

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 4th December, 2013 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

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

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

OFFICERS IN ATTENDANCE

Mr N Curtis (Principal Development Officer), Ms S Dillon (Planning Lawyer),
Mr D Evans (Principal Planning Officer), Mr N Hulland (Planning Officer), Mr D
Malcolm (Southern Area Manager) and Miss E Williams (Principal Planning
Officer)

115 APOLOGIES FOR ABSENCE

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

116 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 13/2035 N, Councillor
J Hammond declared that he was a member of the Cheshire Wildlife Trust
who had been consulted on the application, however he had not made any
comments in respect of the application.

In the interest of openness and total transparency in respect of
applications 10/0692W and 13/3774W, Councillor J Hammond declared
whilst he had no involvement in discussions relating to these applications,
his appointment as a Director of the Shadow Board of ANSA
Environmental Services Ltd who would be delivering Waste Management
Services on behalf of the Authority could give the public perception that
the Company of which he was a Director of had a pecuniary interest. As a
result he left the room prior to consideration of both of the applications and
returned to the meeting only once the decision had been made.

In the interest of openness in respect of agenda item 8 (Consultation
report), Councillor P Edwards declared that he was a member of
Middlewich Town Council who had been a consultee on the application.

In the interest of openness in respect of the same item, Councillor S
Wilkinson declared that he had traded with some of the companies
involved in the report.

117 **PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

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

118 **13/2035N-OUTLINE PLANNING APPLICATION INCLUDING MEANS OF ACCESS FOR EMPLOYMENT DEVELOPMENT COMPRISING LIGHT INDUSTRY, GENERAL INDUSTRIAL AND STORAGE AND DISTRIBUTION USES (B1(C)/B2/B8 USE CLASSES) ON LAND AT THE FORMER WARDLE AIRFIELD, CHESHIRE, LAND AT THE FORMER WARDLE AIRFIELD, WARDLE, NANTWICH, CHESHIRE FOR PHILLIP POSNETT, HAUGHTON ESTATE**

Consideration was given to the above application.

(Dr Webster, representing Alpraham Parish Council, Parish Councillor Smith, representing Calveley Parish Council, Jo Kenwright, an objector, Mr Pearce, a Supporter and Conor Valleley, 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 to Board the application be approved subject to the completion of a Section 106 Agreement securing the following:-

- Applicant will provide a Travel Plan which will secure public transport improvements and a monitoring mechanism to address future employment user shift patterns and for the implementation of an extension to public bus services to serve the site for a period of 5 years at £20,000 per annum at a total sum of £100,000.
- Payment of £103,222 to address issues of highways safety, amenity and reduction in severance in the villages of Calveley and Alpraham including improved gateway features, matrix signs and pedestrian crossing. Also a £12,000 contribution to HGV weight restrictions and signage (to be enforced by a Traffic Regulation Order) on Calveley Hall Lane – The trigger is delegated to the Planning and Place Shaping Manager in consultation with the Chair of the Strategic Planning Board.
- Payment of £85,963 to address issues of highways safety, amenity and reduction in severance in the villages of Wardle and Barbridge to provide matrix signs and a pedestrian crossing – The trigger is delegated to the Planning and Place Shaping Manager in consultation with the Chair of the Strategic Planning Board.

- Payment of £28,500 towards junction improvements at Reaseheath Roundabout – financial contribution triggered at 45,000sqm of the development being complete and only in the circumstance where improvements to the Reaseheath Roundabout/A51 are not delivered through the North West Nantwich/Kingsley Fields scheme (application ref 13/2471N).
- Payments of £155,000 towards junction improvements at Alvaston Roundabout and £44,000 towards junction improvements at Peacock Roundabout – both financial contributions triggered at 65,000sqm of the development being complete.
- Payment of £448,602 towards provision of a new junction at Burford Crossroads – financial contribution triggered at 35,000sqm of the development being complete.

