

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 7th August, 2019 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor J Wray (Chairman)
Councillor S Akers Smith (Vice-Chairman)

Councillors M Benson, J Bratherton, P Butterill, A Critchley, S Davies,
H Faddes (for Cllr Rhodes), K Flavell, A Gage and A Kolker

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors S Brookfield and J Clowes

OFFICERS PRESENT

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

Apologies

Councillor J Rhodes

15 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interests of openness, Councillor M Benson declared that he had attended the Special Meeting of Cabinet the previous day, at which Danielle Bassi had spoken with regard to application number 18/5798N on behalf of Keyworker Homes. This had no impact in terms of his openness in dealing with the matter.

16 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 3 July 2019 be approved as a correct record and signed by the Chairman.

17 19/1648N LAND AT GRAND JUNCTION RETAIL PARK, MANCHESTER BRIDGE, CREWE CW1 2RP: APPLICATION FOR THE CREATION OF A NEW VEHICULAR ACCESS (INGRESS ONLY) FROM MANCHESTER BRIDGE FOR TRITON PROPERTY FUND

Note: Councillors S Akers Smith and A Gage arrived at the meeting during consideration of this item and did not take part in the debate or vote.

Note: Councillor S Brookfield (Ward Councillor), Mr B Wye (objector) and Mr B Wiseman (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, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The construction of the proposed new vehicular access would create an additional pedestrian and cyclist give way section on this part of the shared pedestrian/cycle path. This would result in conflict between road users and users of the footpath and may force more cyclists to use the public highway rather than the shared footpath and would not therefore promote good pedestrian and cycle links to the town centre. The proposal is therefore contrary to Policies SD1, SD2, IN1, SE2, CO1, SC3 of the Cheshire East Local Plan, Saved Policies TRAN.3, TRAN.5 of the Crewe and Nantwich Local Plan, the adopted Cycle Strategy (a vision for the future in Cheshire East 2017-2027) and 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 Development Management, following 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.
- (c) That, should this application be subject to an appeal, approval be given to enter into a S106 Agreement with the following Heads of Terms:

S106	Amount	Triggers
Highways	£,5000 for contribution towards TRO	Prior to commencement of development

**18 19/0357N FIELDS FARM, QUEENS DRIVE, NANTWICH CW5 5JL:
OUTLINE PLANNING PERMISSION WITH SOME MATTERS
RESERVED FOR DEMOLITION OF EXISTING BUILDINGS AND
ERECTION OF PROPOSED HOUSING DEVELOPMENT OF UP TO 21
DWELLINGS AT FIELDS FARM – ACCESS FOR MR D HEYS**

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

- (a) That, for the reasons set out in the report, the application be APPROVED subject to the completion of a S106 Agreement to secure:

S106	Amount	Triggers																		
Affordable Housing	30% - 6 Dwellings (65% Affordable Rent / 35% Intermediate)	No more than 50% open market occupied prior to affordable provision																		
Education	Contribution of £49,028 towards secondary education	50% Prior to first occupation 50% at occupation of 50% dwelling																		
Public Open Space	Provision of Public Open Space of 40m2 per dwelling and to be maintained by a private management company	Open space on site prior to first occupation Contribution – 50% Prior to first occupation 50% at occupation of 50% dwellings																		
Health	<p>Contribution to support Kiltearn Medical Centre, Tudor Surgery and Nantwich Health centre in Nantwich using the following formula;</p> <table> <tr> <th>Size of Unit</th><th>Occupancy Assumptions Based on Size of Unit</th><th>Health Need/Sum Requested per unit</th></tr> <tr> <td>1 bed unit</td><td>1.4 persons</td><td>£504 per 1 bed unit</td></tr> <tr> <td>2 bed unit</td><td>2.0 persons</td><td>£720 per 2 bed unit</td></tr> <tr> <td>3 bed unit</td><td>2.8 persons</td><td>£1,008 per 3 bed unit</td></tr> <tr> <td>4 bed unit</td><td>3.5 persons</td><td>£1,260 per 4 bed unit</td></tr> <tr> <td>5 bed unit</td><td>4.8 persons</td><td>£1,728 per 5 bed unit</td></tr> </table>	Size of Unit	Occupancy Assumptions Based on Size of Unit	Health Need/Sum Requested per unit	1 bed unit	1.4 persons	£504 per 1 bed unit	2 bed unit	2.0 persons	£720 per 2 bed unit	3 bed unit	2.8 persons	£1,008 per 3 bed unit	4 bed unit	3.5 persons	£1,260 per 4 bed unit	5 bed unit	4.8 persons	£1,728 per 5 bed unit	<p>50% Prior to first occupation</p> <p>50% at occupation of 90% dwelling</p>
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and the following conditions:

1. Time Limit (Outline)
2. Submission of reserved matters (Appearance, Landscaping, Layout and Scale)

3. Reserved Matters application made within 3 years
4. Development in accordance with approved plans
5. Prior submission/approval of levels
6. Reserved Matters scheme should be supported by an updated AIA/Tree Protection Scheme in accordance with BS 5837
7. Reserved matters application to be supported by an updated bat and barn owl survey.
8. Nesting birds
9. Any future reserved matters application to be supported by detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds including house sparrow and swifts
10. Reserved matters to include noise mitigation measures
11. Prior submission/approval of a residents travel information pack
12. Provision of electric vehicle charging infrastructure
13. Prior submission/approval that any gas boiler installations proposed are to a certain emission standard
14. Prior submission/approval of a phase 2 contaminated land report
15. Submission/approval of a verification report
16. Submission/approval of a soil verification report
17. Unexpected contamination - works to stop if contamination is identified
18. Prior submission of a surface water drainage scheme and associated management and maintenance plan
19. Reserved matters to include plan showing culverted watercourse
20. Reserved matters to include link to PROW
21. Prior submission/approval of a Construction Management Plan unless otherwise agreed in writing by the Local Planning Authority.
22. Provision of broadband infrastructure.

