

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 6th August, 2014 at The Capesthorne Room - Town
Hall, Macclesfield SK10 1EA

PRESENT

Councillor R West (Chairman)

Councillors C Andrew, L Brown, B Burkhill, H Gaddum, S Gardiner,
A Harewood, J Macrae, D Mahon, P Mason and D Neilson

OFFICERS IN ATTENDANCE

Mrs N Folan (Planning Solicitor), Mr N Jones (Principal Planning Officer), Mr P Mason (Senior Enforcement Officer), Ms S Orrell (Principal Planning Officer), Mr T Poupard (Senior Planning Officer) and Ms B Wilders (Principal Planning Officer)

27 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors B Livesley, Mrs O Hunter, Mrs L Jeuda and A Thwaite.

28 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 14/2777M, Councillor S Gardiner declared that he was a former colleague of the agent, however he had no conversation with the agent for the application for a number of years.

In the interest of openness in respect of application 14/1991M, Councillor S Gardiner declared that the applicant was a former client.

In respect of application 14/2222M, Councillor S Gardiner declared that he had pre determined the application as he had made comments on it when it was considered by Knutsford Town Council of which he was a member. He exercised his right to speak as the Ward Councillor under the public speaking arrangements and then he left the room and returned once a decision had been made on the application.

In the interest of openness in respect of application 14/1991M, Councillor L brown declared that she had attend a meeting with her fellow ward Councillor and residents to listen to their concerns. She did not make any comment. She had also received email correspondence in respect of the application.

In the interest of openness in respect of application 14/2222M, most Members declared that they had received email correspondence in respect of the application.

In the interest of openness in respect of application 14/1945M, Councillor Mrs H Gaddum declared that she was a customer of the garage, however this did not prejudice her judgment.

In the interest of openness in respect of application 14/222M, Councillors Miss C Andrew and R West declared that they knew the agent of the applicant as was a former Planning Officer of Macclesfield Borough Council.

29 MINUTES OF THE MEETING

RESOLVED

That the minutes of the meeting held on 9 July 2014 be approved as a correct record subject to the word 'property' referred to in the resolution in respect of Minute no. 22 being replaced with the word 'properties'.

30 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

31 14/0659C-OUTLINE PLANNING APPLICATION FOR THE REDEVELOPMENT OF FORGE MILL FOR RESIDENTIAL DEVELOPMENT (C3) FOR 48 UNITS INCLUDING ASSOCIATED PARKING, LANDSCAPING, CREATION OF A NATURE AREA, OPEN SPACE AND OFF-SITE HIGHWAY WORKS TO FORGE LANE, FORGE MILL, FORGE LANE, CONGLETON FOR EMC PROPERTIES (CHESHIRE) LIMITED

(Councillor J Macrae arrived during consideration of the application therefore did not take part in the debate or vote on the application).

(Natasha Richardson, the agent for the applicant and Robert Colder, the Noise Consultant for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reason:-

Due to the proximity of the proposed development to existing industrial premises there will be a detrimental impact upon the amenity and living

conditions of future residents in terms of noise levels within gardens and the ability of future residents to enjoy their outdoor amenity space contrary to policy BE2 of the Congleton Borough Local Plan First review 2005.

(This decision was contrary to the Officers recommendation of approval).

(Note – in the interests of transparency, it should be noted that the reference to policy BE2 at Committee was an error and the reason for refusal will reference the correct Local Plan policy – GR1).

- 32 **14/2084M-DEMOLITION OF AN EXISTING HOUSE AND THE ERECTION OF 2 NO PAIR OF SEMI-DETACHED HOUSES (FOUR DWELLINGS IN TOTAL)- RE- SUB OF REFUSED APPLICATION (13/3536M), 44 CHESTER ROAD, POYNTON, STOCKPORT FOR EDMUND CARLEY**

Consideration was given to the above application.

(Mr Gerry Neale, an objector and Simon Plowman, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused as the proposed development, by virtue of its size, design and position relative to adjoining property, would be unduly dominant and overbearing when viewed from adjoining property, causing an unacceptable loss of light to the detriment of the residential amenities of the occupiers of that property. The approval of the development would therefore be contrary to policies DC3 & DC38 in the Macclesfield Borough Local Plan and cause harm to the objectives of those policies.

