

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 8th February, 2012 at Meeting Room, Macclesfield
Library, Jordangate, Macclesfield

PRESENT

Councillor H Davenport (Chairman)

Councillors J Hammond, Rachel Bailey, D Brown, D Hough, J Jackson,
J Macrae, B Murphy, G M Walton, R West, S Wilkinson and J Wray

OFFICERS IN ATTENDANCE

Philippa Cockroft (Senior Planning Officer)
Sheila Dillon (Senior Lawyer)
Anne Donkin (Landscape Officer)
Daniel Evans (Principal Planning Officer)
Adrian Fisher (Strategic Planning and Housing Manager)
Gaynor Hawthornthwaite (Democratic Services Officer)
Ben Haywood (Principal Planning Officer)
Stephen Irvine (Planning and Development Manager)
Neil Jones (Principal Development Officer)
Andrew Ramshall (Senior Conservation Officer)
Emma Tutton (Principal Development Officer)

106 **APOLOGIES FOR ABSENCE**

Councillors P Edwards, C G Thorley, J Macrae (afternoon session)

107 **DECLARATIONS OF INTEREST**

Councillor Rachel Bailey declared a personal interest in respect of application number 11/2818N on the following grounds:

- that she knew both the applicant and landowner and they were neither a close friend nor acquaintance.
- Combermere Abbey, which is a wedding venue, and the Council's Registry Office both fall within her Portfolio
- As the Council's Heritage Champion, she had discussed the Abbey as a Cabinet Member, but had not promoted or advocated this enablement scheme in any way
- As the Ward Member for the area she had heard the scheme discussed at Parish Council meetings and had directed interested parties to Council

policy and the English Heritage website. She had not formed or expressed a definite view, one way or the other

- she was a governor at Sound School and if the application was approved, there was a recommendation for an education contribution to the school.

In accordance with the code of conduct, Councillor Bailey remained in the meeting during consideration of these items.

During the course of the debate Councillor Bailey also declared a personal interest in application number 11/2818N on the grounds that she was a member of the Burleydam Trustees and had been involved in the arrangements for a Jubilee Event to be held at Combermere Abbey.

108 **MINUTES OF THE PREVIOUS MEETING**

RESOLVED

That the minutes of the meeting held on 18th January 2012 be approved as a correct record and signed by the Chairman, subject to the following amendment:

Minute 103 - 11/4242W – Cheshire East Council, London Road, Lyme Green SK11 0JX: Works Associated with the Construction and Operation of a Waste Transfer Station for Cheshire East Council.

Add to resolution: - “That a letter be sent from the Chairman to the Chief Executive and the Leader of Cheshire East Council and copied to all Members of the Strategic Planning Board expressing concern that groundworks had commenced without planning permission.”

109 **PUBLIC SPEAKING**

RESOLVED:

That the public speaking procedure be noted.

110 **10/3214M - BUTLEY HALL, SCOTT ROAD, PRESTBURY SK10 4DN - REFURBISHMENT, CONVERSION AND EXTENSION OF BUTLEY HALL TO PROVIDE SEVEN APARTMENTS: THIS WORK INCLUDES PARTIAL DEMOLITION OF LATER PARTS OF THE LISTED BUILDING. CONSTRUCTION OF THREE NEW THREE STOREY TOWNHOUSES TO THE REAR OF BUTLEY HALL. EXTERNAL WORKS TO CREATE NEW RAMPED ACCESS DRIVE TO NEW CAR PARKING AREA BETWEEN BUTLEY HALL AND THE NEW TOWNHOUSES TOGETHER WITH CONSTRUCTION OF TEN GARAGE SPACES AND A BIN STORAGE ROOM BUILT BELOW THE**

Councillor P Findlow (Ward Councillor), Councillor T Jackson (on behalf of Prestbury Parish Council), Mrs B Moffitt (on behalf of The Prestbury Amenity Society), Ms S Ehlinger (solicitor on behalf of James Cartwright – an objector) and Peter Defigueiredo (a supporter) attended the meeting and addressed the Committee on this matter

The Committee considered a report regarding the above planning application, a written update and an oral report of the site inspection.

