

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 30th April, 2014 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor H Davenport (Chairman)

Councillors Rachel Bailey, J Hammond, D Hough, P Hoyland, P Mason, B Murphy, D Newton (Substitute), L Smetham (Substitute), C G Thorley, G M Walton, S Wilkinson and J Wray

OFFICERS IN ATTENDANCE

Mr D Evans (Principal Planning Officer), Mr A Fisher (Head of Strategic & Economic Planning), Mr T Graham (Planning Solicitor), Mr N Jones (Principal Planning Officer), Mr R Law (Senior Planning Officer), Mr D Malcolm, Interim Planning & Place Shaping Manager), Mr P Mason (Senior Enforcement Officer), Ms S Orrell (Principal Planning Officer) and Miss E Williams (Principal Planning Officer)

210 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D Brown, P Edwards and Mrs J Jackson.

211 DECLARATIONS OF INTEREST/PRE DETERMINATION

In respect of application 13/0683W, Councillor J Hammond declared that although he had no involvement in discussion relating to the application, his position as Director of the Board of Ansa Environmental Services Limited who delivered Waste Services on behalf of the Authority could give the public perception that the Company of which he was a Director of has a pecuniary interest. In the interests of total openness and transparency he declared that he would leave the room whilst the application was being determined.

In the interest of openness in respect of applications 13/4216C and 13/4219C, Councillor J Hammond declared that he was a Member of the Cheshire Wildlife Trust who had been consulted on the applications, however he had not made any comments in respect of the applications.

In the interest of openness respect of applications 13/4749W and 14/0683W, Councillor Mrs L Smetham declared that she was the Ward Councillor for both applications and had attended Liaison meetings involving both application sites, however she had not formed an opinion on either application.

212 **MINUTES OF THE PREVIOUS TWO MEETINGS**

RESOLVED

That the minutes of the meetings held on 18 March 2014 and 2 April 2014 be approved as a correct record and signed by the Chairman subject to an amendment to the minutes of 2 April 2014 to include Councillor M Jones, Leader of the Council in the list of those people that spoke in respect of application 12/3948C.

213 **PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

214 **13/2389C LAND SOUTH OF, OLD MILL ROAD, SANDBACH:
OUTLINE PLANNING APPLICATION FOR UP TO 200 RESIDENTIAL
DWELLINGS, OPEN SPACE AND NEW ACCESS OFF THE A534/A533
ROUNDBABOUT AT LAND SOUTH OF OLD MILL ROAD FOR MULLER
PROPERTY GROUP**

Consideration was given to the above application.

(Councillor S Corcoran, the Ward Councillor and Carl Davey, the agent for the applicant 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 and would be harmful to the intrinsic character and beauty of the countryside, contrary to Policy PS8 of the Congleton Borough Local Plan First Review 2005, Policy PG5 of the emerging Cheshire East Local Plan Strategy - Submission Version and the principles of the National Planning Policy Framework, which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use. As such it and creates harm to interests of acknowledged importance. The Local Planning Authority can demonstrate a 5 year supply of housing land in accordance with the National Planning Policy Framework and consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan, to the emerging Development Strategy and the principles of the National Planning Policy since there are no

material circumstances to indicate that permission should be granted contrary to the development plan.

2. The proposal would 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 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 inefficient and contrary to Policy SE2 of the emerging Cheshire East Local Plan Strategy - Submission Version and the provisions of the National Planning Policy Framework.

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 Interim 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 Interim 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 for a short break).

215 **13/4749W W T L INTERNATIONAL LTD, TUNSTALL ROAD, BOSLEY, CHESHIRE, SK11 0PE: INSTALLATION OF A 4.8MW COMBINED HEAT AND POWER PLANT TOGETHER WITH THE EXTENSION OF AN EXISTING INDUSTRIAL BUILDING AND THE ERECTION OF EXTERNAL PLANT AND MACHINERY INCLUDING THE ERECTION OF A 30M EXHAUST STACK FOR BEL (NI) LTD**

Consideration was given to the above application.