And subject to the following conditions:-

1. The subsequent approval by the Local Planning Authority before development of each phase commences of the appearance, layout and scale of the proposed building(s), structures and public art and the positions and the landscaping of the site, in accordance with the phasing defined in condition 5 below.
2. Application for reserved matters must be made not later than the expiration of three years from the date of this permission.
3. Development to be implemented within 3 years of the date of this outline permission or expiry of 2 years from final approval of the last of the reserved matters.
4. Approved Plans
5. Details of phasing to be submitted to the LPA for approval in writing
6. The uses of land and principles of development shall comply with the details shown on drawing number PL1132.PA.003 except that the building heights shall not exceed the limitations stated in condition 11 below. The development shall provide a maximum of 135,000sqm of floorspace in accordance of floorspace in accordance with the following ratios:
 - 40% B1 (c) Light industry
 - 20% B2 General industry
 - 40% B8 Storage and distribution
7. All reserved matters applications to include site survey and details of proposed site and slab levels.
8. Notwithstanding the submitted application, the first reserved matters application for the development hereby approved shall include the principles of the structure planting for the whole of the development site. The submission shall include the principles of planting together with a timetable for the implementation of the planting. The development shall proceed in accordance with the principles approved under this submission.
9. The structural planting for the whole site shall be completed in accordance with the details submitted and approved under the above condition prior to the first occupation of any units on this site.
10. Notwithstanding the submitted landscaping information, the first reserved matters application for each phase of the development shall include details of structure planting for each plot in that phase. The

submitted details shall include type of planting (eg whether frontage planting, hedgerow planting on boundaries between plots, corner planting, species etc) and shall make provision for maximising natural linkages across the development area.

11. Notwithstanding the submitted application and supporting information, and condition 6 above, the building heights shall not exceed the heights shown on the scale parameters plan reference PL1132.PA.001

12. No development shall take place within the application area until the applicant, or their agents or successors in title, has agreed a programme of archaeological mitigation in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.

13. The provision of art work at the entrance to the site noting the historical role of the site should be submitted to the Local Planning Authority.

14. Prior to the commencement of development a detailed scheme for improvements to the canal towpath between the site and Barbridge shall be submitted to the LPA for approval in writing. The approved towpath improvements shall be provided prior to the occupation of any floor space above 30,000sqm details.

15. Submission of an Arboricultural Implications Assessment

16. Submission of an Arboricultural Method Statement

17. Details of tree protection measures as part of each phase of development

18. Detailed protected species mitigation method statements (barn owl and badger) to be submitted in respect of the appropriate reserved matters applications.

19. Submission of a Habitat Creation and management plan as part of the first reserved matters application

20. Prior to the commencement of each phase of development detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds including house sparrow and swifts shall be submitted to the LPA for approval in writing. The proposals shall be permanently installed in accordance with approved details.

21. Prior to undertaking works on any phase of the development between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds. A report of the survey and any mitigation measures required to be submitted and agreed by the LPA.

22. Prior to the development commencing, a Construction Environmental Management Plan shall be submitted and agreed by the planning authority. The plan shall address the environmental impact in respect of air quality and noise on existing residents during the demolition and construction phase.

23. Notwithstanding the submitted application and supporting documents, a lighting strategy shall be submitted with the first reserved matters application for each phase which shall include the principles of illumination to be used for all developments in that phase. Development shall operate in accordance with the principles of the approved details.

24. Details of the Hours of operation of the units on the site shall be submitted to the LPA prior to the occupation of the relevant unit

