

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 25th February, 2015 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

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

Councillors Rhoda Bailey, P Butterill, R Cartlidge, J Clowes, W S Davies,
P Groves, A Kolker, D Marren and S McGrory

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillor A Moran

OFFICERS PRESENT

Nigel Curtis (Principal Development Officer - Highways)
Daniel Evans (Principal Planning Officer)
Patricia Evans (Lawyer)
Ben Haywood (Major Applications - Team Leader)
Chris Hudson (Principal Forestry and Arboricultural Officer) - Minute No. 142
Only
Julie Zientek (Democratic Services Officer)

Apologies

Councillors D Bebbington, I Faseyi, S Hogben and M A Martin

129 DECLARATIONS OF INTEREST/PRE DETERMINATION

The following declarations were made in the interests of openness:

With regard to application number 13/2710N, Councillor P Groves declared that he was a member of Bulkeley & Ridley Parish Council but that he had not discussed this application and had kept an open mind.

With regard to application number 13/2710N, Councillor S Davies declared that he knew the applicant's family and that he would withdraw from the meeting during consideration of this item.

With regard to application number 13/2710N, Councillor R Bailey declared that she was a member of the CPRE but that she had not discussed this application and had kept an open mind.

With regard to application numbers 14/2289C and 14/5285C, Councillor G Merry declared that she was a member of Sandbach Town Council but that she was not a member of its planning committee and that she had not discussed the applications.

All Members of the Committee declared that they had received correspondence and telephone calls regarding application number 14/2289C.

130 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 28 January 2015 be approved as a correct record and signed by the Chairman.

131 13/2710N RIDLEY BANK FARM, WREXHAM ROAD, RIDLEY CW6 9RZ: INSTALLATION OF WIND TURBINE 32.5M TO HUB AND ASSOCIATED ANCILLARY WORKS FOR MR R LATHAM

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: Parish Councillor M Dixon (on behalf of Bulkeley and Ridley Parish Council), Mr C Hobson (on behalf of Stop Bickerton Wind Turbines) and Mr A Hughes (objector) attended the meeting and addressed the Committee on this matter.

Note: Mr C McDonagh had not registered his intention to address the Committee on behalf of the applicant. 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 Mr McDonagh to speak.

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

RESOLVED – That the application be DEFERRED for the following:

- Consultation with Cheshire East Council's Public Health Department
- A Bat Survey
- An Environmental Health Officer to be requested to attend the next Southern Planning Committee meeting at which this application is considered

132 14/0143N FORMER BOWLING GREEN, WATERLODE, NANTWICH: ERECTION OF 7 DWELLINGS WITH INTEGRAL GARAGES AND ASSOCIATED CAR PARKING FOR BLACK & WHITE CHESHIRE LTD

The Chairman reported that this application had been withdrawn from the agenda prior to the meeting.

133 14/5260N LAND SOUTH OF SANDFIELD HOUSE, STATION ROAD, WRENBURY CW5 8ER: RESIDENTIAL DEVELOPMENT OF UP TO 18 DWELLINGS TO INCLUDE MEANS OF ACCESS FOR HOLLYHEAD ESTATES (WRENBURY) LTD

Note: Mr B Jones (objector) had not registered his 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 Mr Jones to speak.

Note: Ms P Bicknell attended the meeting and addressed the Committee on behalf of the applicant.

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 residential development is unsustainable because it is premature and located within the Open Countryside. The development would result in further urban creep into the open countryside contrary to Policies NE.2 and RES.5 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance.

134 14/2289C FORMER CHARLES CHURCH OFFICES, MIDDLEWICH ROAD, SANDBACH, CHESHIRE: ERECTION OF RETIREMENT LIVING HOUSING (CATEGORY II TYPE ACCOMMODATION), COMMUNAL FACILITIES, LANDSCAPING AND CAR PARKING FOR MCCARTHY AND STONE RETIREMENT LIFESTYLES

Note: Mr C Butt attended the meeting and addressed the Committee on behalf of the applicant.

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 £140,000 towards the provision of off-site affordable housing and the following conditions:

1. Time (3 years)
2. Plans
3. Prior submission of facing and roofing materials

4. Prior submission of window details
5. Fenestration not uPVC unless otherwise agreed in writing with the LPA
6. Prior submission of facing and roofing materials of front entrance canopy
7. Prior submission of external cladding details
8. Prior submission of balcony details (Juliet and Supported)
9. Prior submission of soffit, barge board and rainwater goods details
10. Prior submission of a noise mitigation scheme
11. Hours of piling: 9am - 5:30pm Mon-Fri, 9am – 1pm on Saturdays and not at all on Sundays and Bank Holidays
12. Prior submission of a piling method statement
13. Prior submission of an Environmental Management Plan
14. Prior submission of a Green Travel Plan
15. Prior submission of a dust mitigation scheme
16. Building shall not be occupied until a Clean Cover System in the landscaped area has been implemented and completed.
17. Obscure glazing (east elevation – First and ground floor windows to hallway and secondary lounges within closest section of elevation)
18. No occupied until the proposed car parking has been marked out and made available for use.
19. Prior to the first occupation of the dwellings and details of the proposed hard standing and lighting should be submitted to and approved in writing by the LPA.
20. Prior submission of a foul drainage plan
21. Prior submission of a surface water drainage plan.
22. Landscaping (Details)
23. Landscaping (Implementation)
24. Prior submission of boundary treatment

Informatives:

1. NPPF
2. Hours of construction
3. Contaminated Land

- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Strategic and Economic Planning, 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.

