

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 8th August, 2012 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor G Merry (Chairman)

Councillors D Bebbington, P Butterill, R Cartlidge, J Clowes, W S Davies,
P Groves, A Kolker, D Marren, M A Martin, D Newton and A Thwaite

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors Rachel Bailey and C Thorley

OFFICERS PRESENT

Sarah Edge (Senior Environmental Health Officer)
Rachel Goddard (Senior Lawyer)
Ben Haywood (Principal Planning Officer)
Neil Jones (Principal Development Officer – Highways Development)
David Malcolm (Southern Area Manager – Development Management)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors M J Weatherill, Rhoda Bailey and S McGrory

36 DECLARATIONS OF INTEREST

Note: The Senior Lawyer briefly outlined the provisions of the new Code of Conduct, which had been approved by Council on 19 July 2012, and the implications for declaring interests at meetings of the Southern Planning Committee.

Councillor D Bebbington declared that, with respect to application number 12/1836N, he had in the past rented a property from the mother of the applicant. He was acquainted with the applicant, and still knew him well enough to hold a conversation, but had no other social contact with him nor any business or financial dealings.

Councillor A Thwaite declared that he had been present when application number 12/2230N had been discussed previously. He had, however, not made up his mind and had not fettered his discretion.

All Members of the Committee stated that they had not predetermined application number 12/2230N, which had previously been discussed by the Committee.

All Members of the Committee declared that they had received correspondence regarding application number 12/2230N.

37 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 18 July 2012 be approved as a correct record and signed by the Chairman.

38 **11/2394C PACES GARAGE AND FAIRFIELDS, NEWCASTLE ROAD, ARCLID, CHESHIRE CW11 2UE: REDEVELOPMENT OF INDUSTRIAL/COMMERCIAL PREMISES AND TWO DETACHED GARAGES AND ERECTION OF 18 DWELLINGS (13 MARKET/5 AFFORDABLE), PROVISION OF PUBLIC OPEN SPACE AND FORMATION OF REPLACEMENT ACCESS FOR THE DWELLING FAIRFIELD FOR ROWLAND HOMES LTD AND MESSRS PACE**

Note: Councillor S Davies arrived during consideration of this item but did not take part in the debate or vote.

Note: Mr A Jolly (objector) and Mr P Emery (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 APPROVED, subject to the signing of a Section 106 agreement making provision for the following:
- Affordable Housing comprising 3 social rented units and 2 intermediate tenure units.
 - Social rented units to be provide through an RSL
 - financial contribution of £10,000 towards speed limit reduction from 50mph to 40mph around Arclid traffic lights.

and the following conditions:

1. Standard
2. Plans
3. Submission of detailed construction plans for access
4. Provision of footpaths to site frontage
5. Scheme of foul drainage
6. Contaminated land investigation
7. Details of Sustainable Urban Drainage System
8. Timing and method of pile driving
9. Air Quality mitigation measures#
10. Construction hours to be 0800 – 1800 Monday to Friday and 0800 to 1300 Saturday with no working on Sunday / bank holidays
11. Removal of Petrol tanks
12. Method of dealing with unforeseen contamination
13. Electromagnetic screening measures

14. Relocation of existing businesses elsewhere within the Borough
 15. Tree Protection
 16. No works within protected area
 17. Boundary Treatment
 18. Landscaping
 19. Landscaping implementation
 20. Materials
 21. Obscured glazing to gable of Plot 14
 22. Protection of breeding birds
 23. Incorporation of features suitable for use by breeding birds
 24. Removal of Permitted Development rights for plots 14 - 18
 25. Noise and vibration mitigation measures
- (b) That, in the event of any changes being needed to the working of the Committee's decision (such as to delete, vary or add conditions / informatics / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Southern Area Manager be delegated authority to do so, provided that he does not exceed the substantive nature of the Committee's Decision.

39 12/2230N THE FORMER OLD CREAMERY, STATION ROAD, WRENBURY CW5 8EX: PROVISION OF 21 X 70M PORTAL FRAMED SHED FOR CASTING CONCRETE PRODUCTS, PROVISION OF 2M DIAMETER X 10M HIGH MOBILE CEMENT SILO AND THREE BAY BIN - 8.5M X 2.5M, PROVISION OF 12M X 6M FRAMED BATCHING SHED FOR MR GRAHAM HEATH, CONCRETE PANEL SYSTEMS LTD

Note: Mr A Murphy attended the meeting and addressed the Committee on this matter on behalf of Wrenbury-cum-Frith Parish Council and Aston and Wrenbury Consortium.