RESOLVED

That the application be APPROVED subject to:

(a) the following conditions:

1. The development and / or works to which this consent relates shall commence within three years of the date of this consent.
2. The development/works hereby permitted shall be carried out in accordance with the revised plans, received by the Borough Council on 31.03.11, numbered M1891.01D, M1891.02 A, M1891.03 A, M1891.04 A, 7077(04) 001 B, 7077(04) 002 C, 7077(04) 003 B, 7077(04) 004, 7077(05) 002C, 7077(05) 003 A, 7077(05) 001 D, 7077(06) 001 D, 7077(06) 002 A, 7077(06) 003 A and the location plan numbered 7077(01) 000 received by the Council on 12.08.10.
3. No development involving the use of any facing or roofing materials shall take place until details of all such materials have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. The material and colour of all rainwater goods shall be in cast iron, painted black.
5. The roof of the proposed development shall be covered in grey Slate to match the hall and shall be retained in such a form thereafter.
6. All of the windows in the original Hall elevations shall be fabricated in timber and shall be retained in such a form thereafter.
7. Prior to the installation of any fenestration as part of the development hereby approved, drawings indicating details of all windows and external doors, including cross sections of glazing bars, to a scale of not less than 1:20 shall be submitted to and approved in writing by the Local Planning Authority. The details which are approved shall be carried out in full and shall be retained in accordance with the approved details thereafter.
8. All garage doors shall be constructed in timber, vertically boarded and shall be retained in such a form thereafter.
9. Prior to the commencement of the development a schedule showing the retention and protection of the Jacobean staircase during building works shall be submitted to and approved in writing by the Local Planning Authority.
10. No new plumbing, pipes, soil stacks, flues, vents, ductwork grilles, security alarms, lighting, cameras or other fixtures shall be attached to the external faces of the building other than those shown on the approved drawings or otherwise first approved in writing by the Local Planning

Authority.

11. Prior to the commencement of development, a method statement shall be submitted to and approved in writing by the Local Planning Authority. This shall demonstrate a means of ensuring the safety and structural stability of the building throughout the period of the approved works to the Hall being undertaken. The relevant work shall be carried out in strict accordance with the approved details.
12. No development shall take place until the applicant, or his agent or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.
13. That the extensions to the hall will be carried out before or at the same time as the townhouses

**111 11/2818N - LAND ON SHEPPENHALL LANE, ASTON -
ERECTION OF 43 DWELLING HOUSES (INCLUDING 5 AFFORDABLE
DWELLINGS), CREATION OF NEW ACCESS TO SHEPPENHALL
LANE**

Councillor J Batho (on behalf of Newhall Parish Council), Mr S Graham (an objector), Mrs S Callender Beckett (a supporter) and Mr T McAteer (on behalf of the agent) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application, a written update and an oral report of the site inspection.

RESOLVED

That the application be DEFERRED to enable officers to provide the following:

- Further information with respect to alternative sites
- Further information with respect to highways works
- Further information with respect to a new access scheme
- Further information with respect to affordable housing

Following consideration of this item, the meeting was adjourned at 2.40 pm and re-convened at 3.20 pm.

Prior to consideration of the following items, Councillor J Macrae left the meeting and did not return.

112 10/2647C - LAND NORTH OF TWEMLOW LANE, TWEMLOW GREEN - ERECTION OF 13 NO AFFORDABLE HOUSES, ASSOCIATED PARKING AND LANDSCAPING AND NEW VEHICULAR ACCESS

This application was withdrawn prior to the meeting.

113 11/3065C - LAND TO THE SOUTH OF MIDDLEWICH ROAD AND WEST OF BROAD LANE, HOLMES CHAPEL - IMPORTING OF WASTE TO FILL A HOLLOW IN THE AGRICULTURAL FIELD. RAISING THE LEVEL OF THE HOLLOW WILL IMPROVE THE PASTURE LAND FOR MR R ARNOLD

Mr S Plowman (on behalf of the agent) attended the meeting and addressed the Committee on this matter.

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

RESOLVED

That the application be APPROVED subject to the following conditions and the requisite notices being served on additional landowners and no further comments being received:

1. Time limit
2. Development in accordance with the approved plans
3. At least seven days prior written notice of the commencement of development shall be given to the Local Planning Authority
4. All importation of waste and movement and grading of materials on site shall be completed within 12 months of the date of commencement of the development.
5. All site restoration works including removal of the temporary access road shall be completed within 12 months of the completion of the development
6. Prior to the commencement of development, a plan showing the protection of the habitats associated with the adjacent watercourse and a 10m buffer zone thereof, including pre-development measures, shall be submitted to and approved in writing by the LPA. The protection plan shall include an appropriate scale plan showing the area where protective measures will be installed and details of protective measures to avoid impacts during the operational and restoration period
7. Prior to the commencement of development, a scheme for the restoration of the habitats associated with the sloping area of land on the southern portion of the site following the completion of the development shall be

submitted to and approved in writing by the LPA. The scheme shall conform to the indicative proposals recommended in the Updated Phase 1 Habitat Survey dated December 2011. The restoration plan shall be implemented in accordance with an agreed schedule of works and completed within 3 months of the completion of the development excluding the other required restoration works