135 **14/5285C FORMER MAGISTRATES COURT, MIDDLEWICH ROAD, SANDBACH CW11 1HU: DEMOLITION OF EXISTING BUILDING AND ERECTION OF THREE STOREY ACCOMMODATION COMPRISING 15 SUPPORTED LIVING APARTMENTS (USE CLASS C3) WITH ASSOCIATED PARKING AND OPEN SPACE FOR HB COMMUNITY SOLUTIONS LIVING LTD**

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

Note: Councillor R Cartlidge left the meeting during consideration of this application.

Note: Mr A Sheehan attended the meeting and addressed the Committee on behalf of the applicant.

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

RESOLVED – That the application be DEFERRED for the following:

- Further information with respect to supported housing need
- Consultation with the Council's Housing Department and the Clinical Commissioning Group

136 **14/1907C THE ORCHARD, HOLMES CHAPEL ROAD, SOMERFORD, CONGLETON CW12 4SP: DEMOLITION OF 2 EXISTING BUNGALOWS AND GLASSHOUSES ASSOCIATED WITH A HORTICULTURAL NURSERY AND THE CONSTRUCTION OF 2, TWO-STOREY DETACHED DWELLINGS, A TWO-STOREY BUILDING COMPRISING 2 FLATS AND 6 DETACHED BUNGALOWS WITH A NEW SHARED ACCESS FOR PLANT DEVELOPMENTS LTD**

Note: Mr N Smith attended the meeting and addressed the Committee on behalf of the applicant.

The Committee considered a report regarding the above planning application.

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED subject to completion of a Section 106 agreement making provision for Affordable Housing comprising:

- 2 units on site 2 for social or affordable rent
- 0.4 of unit as a commuted sum (£5,300)

and the following conditions:

1. Standard outline – development to commence within 3 years or within 2 years of approval of reserved matters
 2. Application for approval of reserved matters to be made within 3 years
 3. Submission of reserved matters
 4. Development to be carried out in accordance with approved plans
 5. Submission / approval and implementation of scheme of electromagnetic screening
 6. Submission / approval and implementation of environmental management plan
 7. Submission / approval and implementation of scheme to minimise dust emissions
 8. Foul drainage should be connected to foul sewer
 9. Construction of approved access
 10. Ecological mitigation to be carried out in accordance with submitted statement
- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Strategic and Economic Planning, 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.

**137 14/4780N LAND ADJACENT, 277, CREWE ROAD, HASLINGTON:
OUTLINE PLANNING PERMISSION FOR PROPOSED NEW DWELLING
TO BE USED IN CONJUNCTION WITH EXISTING BUSINESSES FOR
GOODWIN PLASTICS LTD**

Note: Mr B Haywood, Major Applications Team Leader, read a representation from Haslington Parish Council.

The Committee considered a report regarding the above planning application.

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

1. The proposed residential development is unsustainable because it is located within the Open Countryside. The development would result in further urban creep between the settlements of Haslington and Winterley contrary to Policies NE.2 and RES.5 of the Borough of

Crewe and Nantwich Replacement Local Plan 2011 and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance.

2. The proposed development when taken cumulatively with other committed developments in Haslington would exceed the spatial distribution of development for Haslington as identified within Policy PG6 (Spatial Distribution of Development) of the Local Plan Strategy Submission Version and in advance of a new spatial distribution being determined is therefore premature. This is supported by comments made by the Inspector at Paragraphs 70-80 of the Inspector's Interim views on the legal compliance and soundness of the submitted Local Plan Strategy. As such the proposal would result in an unsustainable form of development.

138 **14/4656M MANOR PARK SCHOOL & NURSERY, MANOR PARK NORTH, KNUTSFORD, CHESHIRE, WA16 8DB: CONSTRUCTION OF A NEW, TWO STOREY, FIVE CLASS AND LIBRARY EXTENSION TOGETHER WITH THE ASSOCIATED EXTERNAL WORKS AT MANOR PARK SCHOOL AND NURSERY, KNUTSFORD FOR SARAH GREENSIDES, MANOR PARK SCHOOL AND NURSERY**

Note: Councillor R Bailey declared that, as Safeguarding Children and Adults Deputy Portfolio Holder, she had attended a meeting regarding education in Knutsford, at which Ms Jamison had been present.

Note: Ms D Jamison (objector) attended the meeting and addressed the Committee.

The Committee considered a report regarding the above planning application.

Mr B Haywood, Major Applications Team Leader, reported the receipt of a late representation from Tatton Estate Management requesting the scheme to be deferred and revisited.

