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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 1st August, 2012 at The Assembly Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

Councillor H Davenport (Chairman)
Councillor D Hough (Vice-Chairman)

Councillors C G Thorley, J Hammond, Rachel Bailey, D Brown, J Jackson,
P Mason, B Murphy, G M Walton, S Wilkinson and J Wray

OFFICERS PRESENT

Ms S Dillon (Senior Lawyer), Mr B Haywood (Principal Planning Officer), Mr P Hooley (Northern Area Manager), Mr S Irvine (Development Management and Building Control Officer), Mrs D Kirk (Principal Planning Officer, Enforcement), Mr N Jones (Principal Development Officer), Mr N Turpin (Principal Planning Officer) and Mrs E Tutton (Principal Planning Officer)

27 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor P Hoyland.

28 DECLARATIONS OF INTEREST/PRE DETERMINATION

In respect of application 12/0893C-Erection of up to 65 dwellings (Outline), Land off Crewe Road, Alsager for Hollins Strategic Land LLP, Councillor R Fletcher, a visiting Councillor, exercised his right to speak as Ward Councillor and then, having disclosed a close connection with the application site, he left the meeting prior to its consideration.

In respect of application 12/1113M-The use of Land as a Private Gypsy and Traveller Caravan Site Comprising 3 Mobile Homes, 3 Touring Caravans and Associated Hardstandings, Land off Spinks Lane, Pickmere for Messrs Felix, Thomas and Mikey Doran, Councillor S Wilkinson declared that he had pre determined the application as a result of his involvement with previous appeals regarding the site. In accordance with the Planning Protocol of Conduct he left the table and sat with the public as the Officer presented the report. He then exercised his right to speak as Ward Councillor. Once he had spoken he left the room.

Councillor G Walton declared the same pre determination in respect of the same application, left the meeting before the application was discussed and did not return.

In the interests of openness Councillor D Hough declared that he had provided veterinary services to the applicant several years earlier.

29 MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes be approved as a correct record and signed by the Chairman subject to minute 20 condition number 37 being amended to state Basford Transport Steering Group.

30 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

31 12/0893C-ERECTION OF UP TO 65 DWELLINGS (OUTLINE), LAND OFF CREWE ROAD, ALSAGER FOR HOLLINS STRATEGIC LAND LLP

Consideration was given to the above application.

(Councillor R Fletcher, the Ward Councillor, Mr Sharpe, an objector, Mr Davies, an objector and Matthew Symons, the agent for 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 Officers update to the Board, the Board grant delegated powers to the Development and Building Control Manager to approve subject to the receipt of a new tree plan and subject to the completion of a S106 Agreement securing the following:-

- 30% affordable housing (20 dwellings), split on the basis of 65% rented affordable units (either social rented dwellings let at target rents or affordable rented dwellings let at no more than 80% of market rents) and 35% intermediate affordable units.
- Transfer of any rented affordable units to a Housing Association
- Affordable house scheme to be submitted at reserved matters
- Affordable homes to be let or sold to people who are in housing need and have a local connection. (The local connection criteria used in the agreement to match the Councils allocations policy.)
- Provision of on-site play area (including written approval of details of the timing and nature of its provision) or an equivalent financial contribution towards the upgrading of the existing play area at Swallow Drive
- Provision for a management company to maintain the on-site amenity space / play area
- Retention of meadow and GCN mitigation area in perpetuity
- Ecological and Landscape Management Plan for meadow, copse, buffer zone and GCN mitigation area
- Commuted sum of £1500 to barn owl group

- A highways contribution of £50,000 towards highway improvements along the Crewe Road corridor
- The need for education contributions (currently zero) be recalculated at Reserved Matters stage and any contribution to be made accordingly

And subject to the following conditions:-

1. Standard Outline
2. Submission of reserved matters
3. Plans
4. Tree and hedgerow protection measures
5. Protection measures for Valley Brook corridor and pond during the construction process.
6. Arboricultural Method statement
7. Landscape maintenance and management
8. Control of Indian Balsam
9. Boundary treatment
10. Reserved matters to make provision for 10m buffer along river corridor
11. Reserved matters to make provision for 5 metre buffer zone around the pond
12. Reserved matters to make provision for path to be located outside buffer zone
13. Submission of revised ecological mitigation method statement (to take account of any changes to finalised layout)
14. Detailed design/proposals for new/enhanced pond and GCN mitigation area
15. Retention of the Copse
16. Breeding Bird Survey for works in nesting season
17. Bats and bird boxes
18. Updated protected species survey and method statement prior to commencement
19. Submission of a scheme to limit the surface water run-off generated by the proposed development,
20. Reserved matters to make provision for containing any such flooding within the site, to ensure that existing and new buildings are not affected and that safe access and egress is provided.
21. Reserved matters to make provision for houses fronting on to Valley Brook
22. Submission of a scheme of Sustainable Urban Drainage
23. Submission of a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to and approved in writing by the Local Planning Authority.
24. This site must be drained on a total separate system, with only foul drainage connected into the public foul sewerage system.
25. The hours of construction of the development (and associated deliveries to the site) shall be restricted to: Monday – Friday 08:00 to 18:00 hrs Saturday 09:00 to 14:00 hrs Sundays and Public Holidays Nil
26. Should there be a requirement to undertake foundation or other piling on site it is recommended that these operations are restricted to:

Monday – Friday 08:30 – 17:30 hrs Saturday 09:30 – 13:00 hrs Sunday and Public Holidays Nil

27. Submission of a scheme for protecting the proposed dwellings from traffic noise
28. Submission of mitigation measures to minimise any impact on air quality from construction dust
29. Submission of a Contaminated Land Phase II investigation.
30. Submission of Construction Management Plan
31. Reserved Matters to include details of bin storage.
32. Reserved Matters to include details of design / surfacing of proposed footpath link
33. Landscaping to include replacement hedge planting
34. Barn Owls
35. Play Area
36. Special construction details of the footway along Crewe Road to be submitted
37. Relocation of highways access
38. The receipt of an amended layout plan showing the access relocated outside the RPA of Oak T9 the inclusion of TPO Oak tree on the site adjacent to 38 Goldfinch Drive, and the provision of sufficient RPA for this tree within the layout.

It was also agreed that Members wanted to decide the application for approval of reserved matters regarding the access and the location/layout of any on-site play area.

In the event of any changes being needed to the wording of the committee's decision (such as to delete, vary or addition conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Development Management and Building Control Manager, in consultation with the Chair of the Strategic Planning Board is delegated the authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.

(This was a change in the Officers original recommendation from one of straightforward approval to one of delegation to approve).

(The meeting was adjourned at 12.05pm until 12.10pm).

32 12/1381N-ERECTION OF 146 DWELLINGS, PUBLIC OPEN SPACE, ACCESS AND ASSOCIATED WORKS, FORMER STAPELEY WATER GARDENS, LONDON ROAD, STAPELEY FOR DAVID WILSON HOMES NORTH WEST

Consideration was given to the above application.

(Parish Councillor Jo Hillman, representing Stapeley & District Parish Council and Mr Taylor, the agent for 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 Officers update to Board, that the application be approved subject to the completion of a Section 106 Agreement to secure the following:-

1. A scheme for the provision of 30% affordable housing – 50% to be provided as social rent/affordable rent with 50% shared ownership/homebuy. 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. A scheme for provision of a LEAP and Public Open Space to be maintained by a private management company. The scheme shall include:
 - Timing and delivery of LEAP and POS and its phasing into the development
 - Details of proposed equipment, design and layout, including surfacing and boundary treatment
 - Long term maintenance and management
3. A financial contribution of £54,231 towards improved primary school provision
4. A financial contribution of £47,000 towards off site Highways improvements for road safety and congestion management measures on the A51 Nantwich Bypass
5. Alternative schemes for access road to Western part of Stapeley Water Gardens site to be submitted and approved. Details shall include:
 - Details of engineered road to boundary of Angling Centre site to be provided and approved. Detail shall include the provision of speed humps/measures to improve road safety. The approved access shall remain provided whilst the Angling Centre remains operational; and
 - Details of private driveway to serve units 143-146 (as shown on approved plans), be provided. The private driveway shall be provided after the Angling Centre ceases operation. Detail shall include details of timing for the delivery of the private road once Angling Centre ceases operation