The Committee considered a report regarding the above planning application and a written update.

The Southern Area Manager – Development Management reported that the reference to the Environmental Permitting (England and Wales) Regulations 2012 in the Pollution section of the Officer Appraisal in the report should read: 'the Environmental Permitting (England and Wales) Regulations 2010' and that a permit had been issued under these regulations.

RESOLVED – That, contrary to the planning officer's recommendation for approval, the application be **REFUSED** for the following reasons:

1. The proposal would, due to the increase in heavy goods vehicle movements and noise associated with the manufacturing process, have a prejudicial impact on the residential amenity of the occupiers of Holly House, properties on Station Road and the future occupiers of the proposed affordable housing on land off Station Road, Wrenbury contrary Policy BE.1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

2. The proposal would, due to the increase in heavy goods vehicle movements and sub-standard access arrangements, prejudice the safe movement of traffic on surrounding roads without providing a safe arrangement for vehicular access and egress contrary to Policy BE.1 (Amenity) and Policy BE.3 (Access and Parking) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.
3. It is considered that the proposal would not represent sustainable development as defined by the National Planning Policy Framework due to the adverse impact on the delivery of the approved affordable housing on land off Station Road, Wrenbury (LPA Reference: 11/1165N) contrary to paragraphs 7 and 8 of the National Planning Policy Framework.

40 11/3168N THE LIMELIGHT CLUB, 1- 7, HIGHTOWN, CREWE CW1 3BP: RESTORATION AND CONVERSION OF EXISTING BUILDING TO FORM 22NO DWELLINGS WITH AMENITY SPACE AND OFF ROAD PARKING FOR MR STUART CAMPBELL, LIMELIGHT DEVELOPMENTS LTD

Note: Councillor D Marren declared that he had spoken to the applicant but that he had not expressed an opinion.

The Committee considered a report regarding the above planning application and a written update.

RESOLVED – That, for the reasons set out in the report, the application be APPROVED subject to a Section 106 Agreement to secure overage agreement so that if the total sales proceeds for the development exceed the amount predicted in the Viability Appraisal submitted with the application, the additional monies are split 50/50 with the Council to go towards the provision of affordable housing

and the following conditions:

1. Standard
2. Amended plans
3. Provision of carparking
4. Provision of cycle parking
5. Side windows of Bedroom 1 (Flat 8) Living Room (Flat 5) and Bedroom (Flat 13)
6. 10% of energy requirements to be from decentralised/renewable/low-carbon source energy supply unless demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable.
7. Submission / approval implementation of materials
8. Submission / approval of landscaping
9. Implementation of landscaping
10. Submission / approval / implementation of boundary treatment.
11. Hours of operation restrictions to be placed on the construction site; Monday – Friday 08.00 hrs to 18.00 hrs, Saturday 09.00 hrs to 14.00 hrs, with no Sunday or Bank Holiday working

12. Should there be a requirement to undertake foundation or other piling on site it is recommended that these operations to be restricted to: Monday – Friday 08:30hrs – 17:30hrs; Saturday 08:30hrs – 13:00hrs; Sunday Nil
13. Submission / approval / implementation of traffic noise assessment and any recommended mitigation.
14. Submission / approval / implementation of details of external lighting
15. Submission / approval / implementation of bin storage, for both household waste and recycling, for the size of the development.
16. Submission / approval / implementation of contaminated land assessment and any recommended mitigation.

41 12/1175N REASEHEATH COLLEGE, MAIN ROAD, NANTWICH, CHESHIRE CW5 6DF: PROPOSED 3 STOREY 150 BED RESIDENTIAL STUDENT ACCOMMODATION BUILDING FOR MR MARK EMBREY

Note: Councillor D Perkins (on behalf of Worleston & District Parish Council), Ms A McGourlay (objector) and Mr O Cotton (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, a written update and an oral report of the site inspection.

RESOLVED – That, contrary to the planning officer's recommendation for approval, the application be **REFUSED** for the following reasons:

1. The Local Planning Authority considers that the size, siting, scale, form and design of the proposed three storey student accommodation block would represent an unduly prominent feature within the landscape which would have an adverse impact on the character and appearance open countryside and neighbouring buildings contrary to policies NE.2 (Open Countryside) and BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and advice advocated within the National Planning Policy Framework.
2. The proposed development relates to the provision of 150 one bed apartments for student accommodation with the provision of 11 off street parking spaces. This level of parking provision is less than one quarter of the maximum standard identified at Appendix 8.1 of the Local Plan. It is considered that the inadequate levels of parking at the application site will lead to pressure for off road car parking contrary to policy BE.3 (Access and Parking) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and advice advocated within the National Planning Policy Framework.

