategy, BE.7 of the Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the NPPF.
- (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 Head of Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, before issue of the decision notice.

**37 18/3220C TRAINING CENTRE, HILL STREET, SANDBACH, CW11 3JE:  
ERECTION OF A THREE STOREY RESIDENTIAL DEVELOPMENT  
COMPRISING 26 APARTMENTS (USE CLASS C3), PARKING,  
ASSOCIATED ACCESS, LANDSCAPING AND SERVICING FOR  
MILLENNIUM DEVELOPMENTS**

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

Note: Councillor G Merry (Ward Councillor), and Mr M Dixon and Mr M Gore (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**

- (a) That authority be DELEGATED to the Head of Planning (Regulation), in consultation with the Chairman of Southern Planning Committee and the Ward Member, to APPROVE the application for the reasons set out in the report, subject to
  - An amended layout to show additional parking within the site
  - Details of a covered cycle store

- Details of a covered bin store
- A S106 Agreement to secure:

<b>S106</b>	<b>Amount</b>	<b>Triggers</b>
<b>Affordable Housing</b>	30% (or more) - 65% Affordable Rent / 35% Intermediate Submission of affordable housing statement	If any market housing, 50% open market occupied prior to affordable provision. Prior to issuing of decision notice
<b>Education</b>	Primary: £43,385 Secondary: £49,028 Total: £92,431	Primary contribution – Prior to occupation Secondary contribution – Prior to occupation of 50%
<b>Health</b>	£17,424 (Ashfields Primary Care Centre)	100% prior to first occupation
<b>Public Open Space</b>	£6,092 (Thornbrook Way Play Area) £17,379.50 for maintenance over 25 years	Prior to occupation of 50%

- The following conditions:
  1. Time (3 years)
  2. Plans
  3. Prior submission/approval of facing/roofing materials including; cladding – *Prior to use of*
  4. Prior submission/approval of fenestration details – *Prior to installation of*
  5. Prior submission/approval of rainwater goods details – *Prior to installation of*
  6. Green roof area use restricted to maintenance purposes only
  7. Obscure glazing – First-floor side elevation windows – *Prior to occupation*
  8. Noise mitigation – Implementation
  9. Prior submission/approval of piling method statement
  10. Prior submission/approval of dust mitigation scheme
  11. Prior submission/approval of Environmental Management Plan
  12. Prior submission/approval of residents travel information pack – *Prior to occupation*
  13. Provision of electric vehicle charging infrastructure
  14. Prior submission/approval of Phase II contaminated land report
  15. Submission/approval of verification report
  16. Prior submission/approval of soil verification report
  17. Works to stop if contamination is identified
  18. Prior submission/approval of Construction Management Plan
  19. Prior submission/approval of updated landscaping scheme – *Prior to occupation*
  20. Landscape - Implementation
  21. Prior submission/approval of boundary treatment details – *Prior to installation of*

22. Nesting birds
23. Prior submission/approval of features to enhance the biodiversity value of proposals – features for nesting birds (incl house sparrows) and bats, a wildlife pond and native species planting – *Prior to occupation*
24. Prior submission/approval of updated drainage strategy & associated sustainable management and maintenance plan
25. Foul and surface water be drained on separate systems
26. Prior submission/approval of levels

(b) That, should this application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

<b>S106</b>	<b>Amount</b>	<b>Triggers</b>
<b>Affordable Housing</b>	30% (or more) - 65% Affordable Rent / 35% Intermediate Submission of affordable housing statement	If any market housing, 50% open market occupied prior to affordable provision. Prior to issuing of decision notice
<b>Education</b>	Primary: £43,385 Secondary: £49,028 Total: £92,431	Primary contribution – Prior to occupation Secondary contribution – Prior to occupation of 50%
<b>Health</b>	£17,424 (Ashfields Primary Care Centre)	100% prior to first occupation
<b>Public Open Space</b>	£6,092 (Thornbrook Way Play Area) £17,379.50 for maintenance over 25 years	Prior to occupation of 50%

(c) 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 Head of Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, before issue of the decision notice.

**38 18/4771N BOOT AND SLIPPER INN, LONG LANE, WETTENHALL, CHESHIRE, CW7 4DN: ERECTION OF 3 DWELLINGS FOR ATKINSON, COMMERCIAL DEVELOPMENT PROJECTS LTD**

Note: Councillor B Walmsley left the meeting prior to consideration of this application.

Note: Councillor C Green (Ward Councillor), Parish Councillor S Twigg (on behalf of Cholmondeston & Wettenhall Parish Council) and Mr S Goodwin (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 REFUSED for the following reasons:
1. The proposed development is considered to be unacceptable in principle. The development site is situated within the open countryside where there is a presumption against unacceptable, unsustainable development. It is considered that, although the site is a brownfield site, the proposed development would harm the character and appearance of the open countryside. The proposal is therefore considered to be unacceptable and contrary to Policies SD2, SE1, and PG6 of the Cheshire East Local Plan Strategy, and saved Policies RES.5 and BE.1 of the Crewe and Nantwich Replacement Local Plan, and the National Planning Policy Framework.
  2. The proposed development would result in the threat of continued health and life expectancy of a Veteran Oak Tree which is covered by a TPO; and raises concerns over social proximity to the proposed development. The proposal is therefore considered to be unacceptable and contrary to Policies SE3 and SE5 of the Cheshire East Local Plan Policy, the Standing Advice of Natural England, and the National Planning Policy Framework.
- (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 Head of Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, before issue of the decision notice.

