

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 20th April, 2011 at The Capesthorne Room - Town Hall,  
Macclesfield SK10 1DX

### **PRESENT**

Councillor H Davenport (Chairman)  
Councillor J Hammond (Vice-Chairman)

Councillors A Arnold, Rachel Bailey, P Edwards, M Hollins, D Hough,  
W Livesley, C G Thorley, G M Walton, S Wilkinson and J Wray

### **NON-COMMITTEE MEMBERS IN ATTENDANCE**

Councillors A Kolker and Miss C M Andrew

### **OFFICERS PRESENT**

Mrs D Ackerley (Principal Planning Officer, Enforcement), Mr N Curtis  
(Principal Development Officer, Highway Development Control), Mrs N Folan  
(Solicitor), Mr B Haywood (Principal Planning Officer) and Mr S Irvine  
(Planning and Development Manager)

#### **137 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors D Brown and J Macrae.

#### **138 DECLARATIONS OF INTEREST/PRE-DETERMINATION**

Councillor M Hollins declared that she had not pre-determined application number 10/4977C and that she was considering the application with an open mind.

Councillor S Wilkinson declared a personal and prejudicial interest in respect of application number 09/2806W on the grounds that he knew one of the objectors. In accordance with the Code of Conduct, he withdrew from the meeting during consideration of this item.

All Members of the Board declared that they had received correspondence regarding all the applications on the agenda.

#### **139 MINUTES OF THE PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 30 March 2011 be approved as a correct record and signed by the Chairman.

140 **PUBLIC SPEAKING**

RESOLVED - That the public speaking procedure be noted.

- 141 **09/2083C-ALBION INORGANIC CHEMICALS, BOOTH LANE, MOSTON, SANDBACH CHESHIRE, OUTLINE APPLICATION FOR COMPREHENSIVE REDEVELOPMENT COMPRISING OF UP TO 375 RESIDENTIAL UNITS (CLASS 3); 12,000 SQM OF OFFICE FLOORSPACE (CLASS B1); 3810 SQM OF GENERAL INDUSTRIAL (CLASS B2), WAREHOUSING (CLASS B8), CAR DEALERSHIPS AND PETROL STATIONS (SUI GENERIS) AND FAST FOOD RESTAURANT (CLASS A5) USES; 2600 SQM OF COMMERCIAL LEISURE USES INCORPORATING HOTEL (CLASS C1), RESTAURANT/PUB USES (CLASS A3/A4) AND HEALTH CLUB (CLASS D2); RETENTION AND CHANGE OF USE OF YEW TREE FARM COMPLEX FOR RESIDENTIAL USE (CLASSES C3); PUBLIC OPEN SPACE; TOGETHER WITH ACCESS AND ASSOCIATED INFRASTRUCTURE FOR COUNTRYSIDE PROPERTIES (NORTHERN) LTD**

Note: Town Councillor Bagnall (on behalf of Middlewich Town Council) and Mark Krassowski (agent for the applicant, Walsingham Planning) attended the meeting and addressed the Board on this matter.

The Board considered a report regarding the above planning application.

RESOLVED – That the application be APPROVED subject to the completion of a Section 106 legal agreement to secure the following:

1. a) Affordable housing provision of 16% - to be provided on site. The housing is to be provided based on 33% social rented and 67% intermediate/shared ownership, and to be provided in a variety of unit sizes to meet local requirements, in accordance with the scheme to be agreed at the Reserved Matters stage. The affordable housing to be 'tenure blind' and pepper potted throughout the site, subject to RSL operational requirements.
1. b) An overage clause which provides for the current viability calculations to be reviewed at appropriate intervals before completion of the development and for the figure of 16% to be increased if the economics of provision improve either by increased on site provision or by financial contribution in lieu.

