

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 7th March, 2012 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor G Merry (Chairman)
Councillor M J Weatherill (Vice-Chairman)

Councillors P Butterill, J Clowes, W S Davies, L Gilbert, P Groves, M Jones,
A Kolker, D Marren, M A Martin, D Newton and A Thwaite

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors Rachel Bailey, A Moran and S Hogben

OFFICERS PRESENT

Rachel Goddard (Senior Lawyer)
Ben Haywood (Principal Planning Officer)
Paul Jones (Democratic Services Team Manager) (for Item 6 only)
David Malcolm (Southern Area Manager – Development Management)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors S McGrory and M Sherratt

151 DECLARATIONS OF INTEREST

Councillor M Jones declared that, with respect to application number 11/4149N, he had been present in meetings when the site had been mentioned, but that he had not discussed it and had not expressed an opinion. In accordance with the Code of Conduct he remained in the meeting during consideration of this item.

Councillor M Jones declared that, with respect to application number 11/2423N, as the Ward Member he had been present in meetings when the site had been mentioned, but that he had not discussed it and had not expressed an opinion. In accordance with the Code of Conduct he remained in the meeting during consideration of this item.

Councillor S Davies declared that he had called in application number 12/0166N, but that he had not expressed an opinion and had not fettered his discretion.

Councillor P Butterill declared a personal interest in respect of application number 12/0222N on the grounds that she was a member of Nantwich Town Council, which had been consulted on the proposed development. In accordance with the code of conduct, she remained in the meeting during consideration of this item.

Councillor D Marren declared a personal interest in respect of application number 12/0222N on the grounds that he was a member of Nantwich Town 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.

All Members of the Committee declared that they had received correspondence regarding application number 11/4149N.

Julie Zientek declared a personal and prejudicial interest in respect of application number 12/0222N on the grounds that she knew the objector. In accordance with the code of conduct, she withdrew from the meeting during consideration of this item.

152 **MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 15 February 2012 be approved as a correct record and signed by the Chairman.

153 **12/0222N LAND OFF MARSH LANE, NANTWICH, CHESHIRE: RESERVED MATTERS APPLICATION FOR 13 NO. DETACHED DWELLINGS, PARKING AND AMENITY SPACE AND THE RETENTION OF PUBLIC OPEN SPACE/CHILDREN'S PLAYGROUND INCLUDING APPEARANCE, LANDSCAPING, LAYOUT, SCALE AND ACCESS FOLLOWING OUTLINE APPROVAL OF P05/0121 FOR ELAN REAL ESTATE LTD & BRITISH WATERWAYS**

Note: Having declared a personal and prejudicial interest in this application, Julie Zientek withdrew from the meeting during consideration of this item.

Note: Councillor A Moran (Ward Councillor), Mr E Leetham (objector) and Mr P Darwin (on behalf of the applicant) had registered their intention to address the Committee on this matter but did not speak.

The Committee considered a report regarding the above planning application and an oral update by the Southern Area Manager - Development Management.

RESOLVED – That the application be DEFERRED to enable officers to consider revised plans and undertake further consultation.

154 **12/0166N THE BANK, STATION ROAD, WRENBURY CW5 8EX:
DEMOLITION OF BANK AND BUILD NEW ONE DORMER BUNGALOW
(RESUBMISSION) FOR MR T MORGAN**

Note: Councillor Rachel Bailey (Neighbouring Ward Councillor) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application, an oral update by the Southern Area Manager - Development Management and an oral report of the site inspection.

RESOLVED – That, contrary to the planning officer's recommendation for refusal, the Head of Development be granted delegated authority to APPROVE, subject to receipt of a satisfactory Protected Species survey with regard to bats and the following conditions:

1. Standard time limit
2. Submission of materials
3. Prior to commencement details of the access to be submitted and approved
4. Prior to commencement detailed site layout plan to be submitted and approved
5. Permitted Development rights A-F to be removed
6. Landscaping to be submitted and approved
7. Garaging to parking of vehicles and storage only, not be converted to accommodation.
8. Ecology (if required)

And an Informative from Network Rail in respect of works close to the railway.

