

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 28th September, 2022 in the Council Chamber,
Municipal Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor A Kolker (Chair)

Councillors S Akers Smith, M Benson, J Bratherton, P Butterill, J Clowes,
A Critchley, A Gage, D Marren and J Wray

OFFICERS IN ATTENDANCE

Dan Evans, Principal Planning Officer
Richard Taylor, Principal Planning Officer
Andrew Goligher, Development Officer
Margaret Hopley, Environmental Health Officer
Peter Jones, Senior Lawyer in the Planning and Highways Team
Rachel Graves, Democratic Services Officer

30 APOLOGIES FOR ABSENCE

Apologies were received from Councillors S Davies, C Naismith, S Pochin and L Smith. Councillors S Akers Smith, J Clowes and S Hogben attended as substitutes.

31 DECLARATIONS OF INTEREST/PRE DETERMINATION

In relation to planning application Councillor J Clowes declared that she had called in the application and that she would speak as the ward councillor and then leave the meeting and take no part in the debate or vote on the application.

In relation to applications 21/6113C and 21/4382N Councillor S Hogben declared that he as a Director of ANSA who were consultees on these applications.

In relation to application 21/4382N Councillor S Hogben declared that he had discussed the application with an objector but he had not predetermined the application.

In relation to application 21/4382N Councillor J Bratherton declared that she submitted a response to the original application in January 202. The application being considered by the committee was different and had she taken advice of the legal officer who had assured her she could take part in the consideration of the application.

32 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 31 August 2022 be approved as a correct record.

33 PUBLIC SPEAKING

The public speaking procedure was noted.

34 **21/3505N - THE PARKES, MONKS LANE, AUDLEM, CHESHIRE, CW3 0HP: CHANGE OF USE FROM USE CLASS C3 (RESIDENTIAL) TO SUI GENERIS (WEDDING VENUE) AND ASSOCIATED PARKING**

Consideration was given to the above planning application.

The following attended the meeting and spoke on the application:

Mr David Sandiford (objector), Ms Sophie Parker (applicant) and Mr Paul Watson (agent).

A written statement was read out on behalf of Councillor Rachel Bailey, Ward Councillor.

RESOLVED:

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

- 1 Time (3 years)
- 2 Plans
- 3 External lighting to be approved
- 4 2 events per week each limited to a maximum of 60 guests
- 5 Hours of operation – 08.00 hours until Midnight
- 6 Deliveries to premise between – 8.00 hours and 18.00 hours
- 7 Events to take place within the house only
- 8 No fireworks or outdoor music
- 9 Details of parking areas
- 10 Ecological enhancement strategy
- 11 No bass sound units to be used within the development
- 12 Details of the proposed sound system, with maximum noise levels to be submitted. Development to be carried out and only operated with the approved sound system.

35 **21/6113C - LAND OFF CLOSE LANE, ALSAGER: ERECTION OF 55 NO. DWELLINGS, INCLUDING ACCESS FROM CLOSE LANE, CONSTRUCTION OF ROADS AND FOOTWAYS, LANDSCAPING, PUBLIC OPEN SPACE, DRAINAGE, AND OTHER ASSOCIATED WORKS**

Consideration was given to the above planning application.

The following attended the meeting and spoke on the application:
 Councillor Steven Edgar (ward councillor), Haslington Parish Councillor Howard Blake, Alsager Town Councillor Michael Unett, Councillor Phil Williams (neighbour ward councillor), Mr Philip Swan (objector) and Mr Darren Muir (agent).

RESOLVED:

That the application be REFUSED for the following reasons:

- 1 The proposed development does not provide the required level of on-site Public Open Space to create a sustainable development. The proposed development is contrary to Policy SE6 of the Cheshire East Local Plan Strategy.

- 2 The proposed development includes a number of 2.5 storey units and this creates an urban feel to an edge of settlement site. Furthermore, the development appears cramped and some of the proposed dwellings have insufficient private amenity space. The proposed development is contrary to Policies SE1, SD1 and SD2 of the Cheshire East Local Plan Strategy, GEN1 of the Site Allocations and Development Plan Document and the NPPF.

If the application is the subject of an appeal, approval is given to enter into a S106 Agreement with the following Heads of Terms:

S106	Amount	Triggers
Affordable Housing	100% affordable housing	In accordance with details to be submitted and approved
Amenity Green Space and Play Provision	£81,525	To be paid prior to the first occupation of the 27 th dwelling
Food Growth Space	£30,937.50	To be paid prior to the first occupation of the 27 th dwelling
Outdoor Sports Contribution	£55,000	To be paid prior to the first occupation of the 27 th dwelling
Education	Contribution required for 8 secondary pupils and 1 SEN totalling £176,241.52	To be paid prior to the first occupation of the 27 th dwelling
NHS	Contribution of £68,600 towards medical provision at Cedars Medical Centre and Merepark Medical Centre	To be paid prior to the first occupation of the 27 th dwelling
Ecology	4.43 Biodiversity Units of off-site habitat and	Creation of off-site habitat creation to commence before

	management measures	the commencement of development, and completed prior to the occupation of the first dwelling
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(This decision was contrary to the report recommendation)

The meeting adjourned for 10 minutes.

