

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 24th April, 2024 in the Council Chamber - Town Hall,
Macclesfield, SK10 1EA

PRESENT

Councillor B Puddicombe (Chair)
Councillor S Gardiner (Vice-Chair)

Councillors M Brooks, J Clowes, S Edgar, D Edwardes, K Edwards,
T Jackson, H Seddon, L Braithwaite and L Smetham

OFFICERS IN ATTENDANCE

David Malcolm, Head of Planning
Paul Wakefield, Principal Planning Officer
Gareth Taylerson, Principal Planning Officer
Daniel Evans, Principal Planning Officer
Deborah Ackerley, Principal Planning Officer
Robert Law, Senior Planning Officer
Paul Griffiths, Major Projects Officer
James Thomas, Senior Planning and Highways Lawyer
Sam Jones, Democratic Services Officer

48 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors N Mannion and G Marhsall. Councillor L Braithwaite was present on behalf of Councillor N Mannion.

49 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness the following declarations were made:

Councillor B Puddicombe declared that, in relation to application 23/4152M, Members of the Strategic Planning Board had received communications from Richard Buxton Solicitor, and Councillor Puddicombe had received an email from Tim Roca, Parliamentary Candidate. Councillor B Puddicombe declared that he knew Tim Roca as a friend and Party colleague and friend, but they had not discussed the application.

Councillor B Puddicombe declared that, in relation to application 23/4152M, he knew public speaker Geoff Thompson, but had not discussed the application.

Councillor B Puddicombe declared that, in relation to application 22/0785N, all Members of the Strategic Planning Board had received communications from public speaker Peter Chapman.

Councillor B Puddicombe declared that, in relation to application 24/0130C, all Members of the Strategic Planning Board had received correspondence from the agent / applicant.

Councillor B Puddicombe declared that, in relation to application 23/1174M, he had been present as substitute Member on the Northern Planning Committee on 10 April 2024 where this application was previously heard and referred to Strategic Planning Board, and had spoken and voted on this application, whilst he was only predisposed to the application, to avoid any appearance of predetermination, he would vacate the chair for this item.

Councillor D Edwardes declared that, in relation to application 23/1174M, he had arrived late to the site visit on 19 April 2024 after other Members had left. Councillor D Edwardes spoke to the farmer on site but not in relation to the application.

Councillor L Braithwaite declared that, in relation to application 23/4152M, she had been present at the Economy and Growth Committee meeting on 26th January 2024 where the Poynton Pool Petition was presented but had not predetermined the application.

Councillor K Edwards declared that, in relation to application 23/1174M, he had been present as Member on the Northern Planning Committee on 10 April 2024 where this application was previously heard and referred to Strategic Planning Board and had spoken in favour of the application at that stage but was not predetermined on the application.

Councillor J Clowes declared that, in relation to application 23/1174M, she had been present at the Economy and Growth Committee meeting on 26th January 2024 where the Poynton Pool Petition was presented but had left the room for the discussion and had not predetermined the application.

Councillor H Seddon declared that, in relation to application 23/4152M, all Members of the Strategic Planning Board had received literature via the post.

Councillor T Jackson declared that, in relation to application 23/1174M, she had been present as Member on the Northern Planning Committee on 10 April 2024 where this application was previously heard and referred to Strategic Planning Board and had voted for refusal for the item and would leave the meeting for the item.

50 MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 27 March 2024 be approved as a correct record.

51 PUBLIC SPEAKING

RESOLVED:

The public speaker procedure was noted.

In advance of the meeting the Chair, Councillor B Puddicome, had agreed the speaking time for Item 5, application 23/4152M, would be extended to 5 minutes.

In advance of the meeting the Vice Chair, Councillor S Gardiner, had agreed the speaking time for Item 9, application 23/1174M, would be extended to 5 minutes.

