

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 17th July, 2013 at The Capesthorne Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

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

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

OFFICERS IN ATTENDANCE

Mr N Curtis (Principal Development Officer), Mr D Evans (Principal Planning Officer), Mrs R Goddard (Senior Lawyer), Mr S Irvine (Planning and Place Shaping Manager), Conal Kearney (Enforcement Officer), Mr D Malcolm (Southern Area Manager), Mrs E Tutton (Principal Planning Officer), Miss E Williams (Planning Officer) and Mr P Wakefield (Principal Planning Officer)

38 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs Rachel Bailey, P Hoyland and P Mason.

39 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interests of openness in respect of application 12/4866W, Councillor H Davenport declared on behalf of himself and Members of the Board that the Council may be a user of the site in the future, along with other organisations, however it was not considered that this was a close enough association to affect Members' judgment or fetter their discretion.

In respect of the same application, Councillor J Hammond declared that whilst he had no involvement in discussions relating to this application his imminent appointment as Chairman of the Shadow Board of the proposed company to deliver Waste Management Services could give the public perception that he had a non pecuniary interest. In the interests of total openness and transparency he declared that he would leave the room prior to the application being determined.

40 MINUTES OF THE PREVIOUS MEETINGS

RESOLVED

That the minutes of the meeting held on 12 June 2013 be approved as a correct record and signed by the Chairman.

That the minutes of the meeting held on 19 June 2013 be approved as a correct record and signed by the Chairman subject to the resolution in relation to Minute No.34 being amended to make it clear that the reason for refusal relating to Agricultural Land Quality should be included as a standalone reason and therefore should be listed as a separate reason. As a result the resolution should be amended as follows:-

That for the application be refused for the following reasons:-

1. Due to the location of this site, the proposal is considered to be an unsustainable development site for residential purposes and would result in the loss of agricultural land within the open countryside. It is therefore contrary to Policy NE2 (Open Countryside).
2. As a result of the loss of the best and most versatile agricultural land it is contrary to Policy NE12 (Agricultural Land Quality).
3. It is contrary to Policy RES 5 (Housing in the Open Countryside) of the Crewe and Nantwich Local Plan and the provisions of the NPPF with respect to unsuitable development. In addition, the Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework, and 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.
4. The proposed development is likely to be car- dependent by virtue of (i) its isolated location (ii) its limited accessibility to bus services along Close Lane (iii) the undesirable walking environment along Close Lane due to the lack of pavement on both sides of the road: and therefore comprises unsustainable development contrary to the National Planning Policy Framework.

41 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

42 13/0922C LAND OFF BIGGS WAY, CONGLETON, CHESHIRE CW12 1LZ: OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT COMPRISING UP TO 49 DWELLINGS INCLUDING ACCESS FOR CONGLETON INCLOSURE TRUST

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

Consideration was given to the above application.

(Mr Griffiths, an objector and Mr Bentley, the agent for the applicant attended the meeting and spoke in respect of the application. In addition the Planning and Place Shaping Manager read out a statement on behalf of the Ward Councillors G Baxendale, R Domleo and D Topping).

(During the meeting there was a short adjournment in order for Officers to discuss with the agent the concerns Members had raised regarding access to the site. No Members left the room during the adjournment. Members were informed that as a result of discussions the agent was willing to withdraw access from the application therefore only seeking permission for the principle of outline residential development comprising of up to 49 dwellings only).

RESOLVED

That for the reasons set out in the report and in the oral update to Board, the application be approved subject to it being noted that that the request for access had been removed, subject to the completion of a Section 106 Agreement securing the following Heads of Terms:-

- 30% Affordable Housing of which 65% social or affordable rent, and 35% intermediate tenure
- Commuted sum in lieu of sufficient on site Public Open Space of £13,906.50 & enhancements and maintenance of facilities at Galloway Green and Lower Heath Community Space of £10,805.26 for enhancements and £35,223 for maintenance
- Provision of Public Art to be incorporated into Public Open Space (No less than £10,000)
- Provision of or commuted sum for the improvement of cycle links and TOUCAN crossing on the A34
- Landscape and Habitat Management Plan

