

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 1st February, 2017 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor G Merry (Chairman)
Councillor M J Weatherill (Vice-Chairman)

Councillors Rhoda Bailey, P Butterill, W S Davies, S Edgar, H Gaddum (for
Cllr Clowes), A Kolker, J Rhodes, B Roberts and B Walmsley

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors I Faseyi, J Hammond, S Hogben, D Hough and A Moran

OFFICERS PRESENT

Patricia Evans (Senior Planning and Highways Lawyer)
Andrew Goligher (Principal Development Control Officer - Highways)
Peter Hooley (Planning & Enforcement Manager)
Nick Hulland (Senior Planning Officer)
Sue Orrell (Principal Planning Officer)
Gareth Taylerson (Principal Planning Officer)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors D Bebbington

Apologies due to Council Business

Councillor J Clowes

101 DECLARATIONS OF INTEREST/PRE DETERMINATION

The following declarations were made in the interests of openness:

With regard to application number 16/5562C, Councillor Rhoda Bailey declared that she had called in the application on behalf of local residents but that she had kept an open mind. She had declined an invitation to attend a meeting with the applicant and had not been in the room when the parish council had discussed the application.

Councillor G Merry declared that she had a family connection with respect to application 16/0754N, so she would vacate the Chair in favour of the Vice-Chair and not take part in the debate or vote.

With regard to application number 16/5609N, Councillors B Roberts and J Rhodes declared that they would be involved in a forthcoming public meeting regarding Bentley Motors Ltd.

All Members of the Committee declared that they had received email correspondence with regard to application number 16/0754N.

With regard to application number 16/5609N, Councillor B Walmsley declared that she was a Director of The Skills and Growth Company, which was involved with Bentley Motors Ltd, but that she was not personally involved.

With regard to application number 16/2732N, Councillor P Butterill declared that it was in her Ward. She had not discussed this application and had kept an open mind.

With regard to application number 16/0754N, Councillor J Hammond, who was in attendance at the meeting, declared that he was a member of Haslington Parish Council, which had been consulted on the application.

With regard to application number 16/4792N, Councillor J Hammond, who was in attendance at the meeting, declared that he was a director of ANSA Environmental Services Ltd, which had been consulted on the application, but he had made no comment.

With regard to application number 16/5848C, Councillor D Hough, who was in attendance at the meeting, declared that he was a member of Alsager Town Council, which had been consulted on the application.

With regard to application number 16/2732N, Councillor A Moran, who was in attendance at the meeting, declared that he had voiced opinions at a meeting of Nantwich Town Council.

102 **MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 21 December 2016 be approved as a correct record and signed by the Chairman.

103 **16/0754N 1, NESFIELD DRIVE, WINTERLEY CW11 4NT: NEW DORMER BUNGALOW, AMENDED DESIGN FROM 15/0349N - RESUBMISSION FOR MR NEVILLE CROSS**

Note: Having made a declaration, Councillor G Merry vacated the Chair in favour of the Vice-Chairman and did not take part in the debate or vote.

Note: Councillor J Hammond (Ward Councillor), Mr K Rhodes (objector) and Mr N Cross (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 the application be DEFERRED for the following:

- Further information in relation to the proposed parking areas for both the existing and proposed property
- Accurate details concerning proposed garden sizes
- Accurate interface distances to be stipulated between the proposal and neighbours
- The rear extension of the existing property to be shown on the plans

104 **16/4792N LAND TO THE WEST OF CLOSE LANE, ALSAGER:
OUTLINE PLANNING APPLICATION FOR RESIDENTIAL
DEVELOPMENT AND ACCESS, ALL OTHER MATTERS RESERVED
FOR C R MULLER, MULLER PROPERTY GROUP**

Note: Councillor J Hammond (Ward Councillor), Councillor D Hough (Neighbouring Ward Councillor), Mrs S Helliwell (objector) and Mr M Wedderburn (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 a written update.