25. All reserved matters applications to include Framework Travel Plan, to be followed by a travel plan and its implementation.
26. Car parking, motorised cycle parking and covered secure cycle parking for each plot, with showers in each building for use by all staff.
27. No development shall take place until a detailed design of any buildings and boundary treatment within a 50 metre buffer of the committed composting site is agreed with the Planning Authority. The design shall show that there are no inlets of air to buildings (e.g. vents, open entrances or opening windows) and that there are no communal open areas within the buffer zone.
28. Phase II Contaminated Land Report
29. No development shall take place until a scheme for the provision and management of a Buffer zone alongside the canal shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme prior to the occupation of any units on the site (in accordance with conditions 8 and 9) and any subsequent amendments shall be agreed in writing with the local planning authority.
30. Development shall not begin until a surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.
31. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
32. The route of the statutory public footpaths crossing the site shall be protected at all times during the course of the development to ensure that it is accessible by members of the public wishing to use it unless appropriate measures have been implemented for its closure, diversion or other alteration.
33. On each phase of the development the developer shall provide Electric Vehicle Infrastructure as part of this development. In addition a further number of parking spaces shall be provided with the necessary cabling and works to enable future provision of EV poles. These facilities shall be maintained throughout the lifetime of this development.
34. All infill materials brought onto the site for remodelling of the land or landscaping works shall be inert material.
35. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from car parking areas shall be passed through oil interceptors designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptors.
36. The first reserved matters application for each phase of the development shall include details of driver overnight facilities to be provided to serve each B2/ B8 unit in that phase of the development,

whether at that specific unit, on that phase of the development or for the whole of the development.

37. Notwithstanding the submitted application each reserved matters application for all B1, B2 and B8 development shall include details of covered secure cycle parking (and where appropriate motor cycle parking) at the unit together with details of shower facilities within the building. The approved cycle/ motor cycle parking and showers shall be provided before the building is first occupied and shall thereafter be retained. The cycle parking and showers shall be made available for use by all members of staff working at the building.

38. Control of Japanese Knotweed on the site.

39. Submission of an amended layout for the site access to incorporate the changes suggested by the RSA. The approved scheme shall be implemented in accordance with the approved details.

40. Lay-by on the A51

41. A suitable employment travel plan, with appropriate measures and targets, will be agreed to the satisfaction of the SHM prior to construction of the development.

42. The site layout for the development will make allowance for bus provision on the site; including up to two shelters and a turning area for buses.

43. Establishment of a Public Liaison Group

44. Submission of a Construction Management Plan to include waste management and a wheel washing facility

45. Prior to implementation of the scheme further consultation to take place with town and villages beforehand.

In the event of any changes being needed to the wording of the Board'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 Board'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.

(The meeting was adjourned from 12.40pm until 1.20pm for lunch).

119 **13/4462N-RE SUBMISSION OF 13/3058N FOR RESIDENTIAL DEVELOPMENT OF 40 HOUSES, LAND TO REAR OF, 11, EASTERN ROAD, WILLASTON FOR RICHARD LEE, RICHARD LEE LTD**

Consideration was given to the above application.

(Richard Lee, the applicant attended the meeting and spoke in respect of the application. In addition a statement was read out on behalf of the Ward Councillor B Silvester by the Southern Area Manager.).

RESOLVED

That for the reasons set out in the report and in the written update to Board the application be delegated to the Planning and Place Shaping Manager in consultation with the Chairman of the Strategic Planning Board for approval in order to consider any additional consultations received within the consultation period which closes on 4 December 2013, subject to the completion of a Section 106 agreement securing the following:-

1. A commuted payment of £17,795 towards off-site habitat creation/enhancement.
2. A commuted payment of £86,770 towards primary school education
3. A commuted payment of £67,000 towards the IDP Scheme of Improvement for the Peacock Roundabout
4. 30% Affordable Housing provision – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include: The numbers, type, tenure and location on the site of the affordable housing provision; The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing; The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved; The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
5. Public Open Space to be maintained by a private management company for the residents in perpetuity.
6. A commuted payment of a sum to be determined should be made towards providing a skate park or other children's play facility on the Parish Council owned open space on Wybunbury Road, Willaston

And subject to the following conditions:-

1. Time Limit (Outline)
2. Submission of reserved matters
3. Reserved Matters application made within 3 years
4. Approved plans
5. Prior submission of facing and roofing material details
6. Prior to first development the developer will provide a detailed suite of design plans for the development highway proposals which will inform the S38 agreement. Prior to first development the developer will provide a

detailed suite of design plans for the development highway proposals which will include the incorporation of cycling facilities which will inform the S38 agreement.'