8. Prior to the commencement of development, an updated Badger survey shall be undertaken of the site and all land within 30m of the site boundary. The survey shall be undertaken by a competent and appropriately qualified person and a report of the survey, together with any mitigation proposals required shall be submitted to and agreed in writing with the LPA
9. The stripping, movement, replacement and cultivation of topsoil shall only be carried out when the material to be moved is sufficiently dry and friable to minimise structural damage. No movement of soils shall occur:
 - I. During the months of October to April inclusive, unless otherwise agreed in writing with the LPA; or
 - II. When the upper 1200mm of the soil has a moisture content which is equal or greater than that at which soil becomes plastic, tested in accordance with the 'worm test' as set out in BS 1377: 1975 – British Soil Methods Test for Soils for Civic Engineering purposes, or when the topsoil is not sufficiently dry that it cannot be separated from the subsoil without difficulty; or
 - III. When there are pools of water on the soil surface
10. All topsoil and subsoil shall be stored in separate in separate mounds which:
 - I. For topsoil mounds should not exceed 3 metres in height and for subsoil mounds should not exceed 5 metres in height unless otherwise agreed in writing with the LPA;
 - II. Shall be constructed with only the minimum of soil compaction to ensure stability and so shaped as to avoid collection of water in surface undulations;
 - III. Shall not be traversed by heavy vehicles or machinery except where essential for the purpose of mound construction or maintenance;
 - IV. Shall not subsequently be moved or added to until required for restoration unless otherwise agreed in writing with the LPA;
 - V. Have a minimum of a 3 metre stand off, undisturbed around storage mounds;
 - VI. Shall only store topsoil and like texture topsoil and subsoils on like texture soils.
11. The hours of operation (and associated deliveries to the site) of the development hereby permitted 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.
12. Submission and approval and implementation of a tree protection scheme.
13. Prior to commencement of development the developer will provide a construction specification drawing for that area of the temporary access which falls within the public highway - to the satisfaction of the LPA.
14. The developer will provide a schedule of signing and traffic management provision to regulate the arrivals and dispersal traffic and its turning movements and include for 'Temporary Site Access' signs on the two A54

approaches for regular traffic. The development shall be carried out in accordance with the approved details.

- 15.** Heavy commercial vehicle movements per day to the site will be limited to a maximum of 50 trips (25 vehicles) between the hours of 8:00. and 16.00 hours Monday to Friday and 08:00 to 13:00 hours on Saturday with no work at any other time including Sundays and Public Holidays.
- 16.** A record of all vehicle movements shall be kept and made available for inspection by the LPA.
- 17.** Prior to commencement of development the developer will provide a hard running lane and wheel-wash facility within the site to ensure that detritus from the site does not contaminate the public highway. No vehicles shall leave the site until it has been cleaned using this facility.
- 18.** The developer will provide mechanical sweeping, as necessary, to remove any detritus which may be carried onto the public highway from vehicles emerging from the site.
- 19.** All materials imported and deposited at the site shall be strictly inert and non-leachate forming.
- 20.** There shall be no chemical testing or processing on site and no exportation of any materials off site.
- 21.** All plant shall be silenced, operated and maintained in accordance with the manufacturers specification at all times.
- 22.** No repairs, maintenance and re-fuelling of plant or vehicles shall take place within 30m of Alum Brook.
- 23.** No lighting shall be installed at the site without prior written approval of the LPA.
- 24.** No burning of materials shall take place at the site.
- 25.** The maximum land levels of finished landform shall be in accordance with the details shown on the drawings numbered 5299MHE.001 and 5299MHE.002.
- 26.** An aftercare scheme requiring that such steps as may be necessary to bring the land to the required standard for the use of agriculture shall be submitted for the written approval of the LPA within 6 months of the date of this permission. The aftercare scheme shall include provision for:
 - I. Measures to be taken to ensure appropriate plant growth;
 - II. Detail of any surface water drainage to ensure that the site will be free draining and including, where appropriate, identification of discharge points and measures to control run-off and prevent erosion;
 - III. The removal of all plant, machinery, buildings, structures, erections and their foundations including the removal of any haul road and hardstanding areas.

The aftercare shall be carried out in accordance with the approved scheme.

27. No development shall commence until detailed drawings showing the access road, including visibility splays have been submitted for approval in writing by LPA. The development shall only be carried out in complete accordance with the approved details.

28. Protection of nesting birds.

114 **11/3956C - THE FORMER FODENS FACTORY, LAND OFF MOSS LANE, SANDBACH CW11 3JN - PROPOSED RESIDENTIAL DEVELOPMENT OF LAND OFF MOSS LANE, THE FORMER FODENS FACTORY SITE FOR 269 DWELLINGS AND ASSOCIATED WORKS FOR MR S J WARD, BDW TRADING LTD AND HURSTWOOD LANDBANK**

Mr I Hilliker (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 and a written update.