RESOLVED

- (a) That, for the reasons set out in the report and the written update, the application be REFUSED for the following reason:

The proposal will result in the loss of agricultural land within the open countryside. It is therefore contrary to Policy NE.2 (Open Countryside) and Policy RES.5 (Housing in the Open Countryside) of the Crewe and Nantwich Replacement Local Plan 2011 and PG5 (open Countryside) of the Cheshire East Local Development Strategy Consultation draft March 2016. The proposed site is also an unacceptable housing site by means of its lack of accessibility and to the closest bus stop on Close Lane, which has a limited service. The proposal will therefore result in a car reliant form of development. Accordingly, the adverse environmental impacts of granting planning permission would significantly and demonstrably outweigh the social and economic benefits of the proposal. As a result, the application of paragraph 14 of the Framework does not indicate that permission should be granted and the proposal would not represent a sustainable form of 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 Head of

Planning (Regulation) 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 the application be subject to an appeal, approval be given to enter into a S106 Agreement to secure the following Heads of Terms:
- 30% of the dwellings to be affordable in a 65:35 split
 - Education contribution –
£1905 per dwelling - primary
£2432 per dwelling – secondary
£615 per dwelling - SEN
Total = £4952 per dwelling
 - Detailed open space scheme, maintenance scheme and management company and plan for the open space/children's play to be submitted and approved and implemented in perpetuity.

105 **16/5371N ADMIRAL COURT, ELECTRA WAY, CREWE: THE PROPOSED CONSTRUCTION OF A 4 STOREY OFFICE BUILDING EXTENDING TO 6,136 SQUARE METRES AND PROVISION OF 182 CAR PARKING SPACES FOR MISS ISLA LONGMUIR, POCHIN DEVELOPMENTS LTD**

Note: Mr J Suckley had registered his intention to address the Committee on behalf of the applicant but was not in attendance at the meeting.

The Committee considered a report regarding the above planning application.

RESOLVED – That the application be DEFERRED for more information regarding the occupation of the proposed development and the car parking provision on the site.

106 **16/4175N LAND AT FORMER CREWE L M R SPORTS CLUB, GODDARD STREET, CREWE: ERECTION OF 74 ONE, TWO AND THREE- BEDROOM DWELLINGS FOR GAYNOR MELLOR, WULVERN HOUSING LTD**

Note: Councillor I Faseyi (Ward Councillor) and Mr D Whitney (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, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposed development, by virtue of its detailed design and density would result in the overdevelopment of the site, which in turn, would result in an unacceptable loss of amenity for the future occupiers of the development. The development would therefore be contrary to Local Plan Policies BE.1 (Amenity) and BE.2 (Design Standards) of the Borough of Crewe and Nantwich Adopted Replacement Local Plan First Review 2011, Policy SE.1 (Design) of the emerging Cheshire East Local Plan Strategy and the NPPF.

- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Planning (Regulation), in consultation with the Chairman (or in her absence the Vice Chairman) of Southern 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.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) 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.

107 **16/5609N BENTLEY MOTORS LTD, PYMS LANE, CREWE, CHESHIRE CW1 3PL: IT IS PROPOSED TO CONSTRUCT A LOGISTICS BUILDING ON EXISTING HARD STANDING TO THE EAST OF BENTLEY'S PYMS LANE PLANT. PART OF THE CAR PARK WILL BE RECONSTRUCTED TO FORM A DISPATCH AREA FOR MR JOHN LAYMAN, BENTLEY MOTORS**

The Committee considered a report regarding the above planning application.

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Standard time limit (3 years)
2. Accordance with approved plans
3. Materials to be submitted for approval prior to commencement
4. Details of sustainable drainage scheme to be submitted
5. Only foul drainage connected to foul sewer
6. Surface water drainage strategy to be submitted
7. Submission of a contaminated land survey

8. Details of external lighting to be submitted
 9. Dust control scheme to be submitted
 10. Piling method statement to be submitted
- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Planning (Regulation), in consultation with the Chairman (or in her absence the Vice Chairman) of Southern 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.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) 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.

