

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 29th March, 2017 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

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

Councillors Rhoda Bailey, J Clowes, W S Davies, S Edgar, A Kolker,
J Rhodes, B Roberts and B Walmsley

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors P Bates and J Hammond

OFFICERS PRESENT

Daniel Evans (Principal Planning Officer)
Patricia Evans (Senior Planning and Highways Lawyer)
Chris Glover (Development Officer, Strategic Housing)
Andrew Goligher (Principal Development Control Officer - Highways)
Vikki Jeffrey (Senior Policy Officer - Strategic Housing)
Gareth Taylerson (Principal Planning Officer)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors D Bebbington and P Butterill

129 DECLARATIONS OF INTEREST/PRE DETERMINATION

The following declarations were made in the interests of openness:

Councillor G Merry declared that she had a family connection with respect to application 16/0754N, so she would vacate the Chair in favour of the Vice-Chairman and not take part in the debate or vote.

With regard to application numbers 17/0295N and 16/4526N, Councillor S Edgar declared that he had made up his mind with respect to the applications. He would exercise his separate speaking rights as a Ward Councillor and not take part in the debate or vote.

With regard to application number 17/0667N, Councillor S Davies declared that he had called in the application on behalf of the parish council but that he had kept an open mind and had not taken part in any discussions regarding the matter.

All Members of the Committee declared that they had received email correspondence with regard to application numbers 16/0754N and 17/0066N.

With respect to application number 16/6224C, Councillor G Merry declared that she had advised residents who to contact but had not given an opinion and had not pre-determined the application.

With regard to application number 17/0388N, Councillors B Roberts and J Rhodes declared that they were Ward Councillors.

With regard to application number 17/0283N, Councillor B Roberts declared that he was a Neighbouring Ward Councillor and that he lived nearby.

130 **MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 1 March 2017 be approved as a correct record and signed by the Chairman.

131 **17/0253C LAND AT RADNOR PARK INDUSTRIAL ESTATE, BACK LANE, CONGLETON: RESIDENTIAL DEVELOPMENT (USE CLASS C3) COMPRISING 29 AFFORDABLE DWELLINGS INCORPORATING 12 NO. 3 BED HOUSES, AND 13 NO. TWO BED HOUSES AND 4 NO. ONE BED MAISONNETTES WITH ASSOCIATED INFRASTRUCTURE AND INCIDENTAL OPEN SPACE INCLUDING A NEW ESTATE ROAD AND VEHICULAR AND PEDESTRIAN ACCESS OFF BACK LANE FOR WILLIAM FULSTER, M.C.I.DEVELOPMENTS LIMITED AND PLACES FOR PEOPLE GROUP**

Note: Town Councillor A Martin (on behalf of Congleton Town Council), and Mr J Wright and Mr W Fulster (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, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Standard Time limit – 3 years
2. Approved Plans
3. Affordable housing provision
4. Hard and Soft Landscape Scheme
5. Landscape Implementation
6. Adherence with updated AMS Rev B
7. Existing and Proposed levels
8. Nesting Birds

9. Nesting Bird boxes
10. Foul and surface water drained separately
11. Sustainable drainage management and maintenance
12. Surface water drainage system
13. Acoustic Mitigation Scheme implemented in accordance with Technical Memorandum (Echo Acoustics Dated 17 June 2016) and acoustic mitigation scheme shall be maintained in perpetuity
14. Construction Method Statement and Dust Management Plan
15. Piling Foundations
16. Electric Vehicles
17. Travel Information Pack
18. Contaminated land – phase II
19. Importation of soil
20. Unexpected Contamination
21. Removal of PD

(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 Planning (Regulation), 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.

**132 16/6144C LAND WEST OF GOLDFINCH CLOSE, CONGLETON:
RESERVED MATTERS APPLICATION (APPEARANCE,
LANDSCAPING, LAYOUT & SCALE) FOLLOWING APPROVED
OUTLINE APPLICATION 13/3517C - OUTLINE APPLICATION FOR
ERECTION OF UP TO 230 DWELLINGS, ACCESS, OPEN SPACE AND
ASSOCIATED LANDSCAPING AND INFRASTRUCTURE FOR SEDDON
HOMES LTD**

Note: Town Councillor A Morrison (on behalf of Congleton Town Council), Mr P Minshull (objector) and Ms S Syeda (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Councillor P Bates (Ward Councillor) 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 Councillor Bates to speak.