And subject to the following conditions:-

1. Standard Time Limit (2 years)
2. Approved Plans
3. Submission of Materials
4. Full details of all surfacing materials

5. Full Landscaping scheme to be submitted, including details of replacement trees
6. Landscaping Implementation
7. Full details of all boundary treatment. Boundary treatment onto newt mitigation land shall not be close board fence
8. Details of Sub station of Pump Station to be submitted
9. The development shall be carried out in strict accordance with the Arboricultural Report (CW/6033-AS1 dated 4th July 2012) and Tree Protection Plan and Method Statement (CW/6033-P6 dated 4th July 2012) submitted by Cheshire Woodlands Arboricultural Consultants.
10. Full details of treatment of public right of way to be submitted
11. Submission of in perpetuity habitat management plan including proposals for monitoring
12. Implementation of recommendation made by the submitted Great Crested Newt assessment undertaken by Cheshire Ecological Services.
13. Safeguarding breeding birds (as above)
14. Detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds including house sparrows. Such proposals to be agreed by the LPA. The proposals shall be permanently installed in accordance with approved details.
15. Details of newt tunnels
16. Proposed Public Footpath along western side of London Road to be provided
17. Scheme of Archaeological Investigation to be submitted for Stapeley Manor Site
18. Full details of access to be submitted, access to be submitted in accordance with approved plans
19. Parking to be provided prior to first occupation of the dwelling
20. Access to Newt Mitigation Area B to be permanently retained
21. Hours of construction Monday – Friday: 08:00 to 18:00 hrs, Saturday: 09:00 to 14:00 hrs and Sundays and Public Holidays: Nil
22. Method Statement for pile driving to be submitted. All piling operations shall be restricted to - Monday – Friday: 09:00 – 17:30 hrs, Saturday: 09:00 – 13:00 hrs, Sunday and Public Holidays: Nil
23. Noise mitigation measures to be carried out in accordance with Acoustic Statement
24. Submission of an Environmental Management Plan (EMP) with respect to the construction phase of the development. The EMP shall identify all potential dust sources and outline suitable mitigation.
25. Prior to the commencement of development a Phase II Contaminated Land Assessment shall be submitted to the LPA for approval in writing.
26. No development shall take place until a scheme has been submitted to and approved in writing by the local planning authority showing how at least 10% of the predicted energy requirements of the development will be secured from decentralised and renewable or low-carbon sources. The scheme shall be implemented as approved and retained thereafter.
27. Removal of permitted development rights
28. The development hereby permitted shall not be commenced until such time as; a scheme to limit the surface water run-off generated by the

proposed development, has been submitted to and approved in writing by, the Local Planning Authority.

29. The development hereby permitted shall not be commenced until such time as; a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to, and approved in writing by, the Local Planning Authority.

30. Details and location of the contractors compound together with details of management of the site to be submitted to the LPA and approved in writing

31. Details of phasing of development to be submitted and approved, phasing to show provision of units 143-146 to be provided in final phase of development

32. Details of bin storage to be submitted

33. Improve footpath public no.1

34. Scheme for improvements to off-site footpath access to Broadlane School in consultation with the Chairman and Parish Council to be provided on completion of 50% of housing

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 Development Management and Building Control has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

(The meeting was adjourned at 1.00pm until 1.30pm for lunch).

(Prior to consideration of the following item, Councillor C Thorley left the meeting and did not return).

33 11/2340M-OUTLINE APPLICATION FOR REDEVELOPMENT OF SITE FOR A MIXED USE, COMPRISING RESIDENTIAL DEVELOPMENT (MAXIMUM 77 DWELLINGS), CLASS B1 OFFICE/LIGHT INDUSTRIAL UNITS, (MAXIMUM 836SQM GROSS), PUBLIC OPEN SPACE AND NEW FOOTPATH LINKS (REVISED SCHEME). ALL MATTERS RESERVED, RIETER SCRAGG, LANGLEY WORKS, LANGLEY ROAD, LANGLEY, MACCLESFIELD FOR THE ANDREW AND JOHN DOWNES PARTNERSHIP

Consideration was given to the above application.

(Councillor Mrs H Gaddum, the Ward Councillor, Parish Councillor Mrs Eyre, representing Sutton Parish Council, Martin Brown, an objector and Caroline Payne, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report and the Officers update to Board that the application be approved subject to the completion of a S106 Agreement to secure the following Heads of Terms:-

Affordable Housing - 18% affordable housing - with a tenure split of 65% affordable rented and 35% intermediate tenure, this equates to 14 units, with a tenure split of 9 for rent and 5 for intermediate tenure.