(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 Development Management, following 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.

(c) That, should this application be subject to an appeal, approval be given to enter into a S106 Agreement with the following Heads of Terms:

S106	Amount	Triggers
Affordable Housing	30% - 6 Dwellings (65% Affordable Rent / 35% Intermediate)	No more than 50% open market occupied prior to affordable provision
Education	Contribution of £49,028 towards secondary education	50% Prior to first occupation 50% at occupation of 50%

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19 18/5798N 414, NEWCASTLE ROAD, SHAVINGTON CW2 5JF: A DETAILED PLANNING APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF UP TO 44 RESIDENTIAL DWELLINGS (100% AFFORDABLE HOUSING) INCLUDING ANY ASSOCIATED INFRASTRUCTURE AND NEW SITE ACCESS FOR LAND SOUTH OF NEWCASTLE ROAD, SHAVINGTON CW2 5JF FOR KEYWORKER HOMES, THE GUINNESS PARTNERSHIP AND D & W WOOTON

Note: Susan Orrell, Principal Planning Officer, read a representation from Councillor D Marren (Ward Councillor), who was unable to attend the meeting.

Note: Councillor J Clowes (Ward Councillor) and Ms G Shuker (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Before she spoke, Councillor Clowes declared that she had attended the Special Meeting of Cabinet the previous day, at which Danielle Bassi had spoken with regard to application number 18/5798N on behalf of Keyworker Homes. Councillor Clowes had not been involved in the debate and Ms Bassi's statement to Cabinet had not prejudiced what she was going to say.

Note: Ms D Bassi had registered her intention to address the Committee on behalf of the applicant but did not speak.

The Committee considered a report regarding the above planning application, a written update and an oral report of the site inspection.

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 application site is located within the Open Countryside and outside of the Shavington Settlement Boundary. The application is not supported by an up-to-date Housing Needs Survey to identify the need within this Parish. Furthermore a development of 44 affordable units would exceed the threshold criteria of 10 units identified by Policy SC6. The proposed development would cause harm to the open countryside and be contrary to Policy SC6 and PG6 of the Cheshire East Local Plan Strategy.
 2. There is a minor roost of Bats within one of the buildings to be demolished as part of this proposed development and this proposed development would result in a Low Level adverse impact on this species as a result of the loss of the roost and the risk of any bats 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.
 3. The design and layout of the proposed development is considered to be poor and fails to take the opportunities available for improving the character and quality of the area. As a result the proposal would not make a positive contribution to the area and would be contrary to Policy SE1 of the CELPS, The Cheshire East Design Guide and the requirements of 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 Development Management, following 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.
- (c) That, should this application be subject to an appeal, approval be given to enter into a S106 Agreement to secure the following Heads of Terms:

S106	Amount	Triggers
Affordable Housing	100% affordable housing	In accordance with details to be submitted and approved.

Health	£40,896	To be paid prior to first occupation of the development.
Open Space Contribution – Improvements to children’s play area at Wessex Close	£25,000	To be paid prior to the first occupation of the 20 th dwelling.

20 19/1653C LAND ADJACENT TO SWANWICK HALL DRIVE, OFF BOOTH BED LANE, GOOSTREY: PROPOSED NEW STABLE BLOCK, MANEGE, ACCESS TRACK AND CHANGE OF LAND USE TO COMBINED EQUESTRIAN AND AGRICULTURAL FOR MRS P TAYLOR

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

Note: Parish Councillor K Morris (on behalf of Goostrey Parish Council) and Mr A Woodward (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, for the reasons set out in the report and the written update, the application be REFUSED for the following reason:

The application site makes an important contribution to the setting of the grade II listed building, Swanick Hall. The importance of the driveway and its surrounds is considered high, given that it is the only access to the Hall. The introduction of built form would erode the current open, undeveloped character of the area. The proposed development would also intensify the appearance of infrastructure and activity, which would detract attention away from the Hall. As a result of the harm to the setting, the proposal would result in less than substantial to the significance of the designated heritage asset. There are no public benefits which would outweigh this harm. The proposal would fail to comply with the requirements of CELPS policy SE 7, CBLP policy BH4, GNP policy OECH3 and chapter 16 of 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 Head of Development Management be granted delegated authority to do so

following consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

21 19/2396N SITE OF FORMER LODGEFIELDS SCHOOL, LODGEFIELD DRIVE, CREWE, CHESHIRE: ERECTION OF A NEW TWO-STOREY SEND (SPECIAL EDUCATION NEEDS AND DISABILITY) SCHOOL AND ASSOCIATED LANDSCAPING FOR HENRY BOOT CONSTRUCTION LTD

Note: Mr N Brindle 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. Standard
2. Approved Plans
3. Details of Materials
4. Contaminated Land - Submission and approval of gas protection measures
5. Contaminated Land - Submission of Verification for installed gas remediation measures
6. Contaminated Land - Verification of importation of soils and forming materials
7. Contaminated Land - Works to stop if unexpected contamination is discovered on site
8. Details of external lighting
9. Breeding Birds – timing of works
10. Inclusion of features to increase biodiversity
11. Provision of secure, covered cycle storage
12. Notwithstanding submitted plans, details of the hard and soft landscaping to be submitted and approved
13. Implementation of the landscaping scheme
14. Boundary treatments
15. Development to be carried out in accordance with approved FRA
16. Submission of details of surface water drainage scheme and implementation
17. Submission, approval and implementation of a Construction Management Plan
18. Tree protection measures during construction
19. Electric vehicle charging

(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 Development Management, following 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 1.15 pm

Councillor J Wray (Chairman)