(This decision was contrary to the Officers recommendation of approval).

(The meeting adjourned for a short break).

- 33 **14/1991M-DEMOLITION OF EXISTING RESIDENTIAL DWELLING (20 PRIORY LANE). CONSTRUCTION OF TEN RESIDENTIAL PROPERTIES (5X SEMI-DETACHED) WITH ASSOCIATED PARKING NEW ACCESS ROAD ETC, 20 PRIORY LANE, MACCLESFIELD FOR MARK EDWARDS, CONTOUR HOMES LTD**

Consideration was given to the above application.

(Councillor M Hardy, the Ward Councillor, Catherine Beavis, an objector, Peter Coventry, representing the applicant and Matthew Lalley, the Architect representing the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the update report and in the report to Committee, the application be approved subject to the completion of a Section 111 Agreement securing the following:-

- Mechanism to ensure that the proposed dwellings provide affordable housing in perpetuity and are of an appropriate tenure;
- Commuted sums of £10,000 for POS in lieu of onsite provision; and
- Commuted sums of £6,000 for waiting restrictions on Priory Lane and surrounding Streets.
- Provision of a cascade mechanism for the occupation of the dwellings giving priority to local residents first

And subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A23MC - Details of ground levels to be submitted
4. A02EX - Submission of samples of building materials, notwithstanding the details shown on the approved plans, full details of the proposed materials for the dwellings shall be submitted to and approved in writing by the Local Planning Authority
5. A13HA - Construction of junction/highways
6. A07HA - No gates - new access
7. A01LS - Landscaping - submission of details
8. A04LS - Landscaping (implementation)
9. A12LS - Landscaping to include details of boundary treatment
10. A01TR - Tree retention
11. A02TR - Tree protection
12. A19MC - Refuse storage facilities as approved
13. A04HP - cycle parking provision as approved
14. A04NC - Details of drainage prior to commencement
15. A04NC_1 - Sewer Easement
16. A22GR - Protection from noise during construction (hours of construction)
17. A23GR - Pile Driving
18. A32HA - A scheme to minimise dust emissions
19. A32HA_1 - Construction Management Plan
20. A06NC - Protection for breeding birds

21. Measures to encourage nesting birds and roosting bats
22. Contamination Informative
23. NPPF Informative
24. Informative to be included stating that when considering the discharge of the boundary treatment condition, that consultation to take place with local residents and the Ward Members

It was noted that there was a need to consult local residents and Ward Members on boundary treatment details.

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 Planning and Enforcement Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Planning and Enforcement Manager in consultation with the Chairman of the Northern 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.

(Prior to consideration of the following application, Councillor P Mason left the meeting and did not return).

34 14/2777M-OUTLINE APPLICATION FOR PROPOSED ERECTION OF 10NO. TERRACED HOUSES, LAND TO THE NORTH OF, PARK ROYAL DRIVE, MACCLESFIELD FOR MR D HARPER

Consideration was given to the above application.

(Councillor Mrs J Jackson, the Ward Councillor and Andy Ellis, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report the application be approved subject to the completion of a Section 106 Agreement securing the following Heads of Terms:-

Public Open Space (including children's play and amenity)

Based on 10no open market dwellings, a Public Open Space sum of £30,000 is required for off site use at West Park, Christ Church and Shaw Street, payable on or before the commencement of development, with a 15 year spend period.

Recreation and Outdoor Sports

Based on 10no open market dwellings, a Recreational Open Space sum of £10,000 is required for off site use at West Park and South Park, payable on or before the commencement of development, with a 15 year spend period.

And subject to the following conditions:-

1. A06OP - Commencement of development
2. A03OP - Time limit for submission of reserved matters
3. A01OP - Submission of reserved matters- appearance, landscaping, layout, scale
4. A01AP - Development in accord with approved plans
5. A05EX - Details of materials to be submitted
6. A01LS - Landscaping - submission of details
7. A04LS - Landscaping (implementation)
8. A07GR - No windows to be inserted
9. A06TR - Levels survey
- 10.A05TR - Arboricultural method statement
- 11.A04TR - Tree pruning / felling specification
- 12.A02TR - Tree protection
- 13.A01TR - Tree retention
- 14.A07TR - Service / drainage layout
- 15.A11EX - Details to be approved-Bin Stores
- 16.A30HA - Protection of highway from mud and debris
- 17.A32HA - Submission of construction method statement
18. Contaminated Land
19. Dust Control
20. Piling Method Statement
- 21 Piling
- 22 No Gates
- 23 Ground Levels
- 24 Hours of Construction
- 25 Turning Facility
- 26 Parking to be surfaced and marked out
- 27 Public Sewer
- 28 Planting around public sewers

