

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 3rd February, 2016 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, J Clowes, W S Davies, S Edgar,
P Groves, S Hogben, A Kolker, D Marren, S Pochin (Substitute), J Rhodes,
B Roberts and B Walmsley

OFFICERS PRESENT

Patricia Evans – Lawyer
Ben Haywood – Major Applications, Team Leader
Sue Orrell – Principal Planning Officer
Gaynor Hawthornthwaite – Democratic Services Officer

138 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor D Bebbington.

The Chairman reported that she had noted a statement from Sandbach Heath Neighbourhood Forum relating to application 15/3394C that had been received, as a speaker was unavailable to attend the meeting today.

139 DECLARATIONS OF INTEREST/PRE DETERMINATION

With regard to application number 14/4234C, Councillor S Pochin declared that the landowner is a personal friend and would, therefore, withdraw from the meeting and take no part in the discussion or voting on this application.

Councillor S Davies declared that with regard to applications 15/1666N and 15/1437N he had made up his mind and would withdraw from the meeting after he had spoken on these applications.

With regard to application 15/4967N, Councillor S Edgar declared that he was the Ward Member and that he had not discussed or pre-determined the application.

Councillor G Merry declared that it could be perceived that she had made up her mind on application 15/3394C, so she would vacate the Chair in favour of the Vice-Chair and not take part in the debate or vote.

With regard to application 15/5280C, Councillor Rhoda Bailey declared that she was the Ward Member and that she had not discussed the application and had kept an open mind.

Councillor J Clowes declared that she had called-in application 15/4413N on behalf of the Wybunbury Parish Council, the school and residents. She also stated that the comments detailed on page 57 of the report are part of the call-in and that she had not fettered her decision on the application.

With regard to application 15/4413N Councillor D Marren declared that he knew the speaker on this application from Crewe Green Parish Council, but had not discussed the application with him.

Gaynor Hawthornthwaite declared that as Clerk to Crewe Green Parish Council she knew Mr Spruce, who is a Crewe Green Parish Councillor and had registered to speak on application 15/4413N. She had not taken part in any discussions on this application.

The Chairman reported that following comments received from a resident about the Item 8 site visit, she confirmed that Members of the Southern Planning Committee did not engage in conversations with members of the Parish Council and that there was no lobbying during the site visit. Members of the Committee viewed the site from all angles and made an informed decision. In accordance with the Site Inspection Protocol, the Parish Council had been invited to attend the site visit.

140 **MINUTES OF PREVIOUS MEETING**

That the minutes of the meeting held on 6th January 2016 be approved as a correct record and signed by the Chairman, subject to the following amendment:

Item 135 – Application 15/3897N

Councillor Clowes asked for the minutes to reflect that the Parish Council had responded to the original application for all the units to be used for residential occupation and had requested that the application be determined by the planning committee. However, they had no objection to the revised application, to allow unit 3 only to be used as an agricultural worker's dwelling.

141 **PUBLIC SPEAKING**

That the public speaking procedure be noted.

142 **15/4922N LAND OFF NANTWICH ROAD, ALPRAHAM: OUTLINE
PLANNING APPLICATION FOR A PAVILION, IMPROVED
RECREATIONAL FACILITIES AND UP TO 20 DWELLINGS WITH ALL
MATTERS RESERVED EXCEPT FOR ACCESS FOR THE WELLCOME
TRUST LTD**

Note: Councillor P Howson (on behalf of Alpraham Parish Council), Mr R Dawson (Objector), Ms E McElroy (Supporter) and Mr D Bainbridge (on behalf of the applicant) attended the meeting and addressed the Committee on behalf of the applicant.

Before the Planning Officer's presentation, the Major Applications, Team Leader confirmed that he attended the site visit and assured the meeting that there was no lobbying of Members during the site visit and that the site inspection had been conducted in accordance with the agreed Site Inspection Protocol.

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

RESOLVED

That for the reasons set out in the report, the application be APPROVED subject to a Section 106 Agreement to secure:

- The affordable housing provision
- Educational contribution
- Community facilities

And the following conditions:

1. Commencement
2. Submission of reserved matters
3. Approved plans
4. Hours of piling limited to 9am to 5.30pm Monday to Friday, 9am to 1pm Saturday, with no piling on Sundays or Public Holidays
5. Submission of Construction Management Plan
6. Provision of an electric vehicle charging point to each dwelling
7. Submission of drainage scheme to include foul and surface water including sustainable drainage systems
8. Submission of tree/hedgerow protection scheme
9. Submission of a Phase II Contaminated Land Report
10. Breeding bird survey for works in the nesting season
11. Reserved matters application to include detailed Arboricultural Impact Assessment
12. Reserved matters to include Noise Mitigation Scheme
13. Reserved matters to include details of external lighting
14. Reserved matters to include features for breeding birds and roosting bats

- 15. Reserved matters to include details of boundary treatments
- 16. Reserved matters to include existing and proposed levels
- 17. Ecological survey and mitigation including T14 protected tree

Heads of Terms:

- Affordable housing – 30% provision comprising 6 affordable units with a tenure split of 4 social/affordable rent and 2 intermediate tenure
- Contribution of £49,028.07 to secondary education provision
- Completion of the pavilion and recreational facilities by the first residential occupation of the 10th dwelling

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 Head of Planning (Regulation) has 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.