Councillors P Butterill and D Marren left the meeting and did not return.

36 **21/4382N - HUNTERS LODGE HOTEL, 296, SYDNEY ROAD, CREWE, CW1 5LU: DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A RESIDENTIAL DEVELOPMENT (USE CLASS C3) ALONGSIDE A CARE HOME (USE CLASS C2) WITH ASSOCIATED ACCESS, PARKING, LANDSCAPING AND INFRASTRUCTURE**

Consideration was given to the above planning application.

The following attended the meeting and spoke on the application: Councillor Hazel Faddes (ward councillor), Councillor Steven Edgar (neighbouring ward councillor), Ms Karen Maher (objector) and Victoria Welsh (agent).

Councillor J Bratherton left the meeting during consideration of the application and did not return.

RESOLVED:

That for the reasons set out in the report and update report the application be APPROVED, subject to a S106 Agreement to secure:

S106	Amount	Triggers
Affordable Housing	30% affordable housing provision (16 dwellings) 4 dwellings intermediate dwellings 12 affordable rental dwellings Contribution of half a two bedroom unit	Contribution – prior to commencement Affordable Housing – All development to accord with Affordable Housing Standards
Public Open Space	Contribution of £40,000 towards outdoor sports provision Provision of LEAP and	Contribution – Prior to occupation of the 25 th unit Open Space and LEAP to be provided and available

	Management scheme	for use prior to occupation of 25 th dwelling
Education	$\pounds 11,919 \times 0.91 = \pounds 75,924.03$ (Primary) $\pounds 50,000 \times 0.91 = \pounds 45,500$ (SEN) Total education contribution: $\pounds 121,424.03$	Primary Contribution – prior to commencement SEN Contribution – prior to occupation of 25 th unit
NHS	Contribution of $\pounds 52,452$	Contribution – prior to commencement

And the following conditions:

- 1 Standard Time
- 2 Approved Plans
- 3 Materials
- 4 Surfacing materials
- 5 Revised landscape scheme with a 10 year management plan – to include planting to the boundaries with 310 Sydney Road and the dwellings fronting Bentley Drive
- 6 Landscape Implementation
- 7 Landscape plan to include details for LEAP play facility and community orchard
- 8 Boundary Treatment
- 9 Tree Protection scheme and special construction measures
- 10 Levels survey
- 11 Service/drainage layout
- 12 Biodiversity enhancement features
- 13 Safeguard Nesting Birds
- 14 Lighting strategy – prior to occupation
- 15 Details of secure and covered cycle parking – prior to occupation
- 16 Drainage scheme
- 17 Detailed strategy/design limiting the surface water runoff generated by the proposal, and associated management/maintenance plan – required prior to commencement
- 18 Levels Details
- 19 Foul and surface water to be drained separately
- 20 Contaminated Land – Phase II report and remediation scheme
- 21 Contaminated Land – verification report to be submitted
- 22 Contaminate Land – Soil Importation
- 23 Contaminate Lane – Unexpected Contamination
- 24 Travel Information Pack
- 25 Prior to occupation – EVI
- 26 Prior to occupation – Low emission boilers
- 27 Removal of PD
- 28 Zebra Crossing to be implemented prior to first occupation of the site
- 29 Habitat Creation and 30 year management plan
- 30 Cycle Parking details
- 31 20mph speed limit signage

In order to give proper effect to the Southern Planning 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.

If the application is subject to an appeal approval is given to enter into a S106 Agreement with the following Heads of Terms:

S106	Amount	Triggers
Affordable Housing	30% affordable housing provision (16 dwellings) 4 dwellings intermediate dwellings 12 affordable rental dwellings Contribution of half a two bedroom unit	Contribution – prior to commencement Affordable Housing – All development to accord with Affordable Housing Standards
Public Open Space	Contribution of £40,000 towards outdoor sports provision Provision of LEAP and Management Scheme	Contribution – prior to occupation of 25 th unit Open Space Provided and available for use prior to occupation of 25 th dwelling
Education	£75,924.03 (Primary) £45, 500 (SEN) Total education contribution: £121,424.03	Primary contribution – prior to commencement SEN contribution – Prior to occupation of 25 th unit
NHS	Contribution of £52,452	Contribution prior to commencement

The meeting adjourned for 20 minutes.

37 21/6364N - LAND OFF, CREWE ROAD, HASLINGTON: PROPOSAL TO CONSTRUCT 17 NO. APARTMENTS, WITH ASSOCIATED LANDSCAPING AND PARKING ON LAND FORMALLY KNOWN AS MEDICAL CENTRE LAND

Consideration was given to the above planning application.

The following attended the meeting and spoke on the application:
Councillor Steven Edgar (ward councillor) and Ms Victoria Welsh (agent).

Councillor S Hogben left the meeting during consideration of this application and did not return.

