

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 24th September, 2014 at Council Chamber, Municipal  
Buildings, Earle Street, Crewe CW1 2BJ

### **PRESENT**

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

Councillors Rhoda Bailey, D Bebbington, P Butterill, J Clowes, W S Davies,  
I Faseyi, S Hogben, P Groves, A Kolker, D Marren, M A Martin and S McGrory

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

Councillors J Hammond and C Thorley

### **OFFICERS PRESENT**

Nigel Curtis (Principal Development Officer - Highways)  
Daniel Evans (Principal Planning Officer)  
Patricia Evans (Lawyer)  
Conal Kearney (Enforcement Officer - Environmental Protection)  
Susan Orrell (Principal Planning Officer)  
Julie Zientek (Democratic Services Officer)

### **Apologies**

Councillors R Cartlidge

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

The following declarations were made in the interests of openness:

With regard to application number 14/3267N, Councillor S Hogben declared that he was a member of Shavington-cum-Gresty Parish Council, but that he had not discussed this application and had kept an open mind.

All Members of the Committee declared that they had received correspondence regarding application number 14/2310N.

With regard to application numbers 14/3306N, 14/3312N and 14/3052N, Councillor P Groves declared that he was member of Bulkeley & Ridley Parish Council. He had not been present when application numbers 14/3306N and 14/3312N had been discussed. He had attended a presentation regarding application number 14/3052N but had kept an open mind.

With regard to application numbers 13/4608N and 13/4614N, Councillor S Davies declared that he had not kept an open mind. Councillor Davies declared that he would exercise his separate speaking rights as a Ward Councillor and withdraw from the meeting during consideration of these items.

With regard to application number 13/5248N, Councillor D Bebbington declared that his wife was employed by the applicant's partner, and that he would withdraw from the meeting during consideration of this item.

## **68 MINUTES OF PREVIOUS MEETING**

RESOLVED – That, subject to the following amendments, the minutes of the meeting held on 27 August 2014 be approved as a correct record and signed by the Chairman:

- Minute 62 Refusal reason 2 to read:

‘The proposed development by reason of incursion of built form into the open countryside, would detract from the generally open and rural character of the site. This would be a harmful effect which would fail to take account of the different roles and character of different areas or recognise the intrinsic character and beauty of the countryside and would be contrary to policies NE.2 (Open Countryside) and BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within paragraphs in the National Planning Policy Framework.’

- Minute 66 Resolution (b) to read:

‘to enable officers to undertake consultation with the Cheshire Brine Subsidence Board’

## **69 14/2310N MORRIS CARE, CORBROOK COURT CARE HOME, CORBROOK, AUDLEM, CREWE, CW3 0HF: PROPOSED CONSTRUCTION OF AN OUTBUILDING TO HOUSE BIOMASS BOILERS TO SERVE CORBROOK COURT CARE SITE FOR MORRIS CARE**

Note: Mr D Evans, Principal Planning Officer, read a statement submitted by Councillor Rachel Bailey (Ward Councillor), who was unable to attend the meeting.

Note: Parish Councillor G Seddon (on behalf of Audlem Parish Council), Mr and Mrs Sandiford (objectors) and Mr J Heber Evans (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 reason:

The proposed development by virtue of the detailed design and siting would be detrimental to the character and appearance of the area. As such the development would be contrary to Policy NE.19 (Renewable Energy) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

70 **14/3487N KARIBU, BUNBURY ROAD, ALPRAHAM, CW6 9JD:  
PROPOSED DWELLING ADJACENT TO KARIBU, BUNBURY LANE,  
ALPRAHAM FOR D EVANS**

Note: Mr D Evans (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, 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. Boundary Treatment to be submitted and agreed in writing
5. Landscaping to be submitted and agreed in writing
6. Landscaping Implemented
7. Hedgerow protection to be submitted and agreed in writing
8. Drainage to be submitted and agreed in writing
9. Car Parking to be submitted and agreed in writing
10. Details of the pond to be constructed to be submitted and agreed in writing
11. External Lighting to be submitted and agreed in writing

(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 Principal Planning Manager, in consultation with the Chairman (or in her absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

**71 14/3306N RIDLEY HALL FARM, WREXHAM ROAD, RIDLEY CW6 9SA:  
CONVERSION OF EXISTING BARNS INTO 10 NO DWELLINGS.  
DEMOLITION OF OUTBUILDINGS SHEDS. LISTED ARCHWAY -  
MINOR REMEDIAL WORK EXTERNALLY. INTERNALLY - REMOVAL  
OF TIMBER FLOOR/ WALL AND INSTALLATION OF BAT ROOST FOR  
MR STEVE GILDEA, GOLDCREST FINANCE LTD**