Should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) 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.

Following consideration of this application, Councillor Marren left the meeting

143 15/1666N LAND AT BOWE'S GATE ROAD, BUNBURY, CHESHIRE CW6 9PL: THE ERECTION OF 11 NO. NEW DWELLINGS INCLUDING AFFORDABLE HOUSING FOR RURAL HOUSING TRUST

Prior to consideration of this application, Councillor P Groves arrived to the meeting

Prior to consideration of this application, as stated in his declaration, Councillor S Davies spoke as the Neighbouring Ward Councillor and then left the meeting.

Councillor D Marren returned to the meeting during consideration of this application and did not take part in the debate or vote.

Note: Councillor R Pulford (on behalf of Bunbury Parish Council), Mr P McGuirk (Objector) and Ms J Redmond (on behalf of the applicant) attended the meeting and addressed the Committee

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

RESOLVED

That the application be DEFERRED to negotiate more traditional design for 3 detached dwellings to the rear

144 **15/1437N HOLLY COTTAGE, GAUNTONS BANK, NORBURY
SY13 4HP: PROPOSED CONSTRUCTION OF ONE DWELLING ON
LAND ADJACENT TO HOLLY COTTAGE FOR R LEWIS**

Prior to consideration of this application, as stated in his declaration, Councillor S Davies spoke as Ward Councillor and then left the meeting.

Note: Councillor J Makin (on behalf of Marbury and District Parish Council) and Mr D Smith (Objector) attended the meeting and addressed the Committee

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

RESOLVED

That the application be DEFERRED to negotiate a more “cottage style” design

145 **15/4413N LAND REAR OF WOODLANDS VIEW, 20, BRIDGE
STREET, WYBUNBURY CW5 7NE: ERECTION OF 19 NO.
DWELLINGS, VEHICULAR ACCESS, ASSOCIATED CAR PARKING
AND LANDSCAPING (RESERVED MATTERS) FOR SIMON CLUTTON,
SIMON CLUTTON HOMES LTD**

Note: Councillor T Lightfoot and Councillor R Ellison-Jones (on behalf of Wybunbury Parish Council) had registered to speak, but were unable to attend the meeting.

Mr R Spruce (on behalf of the applicant) attended the meeting and addressed the Committee

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. Approved Plans
2. External Lighting to be submitted to the LPA for approval in writing
3. Compliance with the submitted Environment Management Plan
4. Materials to be submitted and approved
5. Implementation of the approved landscape scheme
6. Boundary treatment to be submitted and approved
7. Tree Protection
8. Arboricultural Method Statement
9. Submission and Approval of a Construction Management Plan
10. Affordable Housing Details
11. Compliance with the mitigation measures contained within the submitted acoustic assessment
12. Bin Storage Details to be submitted and approved
13. External Lighting details to be submitted and approved
14. Remove Permitted Development for plots 3, 4 and 9-13 for extensions and dormer windows
15. Drainage

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning Regulation, in consultation with the Chair (or in her absence the Vice Chair) 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.

146 **15/4967N LAND EAST OF ROPE LANE, SHAVINGTON, CREWE, CHESHIRE: RESERVED MATTERS APPLICATION SEEKING CONSENT FOR APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOLLOWING THE APPROVAL OF 14/3267N - CONSTRUCTION OF UP TO 53 DWELLINGS INCLUDING DETAILS OF ACCESS FOR WAINHOMES (NORTH WEST) LTD**

Note: Mr S Harris (on behalf of the applicant) attended the meeting and addressed the Committee

The Committee considered a report regarding the above planning application.

RESOLVED

That the application be DEFERRED for the following:

- More information on flood risk
- Paul Reeves (Flood Risk Manager) be invited to attend the meeting when this application is considered
- Clarification on the maintenance of the Brook

Following consideration of this application the meeting adjourned for lunch from 13.10 pm until 13.40 pm.

