

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 25th May, 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, D Bebbington, P Butterill, J Clowes, W S Davies,
S Edgar, J Rhodes, B Roberts and B Walmsley

OFFICERS PRESENT

Daniel Evans	Principal Planning Officer
Patricia Evans	Senior Planning and Highways Lawyer
Andrew Goligher	Principal Development Control Officer - Highways
Peter Hooley	Planning and Enforcement Manager
Diane Moulson	Democratic Services Officer

Apologies

Councillor A Kolker

1 DECLARATIONS OF INTEREST/PRE DETERMINATION

The following declarations were made in the interests of openness:

With regard to application 15/4326C, Councillor B Walmsley declared that she knew the landowner but had not spoken to her recently.

With regard to application 15/5166N, Councillor S Davies declared that he had called in the application on behalf of the Parish Council but that he had not predetermined the matter.

With regard to applications 16/0564N and 16/1690N, Councillor S Edgar declared that he had made up his mind. He would exercise his separate speaking rights as the Ward Councillor for both applications but would not take part in the debate or vote.

2 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 27 April 2016 be approved as a correct record and signed by the Chairman.

3 15/4326C CROXTONBANK, 36, CROXTON LANE, MIDDLEWICH, CHESHIRE CW10 9EZ: OUTLINE APPLICATION FOR DEVELOPMENT COMPRISING THE DEMOLITION OF ONE EXISTING DWELLING (36 CROXTON BANK) AND CONSTRUCTION OF 27 RESIDENTIAL UNITS, INCLUDING A NEW ACCESS, AFFORDABLE HOUSING PROVISION AND AREA OF PUBLIC SPACE FOR LIZZIE SMITH, RENEW LAND DEVELOPMENTS LTD

Note: Ms R Thorley (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:

(a) That authority be delegated to the Planning and Enforcement Manager in consultation with the Chairman of Southern Planning Committee to APPROVE the application subject to –

- Submission of updated Bat Survey
- Open space – Management company clarification
- Submission of a Heritage Statement to investigate the retention of the existing house on the site/justification for removal
- Further information to be provided for the ward member (Councillor Walmsley) to explain why no educational contribution is required
- Speed limit relocation with TRO contribution to be included within the Heads of Terms (moving the restricted speed limit sign as far from the proposed access point as required)
- Discussions with the applicant about reducing the time period for the submission of the Reserved Matters application

Section 106 agreement making provision for affordable housing comprising:

- 8 units on site 5 for social/affordable rent and 3 for shared ownership

Public open space comprising of:

- 800m2 of new amenity greenspace on site and commuted sum of £9460 towards future maintenance
- £6593.04 required to upgrade a DDA swing at Fountain Fields and £21,492 to maintain the upgraded facilities over 25 years

And the following conditions:

- 1 Standard outline time limit – 3 years
- 2 Submission of reserved matters
- 3 Accordance with approved plans
- 4 Submission of an Environmental Management Plan
- 5 Details of pile driving operations to be limited
- 6 Details of drainage (SUDS) to be submitted

- 7 Only foul drainage to be connected to sewer
- 8 Submission of landscaping scheme
- 9 Implementation of landscaping scheme
- 10 Retention of important trees
- 11 Tree and hedgerow protection measures
- 12 Arboricultural specification/method statement
- 13 Timing of the works and details of mitigation measures to ensure that the development would not have a detrimental impact upon breeding birds
- 14 Submission of updated protected species surveys with reserved matters application
- 15 Submission of noise mitigation scheme with reserved matters
- 16 Accordance with approved access and constructed prior to first occupation
- 17 Electric vehicle charging points for each dwelling
- 18 Scheme for connection into public right of way
- 19 Phase II contaminated land investigation to be submitted

Informative:

- 1 PROW

(b) In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Planning and Enforcement 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) Should this application be the subject of an appeal, authority be delegated to the Planning and Enforcement 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.

4 15/5166N SMITHY LODGE, NANTWICH ROAD, WRENBURY CW5 8EW: PROPOSED DEVELOPMENT OF 10NO. RESIDENTIAL DWELLINGS FOR CHRIS CHAPLIN, LANDLINK PLC

Note: Cllr Janet Palmer (on behalf of Wrenbury-cum-Frith Parish Council), Mr T Potts and Ms J Davies (objectors), Mr R Lee (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 an oral report of the site inspection.

RESOLVED:

That, contrary to the planning officer's recommendation to approve, authority be delegated to the Head of Planning in consultation with the Chairman of Southern Planning Committee to REFUSE the application for the following reasons:

Development in the open countryside and impact on the Conservation Area, contrary to Development Plan policy and guidance in the NPPF.

5 16/0953N LAND SOUTH OF SANDFIELD HOUSE, STATION ROAD, WRENBURY CW5 8EX: ERECTION OF 27 DWELLINGS AND ASSOCIATED INFRASTRUCTURE FOR HOLYHEAD ESTATES (WRENBURY) LTD

Note: Cllr J Palmer (representing Wrenbury-cum-Frith Parish Council) and Mr S Hynes and Mr G L Jones (objectors) 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:

(a) That, authority be delegated to the Head of Planning in consultation with the Chairman of Southern Planning Committee to APPROVE the application, subject to -

- The receipt of consultation response from ANSA (POS)
- The completion of a Section 106 Agreement –

Heads of Terms:

- £65,370.76 to secondary education
- Provision of 30% affordable housing

And the following conditions –

- 1 Commencement
- 2 Submission of reserved matters (all matters other than access)
- 3 Approved plans
- 4 Submission of a Phase 1 Contaminated Land Survey
- 5 Submission of soil or soil forming materials
- 6 Submission of piling foundations
- 7 Submission of dust control
- 8 Submission of major development construction phase environmental management plan
- 9 Reserved matters to include details of any external lighting
- 10 Access to the site shall be completed prior to the commencement of any other form of development
- 11 Submission of drainage scheme to include foul and surface water including sustainable drainage systems
- 12 Reserved matters to include Arboricultural Impact Assessment (AIA) including Tree Constraints Plan/Tree Protection Plan

- 13 Reserved matters to include Arboricultural Method Statement in accordance with BS5837:2012 Trees in Relation to Design Demolition and Construction - Recommendations
- 14 Reserved matters to include details of existing and proposed levels
- 15 Reserved matters to include detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds including house sparrow, roosting bats and barn owls
- 16 Reserved matters to include details of boundary treatments
- 17 Reserved matters to include details of bin/cycle storage
- 18 Reserved matters to include a single electric vehicle charging point for each dwelling
- 19 Finished floor levels to be no lower than 68.25m above ordinance datum
- 20 Reserved matters to include submission and implementation of a programme of archaeological work in accordance with a written scheme of investigation
- 21 Reserved matters to include a Barn Owl Habitat Management Plan for the blue line located between the red line of the outline application (land) and the river Weaver. Management plan to be implemented for a period of 10 years from commencement of development
- 22 Reserved matters to include the submission of updated badger survey and mitigation survey
- 23 Reserved matters to include proposals for the fencing off of the southern boundary of the application site during the construction phase to be submitted
- 24 Submission of land levels

(b) In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Chairman (or in her absence the Vice Chairman) of the Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and the issue of the decision notice.

(c) Should the 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.

6 16/0507N THE BUNGALOW, SADLERS WELLS, BUNBURY CW6 9NU: OUTLINE PLANNING APPLICATION FOR THE ERECTION OF A SINGLE TWO STOREY DWELLING ON LAND ADJACENT TO THE BUNGALOW, SADLERS WELLS FOR W STOCKTON

Note: Cllr R Pulford (representing Bunbury Parish Council) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED:

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

- 1 Commencement
- 2 Submission of reserved matters (all matters excluding access)
- 3 Approved plans
- 4 Boundary treatments
- 5 Submission of Flood Risk Mitigation Strategy
- 6 Submission of drainage scheme to include foul and surface water at reserved matters stage
- 7 Breeding bird survey for works in the nesting season
- 8 Tree mitigation measures to be provided at reserved matters
- 9 Construction method statement to be provided at reserved matters
- 10 Submission of land levels

Informative:

- 1 NPPF
- 2 Environmental protection

(b) 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 objections 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.

7 16/1112C LAND ADJACENT ARCLID LODGE, HEMMINGSHAW LANE, ARCLID CW11 4SY: CONSTRUCTION OF TWO NEW RESIDENTIAL DWELLINGS (RESUBMISSION OF PLANNING APPLICATION REFERENCE 15/4711C) FOR THE DEREK BERESFORD FAMILY TRUST

Note: Miss J Ashall (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 an oral report of the site inspection.

RESOLVED:

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

- 1 a 21 day notice period to Jodrell Bank (Manchester University)

And conditions –

- 1 Time
- 2 Plans
- 3 Prior submission of material details
- 4 Boundary treatments to be approved
- 5 Noise mitigation measures
- 6 Contaminated land – import of soils
- 7 Obscure glazing

Informatives:

- 1 NPPF
- 2 Contaminated land
- 3 Hours of construction

(b) 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 (Enforcement), 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.

**8 16/0564N 417, NEWCASTLE ROAD, SHAVINGTON CW2 5EB:
CHANGE OF USE FROM OFFICES WITH STORAGE
AREAS(S)/WORKSHOP TO BEAUTY SALON WITH SUN BEDS AND
TREATMENT ROOMS FOR MRS JULIE HOWES**

Note: Councillor S Edgar (Ward Councillor) addressed the Committee on this matter before withdrawing from the meeting. Cllr W McIntyre (on behalf of Shavington-cum-Gresty Parish Council) attended the meeting and addressed the Committee on this matter.

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
- 2 Approved plans
- 3 Obscure glazed window at first floor facing No.1 Crewe Road
- 4 Parking layout
- 5 Hours of operation: Monday to Friday 09.00 to 20.00, Saturday 09.00 to 18.00, no opening on Sundays/Bank Holidays

Informative:

The developer will remind customers of the business of the requirement to park safely when visiting the site.

9 16/1690N VINE INN, ROPE LANE, SHAVINGTON CW2 5DT: VARIATION OF CONDITION 9 ON APPROVED PLANNING APPLICATION 14/5472N WHICH COVERS DELIVERY TIMES ASSOCIATED WITH THE STORE FOR NEWRIVER RETAIL PROPERTY UNIT TRUST NO.4

Note: Councillor S Edgar (Ward Councillor) returned to the meeting to address the Committee on this matter before withdrawing. Cllr W McIntyre (on behalf of Shavington-cum-Gresty Parish Council) and Mr T Hallett (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: That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason –

The proposed variation of condition would result in increased noise and disturbance to the occupiers of the adjacent residential properties and the existing public house at an unreasonable hour of the day. As a result, the proposed development would be contrary to Policy BE.1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

The meeting commenced at 10.00 am and concluded at 1.00 pm

Councillor G Merry (Chairman)