

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 9th October, 2013 at The Capesthorpe Room - Town  
Hall, Macclesfield SK10 1EA

### **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, J Wray and D Newton  
(Substitute)

### **OFFICERS IN ATTENDANCE**

Ms P Cockroft (Principal Planning Officer), Ms S Dillon (Senior Lawyer), Mr D  
Evans (Principal Planning Officer), Mr B Haywood (Principal Planning Officer),  
Mr S Irvine (Planning & Place Shaping Manager), Mr N Jones (Principal  
Development Officer), Mr T Poupard (Senior Planning Officer) and Mrs E  
Tutton (Principal Planning Officer)

### **77 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors P Edwards and C  
Thorley.

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

It was noted that Members had received correspondence in relation to a  
number of items on the agenda.

In the interest of openness in relation to applications 13/3575M and  
13/3576M, Councillor Mrs J Jackson declared that she was on the  
Executive Committee of Cheshire Peaks & Plains Tourism Association.  
The applications had never been discussed by the Committee, but the  
association did support the tourist economy in the area. In addition she  
was a member of 'Make it Macclesfield' who had been approached by  
Mottram Hall to support the application. The Group declined to be  
involved in commenting on any Planning applications.

In the interest of openness in relation to the same applications, Councillor  
G Walton declared that he was on the Executive Committee of Cheshire  
Peaks & Plains Tourism Association. The applications had never been  
discussed by the Committee, but the association did support the tourist  
economy in the area.

In the interest of openness in relation to application 13/3025N, Councillor J Hammond declared that he was a member of the Cheshire Wildlife Trust who had been a consultee on the application, however he had not made any comments in respect of the application.

## **79 MINUTES OF THE PREVIOUS MEETING**

RESOLVED

That the minutes be approved as a correct record and signed by the Chairman.

## **80 PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

## **81 13/2224N-PROPOSED RESIDENTIAL DEVELOPMENT OF UP TO 120 DWELLINGS, HIGHWAY WORKS, PUBLIC OPEN SPACE AND ASSOCIATED WORKS, LAND WEST OF AUDLEM ROAD, AUDLEM, CHESHIRE FOR GLADMAN DEVELOPMENTS LTD**

Consideration was given to the above application.

(Councillor Mrs J Clowes, the neighbouring Ward Councillor, Parish Councillor G Seddon, representing Audlem Parish Council, David Siddorns, representing Audlem Parish Planning Group/Village Design Statement Team and Heather Jones, representing Audlem Medical Practice, an objector attended the meeting and spoke in respect of the application).

RESOLVED

That the Board be minded to refuse the application 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 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 proposal would involve the removal of an “important” hedgerow as defined in the Hedgerow Regulations 1997. Policy NE5 of the local plan states that the Local Planning authority will protect, conserve and enhance the natural conservation resource where, inter alia, natural features such as hedgerows are, wherever possible, integrated into landscaping schemes on development sites. In the absence of overriding reasons for allowing the development and the proposal is therefore contrary to Policy NR3 of the adopted Borough of Crewe and Nantwich Replacement Local Plan 2011.
4. Insufficient information has been submitted to demonstrate that, at the proposed density, the scheme would provide for the retention and protection of existing trees of amenity value and therefore the applicant has failed to demonstrate that the proposal complies with 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.
5. On the basis of the information submitted, the applicant has failed to demonstrate that the scheme provides for a sufficiently high quality of design for buildings and public spaces which will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. In so doing, the proposal will also fail to take the opportunities available for improving the character and quality of an area and the way it functions and to establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live and visit contrary to the provisions of the National Planning Policy Framework and policies BE2 (Design) and BE3 (Access and Parking) of the Borough of Crewe and Nantwich Replacement Local Plan 2011
6. Insufficient information has been submitted to demonstrate that, at the proposed density, the scheme would provide for an adequate standard of amenity for existing and future occupiers and therefore the applicant has failed to demonstrate that the proposal complies with Policy BE1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

7. The proposal fails to make adequate provision for infrastructure requirements and community facilities, in the form of medical provision, the need for which arises directly as a consequence of the development, contrary to policy BE 5 of the adopted Borough of Crewe and Nantwich Replacement Local Plan. It is therefore socially unsustainable contrary to the provisions of the National Planning Policy Framework.

