

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 16th January, 2013 at Lecture Theatre, Crewe Library,  
Prince Albert Street, Crewe, Cheshire CW1 2DH

### **PRESENT**

Councillor M J Weatherill (Vice-Chairman, in the Chair)

Councillors Rhoda Bailey, P Butterill, J Clowes, W S Davies, P Groves,  
A Kolker, D Marren, M A Martin, D Newton and A Thwaite

### **NON-COMMITTEE MEMBERS IN ATTENDANCE**

Councillor D Brown

### **OFFICERS PRESENT**

Nigel Curtis (Principal Development Officer - Highways)  
Daniel Evans (Principal Planning Officer)  
Rachel Goddard (Senior Lawyer)  
David Malcolm (Southern Area Manager – Development Management)  
Julie Zientek (Democratic Services Officer)

### **Apologies**

Councillors G Merry, D Bebbington, R Cartlidge and S McGrory

### **111 DECLARATIONS OF INTEREST**

With regard to application number 12/4530C, Councillor Rhoda Bailey declared that she had been contacted by objectors but had not discussed the application.

Councillor P Butterill declared that, notwithstanding the publication in the press of a letter from her regarding development on Greenfield sites, she had kept an open mind with respect to all the applications on the agenda for the current meeting, and that she would consider each item on its merits, having heard the debate and all the information. Councillor Butterill also declared that she was a member of Nantwich Town Council and Nantwich Civic Society.

With regard to application number 12/4371C, Councillor P Groves declared that he had been contacted by planning consultants acting for the applicant but had not discussed the application.

With regard to application number 12/4069C, Councillor A Thwaite declared that he had been contacted by a director of Wainhomes but had not discussed the application.

With regard to application number 12/4371C, Councillor A Thwaite declared that he had been contacted by the applicant but had not discussed the application. Councillor Thwaite also declared that he had received correspondence with respect to this application from Fiona Bruce, MP.

## **112 MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 12 December 2012 be approved as a correct record and signed by the Chairman.

## **113 12/4069C LAND TO THE REAR OF CANAL ROAD, CONGLETON: ALTERATION TO DWELLING TYPES AT PLOTS 10-17, SWANS REACH, WOLSTANHOLME, CANAL ROAD, CONGLETON FOR WAINHOMES (NORTH WEST) LTD**

Note: Councillor D Newton arrived during consideration of this item but did not take part in the debate or vote.

Note: Councillor D Brown (Ward Councillor), Mrs K Jarvis (objector) and Mr P Sedgwick (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Mr A Miller (supporter) 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 Mr Miller to speak.

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 for approval, the application be REFUSED for the following reason:

The proposed development fails to achieve an adequate quality of design to justify approval of planning permission. The proposal represents an intrusive form of development that would have an adverse impact on the character and appearance of the area and the streetscene. The proposal is thereby contrary to policies GR1 and GR2 of the adopted Congleton Borough Local Plan First Review (2005).

114 **12/4371C 1, BOUNDARY LANE, CONGLETON CW12 3JA:  
DEMOLITION OF EXISTING 3-BEDROOM BUNGALOW AND  
DETACHED GARAGE AND DEVELOPMENT OF TWO 3-BEDROOM  
HOUSES AND ONE 4-BEDROOM DETACHED HOUSE FOR MR J  
HAYES, NORTHMEADOW LTD**

Note: Councillor D Brown (Ward Councillor), Mrs S Cooper (objector) and Mrs C Gascoigne (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Mrs D Rogan had registered her intention to address the Committee on this matter but did not speak.

Note: Mr J Angus (supporter) 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 Mr Angus to speak.

The Committee considered a report regarding the above planning application and an oral update by the Southern Area Manager – Development Management.

RESOLVED – That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Standard time – 3 years
2. Materials to be submitted to the LPA and approved in writing
3. Submission of landscaping scheme
4. Implementation of the approved landscaping scheme
5. Boundary treatment details to be submitted to the LPA and approved in writing
6. Remove PD Rights for extensions and alterations to the approved dwellings, including garage conversion
7. The hours of construction shall be limited to 08:00 – 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays or Bank Holidays
8. Pile Foundations operations limited to Monday – Friday 09:00 – 17:30 hrs, Saturday 09:00 – 13:00 hrs, Sunday and Public Holidays Nil and method statement
9. All bathroom, en-suite and landing windows to be obscure glazed and non opening, Plot 3 side elevation bedroom windows to be obscure glazed and retained as obscure glazed
10. The Applicant provides a pedestrian footway link along the frontage of the site with Maxwell Road.

Note – Contaminated Land

Note - A S278 Agreement will be required for the provision of the footway along Maxwell Road.

115 **12/2764N POOL VIEW BRADFIELD GREEN EARDSWICK LANE,  
MINSHULL VERNON, CHESHIRE CW1 4QX: DEMOLITION OF  
SHIPPON AND CONSTRUCTION OF TWO NEW HOUSES AND ONE  
DETACHED GARAGE, ALTERATIONS TO EXISTING ACCESS AND  
NEW SEPTIC TANK FOR MR P K STUBBS**

Note: Following the Principal Planning Officer's introduction, Councillor M Martin declared that she knew the wife of the applicant and withdrew from the meeting during consideration of this item.

