

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 12th March, 2014 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor G Merry (Chairman)

Councillors Rhoda Bailey, P Butterill, W S Davies, A Kolker, M A Martin,
S McGrory, D Newton, A Thwaite, J Hammond (for Cllr Marren) and
W Livesley (for Cllr Weatherill)

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors D Brickhill and L Gilbert

OFFICERS PRESENT

Nigel Curtis (Principal Development Officer - Highways)
Daniel Evans (Principal Planning Officer)
Rachel Goddard (Senior Lawyer)
Susan Orrell (Principal Planning Officer)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors M J Weatherill, D Bebbington, R Cartlidge, J Clowes, P Groves
and D Marren

145 DECLARATIONS OF INTEREST

The following declarations were made in the interests of openness:

With regard to application numbers 13/4240N and 13/4632N, Councillor J Hammond declared that he was a member of Haslington Parish Council, but that he had not taken part in any discussions in respect of the applications and had not made comments on them. He had also attended a public meeting but had kept an open mind.

Councillor P Butterill declared that she was a member of Nantwich Town Council and Nantwich Civic Society.

Councillor M Martin declared that she was a member of Crewe Town Council but was not involved in its planning considerations.

All Members of the Committee declared that they had received correspondence regarding application number 13/3294C which they had read but on which they had not commented.

146 **MINUTES OF PREVIOUS MEETING**

RESOLVED – That, subject to the following amendments, the minutes of the meeting held on 12 February 2014 be approved as a correct record and signed by the Chairman:

- The inclusion of apologies for absence from Councillor D Bebbington
- Condition 17 of minute 138 to read: 'Obscure glazing to the side elevations of plots 5 and 6'.

147 **14/0476N LAND OFF MAIN ROAD, SHAVINGTON: ERECTION OF 17 AFFORDABLE DWELLINGS - 5 NO. 3-BEDROOM HOUSES, 8 NO. 2-BEDROOM HOUSES AND 4 NO. 1-BEDROOM APARTMENTS. (RESUBMISSION) FOR MRS ANNE LANDER, WULVERN HOUSING**

Note: Councillor D Brickhill (Ward Councillor), Parish Councillor W McIntyre (on behalf of Shavington-cum-Gresty Parish Council), Mr R Trotter and Mr D Leake (objectors) and Ms A Lander (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 Mr D Evans, Principal Planning Officer, confirming that four additional letters of objection had been received and that Shavington-cum-Gresty Parish Council was objecting to the proposal.

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

The Local Planning Authority considers that the proposed development by reason of its design and layout would be harmful to the character and appearance of the area. As a result the proposed development would be contrary to Policies BE.2 (Design Standards) and RES.8 (Affordable Housing in Rural Areas Outside Settlement Boundaries) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

148 **13/4240N KENTS GREEN FARM, KENTS GREEN LANE, HASLINGTON CW1 5TP: OUTLINE PLANNING APPLICATION FOR THE DEVELOPMENT OF UP TO 70 DWELLINGS WITH ASSOCIATED CAR PARKING, ROADS AND LANDSCAPED OPEN SPACE FOR RENEW LAND DEVELOPMENTS LTD**

Note: Parish Councillor R Hovey attended the meeting and addressed the Committee on behalf of Haslington Parish Council.

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

RESOLVED

- (a) That the application be REFUSED for the following reason:

The proposed residential development is unsustainable because it is located within the Open Countryside, contrary to Policies NE2 (Open Countryside) and Res 5 (Housing in the Open Countryside) of the Crewe and Nantwich Replacement Local Plan , Policy PG5 of the emerging Cheshire East Local Plan Strategy – Submission Version and the principles of the National Planning Policy Framework which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations' enjoyment and use. As such it and creates harm to interests of acknowledged importance. The Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework and consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.

- (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 Interim Planning and Place Shaping Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Interim Planning and Place Shaping Manager in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

149 **13/5117C PULSE FITNESS LTD, RADNOR PARK INDUSTRIAL ESTATE, BACK LANE, CONGLETON CW12 4TW: CHANGE OF USE FROM MANUFACTURING UNIT TO FITNESS CENTRE FOR CHRISTOPHER JOHNSON, PULSE FITNESS**

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

150 **13/5093N REASEHEATH COLLEGE, MAIN ROAD, WORLESTON, NANTWICH, CHESHIRE CW5 6DF: NEW TEACHING FACILITY, NATIONAL CENTRE FOR FOOD FUTURES AND THE ENVIRONMENT AND ASSOCIATED OUTBUILDINGS INCLUDING GLASSHOUSES AND MAINTENANCE BLOCK FOR MR S KENNISH, REASEHEATH COLLEGE**

Note: Councillor A Thwaite declared that he had previously worked closely with the applicant.

