

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 30th October, 2019 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor J Wray (Chairman)
Councillor S Akers Smith (Vice-Chairman)

Councillors M Benson, P Butterill, A Critchley, S Davies, K Flavell, A Gage,
A Kolker, D Murphy and J Rhodes

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors J Clowes and S Edgar

OFFICERS PRESENT

Andrew Goligher (Principal Development Control Officer - Highways)
Richard Taylor (Principal Planning Officer)
Gareth Taylerson (Principal Planning Officer)
James Thomas (Senior Lawyer)
Julie Zientek (Democratic Services Officer)

Apologies

Councillors J Bratherton

30 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interests of openness, Councillor S Davies declared that he had an interest with respect to application number 18/4211N. He would exercise his separate speaking rights as a Ward Councillor and not take part in the debate or vote.

31 MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meeting held on 2 October 2019 be approved as a correct record and signed by the Chairman.

32 19/3889N LAND OFF CREWE ROAD, WINTERLEY: OUTLINE APPLICATION FOR THE ERECTION OF UP TO 55 DWELLINGS WITH ASSOCIATED WORKS (ACCESS TO BE CONSIDERED WITH ALL OTHER MATTERS RESERVED) (RESUBMISSION OF 18/2726N) FOR FOOTPRINT LAND AND DEVELOPMENT LTD

Note: Councillor S Edgar (Ward Councillor) and Parish Councillor R Hovey (on behalf of Haslington Parish Council) attended the meeting and addressed the Committee on this matter.

Note: Miss A Heler (objector) had not registered her 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 Miss Heler to speak.

The Committee considered a report regarding the above planning application.

RESOLVED

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

The proposed development is unsustainable because it is located within the Open Countryside, it would result in an adverse impact on appearance and character of the area and the loss of Grade 2 agricultural land contrary to Policies PG2 (Settlement Hierarchy), PG6 (Open Countryside), SD1 (Sustainable Development in Cheshire East) and SD2 (Sustainable Development Principles), SE2 (Efficient Use of Land) of the Cheshire East Local Plan Strategy, and saved Policy RES.5 (Housing in the Open Countryside) of the Crewe and Nantwich Local Plan and the principles of the National Planning Policy Framework, which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use. As such it creates harm to interests of acknowledged importance.

- (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 his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, before issue of the decision notice.

- (c) That, should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

S106	Amount	Triggers																		
Affordable Housing	36% (65% Affordable Rent / 35% Intermediate)	In accordance with phasing plan. No more than 80% open market occupied prior to affordable provision in each phase																		
Education	Contribution of £189,172 towards secondary education	50% Prior to first occupation 50% at occupation of 26th dwelling																		
Health	<p>Contribution to support the development of Haslington Medical Centre using the below formula:</p> <table> <tr> <th>Size of Unit</th><th>Occupancy Assumptions Based on Size of Unit</th><th>Health Need/Sum Requested per Unit</th></tr> <tr> <td>1 bed unit</td><td>1.4 persons</td><td>£504 per 1 bed unit</td></tr> <tr> <td>2 bed unit</td><td>2.0 persons</td><td>£720 per 2 bed unit</td></tr> <tr> <td>3 bed unit</td><td>2.8 persons</td><td>£1,008 per 3 bed unit</td></tr> <tr> <td>4 bed unit</td><td>3.5 persons</td><td>£1,260 per 4 bed unit</td></tr> <tr> <td>5 bed unit</td><td>4.8 persons</td><td>£1,728 per 5 bed unit</td></tr> </table>	Size of Unit	Occupancy Assumptions Based on Size of Unit	Health Need/Sum Requested per Unit	1 bed unit	1.4 persons	£504 per 1 bed unit	2 bed unit	2.0 persons	£720 per 2 bed unit	3 bed unit	2.8 persons	£1,008 per 3 bed unit	4 bed unit	3.5 persons	£1,260 per 4 bed unit	5 bed unit	4.8 persons	£1,728 per 5 bed unit	50% Prior to first occupation 50% at occupation of 26th dwelling
Size of Unit	Occupancy Assumptions Based on Size of Unit	Health Need/Sum Requested per Unit																		
1 bed unit	1.4 persons	£504 per 1 bed unit																		
2 bed unit	2.0 persons	£720 per 2 bed unit																		
3 bed unit	2.8 persons	£1,008 per 3 bed unit																		
4 bed unit	3.5 persons	£1,260 per 4 bed unit																		
5 bed unit	4.8 persons	£1,728 per 5 bed unit																		
Public Open Space	Provision of Public Open Space and a LEAP (5 pieces of equipment) to be maintained by a private management company	50% Prior to first occupation 50% at occupation of 26th dwelling																		

