

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 3rd April, 2019 at Council Chamber, Municipal Buildings,
Earle Street, Crewe CW1 2BJ

PRESENT

Councillor J Wray (Chairman)
Councillor A Kolker (Vice-Chairman)

Councillors Rhoda Bailey, D Bebbington, P Butterill, J Bratherton, J Clowes,
S Davies, S Pochin, J Rhodes and B Walmsley

OFFICERS PRESENT

Daniel Evans (Principal Planning Officer)
Christopher Glover (Development Officer, Strategic Housing)
Andrew Goligher (Principal Development Control Officer - Highways)
David Hallam (Principal Conservation and Design Officer)
Susan Orrell (Principal Planning Officer)
James Thomas (Senior Lawyer)
Julie Zientek (Democratic Services Officer)

Apologies

Councillor M Deakin

67 DECLARATIONS OF INTEREST/PRE DETERMINATION

The following declarations were made in the interests of openness:

With regard to application number 17/6233C, Councillor R Bailey declared that she had received a telephone message from a Middlewich resident. She had not spoken to the person concerned and was not conflicted in any way.

With regard to application number 17/6233C, Councillor S Pochin declared that she had also been contacted by a Middlewich resident. She had not discussed the application with him and had suggested that he attended the Planning Committee meeting.

With regard to application number 17/6233C, Councillor J Clowes declared that she had received a telephone message from a Middlewich resident. She had not spoken to the person concerned and had not responded. Councillor Clowes had also received email correspondence, which she had forwarded to the Chairman and the Head of Development Management.

With regard to application number 17/6233C, Councillor B Walmsley declared that she was a member of Middlewich Town Council but that she had not taken part when the application was discussed. There had been a lot of interest in Middlewich and she had been approached by members of the public, including one of the speakers at the previous meeting, but she had not discussed the application with them. Some time ago, she had been approached by the developer as part of the Neighbourhood Plan Steering Group. The plans had changed dramatically since then and there had been no recent contact, so she had not discussed her views. Councillor Walmsley stated that she retained an open mind and would assess the application on its planning merits. Councillor Walmsley also declared that she had received email correspondence with respect to the application.

With regard to application number 17/6233C, Councillor J Rhodes declared that she had received a telephone message from a Middlewich resident but that she had not spoken to the person concerned.

With regard to application number 17/6233C, Councillor D Bebbington declared that he had received a telephone message from a Middlewich resident but that he had not spoken to the person concerned.

68 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 6 March 2019 be approved as a correct record and signed by the Chairman.

69 18/3026N LAND OFF CREWE ROAD, HASLINGTON: RESERVED MATTERS FOR APPROVED APPLICATION 13/5248N FOR APPEARANCE LANDSCAPING LAYOUT AND SCALE FOR MR & MRS NIGEL HARTLEY

Note: Malcolm Riley (objector) and Ian Pleasant (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED

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

1. Accordance with the conditions on the outline permission
2. Time limit
3. Approved plans
4. Details of materials to be submitted
5. Compliance with the landscape planting proposals
6. Replacement tree planting

7. Compliance with the Drainage Strategy
8. Compliance with the Construction Method Statement
9. Compliance with the Badger and Bat Tree Survey and Great Crested Newt Mitigation Plan
10. Incorporation of features suitable for House Sparrow and roosting bats
11. Removal of PD Rights (Extensions and Outbuildings) on Plots 1-3
12. Condition 4 from outline consent re-attached as a pre-commencement condition

- (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 his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, before issue of the decision notice.

70 17/6233C LAND OFF WHEELOCK STREET, MIDDLEWICH, CHESHIRE: FULL PLANNING APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF 35NO. DWELLINGS, A RETIREMENT LIVING FACILITY CONTAINING 50NO. APARTMENTS AND 3NO. RETAIL UNITS FOR C/O AGENT, HENDERSON HOMES (UK) LTD AND MCCARTHY AND STONE

Note: Chris Butt 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.