Additionally, given the Appeal is proceeding to ensure appropriate provision of affordable housing and play space provision on site, it is also recommended that the Borough Solicitor be authorised to enter into a S106 Legal Agreement/ Unilateral Undertaking to secure:

- £10,000 for speed limit changes
- £261,483 for secondary education
- Provision of on-site open space including skate park
- Private residents management company to maintain all on-site open space
- 30% of the total dwellings as affordable with the tenure split of the affordable dwellings being 65% affordable rented and 35% intermediate.
- Detailed scheme of size, number, tenures and types of affordable dwellings to be submitted with each phase of reserved matters
- Affordable housing to be pepper-potted,
- Affordable housing to be provided no later than occupation of 50% of the open market dwellings (or 80% if the development is phased and has high levels of pepper-potting),
- Affordable housing to be built to meet the Design & Quality Standards required by the Homes & Communities Agency and meets Code for Sustainable Homes Level 3.
- Affordable housing to be transferred to and managed by a Registered Provider as set out in the Housing Act 1996.

(Prior to consideration of the following item, Councillor Mrs Rachel Bailey arrived to the meeting and Councillor S Wilkinson left the meeting and did not return).

**82 13/3210N-OUTLINE APPLICATION FOR THE ERECTION OF UP TO 36 DWELLINGS, ACCESS WORKS AND OPEN SPACE, LAND EAST OF 22, HEATHFIELD ROAD, AUDLEM FOR MR FRANK HOCKENHULL, HOCKENHULL PROPERTIES LTD**

Consideration was given to the above application.

(Parish Councillor Heather Jones, representing Audlem Parish Council, Stephen Amies, representing Heathfield Road Residents' Association, David Latchford, an objector and Mr Frank Hockenhull, the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That the application be refused for the following reasons:-

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.
2. The proposed access to plots 19 and 20, on Mill Lane is not suitable for further development. The proposal would therefore have a significant adverse impact on highway safety. The development would therefore be contrary to Policy BE.3 (Access and Parking) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the National Planning Policy Framework.
3. Insufficient information has been submitted with the application relating to bats in order to assess adequately the impact of the development having regard to the issue of protected species. In the absence of this information, it has not been possible to demonstrate that the proposal would comply with Development Plan policies, the NPPF and other material considerations.
4. The proposal fails to make adequate provision for infrastructure requirements and community facilities, in the form of medical provision, the need for which arises directly as a consequence of the development, contrary to policy BE 5 of the adopted Borough of Crewe and Nantwich Replacement Local Plan. It is therefore socially unsustainable contrary to the provisions of the National Planning Policy Framework.

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.

**83 13/2604C-RESERVED MATTERS APPLICATION FOR ACCESS/APPEARANCE/LANDSCAPING/LAYOUT AND SCALE ON OUTLINE APPLICATION 11/0736C - REDEVELOPMENT OF LAND FOR UP TO 200 DWELLINGS, COMMUNITY FACILITIES AND ASSOCIATED INFRASTRUCTURE, LOACHBROOK FARM, SANDBACH ROAD, CONGLETON FOR BOVIS HOMES**

Consideration was given to the above application.

(Barry Herrod, representing the applicant attended the meeting and was questioned by the Board).

**RESOLVED**

That for the reasons set out in the report and in oral update to Board the application be approved subject to the following conditions:-

1. Time limit
2. Details in Accordance with Outline Approval
3. Plan References
4. Phasing in accordance with approved details
5. Facing materials (bricks/render/tiles/doors/garages) in accordance with approved details
6. Surface materials (pedestrian & vehicle areas) in accordance with approved details
7. Boundary treatments in accordance with approved details
8. Landscape scheme (for the housing estate and domestic gardens) in accordance with approved details
9. POS area in accordance with approved details
10. Landscaping implementation (incl. protection) to an agreed timescale
11. Tree protection (for the housing estate) in strict accordance with the Tree Retention, Removal and Protection Plan
12. Construction Specification/Method Statement (footpath adjacent to Oak T4 serving Plots 88-94).
13. Bins stores in accordance with approved details
14. Footpaths links in accordance with approved details
15. Access in accordance with approved details (req. Section 38 agreement under the Highways Act 1980).