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. Details of materials to be submitted
4. Landscape scheme
5. Landscape implementation
6. Details of boundary treatments
7. Obscure glazing to side facing windows
8. Hours of construction
9. Details of pile driving and hours
10. Land contamination assessment

116 **12/3415C SITE OF ELWORTH WIRE MILLS, STATION ROAD,  
SANDBACH CW11 3JQ: CHANGE OF USE FOR ENTIRE SITE TO  
RESIDENTIAL USE FOR ALLISTER BOOTE**

Note: Mr R McGinnes (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.

Committee Members also noted that the reference to affordable housing under 'CIL Regulations' in the officer's report was an error and should be deleted.

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED, subject to the satisfactory completion of a Section 106 agreement to secure:
- A provision of 30% affordable housing to be provided with a tenure mix of 65% affordable social rent and 35% intermediate tenure

- A contribution towards local education provision £54,231 for Primary provision and £65,371 for Secondary provision
- A commuted sum in lieu of onsite children's play space of £5,640.71 for enhancement and £18,387.60 for maintenance
- Management Company for onsite amenity space

and the following conditions:

1. Standard outline time
  2. Reserve matters time
  3. Submission of access, appearance, landscaping, layout and scale (all reserved matters)
  4. Number of units limited to 30 dwellings, with 200% car parking
  5. Remove PD Rights for extensions and alterations to the approved dwellings, and outbuildings
  6. Drainage scheme to be submitted and approved in writing
  7. Development to be carried out in accordance with noise mitigation report
  8. The hours of construction shall be limited to 08:00 – 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays or Bank Holidays
  9. Any piling works shall be limited to 08:30 – 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays or Bank Holidays and method statement
  10. Phase II Contaminated land report to be submitted to and approved in writing by the LPA
  11. A major development construction phase environmental management plan
  12. Dust Control
  13. Ground levels to be submitted
  14. Approved plans
  15. Provision of cycle parking
  16. Provision of bin storage
- (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 Development Management and Building Control Manager 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.

**117 12/3727N MANOR ORCHARD, FLOWERS LANE, LEIGHTON, CREWE  
CW1 4QR: OUTLINE APPLICATION FOR RESIDENTIAL  
DEVELOPMENT FOR D AND S WOOD**

Note: Prior to consideration of this application, the meeting was adjourned for ten minutes for a break.

Note: Mr G Willard (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Mr B Carless (objector) 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 Mr Carless to speak.

The Committee considered a report regarding the above planning application and an oral update by the Principal Planning Officer, including comments from Councillor D Bebbington, who was unable to attend the meeting.

RESOLVED - That, for the reasons set out in the report, the application be APPROVED, subject to the satisfactory completion of a Section 106 agreement to secure:

A scheme for the provision of 1 affordable housing unit

- The 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.

and the following conditions:

1. Time
2. Time for Reserved Matters
3. Approval of Reserved Matters
4. Approved Plans
5. No principal windows to side facing elevation adjacent to Manor House
6. Hours of construction
7. Hours of any pile driving activities
8. Retention of Hedgerow boundary to Flowers Lane
9. A scheme to minimise dust emissions arising from construction activities
10. Noise mitigation scheme
11. Maximum of 4No dwellings
12. Provision of pedestrian access point

**118 12/4082C TALL ASH FARM TRIANGLE, BUXTON ROAD, CONGLETON, CHESHIRE CW12 2DY: CONSTRUCTION OF THREE NEW RESIDENTIAL DWELLINGS (RESUBMISSION OF APPLICATION REFERENCE 12/0106C) FOR P, J & MS M HUDSON**

Note: Mr I Pleasant and Mr I Wickett (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 authority be DELEGATED to the Development Management and Building Control Manager in consultation with the Chairman to approve the application for the reasons set out in the report, subject to consideration of whether a Section 106 agreement is required to secure affordable housing

and the following conditions:

1. Time (Standard)
2. Plans
3. Details of materials to be submitted
4. Hours of construction
5. Hours of piling
6. Piling method statement
7. Prior submission and approval of site compound position
8. Landscaping (details)
9. Landscaping (Implementation)
10. Boundary treatment
11. Obscure glazing (House 3 – First Floor bathroom window on western elevation)
12. Construction management plan
13. Drainage
14. Levels
15. Tree protection adherence
16. Incorporation of bat box features
17. Plans showing access arrangements onto Buxton Road
18. Prior to first occupation development of the new access must be completed.

**119 12/4530C 38, CONGLETON ROAD NORTH, CHURCH LAWTON ST7 3BA: PROPOSED TWO HOUSE BUILDING PLOTS FOR MR C LAWTON**

Note: Councillor D Marren left the meeting prior to consideration of this application.

Note: Mr C Mair (objector) attended the meeting and addressed the Committee on this matter.