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

1. A01LS - Landscaping - submission of details
2. A01TR - Tree retention
3. A02TR - Tree protection
4. A03AP - Development in accord with revised plans (unnumbered)
5. A03FP - Commencement of development (3 years)
6. A03TR - Construction specification/method statement
7. A04LS - Landscaping (implementation)
8. A06EX - Materials as application
9. A23GR - Pile Driving
10. A32HA - Construction method statement
11. Travel Plan

12. Hours
13. Parking
14. Informative

139 14/5754C LAND TO THE EAST OF LONDON ROAD, HOLMES CHAPEL (COLLOQUIALLY KNOWN AS 'THE FORMER FISIONS SITE): VARIATION OF CONDITION 23 (HOURS) ATTACHED TO PLANNING PERMISSION 13/3294C. 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 C/O AGENT, BLUEMANTLE LTD AND SAINSBURY'S SUPERMARKET

Note: Mr D Brown attended the meeting and addressed the Committee on behalf of the applicant.

The Committee considered a report regarding the above planning application.

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED subject to the completion of a Section 106 legal agreement/deed of variation to secure the same Heads of Terms as the outline permission (detailed below)
 - Commuted Sum of £20, 000 towards extending the speed limit on A50 (London Road)

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 (as amended by this application)
 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, 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 Principal Planning 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.

140 **14/5837N LAND TO THE NORTH OF CHEERBROOK ROAD, WILLASTON, NANTWICH CHESHIRE: VARIATION OF CONDITION 2 (PLANS) ON APPLICATION 13/3762N - CONSTRUCTION OF 21 TWO-STOREY RESIDENTIAL DWELLINGS, NEW SHARED ACCESS AND ASSOCIATED WORKS (RESUBMISSION 13/0641N) FOR WAINHOMES (NORTH WEST) LTD**

Note: Mr S Harris 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.

Note: Mr D Evans, Principal Planning Officer, reported receipt of a representation from Councillor B Silvester (Ward Councillor) and summarised the points raised.

RESOLVED

- (a) That, for the reasons set out in the report and the update, the application be APPROVED subject to completion of Section 106 Deed of Variation securing the same obligations as 13/3762N:

1. A commuted payment of £9,000 towards habitat creation within the Meres and Mosses Natural Improvement Area to the south of Nantwich
2. A commuted payment of £40,999 towards secondary school education
3. A commuted payment of £20,000 towards cycleways, footways, street lighting and bus shelters
4. A commuted payment of £18,000 should be made towards providing a skate park facility on the Parish Council owned open space on Wybunbury Road, Willaston
5. 30% affordable housing – 65% to be provided as social rent/affordable rent (4 units) with 35% intermediate tenure (2 units).

and the following conditions:

1. Standard time limit 3 years from the date of the original permission
 2. Approved 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. Piling Method Statement
 6. External lighting as per plan reference SL/0214/09/001/-
 7. Development shall take place in accordance with the approved scheme to minimise dust emissions arising from construction activities on the site
 8. Works should commence outside the bird breeding season
 9. Materials to be in accordance with the submitted details
 10. Landscaping scheme to be implemented
 11. Remove Permitted Development Rights for certain plots
 12. Boundary Treatment details to be implemented
 13. Tree and hedgerow retention
 14. Tree Protection to be implemented
 15. The parking spaces to be provided on the approved plan should be provided
 16. Visibility splays of 2.4 metres by 60 metres to be provided before development commences and thereafter be retained.
 17. Windows to the south-east facing elevation of plot 1 to be obscure glazed. Remove PD for additional windows to the side elevation of Plot 1.
 18. No development within 3 metres either side of the centre line of the sewer which crosses the site
 19. 10 metre easement strip for the 24" Concrete Trunk Water Main
 20. Windows to the south facing elevation of plot 21 to be obscure glazed. Remove PD for additional windows to the side elevation of Plot 21.
- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Strategic and Economic Planning, 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.

141 UPDATE FOLLOWING THE RESOLUTION TO APPROVE APPLICATION 14/4300N SUBJECT TO A S106 AGREEMENT

The Committee considered a report regarding a proposed amendment to the requirements of the Section 106 Agreement relating to planning permission 14/4300N (Lodge Farm Industrial Estate, Audlem Road, Hankelow, Cheshire), which had been approved by the Southern Planning Committee on 17 December 2014.

RESOLVED – That, for the reasons set out in the report, Point 4 of the Heads of Terms (Medical Infrastructure Contribution of £21,319, to be paid prior to commencement) be removed from the committee resolution.

142 CHESHIRE EAST BOROUGH COUNCIL (BUNBURY - LAND WEST OF OAK GARDENS) TREE PRESERVATION ORDER 2014

Note: Ms S Reid attended the meeting and addressed the Committee on behalf of Lower Bunbury Action Group.

The Committee considered a report regarding the above tree preservation order and a written update.

RESOLVED – That, for the reasons set out in the report and the update, the Cheshire East Borough Council (Bunbury - Land West Of Oak Gardens) Tree Preservation Order 2014 be Confirmed.

The meeting commenced at 1.00 pm and concluded at 5.55 pm

Councillor G Merry (Chairman)