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

RESOLVED – That the application be DEFERRED for the following:

- Further information required in relation to Housing Mix/Outline approval
- Better quality plans – larger size

- Copy of the Inspectors Reports for the outline appeal decision
- Amended plans to show that all house types meet the required garage standards
- Further discussions regarding additional bungalows

133 16/5926C 29, WOODSIDE AVENUE, ALSAGER ST7 2DL: PROPOSED DEVELOPMENT OF 1 DETACHED DWELLING HOUSE TO THE REAR OF 29 WOODSIDE AVENUE FOR MS SHELAGH LOWNDES

Note: Town Councillor S Helliwell attended the meeting and addressed the Committee on behalf of Alsager Town Council.

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 and the written update, the application be APPROVED subject to the following conditions:
 1. Standard time 3 years
 2. Approved plans
 3. Materials as per application
 4. Landscaping details including boundary treatment to be submitted and approved
 5. Implementation of landscaping
 6. Dust control
 7. Pile foundations
 8. Levels
- (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 Head of Planning (Regulation) 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.

134 16/6224C LAND WEST OF CREWE ROAD, WHEELOCK HEATH, SANDBACH: PROPOSED DEVELOPMENT OF UP TO 60 NO. DWELLINGS, INCLUDING THE PROVISION OF 30% ON-SITE AFFORDABLE HOMES, A LOCAL CONVENIENCE STORE, AN AREA OF OPEN SPACE AND SIGNIFICANT AREAS OF LANDSCAPING WITH ACCESS RESERVED FOR MULBURY HOMES LIMITED, MS I GRIFFIN, MS K GRIFFIN & MS C GOODWIN

Note: The Principal Planning Officer read a representation from Councillor G Wait (Ward Councillor), who was unable to attend the meeting.

Note: Councillor J Hammond (Neighbouring Ward Councillor) and Ms E Robinson (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 REFUSED for the following reasons:
 - 1. The proposed residential development is unacceptable because it is an unsustainable site located within the Open Countryside and would result in the loss of BMV Agricultural Land. The development would be contrary to Policies PC3 and H1 of the Sandbach Neighbourhood Plan, Policies PS8 (Open Countryside) and H6 (Residential Development in the Open Countryside and Green Belt) of the Congleton Borough Local Plan, Policies SD2 and PG5 of the Cheshire East Local Plan Strategy – Consultation Draft March 2016 and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.
 - 2. The proposal results in a development which will compromise the Spatial Vision for the future development of the rural areas within the Borough, contrary to Policies PG2 and PG6 of the Cheshire East Local Plan Strategy – Consultation Draft March 2016 and guidance 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 Head of Planning (Regulation), 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, the following Heads of Terms should be secured as part of any S106 Agreement:
 - 1. £60,012 contribution to maintain the amenity greenspace and LEAP.
 - 2. 30% on-site affordable housing provision in a 65:35 split affordable rent: intermediate
 - 3. Education contribution of £192,584
 - 4. TRO Contribution of £8,000

135 **16/6058C LAND OFF COPPENHALL WAY, SANDBACH:
DEVELOPMENT OF 10 DWELLING HOUSES AND ESTATE ROAD
CONNECTED TO COPPENHALL WAY FOR THORNGROVE
DEVELOPMENTS LIMITED**

Note: Councillor G Merry declared that she was a member of Sandbach Town Council, which had been consulted on the application. She had not discussed this application and had kept an open mind.

Note: Mr L Charnley 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 and the written update, the application be APPROVED subject to a S111 Agreement to secure Off-Site Open Space enhancements (£4,332) and maintenance (£12,502.50)

and the following conditions:

1. Time (3 years)
2. Plans
3. Prior submission/approval of materials
4. Landscape Plan - Implementation
5. Prior submission/approval of tree protection plan
6. Prior submission/approval of nesting bird survey
7. Prior submission/approval of ground-floor levels
8. Prior submission/approval of construction management plan to include details of construction access to the site
9. Prior submission/approval of wheel wash facility details
10. Prior submission/approval of a surface water drainage scheme
11. Foul and surface water to be drained on separate systems
12. Prior submission/approval of a sustainable drainage management and maintenance plan
13. Obscure glazing requirements - First-floor side windows (all plots)
14. Prior submission/approval of a piling method statement
15. Prior submission/approval of a dust mitigation scheme
16. Prior submission/approval of electric vehicle infrastructure
17. Prior submission/approval of a Phase 1 Contaminated Land Report (and Phase 2 if necessary)
18. Prior submission/approval of soil verification report
19. Works should stop if contamination identified
20. Prior submission/approval boundary treatment
21. Removal of PD Rights – Part 1 Classes A-E

- (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 Head of Planning (Regulation) be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.
- (c) That, should this application be the subject of an appeal, the following Heads of Terms should be secured as part of any S111 Agreement: Off-Site Open Space enhancements (£4,332) and maintenance (£12,502.50).