**42 12/1346N MAGPIE HOUSE, 57, EARLE STREET, CREWE CW1 2AS:
CHANGE OF USE FROM A2 OFFICE AND SUBDIVISION TO FORM 18
BED-SITTING ROOMS FOR MR K VICKERS, CRIMEWATCH
SECURITIES**

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

In the absence of the Vice-Chairman, and in accordance with Procedure Rule 17.5, Councillor A Kolker was appointed to take the Chair on the departure of the Chairman, later in the meeting.

Note: Councillor C Thorley (Ward Councillor), Mrs L Fleet (objector) and Mr K Vickers (applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application, a written update, an oral report of the site inspection 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 a Section 106 Agreement to secure £5,000 towards footway/cycle improvements at Macon Way/Earle Street Bridge and the following conditions:

1. Standard (Time)
2. Plans
3. Materials as per application
4. Hours of construction
5. Lighting to be approved
6. Scheme of acoustic enclosures
7. Obscure glazing (x3)
8. Submission of details showing that all windows on principal elevation (Earle Street) shall be non-opening (other than Building Regulation requirements)
9. Submission of ventilation equipment details
10. Prior submission of a plan showing the upgrade of the existing glazing for sound proofing purposes to achieve 30dBA from bedrooms
11. Prior submission of details of the air exchange system showing it to be acoustically attenuated
12. Boundary treatment to front to be railings

**43 12/1836N HIGHER ELMS FARM, CROSS LANE, MINSHULL VERNON
CW1 4RG: PROPOSED FARM COMPLEX CONSISTING OF STEEL
PORTAL-FRAMED BUILDINGS FOR HOUSING AND MILKING OF
LIVESTOCK, EARTH BANKED SLURRY STORE AND EARTH BANNED
SILAGE CLAMP FOR MR CHARLESWORTH**

Note: Councillors M Martin and D Newton left the meeting prior to consideration of this application.

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

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

1. Standard Time Limit
2. Plans
3. Materials
4. Drainage
5. No Additional External Lighting
6. Landscaping Submitted
7. Landscaping Implemented
8. Boundary Treatment
9. Surfacing Materials

44 12/1862N STEWART STREET MOTORS, STEWART STREET, CREWE CW2 7RW: REMOVAL OF EXISTING SECOND HAND CAR SALES SITE, BUILDING AND THE ERECTION OF 7NO. ONE BEDROOMED AND 7NO. TWO BEDROOMED FLATS IN A THREE STOREY BLOCK FOR STEWART STREET MOTORS

The Chairman reported that this application had been withdrawn by the applicant prior to the meeting.

45 12/1869N LAND ADJOINING SCHOOL LANE, BUNBURY CW6 9NR: OUTLINE APPLICATION FOR ONE TWO STOREY DETACHED DWELLING WITH DETACHED GARAGE FOR MR POTTON

Note: Councillor N Parker (on behalf of Bunbury Parish Council) and Mr E Lord (objector) attended the meeting and addressed the Committee on this matter.

Note: Ms C Briggs-Harris had registered her intention to address the Committee on this matter but did not attend the meeting. The Southern Area Manager – Development Management reported comments which had been submitted by Ms C Briggs-Harris prior to the meeting.

Note: Mrs O Starkey (on behalf of the applicant) 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 Mrs Starkey to speak.

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

The Southern Area Manager – Development Management reported that the Parking section of the Officer Appraisal in the report should have been deleted, and should be ignored.

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

1. Time
2. Time for Reserved Matters
3. Approval of Reserved Matters
4. Two Storey Dwelling
5. No windows to side facing elevations
6. Hours of construction
7. Hours of any pile driving activities
8. Retention of hedgerow boundaries between Hopwood House and Trigfa
9. Details of levels to be submitted with reserved matters

**46 12/2038N SANTUNE HOUSE, ROPE LANE, SHAVINGTON CW2 5DT:
DEMOLITION OF FOMER NURSING HOME AND ERECTION OF 7
TERRACED DWELLINGS, 4 RESIDENTIAL APARTMENTS AND 1
DETACHED DWELLING WITH ACCESS AND PARKING FOR
SANTUNE HOUSE DEVELOPMENTS**