Community Facilities / Youth Support - £30,000 to be spent on either Community Facilities and / or Youth Support as agreed between CEC and Sutton Parish Council

Education - £84,000 to be spent at Hollinhey Primary school, to accommodate the additional pupils the development will generate

Highways – £26,000 to provide a bus shelter, and 2 new bus stops

Landscape and Habitat management plan

Open Space - £191,000 to provide £120,000 towards off site play, and £71,000 toward recreation and outdoor sport

Open Space Strategy, which includes the provision of a new footbridge and steps (Capped at £7000) on Public Footpath 15 adjacent to the reservoir

Provision of Public Art – Capped at £5000

Public Open Space management company to maintain the POS in perpetuity

Barn Owl Habitat Creation Works - £2000

And subject to the following conditions:-

1. Commencement of development
2. Time limit for submission of reserved matters (within 3 years)
3. Submission of reserved matters
4. Implementation of reserved matters
(Plans/reports/surveys/statements)
5. Compliance with parameter plans
6. Maximum 77 dwellings and 836sqm of B1 office / light industrial use
7. Mechanism to ensure Rural Enterprise Hub is delivered
8. Landscape Masterplan to be submitted as part of Reserved Matters application

9. Detailed landscape schemes for each area to be submitted as part of a Reserved Matters application
10. Implementation of Open Space Compartments Plan
11. Landscaping (implementation)
12. Full Arboricultural Implication Study required
13. Access to be taken from Langley Road, in accordance with the updated Transport Assessment
14. Visibility Splay requirement
15. Provision of cycle parking for Employment Units
16. Protection of nesting birds, and incorporation of features for breeding birds
17. Details of Highways, footways and cycleways to be submitted, in accordance with Manual for Streets
18. Development in accordance with ecological recommendations and mitigation outlined in application
19. Submission of a programme of archaeological work
20. Construction Method Statement
21. Pile driving
22. Hours of Construction
23. B1 office/light industrial use only
24. Information on walking, cycling and public transport to be provided in each building
25. Hours of use of Rural Enterprise Hub
26. Remediation of any contaminated land
27. Limitation on noise emitted from Rural Enterprise Hub
28. Submission of lighting scheme with Reserved Matters application
29. Ground levels to be submitted with Reserved Matters application
30. Removal of permitted development rights
31. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources
32. Submission of an aquatic enhancement plan with reserved matters application
33. Submission of a detailed Flood Risk Assessment with the Reserved Matters application
34. Submission of a foul/surface water drainage scheme with Reserved Matters application
35. Submission of a scheme to manage the risk of overland flow of surface water with Reserved Matters application

36.Submission of a complete soil survey with the Reserved Matters application

(Prior to consideration of the following item, Councillor P Mason left the meeting and did not return).

34 11/4501M-OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF THE SITE FOR RESIDENTIAL PURPOSES (A MAXIMUM OF 99 DWELLINGS) AND THE RELOCATION OF THE CO-OP FOODSTORE WITH THE ENTRANCE OFF WELLINGTON ROAD - ALL MATTERS RESERVED, KAY METZELER LTD, WELLINGTON ROAD, BOLLINGTON FOR HOW PLANNING

(During consideration of the application, Councillor G Walton left the meeting and did not return).

Consideration was given to the above application.

(Councillor B Livesley, the Ward Councillor, Councillor K Edwards, a Cheshire East Councillor, Town Councillor Mrs Sockett, a Bollington Town Councillor, Sandra Edwards, the Chairman of Bollington Civic Society, Mr Ransley, an objector, Daniel Ashton, a Supporter and Richard Barton, the agent for 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 Officers update to Board the application be approved subject to the completion of a S106 Agreement securing:-

- (a) 15% affordable housing, intermediate tenure,
- (b) Transfer of on site public open space to a Local Residents Management Company for management and maintenance in perpetuity
- (c) £4,000 for Local Traffic Regulation Orders
- (d) £270,000 to be divided between
 - Formal and/or informal play at Adlington Road, Bollington Recreation Ground and Coronation gardens
 - Improvements to sports provision at Bollington Recreation Ground including changing facilities
 - Improvements to Middlewood Way
 - Maintenance strategy and watching brief regarding works to the viaduct phased over a number of years
 - Repairs to part of the viaduct
 - Bollington Youth Cross Project

In portions to be decided by the Development Management Building Control Manager in consultation with the Chair of Strategic Planning Board and Ward Councillors, and subject to the following conditions:-

1. A06OP - Commencement of development
2. A03OP - Time limit for submission of reserved matters (within 3 years)
3. A01OP - Submission of reserved matters
4. A02OP - Implementation of reserved matters
5. A09OP - Compliance with parameters – 8.5m for 2 storey, 11.0m for 3 storey
6. A08OP - Ground levels to be submitted
7. A01LS - Landscape - submission of details
8. A04LS - Landscaping (implementation)
9. A01GR - Removal of permitted development rights
10. A02HA - Construction of access
11. A04HA - Vehicular visibility at access to be approved
12. A32HA - Submission of construction method statement
13. A19MC - Refuse storage facilities to be approved
14. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources
15. Protection of breeding birds
16. Provision of bird boxes
17. Submission of further badger survey in support of any reserved matters application.
18. Submission of method statement for the eradication of non-native invasive species.
19. Details of lighting to be approved
20. Piling - contractor to be members of the Considerate Construction Scheme
21. Times of Piling
22. Hours of construction/noise generative works
23. Noise mitigation – details to be submitted and approved
24. Dust mitigation - details to be submitted and approved
25. Contaminated land – Phase II land investigation required
26. Mitigation to follow submitted air quality assessment