136 **17/0295N LAND AT SHAVINGTON VILLA, ROPE LANE, SHAVINGTON CW2 5DT: RESIDENTIAL DEVELOPMENT OF UP TO 29 NO. DWELLINGS AND ASSOCIATED INFRASTRUCTURE WITH ACCESS TO BE TAKEN FROM ROPE LANE FOR MR & MRS KIRKHAM AND COUNTRY AND COASTAL**

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

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

Note: Parish Councillor W McIntyre (on behalf of Shavington-cum-Gresty Parish Council), Mr W Atteridge (objector) and Ms E George (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, for the reasons set out in the report and the written update, the application be REFUSED for the following reasons:
 1. The proposed residential development is unacceptable because it is located within the Green Gap and Open Countryside, contrary to Policies; NE.2 (Open Countryside), NE.4 (Green Gap) and RES.5 (Housing in Open Countryside) of the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011; Policy PG5 (Open Countryside) PG4a (Strategic Green Gaps) and of the emerging Cheshire East Local Plan Strategy Submission Version - 2016 and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance. Consequently, there

are no material circumstances to indicate that permission should be granted contrary to the development plan.

2. The proposed development would result in the loss of BMV Agricultural Land and have an adverse impact on the landscape character of the area. It is considered that the development is unsustainable because of the unacceptable environmental impact of the scheme in terms of loss of best and most versatile agricultural land and the adverse impact upon the landscape character. These factors significantly and demonstrably outweigh the economic and social benefits in terms of its contribution to boosting housing land supply, including the provision of affordable housing and Public Open Space. As such the proposal is contrary to Policies NE.2 (Open Countryside), NE4 (Green Gap) and RES.5 (Housing in Open Countryside) of the adopted Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011 and Policies PG5 (Open Countryside), PG4a (Strategic Green Gaps and SE2 (Efficient Use of Land) of the emerging Cheshire East Local Plan Strategy Version - 2016, and the provisions of 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 Head of Planning (Regulation), 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, the following Heads of Terms should be secured as part of any S106 Agreement:
 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:
 - Dwellings of an appropriate mix of bedrooms and/or older person properties to reflect local need
 - A requirement for the applicant/developer to transfer any rented affordable units to a Registered Provider
 - Details of when the affordable housing is required
 - Provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Councils allocations policy.
 - The requirement for an affordable housing scheme to be submitted prior to commencement of the development that includes full details of the affordable housing on site.
 2. Provision of 1015 square metres of on-site Public Open Space (POS) to be maintained by either a private management company or the Council for a fee to be agreed.

3. Commuted sum of £21,000 for the enhancement of children's play facilities on Vine Tree Avenue, Shavington

137 **16/4526N LAND TO REAR OF 71, MAIN ROAD, SHAVINGTON: FULL PLANNING PERMISSION FOR 30 DWELLING HOUSES INCLUDING THE DEMOLITION OF 71 MAIN ROAD, SHAVINGTON FOR ELEANOR OGILVIE, MULBURY HOMES (SHAVINGTON) LTD**

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

Note: Parish Councillor W McIntyre (on behalf of Shavington-cum-Gresty Parish Council), Mr H Ashworth and Mrs B Kelly (objectors) and Mr S Taylor (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, for the reasons set out in the report, the application be REFUSED for the following reasons:
 1. The proposed residential development is unacceptable because it is located within the Open Countryside and would result in the loss of the best and most versatile agricultural land, contrary to Policies NE.2 (Open Countryside) RES.5 (Housing in Open Countryside) and NE.12 (Agricultural Land Quality) of the Borough of Crewe and Nantwich Replacement Local Plan, Policies PG 5 and SE 2 of the Cheshire East Local Plan Strategy Submission Version - 2016, and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance. 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, Willaston 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.
- (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 Head of Planning (Regulation) be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

- (c) That, should this application be the subject of an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:
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 and a scheme of management
 3. Private residents management company to maintain all on-site open space, including footpaths

138 **16/0754N 1, NESFIELD DRIVE, WINTERLEY CW11 4NT: NEW DORMER BUNGALOW, AMENDED DESIGN FROM 15/0349N - RESUBMISSION FOR MR NEVILLE CROSS**

Note: Having made a declaration, Councillor G Merry vacated the Chair in favour of the Vice-Chairman and withdrew from the meeting for the duration of the Committee's consideration of this item.