And subject to the following conditions:-

1. A01TR - Retention of trees, hedgerows & ditch
2. A02TR - Tree protection
3. A01LS - Landscaping - submission of full details
4. A02LS - Submission of landscaping scheme - including hard surfacing, street furniture
5. A04LS - Landscaping (implementation)
6. A19MC - Refuse storage facilities to be approved
7. Commencement of development
8. Time limit for submission of reserved matters (within 3 years)
9. Submission of reserved matters
10. Implementation of reserved matters
(Plans/reports/surveys/statements)

11. Compliance with parameter plans - including limitation on building heights
12. The reserved matters application shall comprise no more than 49 dwellings
13. Submission of details in respect of wildlife corridor
14. Protection of nesting birds, and incorporation of features for breeding birds
15. Submission of further ecological survey with reserved matters application
16. Full Arboricultural Implication Study to be submitted with reserved matters application
17. Existing and proposed site levels, contours and cross-sections should be submitted with reserved matters application
18. Landscape Masterplan to be submitted with reserved matters application, to include POS & landscape buffer
19. Submission of a detailed Public Open Space landscape management and maintenance plan
20. Full details of vehicular access to be determined at the reserved matters stage
21. Construction Method Statement
22. Submission of a construction management plan with reserved matters application
23. Design and construction plans to be submitted in respect of TOUCAN crossing
24. Installation of TOUCAN crossing prior to sale of 26th dwelling
25. If the TOUCAN crossing cannot be provided by the developer, a commuted sum of the equivalent cost shall be secured through a s106 agreement
26. Information on walking, cycling and public transport to be provided in each building
27. Hours of Construction
28. Details of any pile driving to be submitted with Reserved Matters application
29. Submission of lighting scheme with reserved matters application
30. Submission of a foul/surface water drainage scheme with Reserved Matters application
31. Provision of 5m wide buffer zone alongside watercourses
32. Submission of SUDS with reserved matters application
33. Submission of robust travel planning with reserved matters application

34. Submission of direct measures to reduce the effects of increased transport emissions
35. Submission of dust control scheme with reserved matters application
36. Submission of a site waste management plan with reserved matters application
37. Noise mitigation measures to be carried out in accordance with submitted scheme

**43 13/0918C LAND OFF MANCHESTER ROAD, CONGLETON CW12 2HU:
OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT
COMPRISING UP TO 45 DWELLINGS INCLUDING ACCESS FOR
WHITTAKER AND BIGGS**

Consideration was given to the above application.

(Mr Bentley, the agent for the applicant attended the meeting and spoke in respect of the application).

(During the meeting there was a short adjournment in order for Officers to discuss with the agent the concerns Members had raised regarding access to the site. No Members left the room during the adjournment. Members were informed that as a result of discussions the agent was willing to withdraw access from the application therefore only seeking permission for the principle of outline residential development comprising of up to 45 dwellings only).

RESOLVED

That for the reasons set out in the report and in the oral update to Board, the application be approved subject to it being noted that that the request for access had been removed, subject to the completion of a Section 106 Agreement securing the following Heads of Terms:-

- 30% Affordable Housing of which 65% social or affordable rent, and 35% intermediate tenure
- Commuted sum in lieu of sufficient on site Public Open Space of £12,771 & enhancements and maintenance of facilities at Galloway Green and Lower Heath Community Space of £9889.56 for enhancements and £32,238 for maintenance
- Provision of Public Art to be incorporated into Public Open Space (No less than £10,000)
- Commuted sum of £55,000 towards sustainable modal choice provision for the A34
- Commuted sum of £20,000 for alterations to speed limits on the A34 corridor speed limit adjustments and accessibility works on the A34 corridor
- Landscape and Habitat Management Plan