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. Commencement within 3 years
2. Development in accordance with approved plans
3. Reclaimed materials to be used to match those existing
4. Implementation of landscaping and surfacing materials shown on plan reference 0673/PL04
5. Boundary treatment in details as shown on plans reference 01A Rev 03 and 13, to include a sandstone wall and vehicle opening to Ridley Hall side of courtyard
6. Contaminated land
7. Archaeology
8. Consent for conversion only
9. Compliance with conservation method statement prepared by Kitwe Construction Ltd
10. Treatment of the ventilation bricks as stated in the letter referenced 0673
11. Roof lights
12. Metal rainwater goods
13. All doors and windows to be timber with reveals
14. All new brickwork or timber infill panels in Dutch barn areas to be recessed in accordance with the submitted details
15. Retention of all stone on site for use in enclosure in courtyard. Walled enclosure within courtyard to be retained and repaired
16. No other enclosure within the courtyard or on the western side of the courtyard to separate the site from Ridley Hall.
17. Compliance with scheme for repair of sandstone lean-to the side of the Gatehouse
18. The proposed development to proceed in accordance with the submitted Bat mitigation proposals unless varied by a European Protected Species license subsequently issued by Natural England. In the interests of securing the maximum benefit for biodiversity any variation of the agreed mitigation required by Natural England must not result in the reduction in the quality or quantity of mitigation/compensation provided.
19. Provision of nesting bird boxes and barn owl boxes in accordance with the approved details.

20. No works to commence between 1<sup>st</sup> March and 31<sup>st</sup> August in any year without prior survey and permission of the LPA. If nesting birds are found appropriate clearance allowed.
  21. The proposed development to proceed in strict accordance with the submitted letter from Dunelm ecology dated 14<sup>th</sup> August 2014 and submitted drawing reference Job number 0673 drawing number PL01 produced by City Architectural Ltd.
  22. Obscure glass to south east gable first floor window at Unit 6
  23. Garages to be retained for parking of cars and not used as part of living accommodation
  24. Withdraw PD Classes A – H, means of enclosure and Domestic Microgeneration Equipment.
  25. Submission of drainage details.
- (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 Principal Planning Manager, in consultation with the Chairman (or in her absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

**72 14/3312N RIDLEY HALL FARM, WREXHAM ROAD, RIDLEY CW6 9SA:  
LISTED BUILDING CONSENT FOR CONVERSION OF EXISTING  
BARN IN 10 NO DWELLINGS. DEMOLITION OF OUTBUILDINGS AND  
SHEDS. LISTED ARCHWAY - MINOR REMEDIAL WORK  
EXTERNALLY. INTERNALLY - REMOVAL OF TIMBER FLOOR/ WALL  
AND INSTALLATION OF BAT ROOST FOR MR STEVE GILDEA,  
GOLDCREST FINANCE LTD**

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. Commencement within 3 years
  2. Development in accordance with approved plans
  3. Use of reclaimed brick and slate to match existing
  4. Boundary treatment in accordance with Plans reference reference 01A Rev 03 and 13
  5. Surface materials in accordance with details shown on plan reference 0673/PL04
  6. Development to be carried out in accordance with the scheme of archaeological works submitted as part of application 13/2807D
  7. Consent for conversion only
  8. Compliance with the conservation method statement prepared by Kitwe Construction Ltd

9. Treatment of the ventilation bricks as stated in the letter referenced 0673
  10. Roof lights
  11. Metal rainwater goods
  12. All doors and windows to be timber with reveals. Details to be carried out in accordance with the details approved as part of application 13/4245D
  13. All new brickwork or timber infill panels in Dutch barn areas to be in accordance with the details approved as part of application 13/2807D
  14. Retention of all stone on site for use in enclosure in courtyard. Walled enclosure within courtyard to be retained and repaired
  15. No other enclosure within the courtyard or on the western side of the courtyard to separate the site from Ridley Hall.
  16. Scheme for repair of sandstone lean-to the side of the Gatehouse in accordance with plan reference 0673/PL08
- (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 Principal Planning Manager, in consultation with the Chairman (or in her absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

**73 14/3052N LAND OFF MILL LANE, BULKELEY, CHESHIRE: OUTLINE APPLICATION FOR 18 DWELLINGS WITH ACCESS TO MILL LANE INCLUDING 8 NO. TWO BEDROOM AND 6 NO. THREE BEDROOM HOUSES AND 4 BUNGALOWS. RESUBMISSION OF 14/0943N FOR MR M SCHOFIELD**

Note: Mr C Bowen 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 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 and RES.5 of the Crewe and Nantwich Replacement Local Plan 2011 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, consequently the application is premature to the emerging Development Strategy since there are no material circumstances to indicate that permission should be granted contrary to the development plan.