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

The Committee considered a report regarding the above planning application, two written updates, an oral report of the site inspection and an oral update by Ms S Orrell, Principal Planning Officer.

RESOLVED

(a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Standard
2. Plans
3. Materials
4. Surfacing Materials to be submitted and agreed in writing
5. Landscaping plan to be submitted and agreed in writing
6. Landscaping Implemented
7. Drainage scheme to be submitted and agreed in writing
8. Details of green walls to be submitted and agreed in writing
9. Limiting the maximum discharge of surface water from the proposed development to the current 'greenfield' rate of 5.0 litres/second.
10. Provision of sufficient flow attenuation volume to ensure that all flows up to and including the critical 100-year event (plus adjustment for the future impact of climate change) are safely retained on the site.
11. Proposed finished floor levels to be constructed 150mm above surrounding levels.
12. Details of Cycle Shelters to be submitted and agreed in writing
13. Pile Foundations
Monday – Friday 09:00 – 18:00 hrs
Saturday 09:00 – 14:00 hrs
Sunday and Public Holidays Nil
14. Details of any External Lighting to be submitted and agreed in writing
15. Noise mitigation scheme
16. A suitable travel plan incorporating; car parking thresholds, monitoring, and remedial measures, is to be agreed with the Strategic Highways Manager and implemented prior to first occupation.
17. Details of dust suppression to be submitted and agreed in writing

18. Contaminated land details to be submitted and agreed in writing
 19. A construction access plan/lorry routing plan will be agreed by the SHM prior to first development
 20. Safeguarding Breeding Birds
 21. Implementation of submitted badger mitigation method statement including an undeveloped 20 metres buffer around the sett
 22. Tree Protection Measures
 23. Details of service routes to be submitted and agreed in writing
 24. Prior to the commencement of development an updated Arboricultural Method Statement shall be submitted and approved in writing by the LPA
 25. Hours of Construction/deliveries
- (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 Interim Planning and Place Shaping Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

151 13/3294C FORMER FISIONS SITE, LONDON ROAD, HOLMES CHAPEL, CHESHIRE CW4 8BE: DEMOLITION OF EXISTING STRUCTURES AND ERECTION OF A CLASS A1 FOODSTORE AND PETROL FILLING STATION WITH VEHICULAR ACCESS, CAR PARKING, SERVICING AREA, PUBLIC REALM AND HARD AND SOFT LANDSCAPING FOR BLUEMANTLE LTD & SAINSBURY'S SUPERMARKET

Note: Councillor L Gilbert (Ward Councillor), Ms N Clarke (on behalf of Holmes Chapel Parish Council) and Mr G Halman (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Parish Councillor D Savage had registered his intention to address the Committee on behalf of Holmes Chapel Parish Council but did not attend the meeting and did not speak.

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, the application be APPROVED subject to the completion of a Section 106 Agreement to secure £20,000 towards the revision of local speed limit management

and the following conditions

1. Standard Time limit (3 years)

2. Approved Plans
 3. Materials
 4. Landscape Scheme
 5. Implementation of Landscaping
 6. Tree protection measures
 7. No works within protected area
 8. Surface water regulation system
 9. Maximum discharge
 10. Surface water attenuation measures;
 11. Scheme for management of overland flow
 12. Construction of access
 13. Provision of parking
 14. Provision of cycle parking
 15. Pedestrian Crossing Improvements
 16. Incorporation of sustainable features
 17. CCTV and speed humps to car park
 18. Contaminated Land remediation Strategy
 19. Jodrell Bank Electromagnetic Screening Measures
 20. Breeding Birds Survey during bird nesting season
 21. Suite of design and construction plans for the following aspects of the development access strategy to the satisfaction of the LPA:
 - The proposed new traffic signal junction.
 - The upgrades to the existing traffic signal junction at the A54/A50 crossroad to include for pedestrian phase and refuge on the southern arm and pedestrian facilities on the western arm.
 - The central refuge on the pedestrian desire line to Portree Drive.
 22. Hours of construction / piling restricted
 23. Hours of Use/Deliveries restricted
 24. Submission of an environmental management plan
 25. Scheme to record the building materials including internal features
 26. Scheme of maintenance of Biomass installation including method statement for fuel delivery and no visible smoke emissions during operation
- (b) That authority be DELEGATED to the Interim Planning and Place Shaping Manager to negotiate the Hours of Use/Deliveries.
- (c) 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 Interim Planning and Place Shaping Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

- (d) That, should this application be the subject of an appeal, authority be delegated to the Interim Planning and Place Shaping Manager in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

152 **13/4632N LAND NORTH OF POOL LANE, WINTERLEY: OUTLINE PLANNING PERMISSION FOR THE CONSTRUCTION OF UP TO 45NO. DWELLINGS FOR C/O AGENT, FOOTPRINT LAND AND DEVELOPMENT**

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

Note: Parish Councillor R Hovey (on behalf of Haslington Parish Council), Mr M Riley (objector) and Mr C Jones (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 update by Mr D Evans, Principal Planning Officer, confirming that the third paragraph under the heading 'Affordable Housing' in the officer's report was to be deleted.