2. The following contributions:-

A533/A54 Leadsmithy St, Middlewich:- £170,000

A533/A534 The Hill/High St/Old Mill Rd/Brookhouse Rd roundabout, Sandbach £197,000

£190,000 to be spent either on Junction 17 of the M6 or the Middlewich bypass whichever comes forward first (the decision

regarding allocation of this contribution to be delegated to the Head of Planning and Housing, in consultation with the Chairman)

Quality partnership bus shelters £25,000

Real Time Information facility, Sandbach Rail Station £20,000

Travel Plan facilities and targets £38,000

Education contribution - £100,000

3. Provision for public open space to serve the whole of the development to be agreed with the Council when details of layout are submitted for approval. This must secure the provision and future management of children's play areas and amenity greenspace in accordance with quantitative and qualitative standards contained in the Council's policy documents including the Congleton Borough Local Plan First Review SPG1 and its Interim Policy Note for the Provision of Public Open Space 2008. Submitted details must include the location, grading, drainage, layout, landscape, fencing, seeding and planting of the proposed public open space, transfer to and future maintenance by a private management company.

and the following conditions:

1. Standard outline
2. Submission of reserved matters
3. Approved Plans – location and zoning
4. Notwithstanding detail shown – no approval of indicative residential masterplan.
5. Submission of Landscape Design principles
6. Submission of Landscape framework
7. Submission of Landscape and ecological management plan
8. Retention of trees and hedgerows
9. Submission of Arboricultural Impact Assessment
10. Submission of Arboricultural Method Statement
11. Submission of Comprehensive tree protection measures
12. Submission of assessments under the Hedgerow Regulations with each reserved matters application, for any hedgerows to be removed as part of that phase of development.
13. Submission of topographical survey as part of reserved matters.
14. Use of farmhouse as site office
15. geophysical survey in order to establish the need, if any, for further archaeological mitigation and submission / implementation of mitigation.
16. Submission of travel plan with each reserved matters application
17. Contaminated land assessment
18. A scheme for the provision and implementation of a surface water regulation system
19. A scheme for the management of overland flow
20. A scheme to be agreed to compensate for the impact of the proposed development on the two drainage ditches within the development boundary.

21. A scheme for the provision and management of compensatory habitat creation
22. Wetland creation, for example ponds and swales.
23. A scheme to dispose of foul and surface water
24. Submission of contaminated land investigation / mitigation
25. Submission of revised air quality impact assessment / mitigation
26. South west facing facades of dwellings to be attenuated by close-boarded wooden fencing along the south west site boundary in order to provide a 5 dB reduction.
27. The north western boundary shall be attenuated by a landscaped buffer zone which shall be 2m high and a minimum surface density of 15/20 kg/m<sup>3</sup>. Along the top of the bund shall be a 2m acoustic fence in order to provide further attenuation.
28. Submission of scheme for protecting the proposed dwellings from railway noise and vibration
29. Submission of a scheme for protecting housing from noise from all the commercial and industrial activities
30. Each reserved matters application for commercial activities to be accompanied by submission and approval of proposed hours of operation
31. Each reserved matters application for commercial activities to be accompanied by a noise impact assessment has been submitted to and approved by the Local Planning Authority. The noise impact assessment shall address;
  - All hours of operation;
  - noise from moving and stationary vehicles;
  - impact noise from working activities;
  - noise from vehicles moving to and from the site in terms of volume increase; and
  - current background levels of noise.

Any recommendations within the report shall be implemented prior to the development being brought into first use.
32. Prior to commencement of development of any commercial building scheme for the acoustic enclosure of any fans, compressors or other equipment with the potential to create noise, to be submitted
33. Prior to commencement of development of any commercial building details of any external lighting shall be submitted to and approved
34. Prior to commencement of development of any commercial building details of security for the car parks to prevent congregations of vehicles late at night to be submitted
35. Prior to commencement of development of any commercial building details of the specification and design of equipment to extract and disperse cooking odours, fumes or vapours
36. The hours of construction (and associated deliveries to the site) of the development shall be restricted to 08:00 to 18:00 hours on Monday to Friday, 08:00 to 13:00 hours on Saturday, with no work at any other time including Sundays and Public Holidays
37. Details of the method, timing and duration of any pile driving operations to be approved

38. Details of the method, timing and duration of any floor floating operations connected with the construction of the development hereby approved to be approved
39. A phasing scheme to be submitted and agreed with the Local Planning Authority.