- (a) That, for the reasons set out in the report and the written update, the application be APPROVED subject to the completion of a S106 Agreement to secure:

S106	Amount	Triggers
50% discount for sale units	2 x 1 bed flat 2 x 2 bed house (both in Henderson part of site) Discount for Sale percentage TBC. In event of no agreement to the above, £223,591 commuted sum in lieu	50% upon 1 st occupation of the 20 th unit. 50% at occupation of the 30 th unit
Health	£60,696	50% Prior to first occupation of any part of the development 50% at occupation of the 43 rd unit

Education	£81,713	50% Prior to first occupation of any house within the Henderson scheme 50% at occupation of the 18th dwelling.
Retention of retail units to Wheelock St for retail uses (A1 to A5)		Upon 1 st occupation of any part of the McCarthy and Stone development
Private Management scheme for all POS/incidental open space on site.		Occupation of 17 th house within the Henderson scheme or 1 st occupation of McCarthy element whichever comes 1st
TRO for loading bay on Wheelock St	£10,000	Commencement of the McCarthy development

and the following conditions:

1. Standard Time
2. Plans
3. Tree Protection
4. Tree Pruning/Felling Specification
5. Service/Drainage Layout to be submitted
6. Pedestrian link through site from Southway to Darlington Street to be un-gated and re-routed through McCarthy & Stone car park
7. Prior to the use of any facing or roofing materials details/ samples shall be submitted and approved
8. Notwithstanding the approved plans boundary treatment details shall be submitted and approved prior to commencement
9. Submission, approval and implementation of a Construction/Environment Management Plan (to include construction vehicle route) - prior to commencement
10. Arboricultural Management Scheme – prior to commencement
11. Site specific Engineer designed specifications for any foundation or area of hard surfacing within the root protection area of retained trees have been submitted to and approved- prior to commencement
12. Existing/proposed and Finished Floor Levels to be submitted and approved prior to commencement
13. Provision of Electric Vehicle infrastructure
14. Contaminated land – submission of a phase 2 report - prior to commencement
15. Contaminated land – submission of a verification report
16. Contaminated land – works to stop if any unexpected contamination is discovered on site
17. Contaminated land imported garden soil

17. Breeding birds – mitigation measures
18. Breeding Birds – timing of works
19. Submission of external lighting details
20. In respect of the dwellings - Removal of permitted development rights for all extensions/outbuildings Class(es) A-E of Part 1 and fence/ any means of enclosure forward of any building line Class B of Part 2 Schedule 2 of the Order
21. Piling
22. Notwithstanding submitted plans details of the hard and soft landscaping and car parking layouts to be submitted and approved
23. Implementation of the landscaping scheme
24. The car-parking layout approved as part of condition 22 shall be implemented prior to first occupation
25. Development to be undertaken in accordance with *submitted Bat Mitigation Strategy prepared by SLR dated January 2019 unless varied by a subsequent Natural England license*
26. Residents' Sustainable Travel Information Pack
27. Programme of archaeological work
28. Detailed design and associated management and maintenance plan of surface water drainage (SUDS)
29. Windows on side elevation overlooking 2 Darlington St to be obscured/not opening
30. Notwithstanding submitted plans a landscaping, including replacement tree planting scheme to be submitted/implemented
31. Retail uses scheme of services
32. Retirement living occupation age restriction
33. Dropped kerb and closure to Wheelock Street

(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 his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, before issue of the decision notice.

(c) That, should this application be subject to an appeal, approval be given to enter into a S106 Agreement with the following Heads of Terms:

S106	Amount	Triggers
50% discount for sale units	<p>2 x 1 bed flat 2 x 2 bed house (both in Henderson part of site) Discount for Sale percentage TBC.</p> <p>In event of no agreement to the above, £223,591 commuted sum in lieu</p>	50% upon 1 st occupation of the 20 th unit. 50% at occupation of the 30 th unit
Health	£60,696	50% Prior to first occupation of any part of

		the development 50% at occupation of the 43rd unit
Education	£81,713	50% Prior to first occupation of any house within the Henderson scheme 50% at occupation of the 18th dwelling.
Retention of retail units to Wheelock St for retail uses (A1 to A5)		Upon 1 st occupation of any part of the McCarthy and Stone development
Private Management scheme for all POS/incidental open space on site.		Occupation of 17 th house within the Henderson scheme or 1 st occupation of McCarthy element whichever comes 1st
TRO for loading bay on Wheelock St	£10,000	Commencement of the McCarthy development

The meeting commenced at 10.00 am and concluded at 11.45 am

Councillor J Wray (Chairman)