

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 3rd April, 2013 at Council Chamber, Municipal Buildings,  
Earle Street, Crewe CW1 2BJ

### **PRESENT**

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

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

### **OFFICERS IN ATTENDANCE**

Mr N Curtis (Principal Development Officer), Ms S Dillon (Senior Lawyer), Mr  
D Evans (Principal Planning Officer), Mr B Haywood (Principal Planning  
Officer), Mr S Irvine (Development Management and Building Control  
Manager) Mr P Jones (Democratic Services Team Manager) and Mrs L  
Whinnet (Senior Planning Officer)

### 164 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors P Edwards and C Thorley.  
(Councillor B Murphy arrived to the meeting).

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

In relation to applications 12/3747N and 12/3746N, Councillor H Davenport confirmed that he did not know one of the speakers who shared the same surname as himself.

In the interest of openness in respect of applications 12/3747N and 12/3746N, Councillor J Hammond declared that he was a member of the Cheshire Wildlife Trust who had been consulted on the application.

In the interest of openness in respect of application 12/3873M, Councillor G Walton declared that six years ago he was involved in an application relating to a dwelling across the road from the application site.

### 166 **MINUTES OF THE PREVIOUS MEETING**

RESOLVED

That the minutes be approved as a correct record and signed by the Chairman subject to the resolution in minute no.160 being amended as follows:-

'In addition it was requested that an informative be added onto include the following wording:-

The information submitted by local residents re:flooding be forwarded to the Environment Agency with a request that they take it into account when responding to any appeal notification and the Board be informed if they change their view to one of objection'.

Councillor D Hough was advised to liaise with the Planning Officer after the meeting to discuss issues relating to noise and highways.

167        **PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

168        **12/3747N - LAND BETWEEN AUDLEM ROAD/ BROAD LANE & PETER DESTAPLEIGH WAY, STAPELEY: RESIDENTIAL DEVELOPMENT UP TO A MAXIMUM OF 189 DWELLINGS; LOCAL CENTRE (CLASS A1 TO A5 INCLUSIVE AND D1) WITH MAXIMUM FLOOR AREA OF 1800SQM GROSS INTERNAL AREA (GIA); EMPLOYMENT DEVELOPMENT (B1B, B1C, B2 AND B8) WITH A MAXIMUM FLOOR AREA OF 3,700SQM GIA; PRIMARY SCHOOL; PUBLIC OPEN SPACE INCLUDING NEW VILLAGE GREEN, CHILDREN'S PLAY AREA AND ALLOTMENTS; GREEN INFRASTRUCTURE INCLUDING ECOLOGICAL AREA; NEW VEHICLE AN**

(During consideration of the application, Councillor D Brown arrived to the meeting, however he did not take part in the debate or vote on the application).

Consideration was given to the above report.

(Councillor A Martin, the Ward Councillor, Councillor P Groves, the Ward Councillor, Parish Councillor J Davenport, representing Stapeley & District Parish Council, Pat Cullen, representing Protect Stapeley, Martin Malbon, an objector, Simon Boon, an objector and Colin Muller, the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons outlined in the report the application be refused for the following reasons:-

1. The proposed residential development is unsustainable because it is located within the Open Countryside, where according to Policies NE.2 and RES.5 of the adopted Borough of Crewe and Nantwich Replacement Local Plan there is a presumption against new residential development. Such development would be harmful to its open character and appearance, which in the absence of a need for the development should be protected for its own sake.. The Local Planning Authority can

demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework. As such the application is also premature to the emerging Development Strategy. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.

2. In the absence detailed survey information the applicant has failed to demonstrate that the proposal will not result in loss of the best and most versatile agricultural land (Grade 3a) and given that the Authority can demonstrate a housing land supply in excess of 5 years, the applicant has also failed to demonstrate that there is a need for the development, which could not be accommodated elsewhere. The use of the best and most versatile agricultural land is unsustainable and contrary to Policy NE.12 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the provisions of the National Planning Policy Framework.
3. The scheme as presented will result in an immediate loss of trees that contribute significantly to the amenity and landscape character of the area and that the proposed indicative mitigation measures for this loss do not satisfactorily establish the benefits required by local and national policy. The proposal is therefore contrary to Policy NE.5 (Nature Conservation and Habitats) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the provisions of the National Planning Policy Framework.

(The meeting adjourned for a short break).

169      **12/3746N - LAND OFF PETER DESTAPELEIGH WAY,  
NANTWICH: NEW HIGHWAY ACCESS ROAD, INCLUDING  
FOOTWAYS AND CYCLEWAY AND ASSOCIATED WORKS FOR  
MULLER PROPERTY GROUP**

Consideration was given to the above report.

(Parish Councillor J Davenport, representing Stapeley & District Parish Council, Pat Cullen, representing Protect Stapeley, Martin Malbon, an objector attended the meeting and spoke in respect of the application).

RESOLVED

That for the application be deferred for further information regarding:-

- (1) The arboricultural impact of the proposed development following the felling of three of the four 'Category A' oak trees identified in the refusal recommendation, together with advice regarding the lawfulness of the felling and the possibilities of replacement planting.
- (2) The impact of the proposed re-alignment upon open countryside, in comparison with the route previously permitted.
- (3) The impact of the proposed re-alignment upon ecology.

