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## CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 6th July, 2016 at The Capesthorne Room - Town Hall,  
Macclesfield SK10 1EA

### **PRESENT**

Councillor G M Walton (Chairman)  
Councillor C Browne (Vice-Chairman)

Councillors C Andrew, E Brooks, B Burkhill (Substitute), T Dean, S Edgar (Substitute), P Findlow, S Gardiner, A Harewood, J Macrae and N Mannion

### **OFFICERS IN ATTENDANCE**

Mrs N Folan (Planning Solicitor), Mr P Hooley (Planning & Enforcement Manager), Mr M Keen (Senior Planning Officer), Mr K Foster (Principal Planning Officer), Mr N Jones (Principal Development Officer) and Mr P Wakefield (Principal Planning Officer)

### **10 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors T Fox and M Hardy.

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

With regard to application 15/2354M Councillor N Mannion declared that he was a member of the bowling club and would, therefore, leave the room prior to consideration of this application.

In the interests of openness in respect of application 16/1269M, Councillor B Burkhill declared that he had met with the developer but had not come to any decision on the application.

Councillor E Brooks declared that she had pre-determined application 15/5800M as she had made comments on the previous adjacent site application and would, therefore, leave the room prior to consideration of this application.

In the interests of openness in respect of applications 15/4968C and 16/1374M, Councillor S Gardiner declared that he knew the agents for the applications as they were both former employers, however he had not discussed the application.

In the interests of openness in respect of application 15/4515M, Councillor S Gardiner declared that he knew the applicant speaking as he was a former work colleague. In addition he knew the occupier of the adjoining property, however had had not discussed the application.

In the interests of openness in respect of application 16/2276M, Councillor Mrs A Harewood advised that she knew the applicant's family and visited their home.

In the interests of openness in respect of application 15/2354M, Councillor P Findlow declared that he knew the agent for the applicant speaking on the application but had not seen him for a considerable while nor had he discussed the application with him.

It was also noted that Members had received correspondence in a respect of a number of the applications on the agenda.

## **12 MINUTES OF THE MEETING**

### **RESOLVED**

That the minutes of the meeting held on 1 June 2016 be approved as a correct record and signed by the Chairman.

## **13 PUBLIC SPEAKING**

### **RESOLVED**

That the public speaking procedure be noted.

## **14 15/4968C - LAND OFF NEWCASTLE ROAD SOUTH, BRERETON, CHESHIRE: OUTLINE APPLICATION FOR A RESIDENTIAL DEVELOPMENT OF UP TO 49 DWELLINGS (C3), TOGETHER WITH ASSOCIATED INFRASTRUCTURE AND OPEN SPACE PROVISION WILL ALL MATTERS RESERVED EXCEPT FOR ACCESS FOR ASHALL LTD**

Consideration was the above application.

(Councillor J Wray, the Ward Councillor, Parish Councillor Andrew Lindsay, representing Brereton Parish Council, Steven Grimster, representing the applicant, Andrew Morphet, an objector and Steven Grimster, the agent for the applicant attended the meeting and spoke in respect of the application).

### **RESOLVED**

That the application be refused for the following reasons:-

1. The proposal involves the development of countryside outside of the Settlement Boundary for Brereton Green as defined in the Brereton Neighbourhood Plan 2016. It is also involves development within the countryside as set out in the Congleton Local Plan First Review 2005. The proposal erodes the character of the countryside and undermines the ability of the community to

shape and direct sustainable development in their area, contrary to Brereton Neighbourhood Plan Policies HOU01 and HOU02, Congleton Local Plan First Review policies PS8 and H6 and the advice of NPPF paragraphs 17, 183-5 and 198. These conflicts significantly and demonstrably outweigh the benefits of the proposal.

2. The development is unsustainable because the unacceptable economic, environmental and social impact of the scheme upon the efficient operation of the Jodrell Bank Observatory and its internationally important work significantly and demonstrably outweighs the economic and social benefits in terms of its contribution to boosting housing land supply, including the contribution to affordable housing. As such, the proposal is contrary to Policy PS10 of the adopted Congleton Borough Local Plan First Review 2005 and Policy SE14 of the Cheshire East Local Plan Strategy Submission Version that seeks to limit development that impairs the efficiency of the Jodrell Bank radio telescope as well as the provisions of the National Planning Policy Framework.

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

Should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:
  - The numbers, 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.
2. Provision of Public Open Space and allotments on site to be maintained by a private management company in perpetuity
3. School Secondary Education Contribution of £114,399 and SEN Education contribution of £45,500

15 **16/1374M - R H STEVENS TRANSPORT LTD, GUNCO LANE, MACCLESFIELD, SK11 7JL: REDEVELOPMENT OF FORMER HAULAGE DEPOT FOR 88 DWELLINGS AND ASSOCIATED WORKS FOR MR GEORGE STEVENSON, BELLWAY HOMES LTD (MANCHESTER DIVISION)**

Consideration was given to the above application).