52 23/4152M - THE DAM EMBANKMENT OF POYNTON POOL RESERVOIR, POYNTON PARK, LONDON ROAD NORTH (B5092), POYNTON

Minutes:

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:

Ward Councillor: Councillor Jos Saunders

Parish Councillor: Councillor Laurence Clarke

Adjacent Member: Councillor Mike Sewart, Councillor Beanland

Objectors: Stewart Tennant, Geoff Thompson

Agent / Applicant: Alan Brown

RESOLVED:

That the application be **DEFERRED** for the following reasons:

1. To consider and update where necessary any inaccuracies in the submitted data to ensure modelling is accurate.
2. To review the current condition and risks associated with the existing dam wall, and the impact caused by removal of trees on the dam.
3. Encourage engagement with third parties to consider / explain alternatives.
4. To instigate a further independent view, if necessary.
5. To review the location of the proposed mitigation and consideration of any alternatives

In order to give proper effect to the Board`s/Committee`s intent and without changing the substance of its decision, authority is delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

53 **22/0785N - LAND AT, BRADELEY GREEN LANE, WIRSWALL**

Minutes:

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:

Objectors: Peter Chapman

Agent / Applicant: Robert Ashbrook

RESOLVED:

For the reasons set out in the report, the application be **APPROVED** as recommended, subject to the following conditions:

1. 3 year time limit
2. Development in accordance with the approved plans
3. Details of proposed materials
4. Surface water drainage design
5. Electric Vehicle Charging provision
6. Landscaping scheme submission to include more species diversity in the tree planting scheme
7. Landscaping implementation
8. Hours of operation of driving range and flood lights
9. Angling/cowling of flood lights
10. Detailed specification, including depths, contours and side gradients of the proposed pond
11. Implementation of reasonable avoidance measures detailed within Appendix 7 of the Ecological Impact Assessment (eyebright ecology, October 2022)
12. A habitat creation method statement and a 30 year habitat management plan for the newly created habitats on site
13. Breeding birds to restrict development during nesting periods
14. Prior to development above foundation level, details of the proposed lighting scheme shall be submitted to and approved in writing by the Local Planning Authority.

The scheme should consider both illuminance (lux) and luminance (candelas/m²). It should include dark areas and avoid light spill upon bat roost features, bat commuting and foraging habitat (boundary hedgerows, trees, watercourses etc.) aiming for a maximum of 1lux light spill on those features.

The scheme should also include a modelled lux plan, and details of:

- a. Proposed lighting regime;
- b. Number and location of proposed luminaires;
- c. Luminaire light distribution type;
- d. Lamp type, lamp wattage and spectral distribution;
- e. Mounting height, orientation direction and beam angle;
- f. Type of control gear.

Any lighting shall only be installed in accordance with the agreed details/specification. Any change to the lighting specification shall be agreed in writing with the Local Planning Authority prior to any changes being made.

- 15. Contaminated land – Risk Assessment
- 16. Contaminated land – Verification Report
- 17. Contaminated land – Soil Importation
- 18. Contaminated land – Unexpected Contamination

In order to give proper effect to the Board`s/Committee`s intent and without changing the substance of its decision, authority is delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

54 **24/0130C - FORMER TWYFORD BATHROOMS SITE, LYNLEY LANE, ALSAGER**

Minutes:

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:

Ward Councillor: Councillor Rod Fletcher – Ward Councillor Rod Fletcher was unable to attend but provided a short statement which was read out by Sam Jones.

Agent / Applicant: Gary Morris

RESOLVED:

For the reasons set out in the report, and the update report, the application be **APPROVED** as recommended, subject to the following conditions:

- 1. Approved Plans – AS AMENDED
- 2. Proposed land levels to be in accordance with the approved plans – AS AMENDED
- 3. Surface water run-off details to be submitted and approved
- 4. A scheme to manage the risk of flooding from overland flow of surface water to be submitted and approved.
- 5. The construction of the petrol filling station hereby permitted shall not be commenced until such time as a scheme to install underground tanks associated with the petrol filling station has been submitted to,

and approved in writing by, the local planning authority. The scheme shall include the full structural details of the installation, including details of: excavation, the tanks, tank surround, associated pipework and monitoring system. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the local planning authority.