(As a result of the felling of some of the trees, the Officer changed his recommendation from one of refusal to one of deferral).

(The meeting adjourned for lunch. Councillor Mrs R Bailey arrived to the meeting).

170        **12/3873M - WOODEND NURSERY, STOCKS LANE, OVER PEOVER, KNUTSFORD, CHESHIRE, WA16 9EZ: ERECTION OF GLASSHOUSE FOR TOMATO PRODUCTION WITH ASSOCIATED HARD STANDING , FRESH WATER TANK , HEAT STORAGE TANK, PACKAGE TREATMENT PLANT AND LANDSCAPING FOR FRANK RUDD & SONS**

Consideration was given to the above report.

RESOLVED

That for the reason set out in the report, the application be refused for the following reason:-

Insufficient information has been submitted with the application relating to protected species in order to assess adequately the impact of the proposed development having regard to Great Crested Newts. In the absence of this information, it has not been possible to demonstrate that the proposal would not result in adverse impact on Great Crested Newts which are a European protected species and comply with Macclesfield Borough Local Plan Policy NE11 and the policies contained within Chapter 12 of the National Planning Policy Framework.

171        **13/0456C - THE FORMER FODENS FACTORY, LAND OFF, MOSS LANE, SANDBACH, CHESHIRE, CW11 3JN: AMENDMENT TO APPLICATION 11/3956C REPLAN 49 UNITS, NEW ACCESS ONTO MOSS LANE AND REDESIGN OF THE INTERNAL ROAD LAYOUT FOR DAVID WILSON HOMES**

Consideration was given to the above application.

(Andrew Taylor attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report the application be approved subject to the completion of a Section 106 Agreement comprising the following Heads of Terms:-

- A provision of affordable housing (the numbers and tenure split to be unaltered)
- 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 canal side/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 subject to the following conditions:-

1. Standard time – 3 years
2. Materials as referred to on plan H5936:04 and as referred to in section 3.0 of the Design and Access Statement
3. Submission of a landscaping scheme to be approved in writing by the LPA
4. Implementation of the approved landscaping scheme
5. Boundary treatment details as shown on plans reference H5936:06 & 423-BTD-02
6. Remove PD Rights for extensions and alterations to the approved dwellings
7. If protected species are discovered during construction works, works shall stop and an ecologist shall be contacted
8. The proposals for the incorporation of features into the scheme suitable for use by breeding birds shall be implemented
9. The proposed development to proceed in accordance with the recommendation made by the submitted Badger survey report and method statement dated October 2011.
10. The development to proceed in accordance with the approved scheme to limit the surface water run-off generated by the proposed development and the scheme to manage the risk of flooding from overland flow of surface water.
11. 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
12. 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
13. The development shall not be occupied until the remedial/protection measures included in the reports previously submitted and approved under previous planning application numbers 10/4660C, 11/3569C and 11/3956C have been fully implemented and completed.
14. A Site Completion Report detailing the conclusions and actions taken at each stage of the works to construct each dwelling, including validation works, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first use or occupation of the dwelling to which it relates.
15. No building within 3 metres of the public sewer which crosses the site
16. Completion of the proposed off-site highway works

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 Planning and Housing in consultation with the Chair of the Strategic Planning Board is delegated authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.

(The meeting adjourned for a short break).

## **172 NOTICE OF MOTION: PLANNING COMMITTEE UPDATE REPORTS**

Consideration was given to the above report.

(Councillor D Brickhill attended the meeting and spoke in respect of the report).

RESOLVED

That as a matter of working practice:-

(1) Update papers which are issued after publication of the agendas for planning meetings will be produced by 5pm on the second working day before.

(2) The cut-off date for further comments that may be included in the written updates to Committee/Board will be 12 noon the second working day from the Committee/Board.

(3) Where it is necessary for written updates to be brought to the attention of Members before planning meetings, the application in question should only be determined where:

The Officers advise that it is necessary to do so in agreement with the Chair of the Committee/Board; and

Members of the Committee/Board agree that they and the public have had sufficient time to absorb the information in question; but

That in other cases, the Committee/Board should resolve to defer consideration of the application in question.

#### 173      **EXCLUSION OF THE PRESS AND PUBLIC**

Pursuant to Section 100B (2) of the Local Government Act 1972, the report relating to the remaining item on the agenda had been withheld from public circulation and deposit on the grounds that the matters may be determined with the public and press excluded.

It was moved and seconded, pursuant to Section 100A (4) of the Local Government Act 1972 that the public and press be excluded from the remaining item of the Board's business on the grounds that the item involved the likely disclosure of exempt information as defined in Paragraphs 2 and 5 of Part 1 of Schedule 12A to the Local Government Act 1972, as amended, and that the public interest would not be served in publishing the information, and it was

RESOLVED

That the press and public be excluded from the remainder of the meeting for the reasons given.

#### 174      **PLANNING ENFORCEMENT**

Consideration was given to the above report.

RESOLVED

That the report be noted.

The meeting commenced at 10.30 am and concluded at 3.25 pm

Councillor H Davenport (Chairman)