RESOLVED

- (a) That the application be REFUSED for the following reasons:
1. The proposed residential development is unsustainable because it is located within the Open Countryside contrary to Policies NE.2 (Open Countryside), NE.12 (Agricultural Land Quality) and RES.5 (Housing in the Open Countryside) of the Crewe and Nantwich Replacement Local Plan, Policy PG5 of the emerging Cheshire East Local Plan Strategy – Submission Version and the principles of the National Planning Policy Framework, which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use. As such it and creates harm to interests of acknowledged importance. The Local Planning Authority can demonstrate a 5 year supply of housing land in accordance with the National Planning Policy Framework and consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.
 2. The proposal would result in loss of the best and most versatile agricultural land and given that the Authority can demonstrate a housing land supply in excess of 5 years, the applicant has failed to demonstrate that there is a need for the development, which could not be accommodated elsewhere. The use of the best and most versatile agricultural land is unsustainable and contrary to Policy

NE.12 of the Borough of Crewe and Nantwich Replacement Local plan 2011 and the provisions of the National Planning Policy Framework.

- (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 Interim Planning and Place Shaping Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Interim Planning and Place Shaping Manager in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

153 **13/5006N ALVASTON HALL HOTEL, PEACH LANE, WISTASTON CW5 6PD: DEVELOPMENT OF EXISTING DRIVING RANGE SITE TO CREATE ADDITIONAL RECREATIONAL FACILITIES AREAS FOR USE BY THE HOTEL GUESTS FOR KEN YOUNIE, BOURNE LEISURE**

Note: Parish Councillor J Bond attended the meeting and addressed the Committee on behalf of Wistaston Parish Council.

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 the following conditions:

1. Standard time limit
2. Approved Plans
3. Tree Protection
4. Safeguard Breeding Birds
5. Shooting range hours 10.00 to 15.00 hrs
6. Limited to .22 air rifle use and 2 at any one time
7. Implementation of the proposed noise mitigation measures.
8. Submission of landscape scheme.
9. Implementation of landscape scheme.

154 **14/0024N CREWE HALL, WESTON ROAD, WESTON CW1 6UZ:
EXTENSION TO EXISTING BUILDING TO PROVIDE 46 ADDITIONAL
GUEST BEDROOMS, WITH ASSOCIATED EXTERNAL WORKS FOR
PHILIP KING, MARSTON HOTELS LTD**

Note: Councillor S McGrory left the meeting prior to consideration of this application.

Note: Mr J Hancock attended the meeting and addressed the Committee on behalf of the applicant.

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, the application be APPROVED subject to the following conditions:
1. Standard time 3 years
 2. Materials to be submitted to the Local Planning Authority and approved in writing
 3. Tree protection measures to be carried out in accordance with the submitted Arboricultural Report; Impact Assessment & Method Statement
 4. Details of improvements to the surface of the paths around the site to be submitted to the Local Planning Authority and approved in writing
 5. Details of landscaping to be submitted prior to the commencement of development. The landscaping scheme shall include additional shrub beds with large ornamental shrubs to replace those being removed as part of the building works and a proposed beech hedge to separate the proposed extension and Nesfield Garden which shall be supplied as a 'ready grown' hedge
 6. Implementation and maintenance of the approved landscaping scheme
 7. The development shall be carried out in accordance with the approved plans only
 8. Prior to any commencement of works between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds on the application site
 9. Details of existing and proposed levels to be provided prior to the commencement of development
- (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 Interim Planning and Place Shaping Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning

Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

155 **14/0031N CREWE HALL, WESTON ROAD, WESTON CW1 6UZ:
EXTENSION TO EXISTING BUILDING TO PROVIDE 46 ADDITIONAL
GUEST BEDROOMS, WITH ASSOCIATED EXTERNAL WORKS FOR
PHILIP KING, MARSTON HOTELS**

Note: Mr J Hancock attended the meeting and addressed the Committee on behalf of the applicant.