2. There are a number of trees located onto the boundaries of the site (including TPO trees) and no arboricultural information has been provided to assess the impact upon these trees. Furthermore the indicative layout does not demonstrate that the proposed development can be accommodated on the site without resulting in the loss or future pressures to remove the trees which would be harmful to nature conservation and the character and appearance of the area. The development would be contrary to Policy NE.5 (Nature Conservation and Habitats) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the NPPF.
  3. 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.
  4. The Local Planning Authority considers that the proposed development by reason of incursion of built form into the open countryside and Area of Special County Value, would detract from the generally open and rural landscape of the site and wider area. This would be a harmful effect which would fail to take account of the different roles and character of different areas or recognise the intrinsic character and beauty of the countryside and ASCV. The development would be contrary to policies NE.2 (Open Countryside), NE.3 (Areas of Special County Value) and BE.2 (Design Standards) of the Borough of 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 Principal Planning Manager, in consultation with the Chairman (or in her absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.
  - (c) That, should this application be the subject of an appeal, authority be delegated to the Principal Planning 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, as follows:

1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:
  - The numbers, type, tenure and location on the site of the affordable housing provision
  - The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing
  - The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
  - The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
  - The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
2. A commuted payment of £32,539 towards primary school education

**74 14/2351C LAND OFF SANDBACH ROAD, CHURCH LAWTON ST7  
3RB: CONSTRUCTION OF 14NO SEMI-DETACHED HOUSES FOR IPM  
PENSIONS LTD**

Note: Councillor P Groves left the meeting and returned during consideration of this item but after returning did not take part in the debate or vote.

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

Note: Mr M Tristram (objector) 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, for the reasons set out in the report, the application be APPROVED subject to a S106 Agreement to secure:
  1. LEAP (At least 5 items of play equipment)
  2. £12,502.50 for Open Space maintenance
  3. £2000 to fund offsite Barn Owl works
  4. A scheme for the provision of 100% affordable housing – 50% to be provided as social rent/affordable rent with 50% intermediate tenure. The scheme shall include:



- The numbers, type, tenure and location on the site of the affordable housing provision
  - The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
  - The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
  - The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
5. Primary Education Contribution £32,539

And the following conditions:

1. Time (3 years)
2. Plans
3. Materials – Prior submission
4. Obscure Glazing (First-floor side windows)
5. Piling method statement – Including piling hours
6. Environmental Management Plan – Prior submission
7. Dust mitigation scheme – Prior submission
8. Contaminated Land
9. New junction, access road and footpath to be completed prior to first occupation
10. Levels to be submitted and approved
11. Foul drainage scheme – Prior submission
12. Surface water scheme – Prior submission
13. Prior submission of updated Badger Survey
14. Breeding birds – Timing of works
15. Provision of Bat and Bird boxes – In accordance with submitted Extended Phase One habitat survey dated 20 November 2013
16. Landscaping to front gardens lower than 600mm in height
17. Landscaping (Implementation)
18. Boundary Treatment to be submitted and approved
19. Removal of PD – A-E
20. Implementation of Reptile Method Statement

#### Informative

The Southern Planning Committee wished to draw the applicant's attention to the consultation response received from the Cheshire Brine Subsidence Board, which was detailed in the report.

- (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 Principal Planning Manager, in consultation with the Chairman (or in her absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

**75 13/5248N THE PRINTWORKS CREWE ROAD, HASLINGTON CW1 5RT:  
OUTLINE APPLICATION FOR NEW RESIDENTIAL DEVELOPMENT OF  
UP TO 14 DWELLINGS FOR GEORGINA HARTLEY**

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

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

Note: Having made a declaration, Councillor D Bebbington withdrew from the meeting during consideration of this item.

Note: Councillor J Hammond (Ward Councillor), Parish Councillor R Hovey (on behalf of Haslington Parish Council) and Mr I Pleasant (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 the application be REFUSED for the following reason:

The proposed residential development is unsustainable because it is located within the Open Countryside, contrary to Policy NE.2 (Open Countryside) and Policy RES.5 (Housing in the Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan, Policy PG 5 of the Cheshire East Local Plan Strategy – Submission Version and the principles of the National Planning Policy Framework and create 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. As such the application is also contrary to the emerging Development Strategy. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.