7. Prior submission of a construction phase Environmental Management Plan (to include mitigation measures with regards to noise, waste and dust)
8. Hours of operation
9. The prior submission of a noise mitigation scheme
10. The prior submission of lighting details
11. Hours of piling
12. Prior submission of piling method statement
13. Prior submission of drainage details
14. Prior submission of a scheme to manage the risk of flooding from overland flow of surface water.
15. Prior submission of a traffic management plan for construction works
16. Prior submission of an Arboricultural Impact Assessment with fully updated Tree Survey, Tree Constraints and Tree Protection Plan
17. Trees which support roosting bats to be retained
18. Breeding birds
19. Prior submission of boundary treatment details
20. Submission of a Construction Method Statement to include car parking for construction vehicles
21. Prior submission of wheel wash facility details
22. Prior submission of Details of bin storage details

In the event of any changes being needed to the wording of the Board'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 Board'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.

(This was a change in the Officer's recommendation from one of approval to one of delegate to approve).

(Councillor D Brown left the meeting and did not return).

120 **10/0692W-TO CARRY OUT DEVELOPMENT WITHOUT COMPLYING WITH CONDITIONS ATTACHED TO 7/P05/1326 TO EXTEND THE OPERATION LIFE OF THE MAW GREEN LANDFILL FACILITY TO 31 DECEMBER 2017, RESTORATION BY 31 DECEMBER 2018, PERMIT A VARIATION TO THE SEQUENCE OF PHASING OF OPERATIONS ALONG WITH MINOR RE-CONTOURING TO THE**

SOUTH EAST OF THE SITE, MAW GREEN LANDFILL SITE, MAW GREEN ROAD, CREWE FOR 3C WASTE 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 and subject to receiving confirmation from the Property Portfolio Manager that they have noted the reliance being placed on the legal easement to enter the Phase 1 land for the purposes of carrying out gas and leachate monitoring/maintenance the recommendation for approval should be maintained as per the Strategic Planning Board report dated 2 June 2010; subject to:-

(1) Deed of variation to the existing Section 106 Planning Obligation to the extent described in the report to secure:

- diversion and maintenance in perpetuity Fowle Brook;
- long-term management of the restored nature conservation area on Cell 9a for a period of 15 years following the restoration of Cell 9a
- monitoring and maintenance of the leachate control system;
- monitoring the generation and extraction of landfill gas;
- Heavy Goods Vehicle routing; and
- Maintenance and management of a length of Maw Green Road.

(2) Planning permission being granted subject to conditions covering in particular: -

- All the conditions attached to permission 7/P05/1326 unless amended by those below;
- Approved plans;
- Revisions to existing approved restoration plan – replace with in interim and final restoration plan and associated restoration conditions;
- Revisions to existing phasing plans and associated phasing conditions;
- Revisions to existing pre-settlement contours, and associated contouring conditions;
- Additional surface water lagoon plan;
- Extension of time to 31st December 2017 with interim restoration of the site within 12 months or no later than 31st December 2018
- Final restoration as final restoration plan to be no later than 12 months following the cessation of production of leachate and landfill gas;
- Interim and final restoration proposals to be amended to include rough tussocky grassland to provide suitable habitat for breeding skylarks;
- Approved Method statement for protected species;
- Liaison Committee Scheme;
- Noise limits;
- Noise Monitoring Scheme;

Best practical site management for noise/ dust/ odour/ flies/ vermin/ birds/ litter control as per ES.

121 **13/3774W-VARIATION OF CONDITION 6 OF PLANNING
PERMISSION 11/3389N - VARIATION OF CONDITION ON NO 9 ON
PERMISSION 7/2009/CCC1, WHITTAKERS GREEN FARM, PEWIT
LANE, BRIDGEMERE, CHESHIRE FOR MR F H RUSHTON**

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report the application to vary the wording of condition 6 of permission 11/3389N be approved as follows:-

The importation of green waste to the site and the unloading of green waste vehicles shall only take place within the following periods:

0800-1800hrs Monday to Friday between 1st March and 31st October.
0800-1200hrs Saturday.