Note: Mr J Webster had registered his intention to address the Committee on this matter but did not speak.

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 for approval, the application be REFUSED for the following reason:

The proposed development would represent an overdevelopment of the site which would result in a cramped form of development which would be harmful to the character and appearance of the area. As such, the proposal would be contrary to policies GR1 (New Development) and GR2 (Design) of the Congleton Borough Local Plan First Review 2005 and the general design policies within the NPPF.

120 **12/4584C BOOSEYS GARDEN CENTRE, NEWTON BANK, MIDDLEWICH CW10 9EX: REDEVELOPMENT OF FORMER BOOSEY'S GARDEN CENTRE TO PROVIDE CLASS A1 RETAIL BUILDING, CAR PARK AND SERVICE YARD (REVISIONS TO PREVIOUS SCHEME 11/2164C) FOR OPTIMISATION DEVELOPMENTS LTD**

Note: Mr G Stear (objector) and Mr G Glennon (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 update by the Southern Area Manager – Development Management, including comments from Councillor S McGrory, who was unable to attend the meeting.

RESOLVED - That, for the reasons set out in the report, the application be APPROVED, subject to the satisfactory completion of a Section 106 agreement to secure:

- A financial contribution of £25,000 (prior to the commencement of development) towards local bus services;
- The submission and implementation of a travel plan and an associated financial contribution of £5000 towards monitoring

and the following conditions:

1. Approved Plans.
2. Materials as detailed in the application.
3. Compliance with submitted landscape plan.
4. Compliance with submitted Tree and Hedgerow Protection Measures.
5. Compliance with submitted for external lighting scheme.
6. Town Centre Signage Scheme.
7. Restriction of net retail floorspace.



8. Restriction on convenience and comparison split. (No more than 280sqm for comparison goods)
9. No subdivision of units.
10. Local Labour Agreement. (In accordance with the letter from jobcentreplus dated 5<sup>th</sup> November 2012)
11. Prior to first opening, the developer will provide the agreed improvements to the traffic management on the A54 gyratory in accordance with the negotiated traffic management scheme under the related S278 agreement as shown on the Bryan G Hall Drawing No. 11/370/DE/100/001 Rev D in this application.
12. Prior to first opening, the developer will provide the agreed improvements to the pedestrian route management on the A54 gyratory in accordance with the negotiated traffic management scheme under the related S278 agreement as shown on Bryon G Hall drawing numbers: 11/370/DE/600/001 Rev D (earthworks), 11/370/DE/700/001 Rev D (pavement), 11/370/DE/600/002 Rev C (cross sections), 11/370/DE/1100/001 Rev D (kerbing), 11/370/DE/1200/002 Rev D (pedestrian signing) in this application.
13. Detailed scheme for public realm enhancements between the application site and Middlewich Town Centre (along Newton Bank and Chester Road) extending to include pavement surfaces, new trees and street furniture, enhanced lighting and new directional signage. Details agreed within 2 months of the store opening and implemented within 3 months of the details being agreed.
14. Site access fully constructed prior to first occupation.
15. Pedestrian access fully constructed prior to first occupation.
16. Car park surfaced, laid out and available for use prior to first occupation.
17. Cycle hoops to be fully installed and available for use prior to occupation.
18. Service yard to be surfaced and available for use prior to occupation.
19. Restriction on deliveries:  
0700 and 2000 Monday to Saturday, 0800 and 1700 on Sundays, Bank or Public Holidays.
20. Compliance with the details contained within the submitted Acoustic Matters Report by Belair Research Limited.
21. Implementation of the acoustic screening around the site perimeter prior to first occupation.
22. Proposed Store Opening Hours  
07.00 – 22.00 Monday to Saturday  
10.00 – 17.00 on Sundays and Bank Holidays
23. Public Art to be submitted and agreed (in discussion with Town Council).
24. Landscaping scheme for rear of site and implementation.
25. Scheme for air conditioning units to be submitted and approved.

**121 DEVELOPMENT OF NEW AGRICULTURAL MACHINERY  
DEALERSHIP COMPRISING OF SHOWROOM, WORKSHOP, PARTS  
COUNTER, ANCILLARY RETAIL SALES AND OFFICE BUILDING;  
EXTERNAL NEW AND USED VEHICLE DISPLAY AREAS; CAR  
PARKING AND ASSOCIATED LANDSCAPING, FOLLOWING  
DEMOLITION OF EXISTING BUILDINGS AND STRUCTURES ON SITE  
AT WARDLE BRIDGE FARM, NANTWICH ROAD, WARDLE, CW5 6BE**

Note: Mr P Walton (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding application 12/3294N, which had been approved by the Southern Planning Committee in November 2012.

The applicant was seeking to remove conditions 12 to 14 of the previous resolution, as the cost of the additional highways works would render the scheme unviable.

RESOLVED – That consideration of this matter be DEFERRED to a future meeting of the committee, to enable the applicant to discuss the issues with Highways officers.

The meeting commenced at 2.00 pm and concluded at 6.10 pm

Councillor M J Weatherill (Vice-Chairman, in the Chair)