29 Submission of Structural information at Reserved Matters stage application to ensure protection of the existing brook and area of open space to the rear of the site

30 Drainage details to be submitted

31 Cycle storage details

32 Boundary Treatment details

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 Planning and Enforcement Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Planning and Enforcement Manager in consultation with the Chairman of the Northern 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.

35 14/1945M- DEMOLITION OF EXISTING BUILDINGS ON SITE AND ERECTION OF RESIDENTIAL DEVELOPMENT COMPRISING OF 18 TWO STOREY DWELLINGS, LAND OFF SAVILLE STREET, MACCLESFIELD FOR SAVILLE ST GARAGE LTD THE HELPFUL HAND

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report and in the update to Committee, the application be delegated to the Principal Planning Manager for approval in consultation with the Chairman, Vice Chairman and Ward Councillor subject to the submission of an acceptable Flood Risk Assessment, subject to the completion of a Section 106 Agreement securing the following:-

- Commuted sums of £58k to mitigate for the loss of existing open space and for POS in lieu of onsite provision;
- Five units as affordable and these will be plots 15, 16, 17, 18 and 10. Four units (plots 15, 16, 17 and 18) will be provided as rented tenure and one (unit 10) as intermediate tenure;
- 100% of the affordable units will be provided before the sale or let of 50% of the market dwellings;
- Dedicate the 7 parking spaces on Saville Street as public highway (separate legal agreement);
- Provision for the embankment of trees to be transferred to a communal area as Green Infrastructure and ;

- Landscape Scheme and Management Plan

And subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A23MC - Details of ground levels to be submitted
4. A02EX - Submission of samples of building materials
5. A13HA - Construction of junction/highways
6. A07HA - No gates - new access
7. A12HA - Closure of access/removal of dropped kerbs
8. A01LS - Landscaping - submission of details
9. A04LS - Landscaping (implementation)
- 10.A12LS - Landscaping to include details of boundary treatment
- 11.A01TR - Tree retention
- 12.A02TR - Tree protection
- 13.A04TR - Tree pruning / felling specification
- 14.A05TR - Arboricultural method statement
- 15.A06TR - Levels survey
- 16.A07TR - Service / drainage layout
- 17.A19MC - Refuse storage facilities to be approved
- 18.A04HP - Provision of cycle parking
- 19.A17MC - Decontamination of land
- 20.A04NC - Details of drainage
- 21.A22GR - Protection from noise during construction (hours of construction)
- 22.A23GR - Pile Driving
- 23.A32HA_1 - A scheme to minimise dust emissions
- 24.A32HA - Construction Management Plan
- 25.NPPF Informative
- 26.Contamination Informative
- 27.Development to be carried out in accordance with submitted Flood Risk Assessment
- 28.Archaeological monitoring

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 Planning and Enforcement Manager has

delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Planning and Enforcement Manager in consultation with the Chairman of the Northern 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.

36 14/0883M-TO DEMOLISH EXISTING BUILDING AND TO ERECT 10 TWO STOREY DWELLINGS, TOGETHER WITH ASSOCIATED ROADS, FOOTPATHS, DRAINAGE AND LANDSCAPING, LAND OFF, WEST LANE, HIGH LEGH FOR LEE CHARNLEY, PROPERTY ALLIANCE GROUP

Consideration was given to the above application.

(Councillor S Wilkinson, the Ward Councillor and Lee Charnley, the agent for 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 oral update to Committee, the application be delegated to the Planning and Enforcement Manager for approval in consultation with the Chairman, Vice Chairman and Ward Councillor in order to look at the amount of money required for off site affordable housing and to identify whether an additional amount of parking can be provided on site (max of 7) without detriment to the Green Belt, subject to the completion of a Section 106 Agreement securing the following Heads of Terms:-

Commuted sums of £37k in lieu of onsite public open space provision; and Provide a financial contribution for the proposed affordable housing units that would normally be required (30%)

Funding for a Traffic Regulation Order regarding a speed restriction on West Lane.

And subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A23MC - Details of ground levels to be submitted
4. A02EX - Submission of samples of building materials
5. A13HA - Construction of junction/highways
6. A12HA - Closure of access/removal of dropped kerbs

- 7. A01LS - Landscaping - submission of details
- 8. A04LS - Landscaping (implementation)
- 9. A12LS - Landscaping to include details of boundary treatment
- 10.A01TR - Tree retention
- 11.A02TR - Tree protection
- 12.A04TR - Tree pruning / felling specification
- 13.A05TR - Arboricultural method statement
- 14.A08MC - Lighting details to be approved
- 15.A07TR - Service / drainage layout
- 16.A19MC - Refuse storage facilities to be approved
- 17.A04HP - Provision of cycle parking
- 18.A17MC - Decontamination of land
- 19.A04NC - Details of drainage
- 20.A22GR - Protection from noise during construction (hours of construction)
- 21.A23GR - Pile Driving
- 22.A32HA_1 - A scheme to minimise dust emissions
- 23.A32HA - Construction Management Plan
- 24.A01MC - Noise insulation
- 25.NPPF Informative
- 26.Contamination Informative
- 27.Breeding birds survey
- 28.Provision of bat and bird boxes

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 Planning and Enforcement Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority shall be delegated to the Planning and Enforcement Manager in consultation with the Chairman of the Northern 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.

(Councillor S Gardiner requested that it be minuted that he voted against approval of the application. Prior to consideration of the following application, Councillor Mrs H Gaddum left the meeting and did not return).

37 14/2222M-DEMOLITION OF BUNGALOW, GARAGE AND SUMMER HOUSE, ERECTION OF NEW DWELLING, REPLACEMENT OF TIMBER GATES AND HARD AND SOFT LANDSCAPING, RED WALLS, PARKFIELD ROAD, KNUTSFORD FOR IGG GROUP

Consideration was given to the above application.

(Town Councillor S Gardiner, representing Knutsford Town Council, Brian Chaplin, representing South Knutsford Residents Group and Russell Bridge, the Architect for 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 to Committee, the application be approved subject to the following conditions:-

1. A01GR - Removal of permitted development rights
2. A01LS - Landscaping - submission of details
3. A01TR - Tree retention
4. A03TR - Construction specification/method statement
5. A04LS - Landscaping (implementation)
6. A04TR - Tree pruning / felling specification
7. A06TR - Levels survey
8. A07GR - No windows to be inserted
9. A07TR - Service / drainage layout
- 10.A23GR - Pile Driving
- 11.A25GR - Obscure glazing requirement
- 12.A02CA - Demolition as precursor of redevelopment
- 13.A02TR - Tree protection
- 14.A03FP - Commencement of development (3 years)
- 15.A02AP - Detail on plan overridden by condition
- 16.A05EX - Details of materials to be submitted
17. Hours of construction
18. Informative
19. Contaminated Land
20. Drainage

38 WITHDRAWN 14/2083M-CHANGE OF USE OF EXISTING VACANT INDUSTRIAL WAREHOUSE UNIT TO AN INDOOR TRAMPOLINE

PARK (CLASS D2 LEISURE USE), 4 BROOKE PARK, EPSOM AVENUE, HANDFORTH, WILMSLOW, CHESHIRE FOR ERIK HAUGEN, HIGH HEAVEN

This item was withdrawn prior to the meeting.

39 14/2237C-CHANGE OF USE FROM OFFICES / MANUFACTURING (B2) TO FITNESS CENTRE, RADNOR PARK INDUSTRIAL ESTATE, BACK LANE, CONGLETON FOR PULSE FITNESS

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report the application be approved subject to the following conditions:-

1. The development hereby approved shall commence within three years of the date of this permission.
2. Approved plans
3. Hours of opening
4. Parking

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning and Enforcement Manager, in consultation with the Chairman (or in his absence the Vice Chairman) of Northern 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.

The meeting commenced at 2.00 pm and concluded at 8.00 pm

Councillor R West (Chairman)