27. Submission of a drainage scheme including details in respect of surface water run-off
28. Development to accord with Flood Risk Assessment
29. Number / type of dwellings
30. Method statement for the removal of the weir should be submitted for approval
31. Method statement for any bank works, including reprofiling, should be submitted for approval
32. Management plan for the buffer riparian/linear park area adjacent to the River Dean should be submitted for approval
33. Management plan for the eradication or management of the invasive plant species on site should be submitted for approval
34. Scheme to dispose of foul and surface water to be submitted and approved
35. A scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved
36. A verification report demonstrating completion of the works set out in the approved remediation strategy to be submitted and approved
37. Piling and foundation design to be submitted and approved
38. Minimum width of linear park to be 12m in accordance with the indicative layout – to include footpath and cycleway
39. Implementation of public open space areas – to include interpretation panels
40. Arboricultural Implication Study required
41. Minimum distance between rear of properties facing the viaduct and the viaduct to be 24m
42. An archaeological watching brief and programme of works to be submitted to and approved for the leat, wheel pit and engine house aspects of development
43. Retention of part of leat – details to be submitted and approved as part of reserved matters application
44. Relocation of Co-op

(The meeting was adjourned from 4.25pm until 4.35pm).

35 12/1113M-THE USE OF LAND AS A PRIVATE GYPSY AND TRAVELLER CARAVAN SITE COMPRISING 3 MOBILE HOMES, 3 TOURING CARAVANS AND ASSOCIATED HARDSTANDINGS, LAND OFF SPINKS LANE, PICKMERE FOR MESSRS FELIX, THOMAS AND MIKEY DORAN

Consideration was given to the above application.

(Councillor S Wilkinson, the Ward Councillor, Mr Shore, Chairman of Pickmere Parish Council and Mr Tarrant, Representing PARG (Pickmere Area Residents' Association) attended the meeting and spoke in respect of the application).

(Note: Councillor S Wilkinson left the meeting once he had spoken and did not return to the meeting).

RESOLVED

That for the reasons set out in the report that the application be refused for the following reasons:-

1. The site lies within the North Cheshire Green Belt as defined by the Development Plan. The proposed development is inappropriate development in the Green Belt, which should only be approved in very special circumstances. The development causes significant harm to the openness and visual amenity of the Green Belt and does not accord with the purposes of including land within the Green Belt. It is not considered that the material considerations advanced by the applicant in favour of the proposal amount to very special circumstances that would clearly outweigh the harm to the Green Belt by reason of inappropriateness, loss of openness, encroachment and visual intrusion. As such the proposal is contrary to the National Planning Policy Framework and Planning Policy for Traveller Sites.
2. The development is a visually intrusive, prominent and incongruous form of development that seriously damages the character, appearance, tranquillity and biodiversity of the site and surrounding open countryside. It is not considered that conditions could be applied that would overcome this harm. The development is therefore contrary to policies Macclesfield Borough Local Plan policies NE11, DC8 and DC31 and policies DP1 and DP7 of the North West of England Plan Regional Spatial Strategy to 2021.
3. The proposal is contrary to the interests of highway safety by reason of inadequate visibility at the point of access from Spinks Lane onto Pickmere Lane. The number of turning movements into and out of the site that would result from the development would result in an increased danger to other road users on the highway network in the vicinity of the site and in particularly to users of Pickmere Lane. Approval of the development would therefore be contrary to advice in policy DP5 of the North West of England Plan Regional Spatial Strategy to 2021, policies DC6 and DC31 of the Macclesfield Borough Local Plan, and policy HOU6 of the Cheshire 2016: Structure Plan Alteration.

RESOLVED - That the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A) 4 of the Local Government Act 1972 on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 of Part 1 of Schedule 12A of the Local Government Act 1972 and public interest would not be served in publishing the information.

37 PLANNING ENFORCEMENT - LEGAL ACTION

Consideration was given to the above report.

RESOLVED

That legal action be taken to secure compliance with a planning enforcement notice which has not been complied with.

The meeting commenced at 10.30 am and concluded at 5.10 pm

Councillor H Davenport (Chairman)