- 147 **15/3099N LAND TO THE REAR OF SANDY LANE NUMBERS 1 TO 16, SANDY LANE, WINTERLEY: OUTLINE APPLICATION FOR 1NO. OR 2NO. RESIDENTIAL PROPERTIES, WITH PRIMARY ACCESS (SINGLE VEHICLE) OFF SANDY LANE, PRIVATE ACCESS TO THE SITE OWNED BY APPLICANTS FOR MRS DORIS COOKE**

Note: Mr V Cooke (on behalf of the applicant) attended the meeting and addressed the Committee

The Committee considered a report regarding the above planning application.

RESOLVED

That the application be DEFERRED for a Committee site visit

- 148 **15/3394C OAK FARM, CHURCH LANE, SANDBACH, CHESHIRE CW11 4ST: DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF UP TO 5 NO. RESIDENTIAL DWELLINGS WITH ASSOCIATED INFRASTRUCTURE AND ANCILLARY FACILITIES IN OUTLINE WITH ACCESS DEFINED- RESUBMISSION OF 14/3810C FOR PAUL FODEN**

Having made a declaration, Councillor G Merry vacated the Chair in favour of the Vice-Chairman and did not take part in the debate or vote.

Note: Councillor S Corcoran (Ward Councillor), Councillor J Wray (Neighbouring Ward Councillor) and Mr D Foden (Applicant) attended the meeting and addressed the Committee

Mr G Heath and Mr R Whittle (Supporters) had registered to speak, but were unable to attend the meeting.

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

RESOLVED

That contrary to the Planning Officer's recommendation for refusal, the application be APPROVED for the following reason:

- Having regard to the multiple strands of sustainability, it is acknowledged that the site would be car dependent. However, adverse impacts on the setting of the church can be mitigated with screen planting. Whilst it is not a "brownfield site" there are existing buildings of a similar footprint on site to the proposed dwellings which is an important material consideration and members do not consider that the recommended reasons for refusal would be sustainable at Appeal.

That authority be delegated to the Head of Planning (Regulation) in consultation with the Vice Chairman of Southern Planning Committee and Ward Member to agree the conditions and that approval be subject to:

- a commuted payment of £83,395 towards the of-site affordable housing

and that the conditions should include a requirement that a footpath is provided prior to first occupation.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning Manager (Regulation) in consultation with the Chair (or in their absence the Vice Chair) of the 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.

149 **15/3863N LAND ADJACENT TO THE BRIDGE INN, BROAD STREET, CREWE, CHESHIRE: PROPOSED CONSTRUCTION OF 14 NO. DWELLINGS FOR JOHN WARTERS**

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

RESOLVED

That the application be DEFERRED for more information on HS2, bin storage and better elevation plans to be included in the Key Plans pack

150 **15/4119C LAND EAST OF CHELLS HILL, CHURCH LAWTON: CONSTRUCTION OF TWO NEW DWELLINGS FOR MARION DONOVAN**

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

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 (3 Years)
2. Accordance with approved and amended plans
3. Details of external materials to be submitted
4. Details of boundary treatments to be submitted

5. Details of drainage to be submitted
6. Landscaping scheme to be submitted
7. Implementation of approved landscaping scheme
8. Accesses to be constructed in accordance with approved plans prior to first occupation of the unit to which it relates
9. Survey for nesting birds if development s to be carried out within the bird breeding season
10. Removal of permitted development right (Classes A-E) extensions and outbuildings
11. Upper floor side facing windows to be obscurely glazed
12. Removal of permitted development rights for further openings with upper floor side facing elevations
13. Hours of working

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 Head of Planning (Regulation) has 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

Following consideration of this application, Councillor J Weatherill left the meeting and did not return

151 **15/4234C LAND OFF MANOR LANE, HOLMES CHAPEL:
PROPOSED DEMOLITION OF EXISTING BUILDINGS AND OUTLINE
PLANNING PERMISSION FOR UP TO 65 RESIDENTIAL DWELLINGS
TO INCLUDE ACCESS FOR LIBERTY PROPERTIES DEVELOPMENTS
LIMITED**

Prior to consideration of this application, as stated in her declaration, Councillor S Pochin left the meeting and returned following consideration of application 15/4234C

Note: The Major Applications, Team Leader read out a statement from Councillor L Gilbert (Ward Councillor) who was unable to attend the meeting.