Note: Councillor Rachel Bailey arrived at the meeting during consideration of this application but did not take part in the debate or vote, in accordance with paragraph 13.5 of the Planning Protocol of Conduct in Relation to the Determination of Planning Matters.

142 **10/4977C-EXTENSION TO EXISTING GYPSY CARAVAN SITE INCLUDING LAYING OF HARDSTANDING, STATIONING OF 9 CARAVANS FOR RESIDENTIAL PURPOSES AND, ERECTION OF 6 UTILITY BUILDINGS, HORSESHOE FARM, WARMINGHAM LANE, MOSTON, MIDDLEWICH, CHESHIRE FOR MR OLIVER BOSWELL**

Note: Prior to consideration of this application, the meeting was adjourned for a short break.

Note: Councillor A Kolker (Ward Councillor), Parish Councillor Scragg (on behalf of Moston Parish Council), Mr Fowler (objector) and Mr Boswell (on behalf of the applicant) attended the meeting and addressed the Board on this matter.

The Board considered a report regarding the above planning application and a written update.

RESOLVED – That, contrary to the planning officer's recommendation for approval, the application be REFUSED for the following reason:

The scale of the development to which this application relates is inappropriate in this location within an area of predominantly open rural countryside and as such is contrary to criterion (iii) of the Local Plan Policy H8, in particular the extension of the site further westwards and the parking area would have a detrimental effect upon the character and appearance of the surrounding locality contrary to Policies GR1 & GR2 of the adopted Congleton Borough Local Plan First Review.

Note: During consideration of this item, Councillor P Edwards left the meeting and did not return.

Note: Following consideration of this item, Councillor W Livesley left the meeting and did not return.

143 **09/2806W-MERE FARM QUARRY, CHELFORD ROAD, NETHER ALDERLEY, MACCLESFIELD, CHESHIRE, INTERIM EXTENSION TO SAND WORKINGS AT MERE FARM QUARRY FOR HANSON QUARRY PRODUCTS EUROPE LTD**

Note: Prior to consideration of this application, the meeting was adjourned for a short break.

Note: Having declared a personal and prejudicial interest in this application, Councillor S Wilkinson withdrew from the meeting during consideration of this item.

Note: Councillor Miss C M Andrew (Ward Councillor), Ms A Freeman (objector, Emery Planning) and Mr Bower (agent on behalf of the applicant, Hanson UK) attended the meeting and addressed the Committee on this matter.

The Board considered a report regarding the above planning application and an oral update by the Principal Planning Officer.

RESOLVED – That the application be APPROVED subject to entering into a deed of variation to update the existing Section 106 agreement and entering into further agreement to secure an additional 10 year aftercare scheme beyond the five years required by condition

and the following conditions:

1. The replication where relevant of the existing 68 conditions attached to the current permission for the quarry that deal with:

- Duration of working
- Hours of working
- Traffic
- Method of working
- Plant and machinery
- Noise
- Dust
- Drainage
- Pollution control
- Archaeology
- Site maintenance
- Soil stripping and storage
- Restoration
- Aftercare

Plus additional conditions:

2. No working within 30 metres of badger setts
3. Additional badger survey in advance of working
4. Protection of breeding birds

5. Provision of barn owl boxes
6. Submission of detailed landscaping plan
7. Submission of a habitat and management plan
8. Submission of a proposed scheme for enhanced public access in the vicinity of the extension
9. Submission of details of a Liaison Committee to be agreed by LPA, which shall operate prior to the commencement of development until the Quarry is fully restored, unless otherwise agreed

Note: Following consideration of this item, Councillors A Arnold and C Thorley left the meeting and did not return.

#### 144 **THE PLANNING PROTOCOL**

The Board considered a joint report of the Monitoring Officer and the Head of Planning and Housing regarding an updated Planning Protocol, which had been drafted by a sub-committee of the Constitution Committee.

RESOLVED – That it be recommended to the Standards Committee and the Constitution Committee that the amended Planning Protocol be adopted and included in the Consitution.

The meeting commenced at 10.30 am and concluded at 1.40 pm

Councillor H Davenport (Chairman)