(John Williams, representing the applicant 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 following conditions:-

1. Standard conditions
2. Sheeting of all vehicles transporting material
3. No processing of waste wood
4. All handling/storage of wood and ash within enclosed building
5. Ash stored in enclosed hopper

6. Details of acoustic barrier
7. Acoustic barrier to be installed prior to operation of the facility
8. Noise levels
9. lighting scheme
10. Control on number of vehicle movements
11. Restricted times for HGV movements
12. Piling method statement
13. Restricted hours for use of piling
14. Construction environmental management plan
15. Restricted hours of construction activities
16. Stack design details
17. Foul and surface water drainage scheme
18. Control of fuel types
19. Scheme for control of dust
20. Flood emergency plan
21. Scheme for additional screen planting to be submitted and approved in discussion with the Parish Council

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 Interim 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.

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

- 216 **14/0683W DANES MOSS LANDFILL SITE, CONGLETON ROAD, GAWSWORTH, MACCLESFIELD, CHESHIRE, SK11 9QP: TO DEVELOP AND OPERATE A TEMPORARY WASTE TRANSFER PAD; RETENTION OF THE EXISTING ACCESS ROAD, CAR PARKING AND WEIGHBRIDGE / WEIGHBRIDGE OFFICE; HARDSTANDINGS; EARTHWORKS; SURFACE WATER MANAGEMENT SYSTEM; LANDSCAPING AND OTHER ANCILLARY DEVELOPMENT FOR A TWO YEAR PERIOD FOR JACK TREGONING, 3C WASTE LTD**

Consideration was given to the above application.

(Jack Tregoning, the applicant attended and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report the application be referred to the Secretary of State for approval subject to the following conditions:-

1. Standard conditions

2. No operation of the facility until all landfilling ceases (not including restoration activities)
3. Cessation of operations within two year period
4. Restricted overall throughput of 40,000tpa
5. Restrictions on processing of waste
6. All waste unloading/handling to take place within the transfer pad
7. Hours of working
8. Scheme for the control on dust
9. Restrictions on highway movements
10. Sheeting of vehicles
11. Submission of construction environmental management plan
12. Noise mitigation scheme
13. Details of piling activities
14. Set noise levels
15. Scheme of noise monitoring
16. Scheme for foul/surface water disposal
17. Control of water pollution
18. Details of lighting and restrictions on its use
19. Badger survey
20. Breeding bird survey and bird/bat mitigation
21. Safeguarding of retained habitat during construction
22. Landscape scheme (whilst building in operation)
23. Final restoration scheme (once building is removed)

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 Interim 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.

(The meeting adjourned for lunch from 12.50pm until 1.35pm).

217 **13/4216C LAND WEST OF PADGBURY LANE, PADGBURY LANE, CONGLETON, CW12 4LR: OUTLINE PLANNING FOR THE DEVELOPMENT OF LAND TO THE WEST OF PADGBURY LANE, CONGLETON, FOR UP TO 150 DWELLINGS, COMMUNITY FACILITIES AND ASSOCIATED INFRASTRUCTURE FOR NORTHERN PROPERTY INVESTMENT COMPANY LTD**

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

Consideration was given to the above application.

(Councillor G Baxendale, the Ward Councillor, Councillor Mrs Rhoda Bailey, the Neighbouring Ward Councillor, Town Councillor Paul Bates, representing Congleton Town Council, Parish Councillor John Carter, representing Newbold Astbury & Moreton Parish Council and James

Green, representing West Heath Action Group attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reasons:-

1. Proposed residential development is unsustainable because it is located within the Open Countryside, contrary to Policy PS8 of the Congleton Borough Local Plan First Review 2005, Policy PG5 of the emerging Cheshire East Local Plan Strategy - Submission Version and the principles of the National Planning Policy Framework, which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use. As such it and creates harm to interests of acknowledged importance. The Local Planning Authority can demonstrate a 5 year supply of housing land in accordance with the National Planning Policy Framework and consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan, to the emerging Development Strategy and the principles of the National Planning Policy since there are no material circumstances to indicate that permission should be granted contrary to the development plan.

2. The proposal would 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 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 inefficient and contrary to Policy SE2 of the emerging Cheshire East Local Plan Strategy - Submission Version and the provisions of the National Planning Policy Framework.