(George Stevenson, 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 to Committee the application be approved subject to the completion of a Section 106 Agreement securing the following:-

- Provision of 10 intermediate tenure homes at 80% market value.
- £212,000 education contribution (secondary)
- £5,000 POS contribution – towards projects at King George Playing Field

And subject to the following conditions:-

1. Time Limit 1 Year
2. Approved Plan and document condition
3. Facing Materials to be agreed
4. Boundary treatment details
5. The development shall only be carried out in accordance with the approved Flood Risk Assessment and mitigation measures herein.
6. Sustainable drainage management and maintenance plan to be submitted.
7. Details of the foundations of the development to be submitted C&RT
8. Proposed Cross Sections a minimum of 10m beyond the boundary fence.
9. Canal embankment method statement to be submitted
10. Arboricultural works to be carried out in accordance with Arboricultural Impact Assessment received.
11. Remediation Strategy to be submitted.
12. No occupation to take place until a verification report demonstrating completion of remediation strategy approved.
13. Unsuspected contamination
14. No piling without prior consent of LPA to demonstrate no risk to groundwater
15. Prior to first occupation of the development, the footway improvements as shown on indicative plans '1270-F01 rev A' and '1270-04', should be complete.
16. Construction Management Plan
17. Finished Floor Levels to be submitted

18. Nesting Birds
  19. Facilities for breeding birds
  20. Badger survey
  21. Vehicle charging points – scheme to be submitted, agreed and implemented prior to occupation
  22. Offsite highway improvements – details to be submitted, agreed and implemented prior to occupation
- 16 **15/5800M - BRICKYARD FARM, 25, ADLINGTON ROAD, WILMSLOW, CHESHIRE, SK9 2BJ: PROPOSED 2 STOREY EXTENSION TO EXISTING FARM HOUSE, ERECTION OF 3 NUMBER 2 STOREY DETACHED PROPERTIES & ASSOCIATED WORKS FOR MR CHRIS WILLIAMSON, DAVID WILSON HOMES NORTH WEST / MRS MARG**

Consideration was given to the above application.

(Gerry Lemon, an objector and Andrew Taylor, representing the applicant attended the meeting and spoke in respect of the application. In addition a statement was read out on behalf of the Ward Councillor T Fox).

## **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. Commencement of development (3 years)
2. Development in accord with approved plans
3. Materials as application
4. Pile Driving
5. Submission of construction method statement
6. Scheme to minimise dust emissions to be submitted
7. Nesting birds survey to be submitted
8. Emergency access to be utilised only by plot B1 and emergency services
9. Details of refuse storage facilities to be submitted
10. The submission of a remediation strategy (cont land)
11. Any materials to be brought to site for use in soft landscaping to be tested for contamination
12. In the event contamination not previously identified is found to be present, no further works shall be undertaken until LPA is notified
13. Implementation of submitted landscaping scheme
14. Arboricultural method statement for resurfacing of driveway to be submitted
15. Development to be carried out in accordance with the submitted bat mitigation strategy
16. Proposals for the incorporation of features into the scheme suitable for use by breeding birds to be submitted.

(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 & 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).

(Councillors C Browne, B Burkhill and S Gardiner requested that their decision to vote against the recommendation to approve the application be recorded).

**17 15/1955M - YESTERDAYS HOTEL, HARDEN PARK, ALDERLEY EDGE, CHESHIRE SK9 7QN: THE DEMOLITION OF THE EXISTING NIGHTCLUB BUILDING AND FOR THE ERECTION OF 12NO. DWELLINGS (C3), INCLUDING 4NO. AFFORDABLE DWELLINGS, WITH ASSOCIATED CAR PARKING, GARDENS AND LANDSCAPING FOR MR ELIOT BAKER, INTRO DEVELOPMENTS LIMITED**

Consideration was given to the above application.

(Richard Woodford, representing the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That for the reasons provided by Officers in the verbal update to the Committee, the application be delegated to the Planning & Enforcement Manager in consultation with the Chairman of the Northern Planning Committee to approve subject to the completion of a S106 Agreement securing the following:-

- Secondary education contributions of (£32,685.38)
  - Open space contributions of £36,000 for public open space and £8,000 for recreation and outdoor sports for Alderley Park (Alderley Edge Playing fields)
  - Provision and phasing of 4 affordable housing units to be provided at 30% discount to market value
  - Provision of offsite GCN mitigation
  - Long term management and maintenance arrangements of the open space and pond to be in perpetuity
- Subject to resolving any outstanding tree issues.  
Subject to further investigation in respect of the potential for a contribution/construction of a pedestrian crossing on Wilmslow Road:-

