

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 15th August, 2012 at The Assembly Room - Town Hall,  
Macclesfield SK10 1EA

### **PRESENT**

Councillor R West (Chairman)  
Councillor W Livesley (Vice-Chairman)

Councillors C Andrew, B Burkhill, A Harewood, O Hunter, L Jeuda, J Macrae,  
D Mahon, D Neilson, P Raynes and D Stockton

### **OFFICERS PRESENT**

Miss J Adeniran (Lawyer), Mr P Hooley (Northern Area Manager), Mr S Irvine  
(Development Management and Building Control Officer), Mr N Jones  
(Principal Development Officer), Ms S Orrell (Principal Planning Officer), Miss  
L Thompson (Planning Officer) Mr P Wakefield (Principal Planning Officer) Mr  
B Vass (Cheshire East Rural Housing Enabler) and Miss B Wilders (Principal  
Planning Officer)

### **34 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors, L Brown, K Edwards and  
Mrs H Gaddum.

### **35 DECLARATIONS OF INTEREST/PRE DETERMINATION**

Councillor D Stockton declared a non-pecuniary interest in application 12/1361M-  
Alterations & Extensions To Create Medical Practice (D1 Use) And Ancillary  
Facilities And New Entrance To The Hall, Festival Hall, Talbot Road, Alderley  
Edge for Dr S Merchant however he remained in the room during consideration of  
the application.

Councillor R West declared a non-pecuniary interest in application 12/1532M-  
Erection of 8 No Affordable Houses, Associated Parking and Landscaping,  
Construction of Vehicular Access, Land off Truthall Lane, Plumley for MCI  
Developments Ltd and Peaks & Plains Housing Trust by virtue of the fact that he  
was a Board Member of Peaks and Plains who were the applicants. In  
accordance with the Planning Protocol of Conduct prior to the consideration of  
the item he left the room and returned only after the decision on the application  
had been made.

Councillor J Macrae declared a non-pecuniary interest in application 12/0596M-  
Redevelopment of existing golf club comprising demolition of clubhouse and  
associated buildings, erection of single detached country manor house with  
ancillary granny annex, detached garage building, landscaping, associated

external works and retention of existing 9 hole golf course for use in connection with the enjoyment of the proposed country manor house dwelling, Mobberley Golf Club, Burleyhurst Lane, Mobberley for Ollerton Leisure LLP, however he remained in the room during consideration of the application.

In the interest of openness Councillor Miss C Andrew declared a non-pecuniary interest in respect of application 12/1361M-Alterations & Extensions To Create Medical Practice (D1 Use) And Ancillary Facilities And New Entrance To The Hall, Festival Hall, Talbot Road, Alderley Edge for Dr S Merchant, however she remained in the room during consideration of the application.

### **36 MINUTES OF THE MEETING**

RESOLVED

That the minutes be approved as a correct record and signed by the Chairman.

### **37 PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

### **38 12/1361M-ALTERATIONS & EXTENSIONS TO CREATE MEDICAL PRACTICE (D1 USE) AND ANCILLARY FACILITIES AND NEW ENTRANCE TO THE HALL, FESTIVAL HALL, TALBOT ROAD, ALDERLEY EDGE FOR DR S MERCHANT**

Consideration was given to the above application.

(Mr Russell Jenkins, an objector, Martin Sinker, representing the Patient Reference Group and Edwin Thompson, representing the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report and in the update report, that the application be approved subject to the completion of a Section 106 agreement comprising the following Heads of Terms:-

For Legal Services to ensure that Cheshire East Council legal requirements are reflected with an Agreement pursuant to Section 106 of the Town and Country Planning Act 1990

Monitoring costs for the Travel (£5000 in total over 5 years in the form of £1000 per annum)

And subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A03EX\_1 - Medical extension - materials to be submitted
3. A03EX - Materials to match existing Festival Hall entrance