3. Insufficient information concerning levels and the provision of footways has been submitted to demonstrate that the scheme, in providing footways to an adoptable standard; would provide for the retention and protection of existing trees of amenity value contrary to Policies GR1 and NR1 of the adopted Congleton Borough Local Plan First Review 2005 and policy SE3 and SE5 of the emerging Cheshire East local Plan and the provisions of the National Planning Policy Framework.

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 Interim 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 Interim Planning and Place Shaping Manager in consultation with the Chairman of the Southern Planning Committee, 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 to secure:-

- Affordable housing:
 - 30% of all dwellings to be affordable (65% social or affordable rented and 35% intermediate tenure)
 - A mix of 2 , 3 bedroom and other sized properties to be determined at reserved matters
 - units to be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration.
 - constructed in accordance with the Homes and Communities Agency Design and Quality Standards (2007) and should achieve at least Level 3 of the Code for Sustainable Homes (2007).
 - no more than 50% of the open market dwellings are to be occupied unless all the affordable housing has been provided, with the exception that the percentage of open market dwellings that can be occupied can be increased to 80% if the affordable housing has a high degree of pepper-potting and the development is phased.
 - developer undertakes to provide the social or affordable rented units through a Registered Provider who are registered with the Homes and Communities Agency to provide social housing.
- Contribution of £ 165,405 towards primary education. This contribution will be required to be paid on 1st occupation of the site
- Provision of minimum of 4320 sqm and of shared recreational open space and children's play space to include a NEAP with 8 pieces of equipment
- Private residents management company to maintain all on-site open space, including footpaths and habitat creation area in perpetuity
- Commuted Sum of £10,000 towards the delivery of quality bus stop infrastructure
- Provision of £5,000 over five years annual monitoring (£1000 per annum) of the Travel Plan and its annual statements
- Commuted Sum of £672,777 towards improvement of the Waggon and Horses Junction and the improvements at Barn Road roundabout or other measures that will provide similar congestion relief benefits to the A34 corridor through Congleton

- Commuted Sum payment of £174,000 in lieu of health related provision in accordance with the NHS Health Delivery Plan for Congleton

218 **13/4219C LAND WEST OF PADGBURY LANE, PADGBURY LANE, CONGLETON, CW12 4LR: OUTLINE PLANNING FOR THE DEVELOPMENT OF LAND TO THE WEST OF PADGBURY LANE, CONGLETON, FOR UP TO 120 DWELLINGS, UP TO 180 SQ. M OF HEALTH RELATED DEVELOPMENT (USE CLASS D1), COMMUNITY FACILITIES AND ASSOCIATED INFRASTRUCTURE FOR LOUISE WILLIAMS AND KATHLEEN FORD**

Consideration was given to the above application.

(James Green, representing West Heath Action Group 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 PS8 of the Congleton Borough Local Plan First Review 2005, Policy PG5 of the emerging Cheshire East Local Plan Strategy - Submission Version and the principles of the National Planning Policy Framework, which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use. As such it and creates harm to interests of acknowledged importance. The Local Planning Authority can demonstrate a 5 year supply of housing land in accordance with the National Planning Policy Framework and consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan, to the emerging Development Strategy and the principles of the National Planning Policy since there are no material circumstances to indicate that permission should be granted contrary to the development plan.
2. The proposal would 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 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 inefficient and contrary to Policy SE2 of the emerging Cheshire East Local Plan Strategy -

Submission Version and the provisions of the National Planning Policy Framework.

3. Insufficient information concerning the provision of an appropriate visibility splay, cycleway and footways to the access on Padgbury Lane has been submitted to demonstrate that the scheme would provide for the safe operation of the public highway for all users contrary to Policies GR9 of the adopted Congleton Borough Local Plan First Review 2005

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 Interim Planning and Place Shaping Manager has delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, 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 Interim 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 to secure:-

- Affordable housing:
 - 30% of all dwellings to be affordable (65% social or affordable rented and 35% intermediate tenure)
 - A mix of 2 , 3 bedroom and other sized properties to be determined at reserved matters
 - units to be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration.
 - constructed in accordance with the Homes and Communities Agency Design and Quality Standards (2007) and should achieve at least Level 3 of the Code for Sustainable Homes (2007).
 - no more than 50% of the open market dwellings are to be occupied unless all the affordable housing has been provided, with the exception that the percentage of open market dwellings that can be occupied can be increased to 80% if the affordable housing has a high degree of pepper-potting and the development is phased.
 - developer undertakes to provide the social or affordable rented units through a Registered Provider who are registered with the Homes and Communities Agency to provide social housing.