**39 18/2925N NEW START PARK, WETTENHALL ROAD, REASEHEATH, CW5 6EL: REMOVAL OF PLANNING CONDITION 1 (3 YEARS) TO MAKE PERMISSION PERMANENT TO PLANNING APPLICATION 15/4060N FOR MR THOMAS HAMILTON**

Note: Prior to consideration of this application, the meeting was adjourned for refreshments.

Note: Councillor C Green (Ward Councillor), Parish Councillor A Hudson (on behalf of Worleston & District Parish Council) and Mr Hamilton (applicant) attended the meeting and addressed the Committee on this matter.

Note: Mr E Roberts had not registered his intention to address the Committee on behalf of objectors. 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 Roberts to speak.

The Committee considered a report regarding the above planning application.

RESOLVED

- (a) That, for the reasons set out in the report, the application be granted for a further temporary period, subject to the following conditions:
1. Temporary Time period – 3<sup>rd</sup> June 2021
  2. Occupation of the site
  3. Amount of pitches
  4. Vehicle tonnage
  5. Commercial activities
  6. Reinstatement of Land when use ends
- (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 Head of Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, before issue of the decision notice.

40 **18/4123N WESTON HALL, COMMERCIAL COMPLEX, MAIN ROAD, WESTON: CHANGE OF USE OF BUILDINGS AND AREAS OF HARDSTANDING TO B8 (STORAGE & DISTRIBUTION) USE, REPLACEMENT OF REDUNDANT BUILDINGS AND ERECTION OF NEW BUILDINGS AND AREAS OF HARDSTANDING FOR B8 (STORAGE & DISTRIBUTION) USE, ANCILLARY OFFICES, AND ASSOCIATED WORKS FOR C/O INDIGO PLANNING**

Note: Councillor D Marren (Ward Councillor), Mr P Reilly (supporter) and Mr J Warrington (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Mr S Clarke had registered his intention to address the Committee on behalf of the applicant but was not in attendance at the meeting.

The Principal Planning Officer reported that HS2 had confirmed that they had no comments regarding this application.

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 and the written update, the application be APPROVED subject to the following conditions:
1. Standard
  2. Approved plans
  3. Details of materials

4. Contaminated land - submission of a remediation strategy
5. Contaminated land - submission of a verification report
6. Contaminated land – importation of soil
7. Contaminated land - works to stop if further unknown contaminated land is uncovered
8. Provision of noise mitigation
9. Hours of operation
10. Electric Vehicle Charging Provision
11. Provision of cycle parking
12. Protection of nesting birds
13. Inclusion of features for breeding birds
14. Updated badger Survey
15. Compliance with FRA
16. Details of Surface water drainage
17. Landscaping details, including trees to the SW boundary
18. Implementation of landscaping
19. Tree protection scheme
20. Submission of Site Management Plan, including traffic management on entering and leaving the site
21. Prior to occupation details of how each unit will secure at least 10 per cent of its predicted energy requirements from decentralised and renewable or low carbon sources

(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 Head of Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, before issue of the decision notice.

**41 18/4558N THE STABLES, 95 COBBS LANE, HOUGH, CREWE, CW2 5JN: PROPOSED CHANGE OF USE AND ALTERATIONS TO FORMER STABLES TO FORM SINGLE DWELLING FOR MR SIMON CLUTTON**

Note: Parish Councillor R Dodd (on behalf of Hough and Chorlton Parish Council) and Ms H Leggett (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. Time limit for commencement of development (3 years)
2. Approved Plans
3. Materials as per application
4. Scheme of landscaping to be submitted and approved by the LPA- inc hedgerows to be retained
5. Boundary treatments to be submitted and approved by the LPA
6. Drainage scheme be submitted and approved by the LPA



7. Removal of PD (extensions/alterations, gates, walls, fences, enclosures)
8. Submission of piling method statement (if applicable)
9. Submission of scheme to minimise dust emissions
10. Provision of electric vehicle infrastructure
11. Contaminated land
12. Breeding bird survey (1<sup>st</sup> March – 31<sup>st</sup> August) prior to removal of vegetation or conversion of building
13. No damage or substantial alteration, either temporary or permanent, is caused to the surface of the right of way
14. Vehicle movements are arranged so as not to unreasonably interfere with the public's use of the way
15. The safety of members of the public using the right of way is ensured at all times

Informatives:

1. NPPF

**42 18/0775N THE ROOKERY, 125 HOSPITAL STREET, NANTWICH, CHESHIRE, CW5 5RU: 2NO NEW BUILD DWELLINGS LOCATED WITHIN THE YARD/OUT BUILDING AREA(S) FOR MR CRAIG ODAMS**

Note: Councillor S Pochin declared that she knew the developer and left the meeting prior to consideration of this application.

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

Note: Councillor P Groves (Ward Councillor) and Mr C Odams (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, for the reasons set out in the report and the written update, the application be APPROVED subject to the following conditions:
  1. Development in accordance with the approved plans
  2. Materials to be submitted to the LPA and approved in writing
  3. All windows to be timber – details to be submitted and approved
  4. Window reveal of 50mm to be provided
  5. Black metal rainwater goods to be provided
  6. Internal curtilage fencing to be restricted to 1m
  7. Landscaping scheme to be implemented
  8. Tree Survey / Pruning schedule
  9. Tree protection measures
  10. Surfacing materials
  11. Soil importation
  12. Unexpected contaminated land
  13. Details of any external lighting

14. Dust management plan
  15. Cycle storage to be submitted and approved, no taller than 1.8m
  16. Bin storage
  17. Electrical Vehicle infrastructure
  18. Archaeological programme of works
  19. Amended access and kerb arrangement
- (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 Head of Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, before issue of the decision notice.

The meeting commenced at 10.00 am and concluded at 3.42 pm

Councillor J Wray (Chairman)