0800-1600 Monday to Friday between 1st November and 29th February.
0800-1200hrs Saturday.

No importation of green waste taking place outside these times or on Sundays.

Bank Holidays:

Subject to the provisions below, the importation of green waste to the site and the unloading of green waste vehicles on Bank or Public Holidays shall only take place between the hours of 0830 – 1600.

No importation of green waste material or unloading is permitted outside of these hours or on Christmas Day, Boxing Day or New Years Day.

In addition the Board agreed to the addition of a planning condition requiring the erection of appropriate signs for speed restriction and warning of pedestrians.

In the event of any changes being needed to the wording of the Board'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 Board'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.

122 **FULL APPLICATION FOR ERECTION OF A NEW AUCTION CENTRE FOR CHESHIRE AND ASSOCIATED LIVESTOCK ACCOMMODATION BUILDING, BARN AND PUMP HOUSE AND PARKING FOR CARS AND HGV'S WITH VEHICULAR ACCESS FROM A54. ESTATE ROAD AND ASSOCIATED INFRASTRUCTURE AND HARD AND SOFT LANDSCAPING. OUTLINE APPLICATION FOR FOOD INNOVATION AND ENTERPRISE CENTRE AND RELATED BUSINESS AND OFFICES, LIGHT INDUSTRIAL, MANUFACTURING AND DISTRIBUTION AREAS, MACHINERY DEALERSHIPS, HOTEL AND LEISURE AND RETAIL AREAS, FOOD COURT, CAFES, RESTAURANTS AND HOT FOOD ESTABLISHMENTS, LAND OFF HOLMES CHPAEL ROAD, MIDDLEWICH FOR CHESHIRE WEST & CHESTER COUNCIL**

Consideration was given to the above report.

RESOLVED

That subject to the following contributions to highway improvements and conditions as outlined below the scheme be fully supported:-

Contributions

A sum of £5000 to be provided to Cheshire East Council to improve the existing public footpath No 19 in Middlewich with a view to developing the right of way to encourage sustainable transport use to the development

A sum of £105,000 to be provided to the Cheshire East Council to allow for the improvements to the Leadsmithy/A54 junction or in the case where this junction has already been improved the sum to be used to assist in the delivery of the Middlewich eastern bypass

Suggested Conditions

General

- Time limits for detailed and reserved matters
- Details of materials
- Landscaping & Implementation
- Construction / Environmental Management Plan

Environmental Health

- Noise monitoring programme
- Hours of construction
- Odour control
- Provision of Electric vehicle infrastructure

Ecology

- 8m buffer alongside water courses
- Safeguarding breeding birds
- Compensatory planting for any loss of hedgerows

- Method statement for removal of Himalayan balsam

Commercial/Retail

- Define comparison and convenience goods floorspace
- Restricted goods for sale for each type of end user, e.g. garden centre, box park etc;
- Use classes in each “zone” of the development site
- Define the area of floorspace that may be used by particular types of end users;
- Prevent the subdivision of retail units or the merging together of smaller units;
- Prevent the introduction of mezzanine floors;
- Hours of operation/ trading for the business and retail units.

Highways

- A detailed scheme for the site access onto the A54 Holmes Chapel Road shall be submitted/approved
- A detailed scheme for the site access onto the Pochin Way (including relining of the cycle lane on Pochin Way carriageway and a pedestrian refuge) shall be submitted/approved
- Detailed scheme shall be submitted/approved for the off-site highway improvements on the A54 Holmes Chapel Road and Pochin Way roundabout.
- Detailed scheme shall be submitted/approved for the public right of way No 19 improvements between Pochin Way and Brooks Lane within Pochin Land ownership to include hard paving the surface and where possible widening of the footpath to accommodate cycles
- Details of Travel Plans to be submitted for each business

123 **NEWBOLD ASTBURY AND MORETON NEIGHBOURHOOD AREA APPLICATION**

This application was withdrawn from the agenda prior to the meeting.

The meeting commenced at 10.30 am and concluded at 3.00 pm

Councillor H Davenport (Chairman)