And subject to the following conditions:-

1. Development in accord with approved plans
2. Commencement of development (3 years)
3. Submission of details / samples of building materials
4. Proposal to prevent the feeding of water birds to be submitted
5. Removal of permitted development rights

6. Electric car charging points to be provided
7. Glazing to achieve (as a minimum) 27dB Rtr acoustic reduction
8. Pile Driving (details to be submitted)
9. Details of ground levels to be submitted
10. Scheme to minimise dust emissions arising from demolition / construction activities to be submitted
11. Site walkover and Phase II investigation to be carried out
12. Landscaping - submission of details
13. Landscaping (implementation)
14. Landscaping to include details of boundary treatment including acoustic fencing
15. Landscape, woodland & habitat management plan to be submitted
16. Development to be carried out in accordance with submitted GCN and bat mitigation proposals
17. Detailed design for alterations to pond to be submitted
18. Updated badger survey to be carried out.
19. Submission of proposals for the safeguarding of the retained woodland during the construction phase.
20. Submission of Construction Method Statement
21. Refuse storage facilities to be approved
22. No gates to be constructed
23. Full details of sustainability measures to be submitted
24. No islands to be constructed within pond

(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 Head of Planning (Regulation) 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).

(Councillor S Edgar left the meeting and did not return. The meeting was adjourned from 12.45pm until 1.30pm for lunch. Prior to consideration of the following application, Councillor J Macrae arrived to the meeting).

- 18 **15/4515M - WARFORD HALL, WARFORD HALL DRIVE, GREAT WARFORD, ALDERLEY EDGE, CHESHIRE SK9 7TP: CHANGE OF USE FROM DWELLING WITH OFFICES TO DWELLING WITH FUNCTION ROOM AND ANCILLARY FACILITIES AND OVERNIGHT ACCOMMODATION IN ASSOCIATION WITH FUNCTIONS INCLUDING THE CONSTRUCTION OF PREVIOUSLY APPROVED EXTENSION AND GLAZED LINKS FOR D WARD**

Consideration was given to the above application.

(Parish Councillor Chris Sweetman, representing Great Warford Parish Council, Donald Strathdee, an objector and Rawdon Gascoigne, the agent for the applicant attended the meeting and spoke in respect of the application).

## **RESOLVED**

That the application be refused for the following reasons:-

The proposed development is an inappropriate development in the Green Belt, contrary to policy GC1 and GC8 of the Macclesfield Borough Local Plan, policy PG3 of the emerging Cheshire East Local Plan and guidance in the National Planning Policy Framework. Additional harm will result through loss of openness and the development will operate in a manner that will cause significant harm to the amenity of nearby residents, through noise and disturbance, contrary to policy DC3 of the Macclesfield Borough Local Plan. Other considerations in favour of the development do not clearly outweigh the harm to the Green Belt by virtue of inappropriateness and any other harm (openness and residential amenity). The identified harm cannot be overcome by planning condition; in particular the proposed travel plan submitted with the application is not practicable or enforceable. As such the proposed development is contrary to Development Plan policy, emerging Development Plan policy and national planning guidance.

(This decision was contrary to the Officer's recommendation of approval).

**19 15/2354M - BOWLING GREEN, INGERSLEY VALE, BOLLINGTON CHESHIRE: OUTLINE APPLICATION FOR PROPOSED 11 NO. 2.5 STOREY AND 2 NO. 2 STOREY RESIDENTIAL HOUSING - RESUBMISSION OF 15/0669M FOR TULLIS RUSSELL**

Consideration was given to the above application.

(Parish Councillor John Cantrell, representing Rainow Parish Council, Town Councillor Ken Edwards, representing Bollington Town Council, Helen Whiteley, an objector, Chris McHale, an objector and Joe Mattin, the agent for the applicant attended the meeting and spoke in respect of the application. In addition statements were read out on behalf of Councillor H Gaddum, the Ward Councillor and Councillor J Weston, the neighbouring Ward Councillor).

## **RESOLVED**

That for the reasons set out in the report and in the verbal update to Committee, the application be approved subject to the completion of a Section 106 Agreement securing the following:-

- financial contribution of £36,000 for POS improvements in Bollington and Rainow.
- provision of the replacement bowling green before the development can commence on this site

And subject to the following conditions:-



1. Commencement of development
2. Submission of reserved matters
3. Development in accord with approved plans
4. Materials to be submitted with reserved matters
5. A08OP - Ground levels to be submitted with reserved matters application
6. A32HA - Submission of construction method statement
7. Submit Arboricultural Impact Assessment
8. Foul drainage / surface water drainage
9. Contaminated land, requirement for surveys
10. Submission of habitat survey if tree clearance in bird nesting season
11. site to drain on separate systems
12. Electric vehicle charging points
13. Bin storage
14. Re-use of the stone on the front boundary wall in the new boundary treatment
15. Retention of the stone retaining wall
16. Retention of the 2 off road parking spaces at each dwelling.
17. Notwithstanding the description of the development, the number of 2.5 storey dwellings within the development shall be up to 11 units and dependent on the detailed design of the scheme to be submitted at the reserved matters stage, to ensure the height of the dwellings is in line with the information submitted as part of this outline application and takes account of any proposed alterations to ground levels.