RESOLVED

That the application be DELEGATED to the Development Management and Building Control Manager in consultation with the Chair of the Strategic Planning Board for further negotiation regarding the affordable housing provision/S106 contribution. The application is to be APPROVED subject to final negotiations and a prior appropriate S106 Agreement securing:

- Affordable housing – the number and tenure split of the affordable housing will be no less than 19.7% (53 units in total) comprising at least 65% (34 units) affordable rent and 35% shared ownership (19 units).
- The shortfall of £44,332 which arises in lieu of the renewable energy compliance measure subsidy shall be used either to provide an additional affordable housing unit or to increase the following obligations as appropriate.
- A contribution towards local education provision of £466,390.
- The provision of a LEAP, Public Open Space and footway/cycle link which should be retained in perpetuity and a scheme of management.
- A commuted payment towards canalside/PROW improvements (£117,748).
- An Interim Residential travel plan in accordance with DfT guidance document.
- A commuted sum for the necessary Traffic Regulation Orders, local traffic management orders and bus stops (£44,000).

And the following conditions:

1. Standard time – 3 years.
2. Materials to be submitted to the LPA and approved in writing.
3. Submission of a landscaping scheme to be approved in writing by the LPA.
4. Implementation of the approved landscaping scheme.
5. No trees to be removed without the prior written consent of the LPA.
6. Boundary treatment details to be submitted to the LPA and approved in writing.
7. Remove PD Rights for extensions and alterations to the approved dwellings.
8. If protected species are discovered during construction works, works shall stop and an ecologist shall be contacted.
9. Prior to any commencement of works between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds.
10. Prior to the commencement of development the applicant to submit detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds.
11. The proposed development to proceed in accordance with the recommendation made by the submitted Badger survey report and method statement dated October 2011.
12. 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.
13. 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.
14. Acoustic mitigation measures to be submitted and agreed.
15. The hours of construction shall be limited to 08:00-18:00 Monday to Friday, 09:00-14:00 Saturday and not at all on Sundays or Bank Holidays.
16. Any piling works shall be limited to 08:30-17:30 Monday to Friday, 09:00-13:00 Saturday and not at all on Sundays or Bank Holidays.
17. The remedial scheme shall be carried out in full accordance with original remedial scheme provided under application 07/0912/OUT and addenda provided under this application. These details shall not be varied without the prior written consent of the Local Planning Authority.
18. A Site Completion Report detailing the conclusions and actions taken at each stage of the works, including validation works, shall be submitted to, and approved in writing by, the LPA prior to the first occupation of any part of the development hereby approved.
19. No building within 3 metres of the public sewer which crosses the site.
20. Completion of the proposed off-site highway works.
21. 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.
22. Measures to show how mud, clay or other material is not deposited on the highway.
23. Details of external lighting to be approved in writing by the LPA.

115 **11/3569C - FORMER FODENS FACTORY AND TEST TRACK SITES, MOSS LANE, SANDBACH - SITE PREPARATION, BULK EARTHWORKS AND INFILLING OPERATIONS TO ENABLE THE FUTURE DEVELOPMENT OF THE SITES FOR RESIDENTIAL-LED PURPOSES FOR MR R LEVER, ENCIA LTD**

The Committee considered a report regarding the above planning application.

RESOLVED

That the application be APPROVED subject to the following conditions:

1. Within one month of the date of this permission a scheme for the reinstatement of the watercourse banks and a timetable for implementation shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be implemented in accordance with the approved details.
2. Within one month of the date of this permission a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.
3. The hours of construction/operation 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.
4. The proposed development to proceed in accordance with the recommendation made by the submitted Badger survey report and method statement dated November 2011.
5. Compliance with the detailed method statement setting out measures to minimise the risk of contaminated materials entering the watercourse and canal, along with full details of the methods for working in close proximity and up to the edge of the watercourse.
6. The remedial scheme shall be carried out in full accordance with original remedial scheme provided under application 07/0912/OUT and addenda provided under this application. These details shall not be varied without the prior written consent of the Local Planning Authority.
7. A Site Completion Report detailing the conclusions and actions taken at each stage of the works, including validation works, shall be submitted to, and approved in writing by, the LPA prior to the first occupation of any part of the development hereby approved.

116 **APPEALS RECORD IN 2011**

The Committee considered a summary of appeal decisions.

RESOLVED

That the appeal summaries be noted.

The meeting commenced at 10.30 am and concluded at 5.15 pm

Councillor H Davenport (Chairman)