- (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 Principal Planning Manager, in consultation with the Chairman (or in her absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Principal Planning 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, as follows:

1. A scheme for 30% affordable housing – 65% of the affordable dwellings to be provided as social/affordable rent with 35% intermediate tenure. The scheme shall include:

The numbers, type, tenure and location on the site of the affordable housing provision

The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing

The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved

The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

2. A commuted payment of £32,539 will be required towards primary education and £32,685 towards secondary education.

**76 14/3393N LAND NORTH OF POOL LANE, WINTERLEY: OUTLINE PLANNING PERMISSION FOR THE CONSTRUCTION OF UP TO 45NO. DWELLINGS (RESUBMISSION OF 13/4632N) FOR FOOTPRINT LAND AND DEVELOPMENT**

Note: Councillor J Hammond (Ward Councillor), Parish Councillor R Hovey (on behalf of Haslington Parish Council), Mr M Riley (objector) and Mr C Jones (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 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 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 order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Principal Planning Manager, in consultation with the Chairman (or in her absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Principal Planning 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, as follows:
1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:
    - The numbers, type, tenure and location on the site of the affordable housing provision
    - The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing
    - The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
    - The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
    - The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
  2. Provision of POS and a LEAP (with a minimum of 6 pieces of equipment) and a scheme of management

3. A commuted payment of £96,544 will be required towards primary education and a contribution of £98,056 will be required towards secondary education.

**77 14/1242C FORMER ARCLID HOSPITAL SITE, NEWCASTLE ROAD, ARCLID: PROPOSED HOUSING DEVELOPMENT CONSISTING OF 83NO 2 AND 2.5 STOREY 1, 2, 3 & 4 BEDROOM SEMI DETACHED/MEWS AND DETACHED DWELLINGS FOR MR STEPHEN MILLER, MORRIS HOMES LIMITED**

Note: Councillor S Hogben left the meeting and returned during consideration of this item but after returning did not take part in the debate or vote.

Note: Councillor D Marren left the meeting during consideration of this application.

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

RESOLVED – That the application be DEFERRED pending submission of the outstanding consultation responses, and to enable officers to challenge the provision of 15% affordable housing and provide further details on the location and pepper potting of the affordable housing.

**78 14/3053N THE WOODLANDS, WHITCHURCH ROAD, ASTON, NANTWICH, CW5 8DB: ERECTION OF 33 NO. DWELLINGS WITH ASSOCIATED GARAGES, CAR PARKING, LANDSCAPING, MEANS OF ACCESS AND SITE INFRASTRUCTURE, INCLUDING CONSTRUCTION OF REPLACEMENT GARAGE OF EXISTING BUNGALOW FOR ELAN HOMES LTD**

Note: Mr P Beesley (objector) 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 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 NE.2 (Open Countryside) and RES.5 (Housing in Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan, Policy PG 5 of the Cheshire East Local Plan Strategy – Submission Version and the principles of the National Planning Policy Framework and create 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. As such the application is also contrary to the emerging Development Strategy. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.

- (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 Principal Planning Manager, in consultation with the Chairman (or in her absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Principal Planning 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, as follows:
  - 1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:
    - The numbers, type, tenure and location on the site of the affordable housing provision
    - The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing
    - The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
    - The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
    - The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
  - 2. Provision of POS and 5 piece LEAP and a scheme of management.
  - 3. Commuted Sum payment in lieu of secondary education provision £65,371

**79 14/3267N LAND EAST OF ROPE LANE, SHAVINGTON, CREWE, CHESHIRE, CW2 5BL: CONSTRUCTION OF UP TO 53 DWELLINGS INCLUDING DETAILS OF ACCESS FOR WAINHOMES (NORTH WEST) LTD**