And subject to the following conditions:-

1. A01TR - Retention of trees, hedgerows & ditch
2. A02TR - Tree protection
3. A01LS - Landscaping - submission of full details
4. A02LS - Submission of landscaping scheme - including hard surfacing, street furniture
5. A04LS - Landscaping (implementation)
6. A19MC - Refuse storage facilities to be approved
7. Commencement of development
8. Time limit for submission of reserved matters (within 3 years)
9. Submission of reserved matters
10. Implementation of reserved matters
(Plans/reports/surveys/statements)
11. Compliance with parameter plans - including limitation on building heights
12. The reserved matters application shall comprise no more than 45 dwellings
13. Submission of further ecological survey with Reserved Matters application
14. Protection of nesting birds, and incorporation of features for breeding birds
15. Submission of a detailed Arboricultural Implications Survey with Reserved Matters application
16. Existing and proposed site levels, contours and cross-sections should be submitted with reserved matters application
17. Landscape Masterplan to be submitted with reserved matters application, to include POS & landscape buffer
18. Submission of a detailed Public Open Space landscape management and maintenance plan
19. Vehicular access to be taken off Manchester Road
20. Full details of vehicular access to be determined at the reserved matters stage
21. Construction of access onto A34 prior to first occupation of the development
22. Construction Method Statement
23. Submission of a construction management plan with reserved matters application

24. Information on walking, cycling and public transport to be provided in each building
25. Hours of Construction
26. Submission of lighting scheme with reserved matters application
27. Submission of a foul/surface water drainage scheme with Reserved Matters application
28. Provision of 5m wide buffer zone alongside watercourses
29. Submission of SUDS with reserved matters application
30. Submission of robust travel planning with reserved matters application
31. Submission of direct measures to reduce the effects of increased transport emissions
32. Submission of dust control scheme with reserved matters application
33. Submission of an acoustic assessment with the Reserved Matters application, to assess the noise impact adjacent to Manchester Road
34. Submission of a site waste management plan with reserved matters application
35. Details of any pile driving to be submitted with Reserved Matters application
36. Noise mitigation measures to be carried out in accordance with submitted scheme

(The meeting adjourned for lunch at 1.00pm and reconvened at 1.40pm).

- 44 **13/1806M COTTONS HOTEL, MANCHESTER ROAD, KNUTSFORD, CHESHIRE WA16 0ED: EXTENSION TO TIME LIMIT FOR APPLICATION 09/1485M- THREE STOREY EXTENSION TO PROVIDE A NET ADDITION OF 27NO. BEDROOMS AND ASSOCIATED ADDITIONAL ON SITE PARKING (RESUBMISSION OF 08/2233P) FOR SHIRE HOTELS LIMITED**

Consideration was given to the above application.

RESOLVED

That the application be referred to the Secretary of State under The Town and Country Planning (Consultation) (England) Direction 2009 [as Green Belt Development] with a recommendation that the extension to the time limit be granted subject to the completion of a Section 106 Agreement requiring the submission, operation and monitoring of a site travel plan and subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application
4. A01HP - Provision of car parking prior to occupation
5. A04HP - Provision of cycle parking prior to occupation
6. A07HP - Details of drainage and surfacing of hardstanding areas to be submitted
7. A01LS - Landscaping - submission of details
8. A04LS - Landscaping (implementation)
9. Surface water drainage system - details to be submitted
10. Provision for roosting bats and breeding birds
11. Development to be carried out in accordance with arboricultural statement

If the application is not determined by the Secretary of State, the Planning and Place Shaping Manager is given delegated authority in consultation with the Chairman of the Strategic Planning Board to approve it subject to the conditions as specified.

It was requested that an informative be included to advise that further time extensions would not be considered favourably.

45 12/4866W DANES MOSS LANDFILL SITE, CONGLETON ROAD, GAWSWORTH, MACCLESFIELD, CHESHIRE SK11 9QP: TO DEVELOP AND OPERATE A TEMPORARY WASTE TRANSFER STATION; RETENTION OF THE EXISTING ACCESS ROAD, CAR PARKING AND WEIGHBRIDGE/WEIGHBRIDGE OFFICE; REALIGNMENT OF THE INTERNAL HAUL ROAD; HARDSTANDINGS; EARTHWORKS; SURFACE WATER MANAGEMENT SYSTEM; LANDSCAPING AND OTHER ANCILLARY DEVELOPMENT FOR A PERIOD UP UNTIL DECEMBER 2027 FOR MR MATTHEW HAYES

(Prior to consideration of the application, Councillor J Hammond left the room in accordance with the declaration he had made earlier on in the meeting. He returned once a decision on the application had been made).