RESOLVED:

That the application be REFUSED for the following reasons:

- 1 the proposed development by reason of its height, scale and bulk would result in a development that would appear incongruous and jarring within the context of the wider two-storey development. Furthermore, the dense form of development which would be car-dominated with a lack of soft landscaping and amenity space for the future occupiers is due to an over-development of the site. The proposed development is a poor design that fails to take the opportunities available for improving the character and quality of the area and the way it functions. The proposed development is contrary to Policies SE1, SD1, SD2 AND SE4 of the Cheshire East Local Plan Strategy, GEN1 AND ENV5 of the Site Allocation and Development Policies Document, The Cheshire East Design Guide and the NPPF.
- 2 insufficient information has been provided to demonstrate that the proposed development would provide 30% affordable housing on site or a contribution in-lieu of affordable housing. As a result, the proposed development would not represent sustainable development and is contrary to Policy SC5 and IN2 of the Cheshire East Local Plan Strategy, the Housing Supplementary Planning Document and the NPPF.
- 3 Insufficient information has been provided in terms of the Finished Floor Levels of the proposed development together with a cross section for the adjacent drainage basin. As a result, it is not clear whether the development will be the subject of flood risk. The proposed development is contrary to Policy SE13 of the Cheshire East Local Plan Strategy, EN16 of the Site Allocations and Development Policies Document, Policy NE.20 of the Crewe and Nantwich Local Plan and the NPPF.

In order to give proper effect to the Southern Planning Committee's intent and without changing the substance of its decision, authority is delegated to the Planning and Enforcement Manager 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.

38 22/1550C - GLEBE FARM, PEEL LANE, ASTBURY, CHESHIRE, CW12 4RQ: PROPOSED SITING OF MINIATURE RAILWAY, ASSOCIATED STATIONS AND OVERFLOW CAR PARK AT GLEBE FARM, ASTBURY

Consideration was given to the above application.

The following attended the meeting and spoke on the application:
Aston and Moreton Parish Councillor Nick Sharman and Mr Henry Brown (agent).

RESOLVED:

That the application be REFUSED for the following reasons:

- 1 the proposed development is located within the Green Belt and in the opinion of the Local Planning Authority the proposed development does not preserve the openness of the Green Belt. No very special circumstances have been identified and planning permission should not be granted. The proposed development is therefore unacceptable in principle and conflicts with the NPPF, Cheshire East Local Plan Strategy Policy PG3 and saved Congleton Local Plan Policy PS7.
- 2 the application site is located within the open countryside/green belt. There are open views across the site from the highway network and public rights of way crossing the site. The development will result in an urban form of development which would be visible from the most sensitive receptors. Insufficient information has been submitted to enable a consideration of the landscape impact and limited landscape mitigation has been provided. The proposed development is contrary of Policies SD1, SD2 AND SE4 of the Cheshire East Local Plan Strategy, and P13 and P26 of the Astbury and Moreton Neighbourhood Plan and the NPPF.
- 3 There are a number of mature trees within the site. 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 SE5 of the Cheshire East Local Plan Strategy, and P12 of the Astbury and Moreton Neighbourhood Plan and the NPPF.
- 4 The proposed development would result in less than substantial harm and fails to conserve or enhance the Conservation Area. The benefits of this scheme would not outweigh the identified harm. The proposed development fails to take the opportunities available for improving the character and quality of the area and is contrary to Policies SD1, SD2, SE1 and SE7 of the Cheshire East Local Plan Strategy, Policy BH9 of the Congleton Borough Local Plan, HER1 and HER3 of the Site Allocations and Development Plan Document, Policy P18 of the Astbury and Moreton Neighbourhood Plan and guidance contained within the NPPF.

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Development Management in consultation with the Chair (or in their

absence the Vice Chair) to correct any technical slip or omission in the resolution before the issue of the decision notice.

39 21/2650N - ROSE COTTAGE, 50, STOCK LANE, SHAVINGTON, CHESHIRE, CW2 5ED: OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF CONVERTED RESIDENTIAL BARN AND THE ERECTION OF TWO DETACHED DWELLINGS AND ASSOCIATED WORKS ON LAND TO REAR OF ROSE COTTAGE, 50 STOCK LANE, WYBUNBURY.

Consideration was given to the above application.

The following attended the meeting and spoke on the application:
Councillor Janet Clowes (ward councillor) and Mr Bob Doughty (agent).

RESOLVED:

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

- 1 Standard Time Limit (Outline)
- 2 Submission of Reserved Matters
- 3 Reserved Matters application to be made within 3 years
- 4 Approved Plans
- 5 Boundary Treatment
- 6 Implementation of landscaping
- 7 Updated Bat survey
- 8 Ecological Enhancement Strategy to be submitted
- 9 Drainage strategy to be submitted and approved
- 10 Levels to be submitted and approved
- 11 Land contamination – submission of risk assessment and remediation strategy if necessary
- 12 Land contamination – Verification report
- 13 Land contamination – Unexpected
- 14 Land contamination – Importation of soil
- 15 Tree protection scheme to be submitted
- 16 Tree and hedge retention
- 17 Electric vehicle charging infrastructure
- 18 Bin Storage to be provided prior to first occupation
- 19 Driveway widening details

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 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.

The meeting commenced at 10.00 am and concluded at 4.14 pm

Councillor A Kolker (Chair)