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

**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) and RES.5 (Housing in Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan, Policy PG 5 of the Cheshire East Local Plan Strategy – Submission Version and the principles of the National Planning Policy Framework and create 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. As such the application is also contrary to the emerging Development Strategy. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.
2. In the opinion of the Local Planning Authority, the proposed development would cause a significant erosion of the Green Gap between the built up areas of Shavington and Crewe and would adversely affect the visual character of the landscape which would significantly and demonstrably outweigh the benefits of the scheme notwithstanding a shortfall in housing land supply. The development is therefore contrary to Policy NE4 (Green Gaps) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the NPPF.
3. Insufficient information has been submitted with the application to determine if the proposal would involve the removal of an “important” hedgerow as defined in the Hedgerow Regulations 1997. As the Local Planning Authority can demonstrate a 5 year supply of housing land there are overriding reasons for allowing the development. Therefore the scheme is contrary to Policy NE.5 OF THE Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the NPPF.
4. Insufficient information has been submitted to demonstrate that this development together with other committed development in Shavington would not have a severe impact upon the local highway network. As a result the proposed development would be contrary to

Policy BE.3 (Access and Parking) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 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 Principal Planning Manager, in consultation with the Chairman (or in her absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Principal Planning 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.

S106 Heads of Terms:

- 1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:
  - The numbers, type, tenure and location on the site of the affordable housing provision
  - The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing
  - The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
  - The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
  - The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- 2. Provision of POS and a LEAP with 5 pieces of equipment and a scheme of management.

**80 14/3440N 19, SHAKESPEARE DRIVE, CREWE CW1 5HX: NEW BUILD ATTACHED SINGLE STOREY DWELLING (RE-SUB OF REFUSED PLANNING APPLICATION 14/2114N) FOR MR KEN BAILEY**

Note: Councillor C Thorley (Ward Councillor) 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, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:



The proposal would by reason of scale, form and design result in a cramped and intensive form of development out of keeping with the character of the existing properties in the immediate vicinity of the site contrary to Policy BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

**81 13/4608N FORESTRY TRACKS PECKFORTON WOODS, TARPORLEY, CHESHIRE: THIS RETROSPECTIVE APPLICATION COVERS THE PROPOSED CHANGE OF USE OF WOODLAND TRACKS FROM FORESTRY USE TO INCLUDE USE BY 4X4 OFF-ROAD EXPERIENCE IN PECKFORTON WOODS, PECKFORTON, TARPORLEY, CHESHIRE HILL LANE DUE SOUTH TO THE QUARRY FOR MR CHRIS NAYLOR, MAJORSTAGE LTD**

Note: Having exercised his separate speaking rights as a Ward Councillor, Councillor S Davies withdrew from the meeting for the duration of the Committee's consideration of this item.

Note: Mr R Turner 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. Plan References
  - 2. Limit the number of vehicle trips per day to 24
  - 3. Personal to the applicant
  - 4. Restrict hours of use
    - Monday to Saturday 08:30-18:00 1<sup>st</sup> October-31<sup>st</sup> March
    - Monday to Saturday 08:30-20:00 1<sup>st</sup> April-30<sup>th</sup> September
    - Sundays and Bank Holidays 9:00 – 18:00
  - 5. Only Road Legal Vehicles to use the track (Restricted to Land Rover Vehicles or Similar)
- (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 Principal Planning Manager, in consultation with the Chairman (or in her absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

**82 13/4614N FORMER QUARRY AND ACCESS TRACKS SOUTH OF HILL LANE, PECKFORTON, TARPORLEY, CHESHIRE: THIS RETROSPECTIVE APPLICATION COVERS THE PROPOSED CHANGE OF USE OF A FORMER QUARRY TO A 4X4 OFF-ROAD EXPERIENCE SITE INCLUDING A VIEWING PLATFORM AT THE FORMER QUARRY, AS WELL AS A HOLDING POND AT THE NORTH END OF THE ACCESS TRACK THAT LEADS FROM HILL LANE DUE SOUTH TO THE QUARRY FOR MR CHRIS NAYLOR, MAJORSTAGE LTD**

Note: Having exercised his separate speaking rights as a Ward Councillor, Councillor S Davies withdrew from the meeting for the duration of the Committee's consideration of this item.

Note: Mr R Turner 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. Plan References
  - 2. Limit the number of vehicle trips per day to 24
  - 3. Personal to the applicant
  - 4. Restrict hours of use
    - Monday to Saturday 08:30-18:00 1<sup>st</sup> October-31<sup>st</sup> March
    - Monday to Saturday 08:30-20:00 1<sup>st</sup> April-30<sup>th</sup> September
    - Sundays and Bank Holidays 9:00 – 18:00
  - 5. Only Road Legal Vehicles to use the quarry (Restricted to Land Rover Vehicles or Similar)
- (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 Principal Planning Manager, in consultation with the Chairman (or in her absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

The meeting commenced at 1.00 pm and concluded at 7.05 pm

Councillor G Merry (Chairman)