6. A scheme to dispose of surface water to be submitted and approved.
7. Unexpected contaminated land
8. Contaminated Land compliance with the details submitted as part of application 16/0454D. Site completion report to confirm validation works to be submitted.
9. Construction hours, and associated construction deliveries to the site, shall be restricted to 08.00 to 18.00hrs Monday to Friday and 09.00 to 14.00hrs on Saturdays. There shall be no working on Sundays or Bank Holidays.
10. All piling operations shall be restricted to: Monday – Friday 09:00 – 17:30 hrs, Saturday 09:00 – 13:00 hrs, Sunday and Public Holidays Nil
11. Construction Management Plan compliance with the details approved as part of application 16/1305D.
12. External Lighting Details
13. Hours of Deliveries to the Store to be submitted and agreed.
14. Details of Fixed Plant and Equipment to be submitted and agreed.
15. Scheme of security barriers/CCTV for the proposed car park to be submitted and agreed.
16. Materials as application
17. Breeding birds – timing of works
18. Nesting Bird Mitigation Measures
19. The proposed development shall proceed in accordance with the General Avoidance and Mitigation Measures detailed in paragraph 4.1.12 of the submitted Survey Report prepared by Ground Control dated March 2024. If development has not commenced by the 12th October 2024 an updated survey for other protected species and any revised mitigation and compensation measures required to be submitted to the LPA prior to commencement
20. Boundary Treatment Details including details of all retaining structures
21. Tree/Hedgerow protection measures in compliance with the details approved as part of 16/2762D.
22. Arboricultural Method Statement compliance with the details approved as part of 16/2762D.
23. Submission of a revised landscaping plan and implementation of the approved landscape proposals.
24. Cycle parking to be submitted and approved.
25. The net sales area shall be limited to 2,322sqm of which a maximum of 348sqm shall be for the display of comparison goods
26. Prior to first use all access roads and car parking will be constructed and formally marked out.
27. Travel Plan details to be submitted and approved.
28. Details of the culvert works to be submitted to the LPA for approval in writing

- 29. Minor structures details to be submitted and approved.
- 30. Solar panels to be provided prior to the store first opening
- 31. Prior to the store first being brought into use a scheme for the control and management of the car park; with a maximum 2-hour stay permitted shall be submitted and approved.

And the additional condition:

- 32. Construction traffic to be accessed via Linley Lane only.

And subject to completion of a Section 106 Agreement with the following Heads of Terms to replace the S106 Agreement completed as part of application 13/4121C:

S106	Amount	Triggers
Bus Service Contribution	£100,000	The full sum should be paid prior to the commencement of the above ground works of the store building. If the above ground works have commenced on the date the decision is issued, the sum shall be paid within 1 calendar month of the date of decision.
Linley Lane/B5077 junction improvement works and Linley Lane footway widening works	£300,000	The full sum should be paid prior to the commencement of the above ground works of the store building. If the above ground works have commenced on the date the decision is issued, the sum shall be paid within 1 calendar month of the date of decision.
Local Highway Works	£100,000	The full sum should be paid prior to the commencement of the above ground works of the store building. If the above ground works have commenced on the date the decision is issued, the sum shall be paid within 1 calendar month of the date of decision.

Should this application be the subject of an appeal, authority be delegated to enter into a S106 Agreement with the following Heads of Terms to replace the S106 Agreement completed as part of application 13/4121C:

S106	Amount	Triggers
Bus Service Contribution	£100,000	The full sum should be paid prior to the commencement of the above ground works of the store building. If the above ground works have commenced on the date the decision is issued, the sum shall be paid within 1 calendar month of the date of decision.
Linley Lane/B5077 junction	£300,000	The full sum should be paid prior to the commencement of the above ground works of

improvement works and Linley Lane footway widening works		the store building. If the above ground works have commenced on the date the decision is issued, the sum shall be paid within 1 calendar month of the date of decision.
Local Highway Works	£100,000	The full sum should be paid prior to the commencement of the above ground works of the store building. If the above ground works have commenced on the date the decision is issued, the sum shall be paid within 1 calendar month of the date of decision.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning 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.

55 **PLANNING ENFORCEMENT PERFORMANCE UPDATE**

Minutes:

Consideration was given to the above performance update report.

RESOLVED:

That the report be noted.

Councillors B Puddicombe and T Jackson left the meeting prior to the next item as they had been present at Northern Planning Committee.

The application had been referred from meeting of the Northern Planning Committee on 10th April 2024 as the Committee resolved to approve the application subject to conditions, contrary to officer recommendation.

Under the terms of the Council's Constitution and Terms of Reference, it was therefore referred to the Strategic Planning Board for a decision as approval of the development would represent a significant departure from planning policies within the Development Plan, regarding development in the open countryside, design and those affecting protected species.

Vice Chair Councillor Gardiner took the Chair for Item 9.

56 **23/1174M - DAWSON FARM, BUXTON ROAD, BOSLEY**

Minutes:

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:

Adjacent Member: Councillor Fiona Wilson

Agent / Applicant: Alan Budden

RESOLVED:

For the reasons set out in the report, the application be **REFUSED** as per the officer's recommendations in the report.

The meeting commenced at 10.00 am and concluded at 4.36 pm

Councillor B Puddicombe (Chair)
Councillor S Gardiner (Chair - Item 9)