Consideration was given to the above application.

(Jack Tregoning, 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 update report to Board (as corrected orally to refer to 'volume' not 'area'), the application be

referred to the Secretary of State under The Town and Country Planning (Consultation) (England) Direction 2009 [as Green Belt Development] with a recommendation that the application be approved subject to the following:

1. Standard conditions
2. No operation of the WTS until all landfilling ceases (not including restoration activities)
3. Cessation of WTS by 31st December 2027
4. Restricted overall throughput of 60,000tpa
5. Restrictions on processing of waste
6. All waste unloading/handling to take place within the building
7. Roller shutter doors to remain closed, aside from when in use by vehicles
8. Hours of working
9. Scheme for the control on dust
10. Restrictions on highway movements, including no more than 3 vehicles before 10am on Sundays
11. Access arrangements
12. Sheeting of vehicles
13. Submission of details of building materials
14. Noise mitigation scheme
15. Details of piling activities
16. Set noise levels
17. Scheme of noise monitoring
18. Odour mitigation scheme
19. Scheme for foul/surface water disposal
20. Control of water pollution
21. Details of lighting and restrictions on its use
22. Badger survey
23. Breeding bird survey and bird/bat mitigation
24. Safeguarding of retained habitat during construction
25. Construction environmental management plan
26. Landscape scheme (whilst building in operation)
27. Final restoration scheme (once building is removed)

If the application is not determined by the Secretary of State, the Planning and Place Shaping Manager is given delegated authority in consultation with the Chairman of the Strategic Planning Board to approve it subject to the conditions as specified.

46 13/1421N LAND TO THE REAR OF BRIDGE STREET, (ACCESS FROM SALLY CLARKES LANE) WYBUNBURY: OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT AT 30 DWELLINGS PER HECTARE NET WITH PRIMARY ACCESS OFF SALLY CLARKE'S LANE AND OTHER MATTERS RESERVED FOR MR & MRS G POOLE

Consideration was given to the above application.

(Mrs Clark, an objector and Colin Bowen, the agent for the applicant attended the meeting and spoke in respect of the application. In addition the Planning and Place Shaping Manager read out a statement on behalf of the Ward Councillor Mrs J Clowes).

(The Principal Planning Officer advised that reference in the planning application to access from Sally Clarkes Lane should be removed).

RESOLVED

That for the application be refused for the following reason:-

1. The proposed residential development is unsustainable because it is located within the Open Countryside, contrary to Policy NE.2 (Open Countryside) and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance. 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 contrary to the emerging Development Strategy. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.

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 Planning and Place Shaping Manager 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.

Should this application be the subject of an appeal, authority be delegated to the Planning and Place Shaping Manager in consultation with the Chairman of the Strategic Planning Board to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

47 CHESHIRE FRESH, MIDDLEWICH: APPROVAL SOUGHT FOR DELEGATION TO CHESHIRE WEST AND CHESTER COUNCIL

Consideration was given to the above report.

(Mr Suckley, the agent for the applicant attended the meeting and spoke in respect of the item).

RESOLVED

That authority be delegated to Cheshire West & Chester Council to determine the forthcoming application for Cheshire Fresh, Middlewich.

48 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 5 and 6 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.

49 WHITE MOSS QUARRY, BARTHOMLEY-UPDATE ON LOCAL GOVERNMENT OMBUDSMAN REPORT

Consideration was given to the above report.

RESOLVED

That the report be noted and the approach recommended be endorsed subject to one alteration to require the matter to revert to Members prior to further review.

The meeting commenced at 10.30 am and concluded at 4.30 pm

Councillor H Davenport (Chairman)