4. A02LS - Submission of landscaping scheme (hard and soft)
5. A04AP - Development in accord with revised plans (numbered)
6. A04LS - Landscaping (implementation)
7. A03TR - Construction specification/method statement
8. A06GR - No windows to be inserted
9. A06LP - Front extension to be used for medical purposes only
10. A14GR - Business hours for medical user (excluding Sundays)
11. A22GR - Protection from noise during construction (hours of construction)
12. A23GR - Pile Driving
13. A25GR - Obscure glazing requirement (side and rear facing windows of medical uses adj to the Talbots)
14. Window fabrication, roof materials, door fabrication, portico details of front extension to be submitted prior to commencement
15. 2nd floor internal layout as submitted plans without further permission
16. refuse store for medical user - details inc elevation to be submitted and implemented prior to first use
17. details of any air conditioning units for medical centre to be submitted for medical user/pharmacy
18. details of car parking barrier to be submitted prior to medical use commencing
19. Pharmacy use only (permitted development rights removed within Class A1)
20. lighting scheme to be submitted
21. details of long term cycle storage for staff of medical extension part of development to be submitted
22. travel plan
23. On site directional advertisement for festival hall entrance'

(The meeting adjourned at 3.35pm until 3.45pm)

(Prior to consideration of the following item, Councillor R West left the room and Councillor B Livesley, the Vice Chairman was the Chairman for that item).

**39 12/1532M-ERECTION OF 8 NO AFFORDABLE HOUSES, ASSOCIATED PARKING AND LANDSCAPING, CONSTRUCTION OF VEHICULAR ACCESS, LAND OFF TROUTHALL LANE, PLUMLEY FOR MCI DEVELOPMENTS LTD AND PEAKS & PLAINS HOUSING TRUST**

Consideration was given to the above report.

(Mr Peter Hooley, the Northern Area Manager read out a written statement from Councillor G Walton, the Ward Councillor who was unable to attend the meeting in person to speak).

(Parish Councillor John Wright representing Plumley Parish Council, Rebecca Booth, a Planning Consultant representing the Objectors, Roy Spruce (the agent for the Applicant and Nigel Bennett, representing the applicant attended the meeting and spoke in respect of the application).

## RESOLVED

That for the reasons set out in the report and in the update reports, that the application be delegated to the Development Management and Building Control Manager for approval in consultation with the Vice Chairman and relevant Ward Councillor

1. For the Development Management and Building Control Manager to consider the issues arising from the ecology survey and making an assessment against the test of the Habitats Directive, and if necessary determine appropriate mitigation.
2. For Legal Services to ensure that CEC legal requirements are reflected with an agreement

For any matters considered anything other than minor or if legal requirements cannot be met the application will be brought back to Committee to allow members to reconsider the proposal.

Subject to the legal agreement including the following matters:-

- All eight dwellings are to be made affordable, in perpetuity. The dwellings shall be made available through a Cascade Provision to residents who have a Local Connection, as set out below.

It is recommended that the following Cascade Provision is incorporated into the legal agreement:

1. Residents of Plumley
2. Residents of adjoining parishes within Cheshire East
3. Residents of parishes within Knutsford rural sub area as identified in the Council's SHMA 2010.
4. Residents of Knutsford
5. Residents of Cheshire East.

Local Connection shall be defined as:

A person who has:

- i. A minimum period of 5 years permanent residence in the relevant area of the Cascade Provision, or
- ii. A strong local connection including a period of residence of 5 years or more within the last ten years in the relevant area of the Cascade provision, or
- iii. A minimum period of 2 years permanent residence in the relevant area of the Cascade Provision, or
- iv. An essential functional need to live close to his or her work in the relevant area of the Cascade Provision

And priority shall be given to prospective occupiers in the order as set out above, provided that this is in accordance with the priorities set out in the Cascade Provision to ensure a prospective Occupier from the Parish shall take precedence over a prospective Occupier from an Adjoining Parish, as so forth through the categories contained within the Cascade Provision.

- commuted sum of £24,000 to be paid to the Council in lieu of on site public open space

And subject to the following conditions:-

- 24.A03FP - Commencement of development (3 years)
- 25.A01AP - Development in accord with approved plans
- 26.A02EX - Submission of samples of building materials
- 27.A01GR - Removal of permitted development rights to be submitted
- 28.A22GR - Protection from noise during construction (hours of construction)
- 29.A23GR - Pile Driving to be submitted
- 30.A17MC - Decontamination of land
- 31.A04NC - Drainage details to be submitted
- 32.A17EX - Specification of window design / style (timber)
- 33.A12EX - Fenestration to be set behind reveals
- 34.A10EX - Rainwater goods
- 35. Lighting details to be approved
- 36. Development carried out in accordance with Ecology statement
- 37. Safeguarding breeding birds
- 38. Details of features for breeding birds to be submitted
- 39. Submission of a Landscaping Scheme
- 40. Implementation and schedule of landscapae maintenance to be submitted

(This was a change in the Officers original recommendation from one of approval to one of delegation).