In the event of any changes being needed to the wording of the Boards' decision (such as to delete, vary or add additional conditions / informatives /

planning obligations or reasons for approval / refusal) prior to the decision being issued, the Planning and Place Shaping Manager, in consultation with the Chairman of the Strategic Planning Board is delegated the authority to do so, provided that he does not exceed the substantive nature of the Board's decision.

**84 13/3314M-GLASSHOUSE FOR TOMATO PRODUCTION WITH ASSOCIATED HARD STANDING, FRESH WATER TANK, HEAT STORAGE TANK, PACKAGE TREATMENT PLANT AND LANDSCAPING RESUBMISSION OF 12/3873M, STOCKS LANE, PEOVER SUPERIOR FOR C RUDD, FRANK RUDD & SONS**

Consideration was given to the above application.

**RESOLVED**

That for the reasons set out in the report and in the update to Board the application be approved 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. A02LS - Submission of landscaping scheme
5. A04LS - Landscaping (implementation)
6. A04NC - Details of drainage
7. A22GR - Protection from noise during construction (hours of construction)
8. In accordance with Great Crested newt Impact Assessment
9. Details of location and design of newt pond proposed
10. Details of site access arrangements (including surface materials) and visibility splays
11. Any gates set back a min 7 metres from the highway
12. Noise from fixed plant and machinery
13. Submission of Construction Management Plan to Local Planning Authority

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

(The meeting adjourned for lunch from until 1.25pm until 2.15pm. Councillor P Mason left the meeting and did not return).

**85 13/3575M-PROPOSED ERECTION OF A MARQUEE AT MOTTRAM HALL HOTEL (RESUBMISSION), MOTTRAM HALL HOTEL, WILMSLOW ROAD, MOTTRAM ST ANDREW, MACCLESFIELD FOR ANDREW O'BRIEN, DE VERE HOTELS & LEISURE**

Consideration was given to the above application.

(Councillor P Findlow, the Ward Councillor, Mrs Thelma Jackson, an objector and Robert Cook, CEO of De Vere Hotels, 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 oral update to Board the application be approved subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A06EX - Materials as application
3. A04TR - Tree pruning / felling specification
4. Time limit of 4 years from 1st occupation
5. Prior to 1st occupation, submission of a scheme in respect of the operation of the demountable arm
6. The hours of operation of the marquee shall be limited to 08.00 to 24.00 Monday to Thursday, and 08.00 to 00.30 on Friday to Sunday including Public Holidays, with the exception of New Years Eve, where the hours shall be limited to 08.00 to 01.00.

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

(The meeting adjourned for a short break. During the break the Senior Lawyer felt that further clarification was required regarding the additional condition relating to noise which Members had requested be included as a further condition. After the adjournment it was explained to Members that to simply add a condition relating to noise was unsatisfactory and that further explanation of what the noise condition should be was needed. Members came to an agreement on how the noise condition should be worded and for the avoidance of any doubt the vote was retaken).



**86 13/3576M-LISTED BUILDING CONSENT FOR PROPOSED ERECTION OF A MARQUEE AT MOTTRAM HALL HOTEL, MOTTRAM HALL HOTEL, WILMSLOW ROAD, MOTTRAM ST ANDREW, MACCLESFIELD FOR ANDREW O'BRIEN, DE VERE HOTELS & LEISURE**

Consideration was given to the above application.

**RESOLVED**

That for the reasons set out in the report the application be approved subject to the following conditions:-

1. A07LB - Standard Time Limit
2. A06EX - Materials as application
3. Time limit of 4 years from 1st occupation
4. Prior to 1st occupation, submission of a scheme in respect of the operation of the demountable arm

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

**87 13/3041M-EXTENSION TO TIME LIMIT OF 03/2155P - ERECTION OF 2 NO. THREE/FOUR STOREY OFFICE BLOCKS (RESUBMISSION OF 02/1973P), LAND AT JUNCTION OF EARL ROAD AND EPSOM AVENUE, HANDFORTH FOR ORBIT INVESTMENTS (PROPERTIES) LTD**

Consideration was given to the above application.

