

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 15th January, 2014 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,
P Groves, A Kolker, D Marren, D Newton and A Thwaite

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillor S Corcoran

OFFICERS PRESENT

Nigel Curtis (Principal Development Officer - Highways)
Daniel Evans (Principal Planning Officer)
Rachel Goddard (Senior Lawyer)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors R Cartlidge, M A Martin and S McGrory

121 DECLARATIONS OF INTEREST

With regard to application number 13/4323N, Councillor P Groves declared that he had been appointed as a Council representative on the Board of Wulvern Housing but that he had not participated in the discussions at Wulvern Housing with respect to this application and therefore felt comfortable declaring his appointment to Wulvern, staying in the room and participating in the decision.

With regard to application number 13/5199C, Councillor G Merry declared that she was a member of Sandbach Town Council.

122 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 11 December 2013 be approved as a correct record and signed by the Chairman.

123 **13/4323N BROOKLANDS HOUSE, FORD LANE, CREWE, CHESHIRE
CW1 3JH: DEMOLITION OF BROOKLANDS HOUSE AND ERECTION
OF 3 STOREY APARTMENT BLOCK CONTAINING 16 NO.
APARTMENTS AND ACCOMPANYING CAR PARK AND
LANDSCAPING FOR ANN LANDER, WULVERN HOUSING LTD**

Note: Town Councillor J Rhodes (on behalf of Crewe Town Council), and Ms E McCallum and Ms A Lander (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. Standard time limit
 2. Plans
 3. Materials (including facing and roofing materials, doors, windows, frames, balconies) to be submitted and agreed in writing
 4. Submission and approval of boundary treatment
 5. Surfacing materials to be submitted and agreed in writing
 6. The proposed development to proceed in accordance with the recommendation made by the submitted Bat Method Statement dated September 2013 unless varied by a European Protected Species license subsequently issued by Natural England.
 7. Prior to undertaking any works between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds. A report of the survey and any mitigation measures required to be submitted and agreed by the LPA.
 8. Prior to the commencement of development the applicant to submit detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds. Such proposals to be agreed by the LPA. The proposals shall be permanently installed in accordance with approved details.
 9. Affordable Housing
 10. Submission of Drainage Scheme
 11. Provision of Car Parking
 12. Landscaping scheme to be submitted and agreed in writing
 13. Implementation of Landscaping Scheme
 14. Details of Bin Storage Area to be submitted and agreed in writing
 15. Details of the privacy panel to the balcony to be submitted and agreed in writing
 16. Notwithstanding the plans hereby approved details of the privacy panel to unit 10 to be submitted and approved in writing
 17. Contaminated Land
 18. Construction Hours
Monday – Friday 08:00 to 18:00 hrs

Saturday 09:00 to 14:00 hrs
Sundays and Public Holidays Nil

19. Piling Hours
20. Details of lighting scheme to be submitted and approved in writing
21. Dust Control
22. No dig construction for the driveway and passing places
23. Tree Protection measures
24. Tree felling and pruning specification submitted
25. Parking spaces on the approved plan and two passing places to be provided prior to occupation of the development
26. Notwithstanding the approved plans details of the lintels, cills, materials and colour finish of windows and door frames to be submitted to the LPA for approval prior to the commencement of development
27. Details of a local history plaque giving details of the history of the site to be provided on the site to be submitted to the LPA for approval in writing.

and the following informative:

1. The applicant's attention is drawn to the view of the Members of the Southern Planning Committee, who wish to see the name of 'Brooklands House' retained for the approved development.
- (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 Interim Planning and Place Shaping 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.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Interim Planning and Place Shaping 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.

124 **13/5199C GWENSTAN, 14, SMITHFIELD LANE, SANDBACH, CHESHIRE CW11 4JA: PROPOSED CONSTRUCTION OF 2 DORMER BUNGALOWS IN GARDEN AREA - RESUBMISSION OF 13/3727C FOR MR SMITHFIELD**

Note: Councillor S Corcoran (Ward Councillor), Town Councillor C Lowe (on behalf of Sandbach Town Council), Mr D Smith (objector) and Mr A Mines (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 APPROVED subject to the following conditions:
 - 1. Commence development within 3 years
 - 2. Development in accordance with agreed drawings
 - 3. Submission of details/samples of external materials
 - 4. Submission of detailed drainage scheme
 - 5. Submission of a Phase 1 contaminated land survey
 - 6. Limits on hours of construction
 - 7. Limits on hours of piling
 - 8. Submission of detailed access and junction plans including construction specification and drainage and surface materials.
 - 9. Access substantially completed prior to commencement of construction of the dwellings
 - 10. Access fully completed prior to occupation of the dwellings
 - 11. Submission of landscaping scheme
 - 12. Implementation of landscaping scheme
 - 13. Submission of details of boundary treatment including the provision for a 2 metre high fence to the rear of the existing bungalow
 - 14. Tree protection scheme
 - 15. Removal of PD rights for extensions (Class A) and outbuildings (Class E)
 - 16. Removal of PD rights for new windows in the side elevations
 - 17. Prior to the commencement of development, details of existing and proposed land levels to be submitted to the LPA for approval in writing.
- (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 Interim Planning and Place Shaping 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.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Interim Planning and Place Shaping 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.

**125 ALTERATION TO THE SOUTHERN PLANNING COMMITTEE
RESOLUTION FOR APPLICATION 13/0018N**

Note: Councillor J Clowes left the meeting prior to consideration of this application.

The Committee considered a report regarding a proposed amendment to the committee resolution with respect to planning application 13/0018N, which had been approved by the Committee at its meeting on 10 April 2013.

The resolution to approve had been subject to the completion of a Section 106 Agreement. However, as the application site included land which was still owned by the Council, it was a legal impossibility for the Council to enter into a S106 Agreement with itself as landowner and Local Planning Authority. A Section 111 Agreement was therefore required.

RESOLVED – That, for the reasons set out in the report, the committee resolution with respect to planning application 13/0018N be amended to read as follows:

That, for the reasons set out in the report, the application be APPROVED, subject to the satisfactory completion of a Section 111 Agreement with a Draft S106 attached to secure:

- Provision of commuted sum in lieu of on-site provision Children's off site of £40000 to be spent upon the refurbishment of the existing equipped children's play area at the end of Dutton Way, some 90 metres from the proposed development.
- Education contribution - £65,078 for secondary education

The conditions agreed as part of the previous resolution remain unchanged.

**126 DEED OF VARIATION TO S106 LEGAL AGREEMENT FOR
PREVIOUSLY APPROVED SCHEME FOR (08/0492/OUT) AT FINE ART,
VICTORIA MILLS, HOLMES CHAPEL**

The Committee considered a report regarding proposed amendments to the requirements of the Section 106 Agreement relating to planning permission 08/0492/OUT.

RESOLVED – That, for the reasons set out in the report, the Section 106 Agreement in respect of application 08/0492/OUT be varied as follows:

- to facilitate the relocation of the Fine Décor business to alternative premises within the Cheshire East Borough or within 15 miles of the site.

- to clarify that the restriction on the commencement of development of the housing development on the site does not apply if the Fine Décor business has relocated to the alternative premises or ceases to trade before such relocation has taken place.

The meeting commenced at 1.00 pm and concluded at 2.40 pm

Councillor G Merry (Chairman)