Note: Councillor A Kolker left the meeting during consideration of this application.

Note: Councillor J Hammond (Ward Councillor), Mr K Rhodes (objector) and Mr N Cross (applicant) 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. Time (Standard)
2. Plans
3. Materials for submission
4. Boundary treatment
5. Piling
6. Dust suppression
7. Phase II land contamination
8. Remove PD rights (a-e) including windows in 1st floor gable
9. Obscure glaze bathroom window Landscape scheme details
10. Landscape scheme implementation

INFORMATIVES:

1. NPPF
2. Hours of use

(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 Planning (Regulation), 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.

Note: Committee Members requested it to be minuted that they were reassured that the measurements were correct.

139 **17/0283N CAR PARK, BROWNING STREET, CREWE CW1 3BB:
REDEVELOPMENT FOR 8 DWELLINGS AND ASSOCIATED
INFRASTRUCTURE, PLUS REMODELLING OF REMAINING CAR
PARK FOR A FROST, ENGINE OF THE NORTH**

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 to allow the consideration of Policy TRAN.8 within the officer report.

140 **17/0388N LAND ADJACENT TO, 11, WALTHALL STREET, CREWE CW2 7JZ: VARIATION OF CONDITION 2 ON APPROVED PLANNING APPLICATION 16/4784N, TO FACILITATE THE ADDITION OF TWO APARTMENTS TO THOSE ALREADY PERMITTED, MINOR ALTERATIONS, ASSOCIATED PARKING, BIN STORAGE, CYCLE STORAGE AND ACCESS ARRANGEMENTS FOR D FYLES**

The Committee considered a report regarding the above planning application.

RESOLVED

- (a) That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposals are of a layout and design which would represent an overdevelopment of the site, and fail to achieve a high standard of design or acceptable level of amenity for existing and future occupants of the scheme. The proposals are therefore in conflict with the provisions of Policies BE.1 and BE.2 of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

- (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 Head of Planning (Regulation) 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.

141 **14/5801N WORKING MENS CLUB BUNGALOW, HALL O SHAW STREET, CREWE CW1 4AD: OUTLINE APPLICATION FOR DEMOLITION OF DWELLING AND ERECTION OF 9NO. DWELLINGS FOR K KELLY**

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 a S106 Agreement to secure:
- Prior to first occupation - £8,000 towards upgrading of nearby public open space/facilities at Queen Street Park

and the following conditions;

1. Time – 3 years of within 2 of last Reserved Matter approval

2. Reserved Matters within 3 years
 3. Landscaping Matters to be submitted and approved
 4. Plans
 5. Materials – Prior submission/approval
 6. Hours of piling
 7. Prior submission/approval of a piling method statement
 8. Prior submission/approval of lighting details
 9. Prior submission/approval of a noise mitigation scheme
 10. Prior submission/approval of electric vehicle charging infrastructure
 11. Prior submission/approval of an Environmental Management Plan
 12. Prior submission/approval of a dust mitigation scheme
 13. Prior submission/approval of a Phase 1 contaminated land report
 14. Prior submission/approval of a foul drainage scheme and that foul shall be drained on a separate system
 15. Prior submission/approval of a surface water drainage scheme
 16. Prior submission/approval of a Highways Management Plan
 17. Prior submission/approval of amended plans to show rear plot access for plots 2, 5 and 8 to allow bin storage/cycle storage at the rear of each plot.
- (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 Planning (Regulation), 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, the following Heads of Terms should be secured as part of any S106 Agreement:
- Prior to first occupation - £8,000 towards upgrading of nearby public open space/facilities at Queen Street Park

142 **16/5015N BARODA, ANNIONS LANE, WYBUNBURY CW5 7LP: RETROSPECTIVE APPLICATION FOR AN IMPORTATION OF SOIL, FILLING OF POND AND LEVELLING OF LAND FOR RONALD BLACKBURN**

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

143 **17/0066N LAND OFF WRENBURY ROAD, ASTON: OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT AND ASSOCIATED INFRASTRUCTURE FOR GRASSCROFT HOMES AND PROPERTY LTD AND JGV DEVELOPMENTS LTD**

Note: The Principal Planning Officer read a representation from Councillor Rachel Bailey (Ward Councillor), who was unable to attend the meeting.