Reason for the decision:

The application site is located within the Open Countryside where there is a presumption against inappropriate development and where the construction of new residential dwellings is strictly controlled. The application proposals would not satisfy the criteria set out in Policy RES.5 for Residential Development in the Open Countryside. Notwithstanding this, the existing building is in dilapidated condition and the site is partly brownfield. Furthermore, there is a deficit in Councils housing land supply. In the light of these material considerations, it is considered that the proposed development would not cause significant detrimental harm to the character and appearance of the Open Countryside and is acceptable, as a departure to Local Plan Policies NE.2 (Open Countryside) and RES.5 (Housing Development in the Open Countryside). It is considered that there would be no harm to the amenity of surrounding residential properties, or future occupants of the dwelling as conditioned. The site can also be satisfactorily accessed without causing harm to highway safety and would not result in an adverse impact on Protected Species. The proposed development is therefore considered to be in accordance with

other Policies BE.1(Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), NE.5 (Nature Conservation), and NE.9 (Protected Species) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

155 11/3867N LAND TO REAR OF 157 CREWE ROAD, ACCESSED VIA GUTTERSCROFT, HASLINGTON CW1 5RJ: CONSTRUCTION OF 11 THREE STOREY DWELLINGS FOR LOTHLORIAN LTD

Note: Councillor R Hovey (on behalf of Haslington Parish Council), Ms S Jones (objector) and Mr R Holmes (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 update by the Southern Area Manager - Development Management.

RESOLVED – That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

- 1) Commencement of Development (3 years)
- 2) Approved Plans
- 3) Materials to be submitted
- 4) Details of Surfacing materials to be submitted
- 5) Detailed Landscaping Scheme to be submitted
- 6) Landscaping Scheme Implementation and maintenance
- 7) Tree / hedgerow protection measures to be submitted and retention of hedgerow to western boundary with footpath (Haslington PF45)
- 8) Details of Boundary treatments to be submitted for approval
- 9) Parking to be made available prior to occupation
- 10) Hours of construction:
Monday – Friday 08:00 to 18:00 hrs
Saturday 09:00 to 14:00 hrs
Sundays and Public Holidays Nil
- 11) Hours of pile driving:
Monday – Friday 08:30 – 17:30 hrs
Saturday 08:30 – 13:00 hrs
Sunday and Public Holidays Nil
- 12) Phase II Contaminated Land Survey prior to commencement
- 13) Gutterscroft improvements to be implemented prior to the occupation of the development
- 14) Details of drainage to be submitted
- 15) Details of any lighting
- 16) Breeding birds surveys if any works are undertaken between 1st March and 31st August in any year,
- 17) Detailed proposals of features suitable for use by breeding birds to be submitted
- 18) Construction Management Plan to be submitted and approved in writing prior to the commencement of development. Implementation in accordance with the approved plan.
- 19) Obscure glazing to the side elevation of house types A & C

20) Removal of permitted development rights for roof alterations to Plots 5 - 8

156 **11/4149N EARL OF CREWE HOTEL, NANTWICH ROAD, CREWE, CHESHIRE CW2 6BP: DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF NEW FOODSTORE WITH ASSOCIATED CAR PARKING AND SERVICING FACILITIES FOR ALDI STORES LTD**

Note: Councillor S Hogben (Ward Councillor), Mr C Dunn and Mr G Fyffe (supporters), and Mr D Highton (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Councillor D Flude (Ward Councillor) had not registered her 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 Flude to speak.

The Committee considered a report regarding the above planning application and an oral update by the Principal Planning Officer.

RESOLVED – That, contrary to the planning officer's recommendation for refusal the application be APPROVED subject to the following conditions:

1. Timescale
2. Materials
3. Opening hours 8-8 and 11-5 on Sundays
4. Access
5. Landscaping
6. Car parking – amended plans
7. Delivery hours
8. Construction hours
9. Car park closed outside opening hours
10. CCTV
11. Contaminated land
12. 10% renewable energy
13. Waste management plan
14. Highway and access
15. Lighting
16. Air quality

Reason for the decision:

In the opinion of the Local Planning Authority, the evidence submitted by the applicant has conclusively demonstrated that re-use of the existing building is neither physically nor financially sustainable. Therefore it has been clearly demonstrated that there are reasons for the development which outweigh the need to safeguard the locally listed building. The proposal therefore complies with Policy BE13 (Buildings of Local Interest) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

The proposal would also accord with Policies BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.4 (Drainage, Utilities and Resources), BE.5 (Infrastructure), TRAN.1 (Public Transport), TRAN.3 (Pedestrians), TRAN.4 (Access for the Disabled), TRAN.5 (Provision for Cyclists), TRAN.6 (Cycle Routes), TRAN.9 (Car Parking Standards), S.10 (Major Shopping Proposals), S.9 (Nantwich Road) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and that it would not materially harm the character or appearance of the area or the privacy and living conditions of neighbouring occupiers and would be acceptable in terms of highway safety.

157 12/0234N ROSE HALL, ASTON JUXTA MONDRUM, NANTWICH CW5 6DS: PROPOSED TWO STOREY EXTENSION TO FORM RESIDENTIAL ANNEX FOR MRS A MCALPINE

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

Note: Mr G Kaufman (objector) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application and an oral update by the Southern Area Manager - Development Management.