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, the application be referred to the Secretary of State with a recommendation to APPROVE subject to the following conditions:

1. Standard time 3 years
2. Materials to be submitted to the Local Planning Authority and approved in writing
3. Tree protection measures to be carried out in accordance with the submitted Arboricultural Report; Impact Assessment & Method Statement
4. Details of improvements to the surface of the paths around the site to be submitted to the Local Planning Authority and approved in writing
5. Details of landscaping to be submitted prior to the commencement of development. The landscaping scheme shall include additional shrub beds with large ornamental shrubs to replace those being removed as part of the building works and a proposed beech hedge to separate the proposed extension and Nesfield Garden which shall be supplied as a 'ready grown' hedge
6. Implementation and maintenance of the approved landscaping scheme
7. The development shall be carried out in accordance with the approved plans only
8. Details of existing and proposed levels to be provided prior to the commencement of development

(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 Interim Planning and Place Shaping Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

- 156 **14/0448N ROBERT EARDLEY & SON, COPPENHALL GARAGE, REMER STREET, CREWE CW1 4LS: PROPOSED CHANGE OF USE OF THE COPPENHALL GARAGE AT REMER STREET, CREWE TO FORM A RETAIL UNIT WITH ASSOCIATED SERVICING AND PARKING AREA FOR APPROXIMATELY 21 CARS INCLUDING 2NO. WHEELCHAIR ACCESSIBLE SPACES FOR ROBERT EARDLEY**

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

- 157 **13/4830N PUSEY DALE FARM, MAIN ROAD, SHAVINGTON CW2 5DY: ERECTION OF NEW DWELLING FOR STUART SHAW**

Note: Mr D Evans, Principal Planning Officer, read a statement submitted by Councillor D Brickhill (Ward Councillor), who had registered his intention to address the Committee but had left the meeting prior to consideration of this application.

Note: Mr R Ellison attended the meeting and addressed the Committee on behalf of the applicant.

Note: Mr S Shaw (applicant) had registered his intention to address the Committee 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 the application be REFUSED for the following reasons:

1. The proposed residential development is unsustainable because it is located within the Open Countryside, contrary to Policies NE2 (Open Countryside) and NE4 (Green Gaps) of the Crewe and Nantwich Replacement Local Plan , Policy PG5 of the emerging Cheshire East Local Plan Strategy – Submission Version and the principles of the National Planning Policy Framework which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use. As such it and creates harm to interests of acknowledged importance. The Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework and consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.
- 2 The proposed development will clearly erode the physical gaps between the built up areas and fundamentally change the existing agricultural landscape character into a domestic character and so is contrary to policy NE.4 of the Borough of Crewe and Nantwich

Replacement Local Plan which seeks to maintain the definition and separation of existing communities and prevent Crewe and Shavington merging into one another.

- (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 Interim Planning and Place Shaping Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

158 **13/5295N LINDEN COURT, HUNGERFORD AVENUE, CREWE CW1 6HB: VARIATION OF CONDITION 2 ON APPROVAL 13/0019N - 22 NO. NEW RESIDENTIAL UNITS, PREDOMINANTLY TWO STOREY SEMI-DETACHED DWELLINGS WITH 6NO. 1 BEDROOM FLATS AND A NEW ACCESS ROAD FOR ANN LANDER, WULVERN HOUSING**

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, the application be APPROVED subject to the following conditions:
1. Standard time 3 years
 2. Revised Plans
 3. Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays
 4. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays
 5. Prior to installation details of external lighting shall be submitted to and agreed in writing by the Local Planning Authority.
 6. Dust Control to be implemented as submitted and approved.
 7. Development to be carried out in accordance with the Phase II Contaminated Land Assessment as submitted to the LPA.
 8. Development to be carried out in accordance with the previously approved materials details.
 9. The development shall be carried out in accordance with the approved details of the landscaping scheme
 10. The proposed development shall be carried out in accordance with the previously approved information regarding the protection of trees during construction Submission of updated arboricultural method statement to include details of key contacts, and an auditable schedule of arboricultural supervision which includes the construction of the proposed retaining structures
 11. The development shall be carried out in accordance with the approved details of services routes

12. The development to be carried out in accordance with the approved details of the bin storage area. Implementation of Boundary Treatment.
 13. Dwellings to be retained as affordable housing
 14. Drainage details to be submitted
 15. Highway and car parking works to completed prior to first occupation
 16. Removal of permitted development rights, extensions and outbuildings
- (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 Interim Planning and Place Shaping Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

159 RACHEL GODDARD

The Chairman reported that Rachel Goddard was about to leave Cheshire East Borough Council. The Committee thanked Rachel for all her hard work and wished her every success in her future career.

The meeting commenced at 1.00 pm and concluded at 6.10 pm

Councillor G Merry (Chairman)