(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 Head of Planning (Regulation) 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).

**20 16/1269M - THE ROYAL BRITISH LEGION, STATION ROAD, HANDFORTH SK9 3AB: DEMOLITION OF EXISTING BUILDING AND ERECTION OF 10 TOWNHOUSES WITH ASSOCIATED INFRASTRUCTURE AND LANDSCAPING FOR MR TOM LOOMES, JONES HOMES (NORTH WEST) LIMITED**

Consideration was given to the above application.

(Jenny Barnes, an objector, Beryl Chapman, an objector and Tom Loomes, 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 verbal update to Committee, the application be approved subject to the following conditions:-

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Landscaping - submission of details
4. Landscaping (implementation)
5. Submission of construction method statement
6. Submission of samples of building materials
7. Details of drainage
8. Standard contaminated land condition
9. Importation of soil
10. Unexpected contamination
12. Noise mitigation measures
13. Electric charge points

(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 Head of Planning (Regulation) 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).

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

**21 16/2276M - GARDENS TO THE REAR OF 19 TO 23 COTTAGE STREET, MACCLESFIELD: CONSTRUCTION OF PAIR OF SEMI-DETACHED HOUSES FOR MR LUIZ NASCIMENTO**

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. Complies with development plan
2. Development in accord with approved plans
3. Submission of samples of building materials
4. Removal of permitted development rights
5. Protection from noise during construction (hours of construction)
6. Submission of landscaping scheme
7. Landscaping (implementation)
8. Submission of construction method statement
9. Dust control
10. Phase II Investigation Required
11. Pile foundations

12. Electric Vehicle Charging Sockets
13. Imported top soil to be tested
14. Contaminated Land
15. Submission of Construction Management Plan

**22 16/1652C - LAND ADJACENT TO 2 TANHOUSE YARD, CONGLETON:  
DEMOLITION OF SINGLE DETACHED DOMESTIC GARAGE AND  
CONSTRUCTION OF 3NO. TWO STOREY TERRACED COTTAGES  
INCLUDING REAR GARDENS AND PARKING FORECOURT WITH  
FORMATION OF VEHICLE ACCESS OFF ANTROBUS PUBLIC CAR  
PARK FOR MR VALENTINO MARTONE**

Consideration was given to the above application.

Councillor G Baxendale, the Ward Councillor, Ian Brightwell, an objector and David Werrell, representing the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That for the reasons provided by Officers in the verbal update to the Committee, the application be delegated to the Planning & Enforcement Manager in consultation with the Chairman of the Northern Planning Committee to approve subject to confirmation that the site has a lawful right of pedestrian access and an amended site plan to exclude the public car park area from the site edge red and subject to the following conditions:-

1. Time (3 years)
2. Plans
3. Materials – Prior approval of facing and roofing
4. Prior approval of bonding and mortar colour
5. Prior approval of details of external windows and doors including arches, lintels and cills
6. All rainwater goods shall be black uPVC or aluminium
7. Prior submission of proposed boundary treatments - railings or brick
8. Prior submission of a programme of archaeological work
9. Prior submission of a piling method statement
10. Prior submission of a dust mitigation scheme
11. Hours of construction
12. Prior submission of the soil detail to be imported to the site for landscaping
13. Works should stop if contamination found
14. Prior approval of a surface water drainage strategy
15. Removal of PD Rights – Part 1 A-E and Part 2 Class A
16. Submission of Construction Management Plan
17. Car parking area not to be affected

(Prior to consideration of the following item Councillors C Andrew and C Browne left the meeting and did not return).

**23 LAND ADJACENT TO, PADGATE, TWEMLow LANE, CRANAGE:  
UPDATE FOLLOWING THE RESOLUTION TO APPROVE  
APPLICATION 16/0604C - RESIDENTIAL DEVELOPMENT OF 4NR  
DETACHED DWELLINGS (4/5 BED) AND 1NR COTTAGE MEWS  
BLOCK OF 5 DWELLINGS (1BED FLAT; 2/3 BED HOUSES)  
INCLUSIVE OF ASSOCIATED EXTERNAL WORKS AND  
LANDSCAPING**

Consideration was given to the above report.

**RESOLVED**

That the Heads of Terms for the S106 Agreement be removed from the previous resolution and a revised approved plans condition be attached.

The meeting commenced at 10.00 am and concluded at 6.00 pm

Councillor G M Walton (Chairman)