The Committee considered a report regarding the above planning application, a written update 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. Standard Time Limit
2. Plan References
3. Materials to be submitted and agreed in writing
4. Surfacing Materials to be submitted and agreed in writing
5. Details of Boundary Treatment
6. Details of Landscaping to be submitted and agreed in writing
7. Landscaping to be implemented
8. Remove PD Rights
9. Tree Protection Measures
10. Doors/windows set behind a 55mm Reveal
11. Car Parking Spaces
12. Arboriculture Method Statement
13. Drainage
14. Hours of Construction
 - Monday to Friday 08:00 to 18:00 Hours
 - Saturday 09:00 to 14:00 Hours
 - Sundays and Bank Holidays Nil
15. No External Lighting
16. Construction Method Statement
17. Pile Foundations
 - Monday to Friday 09:00 to 17:00 Hours
 - Saturday 09:00 to 13:00 Hours
 - Sundays and Bank Holidays Nil
18. Parking and turning for the detached house
19. Access to be formed and laid out prior to use
20. Cycle storage

21. Foliage to be cut back for visibility
22. Parking area to not be allocated to individual properties
23. Noise assessment to be completed and approved by Local Planning Authority prior to the commencement of development.

47 12/2095C BETCHTON COTTAGE FARM, CAPPERS LANE, BETCHTON CW11 2TW: EXTENSION OF SITE AREA, CONSTRUCTION OF A HARD STANDING AND STORAGE OF RECYCLED MATERIALS IN SKIPS OR SECURE CONTAINERS FOR MR TOM GARDINER, WILLIAM BEECH SKIP HIRE

The Chairman reported that this application had been withdrawn by the applicant prior to the meeting.

48 12/2327N THE OLD SMITHY, SALESBROOK LANE, ASTON CW5 8DR: OUTLINE APPLICATION FOR TAKING DOWN OF EXISTING WORKPLACE BUILDINGS AND FOR NEW SMALL DWELLING HOUSE AND CONTIGUOUS WORKSHOP / BUSINESS PREMISES FOR MR GLYNN DAVIES

Note: Councillor D Bebbington left the meeting prior to consideration of this application.

Note: Councillor Rachel Bailey (Ward Councillor) and Mr J Salisbury (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 – That, for the reasons set out in the report, the application be REFUSED for the following reason:

The proposal would create an isolated new home in the countryside which is considered to be an inappropriate form of development. It is also considered that the application site would represent an unsustainable location for a new dwelling. As such, the proposal is considered to be contrary to Policies NE.2 and RES.5 of the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011 and the NPPF.

49 12/2406N MONKS HALL FARM, MILL LANE, HANKELOW CW3 0JD: PROPOSED SLURRY LAGOON TO COMPLY WITH ENVIRONMENT AGENCY REQUIREMENTS FOR STORAGE OF SLURRY IN A NITRATE VULNERABLE ZONE FOR MR ANGUS MAUGHAN

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 Time Limit

2. Plan References
3. Boundary Treatment
4. Landscaping Submitted
5. Landscaping Implemented
6. Surfacing Materials to be Submitted and Agreed
7. Only Slurry Generated on the Farm to be Stored in the Lagoon

50 PROPOSED ALTERATIONS TO THE SECTION 106 AGREEMENT TO ALLOW AFFORDABLE RENT PROVISION IN SCHEME (11/4002C) FOR 83 RESIDENTIAL UNITS AT LAND OFF JERSEY WAY, MIDDLEWICH

Note: Councillor G Merry left the meeting during consideration of this item and Councillor A Kolker took the Chair.

The Committee considered a report regarding application 11/4002C, which had been approved by the Southern Planning Committee on 6 June 2012.

The developer was seeking to amend the wording of the resolution in respect of the Section 106 Agreement, to make provision for properties for 'affordable rent' within the scheme as an alternative to 'social rent'.

Concern was expressed regarding this application for a change of tenure from social rent to affordable rent.

RESOLVED – That in respect of application 11/4002C the first bullet point of the previous resolution (relating to the provision of affordable housing) be amended to read:

'Provision of 23% affordable housing (19 no. units comprising of 12no. Two bedroom apartments, 4no. three bedroom houses and 3no. two bedroom) split on the basis of 63% affordable rent (12 units) and 37% intermediate tenure (7 units) as per requirements of the Interim Planning Statement'.

The meeting commenced at 2.00 pm and concluded at 6.35 pm

Councillor G Merry (Chairman)