**RESOLVED**

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

- Financial contribution of £17,728 to CEC for bus stops in the vicinity.
- Financial contribution of £17,728 to Stockport MBC for bus stops in the vicinity.
- Financial contribution of £65,372 to CEC for improvements to provision for pedestrians and cyclists in the vicinity
- Financial contribution of £65,372 to CEC towards public transport improvements

- Financial contribution of £200,548 to Stockport MBC towards junction improvements in the Borough of Stockport.

And subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. AEX41 - Materials to be as stated within the application
4. ALSA1 - Submission of landscaping scheme
5. ALS21 - Implementation of landscaping scheme
6. ALS61 - Landscaping - details of boundary treatment to be submitted
7. Approved access provided prior to occupation
8. Access - visibility splays
9. No Gates to be erected across approved access
10. Pedestrian routes to be provided into the site
11. service vehicle car parking to be provided prior to occupation
12. Car parking to be provided for all buildings within the site
13. Cycle stores to be provided
14. Short-stay / visitor cycle parking
15. Parking of 20 motorcycles
16. Access drive surfaces
17. Pedestrian visibility splays
18. Surface water drainage system
19. Shower and drying facilities to be provided
20. Public transport to be provided
21. External lighting details to be approved
22. Phasing for car parking and travel planning
23. Interim Travel Plan to be submitted
24. No occupation before Interim Travel Plan
25. Detailed Travel Plan to be submitted
26. Revised Detailed Travel Plan every 2 years
27. Building to be occupied under terms of travel plan
28. Badger survey to be submitted
29. Breeding birds survey to be submitted.

**88 WITHDRAWN-13/3018N-OUTLINE APPLICATION FOR UP TO THIRTY NINE HOUSES OF MIXED TYPE TO INCLUDE 30% AFFORDABLE, 414, NEWCASTLE ROAD, HOUGH FOR MR DAVID WOOTON**

This application was withdrawn prior to the meeting.

**89 13/3025N-THE ERECTION OF 44 DETACHED/TERRACED DWELLINGS, PARKING AND AMENITY SPACE; AND THE CREATION OF PUBLIC OPEN SPACE, INCLUDING APPEARANCE, LANDSCAPING, LAYOUT AND SCALE. THE ORIGINAL OUTLINE APPLICATION WAS NOT AN ENVIRONMENT IMPACT ASSESSMENT APPLICATION, LAND OFF VICARAGE ROAD, HASLINGTON FOR ELAN HOMES LTD/MULLER STRATEGIC LTD**

Consideration was given to the above application.

(Parish Councillor Hovey, representing Haslington Parish Council and Paul Darwin, representing the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be deferred for further discussions with Officers and the developer regarding the layout of the application site to ensure further consideration be given to the location of the affordable housing and whether there was a justifiable need for alleyways to be included within the design.

(This decision was contrary to the Officers recommendation of approval).

**90 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 Paragraph 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.

**91 UPDATE FOLLOWING THE REFUSAL OF PLANNING APPLICATION  
12/4146C, LAND OFF DUNNOCKSFOLD ROAD, ALSAGER**

Consideration was given to the above report.

**RESOLVED**

That the Council contends the appeal on the following basis:-

The proposal would involve the removal of an “important” hedgerow as defined in the Hedgerow Regulations 1997. Policy NR3 of the adopted Congleton Borough Local Plan First Review, states that proposals for development that would result in the loss or damage to important hedgerows will only be allowed if there are overriding reasons for allowing the development. For the reasons stated in reason for refusal 1, in this case there are not considered to be any overriding reasons for allowing the development and the proposal is therefore contrary to Policy NR3 of the adopted Congleton Borough Local Plan First Review.

The meeting commenced at 10.30 am and concluded at 5.20 pm

Councillor H Davenport (Chairman)