33 19/2538N WHITTAKERS GREEN FARM, PEWIT LANE, HUNSTERSON, CHESHIRE CW5 7PP: APPLICATION FOR THE ERECTION OF A NEW AGRICULTURAL BUILDING FOR THE SECURE STORAGE OF CROPS, PLANT AND MACHINERY FOR F H RUSHTON

Note: Councillor J Clowes (Ward Councillor), Parish Councillor Bob Frodsham (on behalf of Doddington & District Parish Council) and Mr O Harrison (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.

RESOLVED

- (a) That, for the reasons set out in the report, authority be DELEGATED to the Head of Development Management to APPROVE the application, following consultation with the Chairman of Southern Planning Committee, subject to advice from the Council's Ecologist regarding the incorporation of barn owl boxes and the following conditions:
1. Standard Time
 2. Approved plans
 3. Materials as per submitted plans
 4. Landscaping scheme to be submitted and approved
 5. Landscaping implementation
 6. Building to be removed within 6 months of cessation of use
 7. No grain sourced from outside of the applicants agricultural holding shall be imported, stored or dried in the building hereby approved.
 8. The building hereby approved shall only be in use for agricultural purposes
- (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 Development Management, following consultation with the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, before issue of the decision notice.

34 18/4211N LAND OFF MILL LANE, BULKELEY: DEVELOPMENT OF THE CURRENTLY VACANT SITE ON MILL LANE, BULKELEY. THE NEW PROPOSED SCHEME IS FOR 17 DWELLINGS COMPRISING A MIX OF 2,3 AND 4 BEDROOM DETACHED AND SEMI-DETACHED BLOCKS FOR ADAM SMITH, TORUS GROUP

Note: Having exercised his separate speaking rights as a Ward Councillor, Councillor S Davies withdrew from the meeting for the duration of the Committee's consideration of this item.

Note: Parish Councillors J Weddell and M Dixon (on behalf of Bulkeley and Ridley Parish Council) attended the meeting and addressed the Committee on this matter.

Note: Mr B Thornley had not registered his intention to address the Committee on behalf of the applicant. 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 Thornley to speak.

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 reasons:
1. The proposed development would result in an increase in the number of dwellings provided on this site. The Council is now able to demonstrate a housing land supply of 7.2 years and there are no overriding reasons to allow an additional 4 units on this site. The proposed development would cause harm in respect of the environmental effect it would have due to its lack of accessibility to shops, services and facilities and as a result would represent unsustainable development. The development is contrary to the NPPF and Policies SD1 and SD2 of the CELPS.
 2. The density and detailed design of the proposed development fails to take the opportunities available for improving the character and quality of an area and the way it functions. The development would cause harm to the Open Countryside, character and appearance of the area and the Beeston/Peckforton/Bolesworth/Bickerton Hills Local Landscape Designation Area (LLD). The proposed development is contrary to Policies SE1, SE4, SD1 and SD2 of the CELPS, Policy NE.3 of the Crewe and Nantwich Local Plan, the Cheshire East design Guide and the NPPF.
 3. Insufficient information is included within the application to demonstrate that the proposed development would provide an acceptable surface water outfall. Without this information the proposed development is considered to be contrary to Policy SE13 of the CELPS and Policy BE.4 of the Crewe and Nantwich Local Plan.
- (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 Development Management, following consultation with the Chairman (or in his absence the Vice Chairman) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, before issue of the decision notice.
- (c) That, should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

S106	Amount	Triggers
Affordable Housing	38% (65% Affordable Rent / 35% Intermediate)	In accordance with phasing plan to be submitted prior to the commencement of the development.

		No more than 50% open market occupied prior to affordable provision.
Education	<p>Primary Education Contribution - £32,539</p> <p>Secondary Education Contribution - £49,028</p> <p>Total education contribution: £81,567</p>	<p>Primary – Full amount prior to first occupation of any dwelling</p> <p>Secondary – Full amount prior to first occupation of the 5th dwelling</p>
Public Open Space	<p>Private Management Company</p> <p>Provision of a LAP (3 pieces of equipment) and the open space</p>	<p>On first occupation</p> <p>On occupation of 50% of the dwellings</p>

The meeting commenced at 10.00 am and concluded at 11.55 am

Councillor J Wray (Chairman)