Note: Parish Councillor R Hibbert (on behalf of Newhall Parish Council), Mr I Wilkinson (objector) and Ms J Fryer (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, for the reasons set out in the report, the application be REFUSED for the following reasons:
 - 1. The proposed residential development is unsustainable because it is located within the Open Countryside would result in adverse impact on the landscape character of the area and would result in the loss of the best and most versatile agricultural land which would be contrary to Policies NE.2 (Open Countryside), NE.12 (Agricultural Land Quality), BE.2 (Design) and RES.5 (Housing in the Open Countryside) of the Crewe and Nantwich Local Plan, Policies PG5 (Open Countryside), SD1, SD2 & SE2, SE4 (Landscape) of the emerging Cheshire East Local Plan Strategy 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
 - 2. It has not been demonstrated in the illustrative plans provided that the proposed development could be accommodated without causing significant harm to the living conditions of the neighbouring properties White Lodge and The Beeches through overlooking/loss of privacy/overbearing impact and overshadowing. The proposal is therefore contrary to policy BE.1 of the Crewe and Nantwich Local Plan, Development on Backlands and Gardens SPD and the NPPF
 - 3. It has not been demonstrated in the illustrative plans provided that the proposed development could be accommodated without causing significant harm to the overall character/appearance of the area by not respecting the pattern, character and form of the surroundings. The proposal is therefore contrary to policy BE.2 & RES.5 of the Crewe and Nantwich Local Plan, Development on Backlands and Gardens SPD, Emerging Local Plan Core Strategy Policies MP1, PG5, SD1, SD2, SE1 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 Head of Planning (Regulation), 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, the following Heads of Terms should be secured as part of any S106 Agreement:
1. A scheme for the provision of 40% 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 Public Open Space and LAP.
 3. Secondary School Education Contribution based on formula if number of dwellings changes at RM stage

144 16/3464N LAND ADJACENT TO CHORLTON LANE, CHORLTON: CHANGE OF USE OF LAND FROM AGRICULTURAL TO PART AGRICULTURAL AND PART KEEPING OF HORSES. RETENTION OF EXISTING SEPTIC TANK, STABLE AND FIELD SHELTER, DOG KENNEL, CHICKEN HOUSE AND ASSOCIATED HARD STANDING (RETROSPECTIVE) FOR MS JONES

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

145 17/0667N SEVENOAKS, HEARNS LANE, FADDILEY CW5 8JL: DOG WELFARE BUILDING TO PROVIDE SEPARATE SPACE FOR RECOVERING DOGS FOLLOWING BIRTH OF THEIR LITTER FOR MR MARK WETTON

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. Time limit

2. Approved plans
 3. This permission relates to the use of the land and buildings as a dog breeding business for a maximum of 31 dogs.
 4. The hours of visiting to the kennels by members of the public shall be limited to 10:00am to 16:00pm on Monday to Sunday.
 5. Prior to its installation details of any additional external lighting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
 6. The use of the welfare building hereby approved shall be exercised solely by the applicant Mr Mark Wetton only.
 7. The development shall be carried out in accordance with the Noise Management Plan Rev.1 submitted with the agent's email dated 22/2/2017. The use shall be operated at all times in accordance with the Noise Management Plan as approved.
 8. The approved development shall not be occupied until space has been laid out within the site for the parking of 4 cars in accordance with drawing P002. Parking so provided, including the approved number of spaces for disabled persons (if applicable), shall be retained at all times thereafter, unless otherwise approved by the Local Planning Authority.
- (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 Planning (Regulation), 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.

146 OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF 1 BUNGALOW AND THE ERECTION OF 15 DWELLINGS, INCLUDING ASSOCIATED ACCESS AT LAND EAST OF BUNBURY LANE, BUNBURY - 6 & LAND REAR OF NO.6 BUNBURY LANE, BUNBURY CW6 9QZ

The Committee considered a report regarding planning application 16/0646N, which had been refused against officer recommendation by the Southern Planning Committee on 31 August 2016. The committee report had referred to proposed Heads of Terms for a S106 Agreement, in the event that the application was subject to an appeal, but these had not been carried over into the minutes of the meeting.

RESOLVED – That a S106 Agreement to secure the following Heads of Terms be entered into at the forthcoming appeal:

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 an area for Ecological Enhancements to be maintained by a private management company
 3. Secondary Education Contribution of £32,685.38

The meeting commenced at 10.00 am and concluded at 4.30 pm

Councillor G Merry (Chairman)