108 **16/2732N GREENBANK COTTAGE, WELSHMANS LANE, HENHULL, NANTWICH, CHESHIRE CW5 6AB: PLOT SUBSTITUTION [CHANGE OF HOUSE TYPE FROM THE PREVIOUS APPLICATION 13/4656N] FOR THE CREATION OF 19 DWELLINGS FOR MR SAM LEUTY-MILNER, TESNI PROPERTIES LIMITED**

Note: Prior to consideration of this application, the meeting was adjourned for refreshments.

Note: Councillor A Moran (Ward Councillor) and Mrs A Mathie and Ms L Foster (objectors) 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 and the written update, the application be APPROVED subject to a S106 Agreement to secure a contribution of £49,028 towards secondary education and the provision of 30% affordable housing

And the following conditions:

1. Commencement of development
2. Approved plans
3. Details of materials to be submitted
4. Retention of trees identified for retention within the site
5. Submission of tree protection measures
6. Restriction on hours of piling to 9am to 5.30pm Monday to Friday, 9am to 1pm Saturday and no working on Sundays or public holidays.

7. Provision of one electric vehicle charging point for each dwelling
8. Submission of details of foul and surface water drainage
9. Submission of details of hard and soft landscaping
10. Implementation of landscaping scheme
11. Protection for breeding birds
12. Incorporation of features for breeding birds
13. Submission of details of external lighting
14. No works to be undertaken to Tree T1, located within the garden of Plot 1 without written agreement of the LPA
15. Updated Badger survey to be submitted prior to commencement of development
16. Submission and implementation of footway works
17. No development shall commence on site until a pavement has been provided along the north-east side of Welshmans Lane, in accordance with details that have first been approved in writing by the Local Planning Authority, from
 - a) the southern point of the appeal site to the north-west side of the access to the development on the former Cottage Hospital site and
 - b) from the south-east side of the access to the development on the former Cottage Hospital site to a point that is opposite the pedestrian and cycle way on the south-west side of Welshmans Lane.

Informatives

- I. The applicant is advised that they have a duty to adhere to the regulations of Part 2A of the Environmental Protection Act 1990, the National Planning Policy Framework 2012 and the current Building Control Regulations with regards to contaminated land. If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective works carried out in relation to this application shall be carried out to agreed timescales and approved by the LPA in writing. Furthermore, any soil or soil forming materials to be brought to site for use in garden areas or soft landscaping should be tested for contamination and suitability for use prior to importation to site. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.
- II. The applicant will be required to enter into a Section 38 Agreement regarding the construction and future adoption of the internal road layout.
- III. The applicant will be required to enter into section 278 agreement for the proposed footway works.
- (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 Head of

Planning (Regulation) 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 the application be subject to an appeal, authority be delegated to the Head of Planning (Regulation) 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 following Heads of Terms for a 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. Secondary School Education Contribution of £49,028.

109 **16/5848C 35, WOODSIDE AVENUE, ALSAGER, STOKE-ON-TRENT, CHESHIRE ST7 2DL: CHANGE OF USE OF AN EXISTING DOUBLE GARAGE INTO A TWO BEDROOM DWELLING HOUSE, INCLUDING THE PROVISION OF A NEW PITCHED ROOF FOR MR STEVE MELLOR**

Note: Town Councillor S Helliwell attended the meeting and addressed the Committee on behalf of Alsager Town Council.

The Committee considered a report regarding the above planning application, a written update and an oral report of the site inspection.

RESOLVED – That the application be DEFERRED for consultation with HSE/the National Grid regarding the proximity of the proposed development to an existing sub-station and possible impacts on amenity.

110 **16/4408N LAND AT CHESTER ROAD, ALPRAHAM: OUTLINE APPLICATION FOR PROPOSED 2NO. RESIDENTIAL DWELLINGS FOR MR & MRS D EVANS**

Note: Mr R Lee attended the meeting and addressed the Committee on behalf of the applicant.