Note: Councillor B Bath (on behalf of Holmes Chapel Parish Council) and Mr C Williams (on behalf of the applicant) attended the meeting and addressed the Committee

The Committee considered a report and written update 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 development would impair the efficiency of the Jodrell Bank Radio Telescope and would be contrary to Policy PS10 (Jodrell Bank Radio Telescope Consultation Zone) of the Congleton Borough Local Plan First Review 2005 and Policy SE14 (Jodrell Bank) of the emerging Cheshire East Local Plan Strategy – Submission Version.
2. The proposed development would be for residential development on an existing employment site. It is considered that the site remains suitable for employment uses and there is no substantial planning benefit in permitting alternative uses. The development is therefore considered to be contrary to Policy E10 (Re-use or Redevelopment of Existing Employment Sites) of the Congleton Borough Local Plan First Review 2005. The proposal is also unsustainable as there is substantial housing development coming forward already in or around Holmes Chapel, and without sufficient employment land being retained, this would lead to unsustainable forms of development having regards to the 3 strands of sustainability as set out within the NPPF.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning Manager (Regulation) in consultation with the Chair (or in their absence the Vice Chair) of the Southern Planning Committee and Ward Member, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

If the application is subject to an appeal approval is given to enter into a S106 Agreement to secure the following:

- 30% on site affordable housing provision
- £78,185.38 towards Secondary and SEN education (to be re-assessed for each phase of the development)
- Provision of 1,900sqm of on-site Public Open Space including the provision of a LEAP, the inclusion of a 20m buffer zone from the LEAP to the closest proposed residential dwellings and maintenance of the above in perpetuity

152 **15/4892C 4, NEEDHAMS BANK, MOSTON, SANDBACH CW11
3PF: ERECTION OF SINGLE DETACHED DWELLING FOR MR IAN LARVIN**

Prior to consideration of this application, the meeting was adjourned for refreshments

Note: Councillor D Nixon (on behalf of Moston Parish Council) and Mr M Denny (Objector) attended the meeting and addressed the Committee

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. Time (Standard)
2. Plans
3. Removal of Householder Permitted Development – Extensions and Outbuildings
4. Prior Submission – External Facing and Roofing materials including windows
5. Prior submission of Construction Method Statement
6. Prior submission of Drainage details
7. Contaminated Land – Phase 1
8. Brine Board Assessment
9. Hours of construction

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in his absence the Vice Chair) 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.

153 **15/4903N LAND TO THE NORTH OF ORION WAY, CREWE:
PROPOSED 4 NUMBER INDUSTRIAL UNITS WITH CLASS USE B1, B2
AND B8, WITH NEW VEHICULAR ACCESS, ASSOCIATED CAR
PARKING AND SERVICE YARD FOR MS SHANI GABBIDON, C4
CONSULTING**

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. Time (3 years)
2. Plans
3. Materials as per application
4. Site must be drained on a total separate system with only foul drainage connected into the foul sewer
5. Surface water discharge to the soakaway/watercourse/surface water sewer should be attenuated to a maximum discharge rate of 10 l/s
6. Development shall be completed in accordance with the submitted Flood Risk Assessment

7. Prior submission of a surface water drainage scheme
8. Prior submission of an assessment into the potential for disposing of surface water in accordance with the principles of sustainable drainage systems
9. Prior approval of detailed design, management and maintenance of surface water drainage
10. Prior submission / approval of vehicle access details onto Orion Way
11. The access be constructed before commencement of construction of the development
12. Prior submission / approval of staff travel plan
13. Landscape – Details
14. Landscape – Implementation
15. Boundary treatment - Details

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning Manager (Regulation) in consultation with the Chair (or in their absence the Vice Chair) of the Southern Planning Committee and Ward Member, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

154 **15/5280C LAWTON MERE NURSERIES, CHERRY LANE, RODE HEATH, CHESHIRE ST7 3QX: DEMOLITION OF AN EXISTING GLASSHOUSE BUILDING AND THE CONSTRUCTION OF SIX NEW DWELLINGS FOR GARY BARRATT, ALSAGER PLANT HIRE AND GROUNDWORK**

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

RESOLVED

That the application be REFUSED for the following reason:

- The proposed residential development, by virtue of its location within the South Cheshire Green Belt is inappropriate development and no very special circumstances have been demonstrated to indicate why the development should be approved. The proposal is therefore contrary to Policies PS7 and H6 of the adopted Congleton Borough Local Plan First Review 2005 and the requirements of the National Planning Policy Framework.

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 Head of Planning (Regulation) has 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 **15/5425N FIELDS VIEW, AUDLEM ROAD, HANKELOW CW3**
0JE: ERECTION OF DETACHED BUNGALOW FOR MR A D PURTON &
MISS S PARKES

The Committee considered a report regarding the above planning application.

RESOLVED

That the application be DEFERRED for the following:

- Better access plan, including levels and showing access to existing dwelling
- More detailed Highway Officer Report/comments

The meeting commenced at 10.00 am and concluded at 5.10 pm

Councillor G Merry (Chairman)