RESOLVED – That the application be DEFERRED for a Committee site inspection to enable Members to assess the impact of the proposed development on neighbouring residential amenity.

158 12/0250C LAND ON OAK TREE LANE, CRANAGE: DEMOLITION OF THE HAVEN AND NEW FARM, OAK TREE LANE, AND CONSTRUCTION OF TWO NEW REPLACEMENT DWELLINGS ON SEPARATE SITE AT OAK TREE LANE FOR MS PAT DAVIES

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 and an oral update by the Southern Area Manager - Development Management.

RESOLVED – That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Time limit.
2. Compliance with the approved plans.
3. Submission of materials for approval.
4. Submission and implementation of a tree protection scheme.
5. Submission of landscaping scheme.
6. Implementation of landscaping scheme

7. Submission and implementation of boundary treatment scheme.
8. Hours of construction (including deliveries) limited to 0800 to 1800 Monday to Friday, 0800 to 1400 Saturday with no working on Sundays or Bank Holidays.
9. Submission of details of the method, timing and duration of any pile driving operations.
10. Submission and implementation of a scheme for protection from traffic noise and vibration.
11. Protection measures for breeding birds.
12. Submission and implementation of a scheme of boundary treatments.
13. Use of electromagnetic screening measures to protect the Jodrell Bank Radio Telescope.
14. Removal of permitted development rights
15. Removal of all existing buildings and associated hardstanding within 3 months of the first occupation of either of the proposed dwellings.

and an informative regarding the involvement of the Highways Agency in the demolition works.

159 12/0325N THE PRINTWORKS, CREWE ROAD, HASLINGTON, CREWE, CHESHIRE CW15RT: PROPOSED REPLACEMENT DWELLING FOR PREVIOUSLY APPROVED RESIDENTIAL CONVERSION FOR NIGEL HARTLEY

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
- 2 Reference to plans.
- 3 Materials including surfacing
- 4 Boundary treatment
- 5 Landscaping
- 6 Landscape implementation
- 7 Removal of permitted development rights for extensions, alterations, outbuildings and gates / walls / fences / satellite dishes etc.
- 8 Contaminated land
- 9 Construction Hours
- 10 Pile Driving
- 11 Tree Protection
- 12 Implementation of Tree Protection

160 **12/0384C GROVE INN, MANCHESTER ROAD, CONGLETON CW12
1NP: REPLACEMENT OF VACANT PUBLIC HOUSE WITH
CONVENIENCE RETAIL OUTLET STORE FOR SEVEN TEN
(CHESHIRE) LTD**

Note: Mr J Taylor (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 update by the Principal Planning Officer.

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

1. Insufficient information has been submitted with the application relating to the existing Pelican crossing, the proposed Puffin crossings, a revised position for the bus-stop and the management of deliveries to the store, in order to assess adequately the impact of the proposed development having regard to highway safety. In the absence of this information, it has not been possible to demonstrate that the proposal would comply with Development Plan policies and other material considerations.
2. The proposed form and design of the development would be unsympathetic to the surrounding character of the area and would therefore be contrary to Congleton Local Plan Policies GR1 and GR2.

161 **APPEAL AGAINST NON-DETERMINATION: LAND OFF WYCHE LANE,
BUNBURY CW6 9PS (APPLICATION NO. 11/2423N)**

Note: Mr J Walton (objector) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application, which was the subject of an appeal against non-determination.

RESOLVED – That, had the Committee been able to determine the application, it would have been APPROVED for the reasons set out in the report, subject to a Deed of Variation to the existing Section 106 Agreement to reference the new permission and the following conditions:

1. Standard Time Limit
2. Amended plans
3. Materials
4. Remove permitted development rights – extensions and ancillary buildings
5. Access to be constructed to sub-base level prior to first occupation
6. Landscaping scheme to be submitted
7. Implementation / maintenance of landscaping

8. Boundary treatment to be submitted and implemented
9. Full drainage details to be submitted and implemented.
10. Obscure glass to first floor window in east gable of unit 1.
11. Scheme of tree protection to be submitted and agreed
12. No lighting of fires / storage of materials etc. in protected area
13. Specification for paths / drives etc. under trees to be submitted and agreed
14. Implementation of wildlife mitigation measures.
15. Hedgerow removal to take place outside bird nesting season
16. Details of finished floor levels to be submitted and agreed
17. Track to be surfaced using "Top-trek" or a similar material – details to be submitted and agreed.

The meeting commenced at 2.00 pm and concluded at 5.35 pm

Councillor G Merry (Chairman)