The Committee considered a report regarding the above planning application.

RESOLVED

(a) That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Standard outline 1
2. Standard outline 2
3. Standard outline 3
4. Approved Plans
5. Reserved matters application to include dust control measures
6. Submission / Approval of Information regarding Contaminated Land
7. Reserved Matters application to include details of the existing and proposed land levels. No levels should be raised on site that may result in the flooding offsite.
8. No development should commence on site until such time as detailed proposals foul and surface water drainage have been submitted to and agreed in writing
9. Nesting bird survey measures to be submitted and approved
10. The reserved matters application shall include a landscaping plan for the site including a scheme to secure the retention and protection of the roadside hedge

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

111 **16/5403N THE WIG CENTRE, 166 EDLESTON ROAD, CREWE, CW2 7EZ: PROPOSED CHANGE OF USE FROM GROUND FLOOR SHOP AND FIRST FLOOR RESIDENTIAL USE INTO A 8 BEDROOM SUI GENERIS HMO PROPERTY FOR MATTHEW LITTLE, AEVUM INVESTMENTS LTD**

Note: Councillor S Hogben (Ward Councillor) 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 – That the application be DEFERRED for information regarding the kitchen facilities, confirmation of the number of windows served by each room and a larger plan for ease of reference.

112 **16/5562C RECTORY FARM, OLD KNUTSFORD ROAD, CHURCH LAWTON ST7 3EQ: OUTLINE APPLICATION FOR THE ERECTION OF UP TO 5 RESIDENTIAL DWELLINGS, WITH PRIMARY ACCESS DEFINED UP TO 20 METRES, ANCILLARY FACILITIES AND ASSOCIATED INFRASTRUCTURE. ALL MATTERS RESERVED EXCEPT ACCESS FOR NORTH WEST HERITAGE LTD**

Councillor Rhoda Bailey reiterated her earlier declaration that she had kept an open mind. She had declined an invitation to attend a meeting with the applicant and had not been in the room when the parish council had discussed the application.

Note: The Principal Planning Officer read a representation from Councillor E Wardlaw (Ward Councillor), who was unable to attend the meeting.

Note: Ms S Davies (Parish Clerk on behalf of Church Lawton Parish Council), Mr R Yates (objector) and Mr R Adams (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Mr F Byatt had registered his intention to address the Committee on behalf of the applicant but did not speak.

The Committee considered a report regarding the above planning application, a written update and an oral report of the site inspection.

RESOLVED

- (a) That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The proposal comprises inappropriate development in the Green Belt contrary to Policies PS6 and PS7 of the Congleton Borough Local Plan First review 2005 and Policy PG3 (Green Belt) of the Cheshire East Local Plan Strategy (Proposed Changes) July 2016 . In addition, the proposal by virtue of its size scale, location and relationship to built form is contrary to para 89 of the NPPF.

- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Planning (Regulation), in consultation with the Chairman (or in her absence the Vice Chairman) of Southern 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.

113 OUTLINE APPLICATION FOR THE ERECTION OF 29 DWELLINGS WITH ASSOCIATED WORKS (RE-SUBMISSION OF 15/2844N - LAND SOUTH OF HASSALL ROAD, WINTERLEY

The Committee considered a report regarding planning application 16/3387N, which had been refused against officer recommendation by the Southern Planning Committee on 28 September 2016. The committee report had referred to proposed Heads of Terms for a S106 Agreement, in the event that the application was subject to an appeal, but these had not been carried over into the minutes of the meeting.

RESOLVED – That a S106 Agreement to secure the following Heads of Terms be entered into at the forthcoming appeal:

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 a LEAP (5 pieces of equipment) to be maintained by a private management company
3. Secondary School Education Contribution of £65,370.76
4. A contribution of £33,750 towards traffic calming measures

The meeting commenced at 10.00 am and concluded at 3.30 pm

Councillor G Merry (Chairman)