(Prior to consideration of the following item Councilor B Burkhill left the meeting and did not return)

(Prior to consideration of the following item, Councillor B Livesley vacated the Chair and Councillor R West returned to the Chair).

- 40 **12/0596M-REDEVELOPMENT OF EXISTING GOLF CLUB COMPRISING DEMOLITION OF CLUBHOUSE AND ASSOCIATED BUILDINGS, ERECTION OF SINGLE DETACHED COUNTRY MANOR HOUSE WITH ANCILLARY GRANNY ANNEX, DETACHED GARAGE**

**BUILDING, LANDSCAPING, ASSOCIATED EXTERNAL WORKS AND RETENTION OF EXISTING 9 HOLE GOLF COURSE FOR USE IN CONNECTION WITH THE ENJOYMENT OF THE PROPOSED COUNTRY MANOR HOUSE DWELLING, MOBBERLEY GOLF CLUB, BURLEYHURST LANE, MOBBERLEY FOR OLLERTON LEISURE LLP**

Consideration was given to the above application.

(Mr Nixon, an objector, Mr Williams, the agent for the applicant and Mr Webb, the applicant attended the meeting and spoke in respect of the application)

RESOLVED

That for the reasons set out in the report and in the update report, that the application be refused for the following reasons:-

- 41.R05LP - Harmful to appearance of the countryside
- 42. Inappropriate development in the Green Belt

(The meeting adjourned at 5.25pm and reconvened at 5.40pm)

- 41 **12/2073M-CHANGE OF USE OF GROUND AND FIRST FLOORS OF NO. 36 CASTLE STREET FROM OFFICE (CLASS B1) TO RETAIL (CLASS A1), INTERNAL SUBDIVISION AND ALTERATIONS TOGETHER WITH THE DEMOLITION OF RETAIL UNITS NOS 22, 24 AND 26 CASTLE STREET AND NOS 25, 25B, 25C CASTLE STREET MALL TO FACILITATE THE DEVELOPMENT OF A TWO STOREY BUILDING TO ADJOIN NO.36 CASTLE STREET FOR THE PROVISION OF THREE RETAIL UNITS (GROUND AND FIRST FLOOR) WITH OFFICES ABOVE (SECOND FLOOR), EXTERNAL ALTERATIONS AND ASSOCIATED WORKS,**

Consideration was given to the above report.

(Chris Potts, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the Officers reports and in the update, that the application be approved subject to the following conditions:-

- 43.A03FP - Commencement of development (3 years)
- 44.A02EX - Submission of samples of building materials
- 45.A01AP - Development in accord with approved plans
- 46. Submission of detailed elevational and cross sectional drawings of windows

47. The retail use of the development hereby approved shall be restricted to non-food retail only, unless a detailed servicing plan has first been submitted to and approved in writing by the Local Planning Authority prior to the commencement of any food retail use. The servicing plan shall include details of any extraction and refrigeration equipment required as well as the details and management of goods delivery vehicles to and from the site. The approved servicing plan shall be implemented prior to the commencement of any food retail use of the site
48. No films or transfers shall be attached to the windows internally or externally without the prior written consent of the Local Planning Authority
49. details of renewable energy measures to provide for a minimum of 10% of the predicted energy requirements of the development
50. Details of finish and construction materials for rainwater goods to be submitted to and approved in writing by the Local Planning Authority
51. Prior to the commencement of any internal alterations details of a photographic record of the internal subdivisions of the building shall be submitted to the Local Planning Authority
52. Drainage details to be submitted to and approved in writing by the Local Planning Authority
53. Receipt of revised plans

(This was a change in the Officers original recommendation from one of delegation to one of approval).

The meeting commenced at 2.00 pm and concluded at 6.15 pm

Councillor R West (Chairman)