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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 17th November, 2010 at Sandbach Cricket Club, Hind
Heath Road

PRESENT

Councillor H Davenport (Chairman)
Councillor J Hammond (Vice-Chairman)

Councillors D Brown, P Edwards, M Hollins, D Hough, W Livesley, J Macrae,
C G Thorley, G M Walton, S Wilkinson and J Wray

OFFICERS PRESENT

Mr N Curtis (Principal Development Officer), Mr I Dale (Heritage and Design Business Lead), Ms S Dillon (Senior Solicitor), Mr D Evans (Principal Planning Officer), Mr A Fisher (Head of Housing and Policy), Mr R House (Local Development Framework Manager) and Mr S Irvine (Development Control Manager)

66 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors W J A Arnold, Mrs R Bailey and W J Macrae.

67 DECLARATIONS OF INTEREST/PRE-DETERMINATION

All Councillors on the Board declared they had received a number of emails and letters in relation to application 10/3471C - Land South of Middlewich Road and East of Abbey Road, Sandbach: Proposed Residential Development of up to 280 Dwellings, Landscaping, Open Space, Highways and Associated Works for Fox Strategic Land & Property.

Councillors C Thorley and G Walton declared a personal interest in the same application by virtue of the fact that they were members of the Cheshire Brine Subsidence Compensation Board who were consulted on the application. In accordance with the Code of Conduct they remained in the meeting during consideration of the application.

Visiting Councillor B Moran declared a personal and prejudicial interest in the same application by virtue of the fact that he lived in a property close to the application site. In accordance with the Code of Conduct he exercised his right to speak as Ward Councillor and then left the meeting.

Councillor Mrs Rhoda Bailey declared a personal interest in the same application by virtue of the fact that she was a member of the Campaign to

Protect Rural England. In accordance with the Code of Conduct she remained in the meeting during consideration of the application.

(During consideration of this item Councillor B Livesley arrived to the meeting).

68 MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes be approved as a correct record subject to the inclusion of Councillors P Edwards and C Thorley in the list of apologies.

69 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

70 10/3471C - LAND SOUTH OF MIDDLEWICH ROAD AND EAST OF ABBEY ROAD, SANDBACH: PROPOSED RESIDENTIAL DEVELOPMENT OF UP TO 280 DWELLINGS, LANDSCAPING, OPEN SPACE, HIGHWAYS AND ASSOCIATED WORKS FOR FOX STRATEGIC LAND & PROPERTY

Consideration was given to the above application.

(Councillor Ms S Furlong, the Ward Councillor, Councillor Mrs G Merry, the Ward Councillor, Councillor B Moran, the Ward Councillor, Councillor Mrs Rhoda Bailey, a non Ward Councillor, Councillor A Wood, Sandbach Town Council, Mr Neumann, representing Friends of Abbeyfields and Mr Roberts, an objector attended the meeting and spoke in respect of the application.

The application was refused for the following reasons:-

1. The proposed residential development within the open countryside would be contrary to the provisions of Policies PS8 and H6 of the adopted Congleton Borough Local Plan First Review. Whilst it is acknowledged that the Council does not currently have a five year housing land supply and that, accordingly, in the light of the advice contained in PPS3 it should consider favourably suitable planning applications for housing, the current proposal is not considered to be "suitable" as it is located on the periphery of Sandbach, rather than Crewe. It would undermine the spatial vision for the area and wider policy objectives as it would be contrary to the general thrust of the Core Strategy Issues and Options which directs the majority of new development towards Crewe, as well as the Council's Draft Interim Planning Policy on the Release of Housing Land and Policies RDF1 and MCR3 of the North West of England Plan Regional Spatial Strategy to 2021, which articulate the same spatial vision. This would be contrary to

advice in PPS.3 and PPS1, which states these emerging policies are material considerations. For these reasons the Housing Land Supply arguments advanced by the applicants are considered to be insufficient to outweigh the general presumption against new residential development within the Open Countryside as set out in the adopted development plan.

2. Release of this site would prejudice the development of the significant number of brownfield sites within Sandbach with extant planning permission, which would provide significant regeneration benefits, and would be sufficient to address housing requirements within the Sandbach area. The proposals are therefore contrary to Policy advice within PPS.3 which gives priority to the development of previously developed land, the provisions of Policy H2 of the adopted Congleton Borough Local Plan First Review, and Policies DP4 and DP7 of the North West of England Plan Regional Spatial Strategy to 2021.

3. The proposal would involve the loss of best and most versatile agricultural land. PPS7 states that where significant development of agricultural land is unavoidable, local planning authorities should seek to use areas of poorer quality. In this case it is considered that the development of the site is avoidable as there are no overriding reasons for allowing the development. For the reasons stated above, in this case there are not considered to be any overriding reasons for allowing the development and the proposal is therefore contrary to PPS7.

4. There is a pond to the north of the application site within the curtilage of 180 Middlewich Road. Great Crested Newts have been found in a pond within the residential curtilage of a nearby residential property and Great Crested Newts are reasonably likely to be present within the pond at 180 Middlewich Road. No Protected Species Survey has been submitted as part of this application to identify whether or not Great Crested Newts are present in this pond or any mitigation measures to protect this species during the construction works. In the absence of this information, to allow this development would be contrary to Policy NR.2 (Statutory Sites) of the adopted Congleton Borough Local Plan First Review, Circular 6/2005 and PPS9.

5. The submitted plans show that 172 Middlewich Road would be demolished as part of the proposed development. The dwelling is pre 1960's and is within 200 metres of water and as a result could offer a potential habitat for bats in accordance with the Councils Guidance on Biodiversity and Geodiversity Conservation Statements. No Protected Species Survey has been submitted as part of this application to identify whether or not Bats are present within the fabric of the building or any mitigation measures to protect this species during the construction works. In the absence of this information, to allow this development would be contrary to Policy NR.2 (Statutory Sites) of the adopted Congleton Borough Local Plan First Review, Circular 6/2005, PPS9 and Policies EM1 and DP7 of the North West of England Plan Regional Spatial Strategy to 2021.

6. Although access is a reserved matter, vehicular access to the site could only be provided through 3 possible access points (two onto Abbey Road and one onto Middlewich Road). The provision of vehicular access at any of these points would have an adverse effect on existing healthy trees of amenity value. As a result the proposed development would be contrary to the provisions of Policy NR.1 (Trees and Woodlands) of the adopted Congleton Borough Local Plan First Review and Policies EM1 and DP7 of the North West of England Plan Regional Spatial Strategy to 2021.

The meeting commenced at 2.00 pm and concluded at 3.20 pm

Councillor H Davenport (Chairman)