

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Southern Planning Committee**  
held on Wednesday, 31st March, 2021 at Virtual Meeting via Microsoft Teams

### **PRESENT**

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

Councillors M Benson, J Bratherton, P Butterill, S Davies, K Flavell, A Gage,  
D Marren, D Murphy, J Rhodes and L Smith

### **OFFICERS IN ATTENDANCE**

Mr. Daniel Evans- Principal Planning Officer  
Mr. James Thomas- Solicitor  
Mr. Andrew Goligher- Highways Officer  
Miss Helen Davies- Democratic Services

### **LINKS TO MEETING RECORDINGS**

Start-part way through Application 20/5479C:  
<https://www.youtube.com/embed/9rjA7iyVHtk>

Part way through application 20/5479C- Continued to End:  
<https://www.youtube.com/embed/GFYZyjEplcM>

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

It was noted all Members received email correspondence in respect of application 20/4113N.

In the interests of Openness and Transparency, Councillor Kathryn Flavell declared an interest as the Portfolio Holder for Children and Families in respect of application 20/5479C.

### **56 MINUTES OF PREVIOUS MEETING**

RESOLVED:

That the minutes of the virtual meeting held on 03 March 2021 be approved as a correct record and signed by the Chairman.

### **57 PUBLIC SPEAKING**

RESOLVED:

That the public speaking procedure be noted.

**58 20/4113N LAND AT, GRESTDY ROAD, SHAVINGTON, CREWE, FULL PLANNING PERMISSION FOR THE DEVELOPMENT OF A NEW CARE-HOME FACILITY INCLUDING ACCESS, ASSOCIATED LANDSCAPING AND INFRASTRUCTURE, FOR ANDREW BADDELEY, LIBERTY CARE DEVELOPMENTS LIMITED**

Consideration was given to the above application.

(Mr. Andrew Baddeley, Managing Director of Liberty Care Developments and the Applicant attended the virtual meeting and spoke in respect of the application).

(It was requested that it be minuted that Councillor L Smith had concerns about the parking aspect of the application).

**RESOLVED:**

That for the reasons set out in the report the application be Delegated to the Head of Planning, and in consultation with the Chair of Southern Planning Committee resolve any significantly new issues arising from the extended consultation period; APPROVE subject to completion of a S106 Agreement and the following conditions.

<b>S106</b>	<b>Amount</b>	<b>Triggers</b>
Health	£25,920	50% prior to first occupation 50% prior to occupation of the 51st unit
Ecology	£14,268	On commencement of Development

- 1) Commencement of development (3 years)
- 2) Development in accordance with approved plans
- 3) Details of materials and finishes
- 4) Provision of Electric Vehicle infrastructure
- 5) Provision of Ultra Low Emission Boilers
- 6) Contaminated land – submission of updated phase 2 report prior to commencement of development
- 7) Contaminated land – submission of a verification report
- 8) Contaminated land – works to stop if any unexpected contamination is discovered on site
- 9) Contaminated land imported soil
- 10) Implementation of noise mitigation
- 11) Implementation of the landscaping scheme
- 12) Details of boundary treatment
- 13) Tree Protection
- 14) Submission, approval and implementation of a Construction Management Plan
- 15) Details for closure of existing access and footway reinstatement
- 16) Details of covered cycle storage and provision before first occupation
- 17) Design details of Bin Stores and provision before first occupation
- 18) Foul and surface water drainage to be connected on separate systems
- 19) Scheme of surface water drainage to be submitted, approved and implemented

- 20) Amended plan to be submitted to provide internal access/layout to a minimum of 5m width

In order to give proper effect to the Board's/Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice

**59 20/5783C LAND ADJACENT TO 51, MAIN ROAD, GOOSTREY, CW4 8LH, ERECTION OF 2 OFFICE (USE CLASS B1) BUILDINGS WITH ASSOCIATED SERVICING AND CARPARKING, FOR M HENDERSON, HENDERSON HOMES**

Consideration was given to the above application.

(Dane Valley Ward Councillor Andrew Kolker, Clerk to Goostry Parish Council, Ken Morris and Consultant for the Applicant Ivor Smits attended the virtual meeting and spoke in respect of the application).

RESOLVED:

That for the reasons set out in the report the application be REFUSED for the following reasons:

- 1) The proposed development is for a new office development that would impair the efficiency of the Jodrell Bank Radio Telescopes which is a World Heritage Site. The proposal is therefore considered to be contrary to Policy PS10 of the Congleton Borough Local Plan First Page 39 Review 2005, Policy SE14 of the CELPS and Policies SC2 and EB2 of the Goostrey Parish Neighbourhood Plan.
- 2) The proposed development is not an appropriate form of development in the open countryside as per Policy PG6 nor does not fall within any of the exceptions listed in this policy and thus constitutes an unwarranted form of development in the open countryside.  
This would result in an urban encroachment into the open countryside which would harm the character and appearance of the area. The proposal is contrary to Policies PG6 (Open Countryside), EG1 (Economic Prosperity) and EG2 (Rural Economy) of the Cheshire East Local Plan Strategy 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.
- 3) There is tree/hedgerow cover on and adjoining the site (including a tree protected by a Tree Preservation Order). The application does not include an arboricultural impact assessment/ topographic survey. In this respect the submission does not accord with BS5837:2012 Trees in relation to design, demolition and construction - Recommendations. Based on the information provided it is not possible to determine whether the proposed development could be accommodated on site whilst retaining the trees and hedgerows. There is insufficient information contained within this application and proposed development would not comply with Policy SE 5 of the CELPS and VDLC3 of the GNP.

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

**60 20/5479C, PARTIAL CHANGE OF USE FROM RESIDENTIAL TO A MIXED USE FOR RESIDENTIAL AND CHILDCARE ON DOMESTIC PREMISES (RE-SUBMISSION OF PLANNING APPLICATION REFERENCE 20/2742C), FOR MRS FODEN**

Consideration was given to the above application.

(Dane Valley Ward Councillor Les Gilbert, Local Resident Barbara Smith and Agent for the Application Victoria Wood attended the virtual meeting and spoke in respect of the application).

RESOLVED:

That the application be REFUSED for the following reason:

The proposed use would cause unacceptable levels of noise, disturbance and on-street parking to the detriment of the amenities of the occupiers of nearby residential properties. The approval of the development would therefore be contrary to the national planning policy guidance, CELPS Policies SD2, SE1, SE2 & CO2; CBLP Policies GR6 & GR17 and Holmes Chapel Neighbourhood Plan Policies TT1, TT3 and CW4 insofar as these policies strive to protect the living conditions of neighbouring residents.

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

(During consideration of the application, Councillor Jill Rhodes lost connection and therefore did not vote on the application).

**61 APOLOGIES FOR ABSENCE**

No apologies for absence were received.

The meeting commenced at 10.00 am and concluded at 1.28 pm

Councillor J Wray (Chairman)