- Contribution of £112,475 towards primary education. This contribution will be required to be paid on occupation of the site

- Provision of minimum of 2880m² sqm and of shared recreational open space and children's play space to include a LEAP with 5 pieces of equipment within a minimum area of 4,000m²
 - Private residents management company to maintain all on-site open space, including footpaths and habitat creation area in perpetuity
 - Commuted Sum of £10,000 towards the delivery of quality bus stop infrastructure
 - Provision of £5,000 over five years annual monitoring (£1000 per annum) of the Travel Plan and its annual statements
 - Commuted Sum of £538,223 towards improvement of the Waggon and Horses Junction and the improvements at Barn Road roundabout or other measures that will provide similar congestion relief benefits to the A34 corridor through Congleton
- Committed Sum payment of £139,000 in lieu of health related provision in accordance with the NHS Health Delivery Plan for Congleton

219 13/5085N LAND TO THE EAST OF BROUGHTON ROAD, CREWE: THE ERECTION OF 124 DWELLING HOUSES, INCLUDING 44 AFFORDABLE UNITS, WITH ASSOCIATED HIGHWAYS AND OPEN AMENITY SPACE, LANDSCAPING AND ECOLOGICAL PROTECTION ZONE FOR WCE PROPERTIES LTD

Consideration was given to the above application.

(Andy Evanson, an objector and Richard Gee, representing 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 Policy PG5 of 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 design and layout is substandard and has missed the opportunities to deliver high quality development which makes a positive contribution to its surroundings. It therefore fails to satisfy the requirements of NPPF, By Design, Manual For Streets along with local plan policies BE.1 of the Crewe and Nantwich Local Plan and policies SE 1 and SD 2 of the Cheshire East Local Plan Strategy – Submission Version which seek to deliver high quality design and avoids development which fails to improve the character and quality of an area and the way it functions.

3. The proposed development would not provide the required level of affordable housing. The proposal would therefore not create a sustainable, inclusive, mixed and balanced community. The benefits of allowing this development would be limited and would be outweighed by the significant and demonstrable adverse impact. Therefore the proposal is not considered to be an acceptable form of development as a departure from the development plan and would be contrary to the Interim Planning Policy on Affordable Housing and Policies RES.7 (Affordable Housing), BE.3 (Access and Parking) and BE.5 (Infrastructure) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the National Planning Policy Framework.
4. The proposed development is not capable of providing sufficient mitigation for the local highway network, in particular the Sydney Road / Remur Street Corridor which would operate in excess of capacity as a result of the proposed development. The development would result in increased congestion on the local highway network and as a result, the transport impact of the development would be cumulatively severe and therefore the development is not considered to be sustainable. The proposal is contrary to the NPPF and Policies BE.3 and BE.5 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and Policies IN1 and IN2 of the Cheshire East Local Plan Strategy – Submission Version which seek to maximise sustainable transport solutions.

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 Interim 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 Interim 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.

220 **CHESHIRE EAST LOCAL DEVELOPMENT SCHEME 2014 -16**

(During consideration of the item, Councillor D Newton left the meeting and did not return).

Consideration was given to the above report.

RESOLVED

1. That the Portfolio Holder for Sustainable Communities be recommended to approve the *Draft Local Development Scheme 2014- 2016* (Annex A) be

approved subject to the adoption of the Plan being brought forward to December 2014; and

2. That, in accordance with Section 111 of the *Localism Act 2011*, the *Local Development Scheme 2014-2016* is brought into effect as of the 1 April, 2014.

The meeting commenced at 10.30 am and concluded at 4.50 pm

Councillor H Davenport (Chairman)