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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 5th January, 2011 at The Capesthorne Room - Town
Hall, Macclesfield SK10 1DX

PRESENT

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

Councillors A Arnold, Rachel Bailey, 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

Mrs P Cunio (Principal Planning Officer), Ms S Dillon (Senior Solicitor), Mr A
Fisher (Head of Planning and Housing), Mr B Haywood (Principal Planning
Officer), Mr S Irvine (Planning and Development Manager), Mrs R Kidd
(Spatial Planning Manager), Mr S Molloy (Project Manager), Miss E Mellor
(Design Officer) and Miss B Wilders (Principal Planning Officer)

81 APOLOGIES FOR ABSENCE

Apologies for absence for the morning session were received from
Councillors D Brown and G Walton.

82 DECLARATIONS OF INTEREST

Councillors J Hammond, S Wilkinson and C Thorley declared that they
had received correspondence in relation to a number of the applications
on the agenda.

Councillor S Wilkinson declared a personal and prejudicial interest in
application 10/0346M-Erection of 15 No. Affordable Houses, Woodside
Poultry Farm, Stocks Lane, Over Peover, Knutsford for Dean Johnson
Farms Ltd/ Dane Housing by virtue of the fact that his wife's cousin lived
opposite the application site and his daughter was the Parish Clerk to
Peover Superior Parish Council and in accordance with the Code of
Conduct he left the meeting prior to consideration of the application.

Councillor S Wilkinson declared a personal and prejudicial interest in
application 09/2806W-Extension to sand workings, Mere Farm Quarry,
Chelford Road, Nether Alderley for Hanson Quarry Products Europe Ltd,
Hanson House, 14 Castle Hill, Maidenhead, Berkshire, SL6 4JJ by virtue
of the fact that one of the objectors was his Brother-in-Law and in
accordance with the Code of Conduct he left the meeting prior to
consideration of the application.

83 MINUTES OF THE PREVIOUS MEETING

RESOLVED

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

84 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

85 10/0346M-ERECTION OF 15 NO. AFFORDABLE HOUSES, WOODSIDE POULTRY FARM, STOCKS LANE, OVER PEOVER, KNUTSFORD FOR DEAN JOHNSON FARMS LTD/ DANE HOUSING

Consideration was given to the above application.

(Parish Councillor B Wienholdt, representing Peover Superior Parish Council, Mr Nicholls, an objector, Mrs Pearson, a supporter and Caroline Payne, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be approved subject to the completion of a S106 Agreement securing the Heads of Terms as set out in the report and subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A05EX - Details of materials to be submitted (mixture of brick and render)
4. A10EX - Rainwater goods
5. A12EX - Fenestration to be set behind reveals
6. A20EX - Submission of details of windows/doors including materials and finish
7. A01GR - Removal of permitted development rights
8. A07GR - No windows to be inserted
9. A22GR - Protection from noise during construction (hours of construction)
10. A12HA - Closure of access
11. A07HA - No gates - new access
12. A01HP - Provision of car parking
13. A30HA - Protection of highway from mud and debris

- 14.A01LS - Landscaping - submission of details
- 15.A04LS - Landscaping (implementation)
- 16.A12LS - Landscaping to include details of boundary treatment
- 17.A04MC - Electromagnetic protection (Jodrell Bank)
- 18.A08MC - Lighting details to be approved
- 19.A17MC - Decontamination of land (Phase II Report required)
- 20.A19MC - Refuse storage facilities to be approved
- 21.A06NC - Protection for breeding birds
- 22.A01TR - Tree retention
- 23.A02TR - Tree protection
- 24.A05TR - Arboricultural method statement
- 25.A02NC - Implementation of ecological report
- 26. Construction of new junction prior to construction of any other part of the development
- 27. Construction of highways (manual for streets layout)
- 28. Provision of Bat Loft
- 29. Provision of Barn Owl Nesting Boxes
- 30. Provision of facilities for breeding birds
- 31. Prior to the occupation of the dwellings, in the absence of a scheme for redevelopment having been implemented, Building A shall be demolished

(Prior to consideration of the following application, Councillor Mrs R Bailey arrived to the meeting).

(During consideration of the following application Councillor D Brown arrived to the meeting, but did not take part in the debate nor did he vote on the application).

86 10/3955N-RESERVED MATTERS APPLICATION FOR ERECTION OF REPLACEMENT FOODSTORE (A1 RETAIL) WITH ANCILLARY CAFÉ, ASSOCIATED PARKING, HIGHWAY WORK AND LANDSCAPING, TESCO, VERNON WAY, CREWE FOR TESCO STORES LTD

Consideration of the above application.

(Mr Gartland, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be deferred for further discussions to take place in respect of the design, the public transport link, access to Mill Street via the arches, mitigating the impact upon the Heritage Centre and congestion issues.

(This was against the Officers recommendation of approval).

(The meeting adjourned for lunch at 12.50pm and reconvened at 1.30pm).

(Prior to consideration of the following application, Councillor G M Walton arrived to the meeting).

87 10/2984W-APPLICATION FOR THE REMOVAL OF CONDITIONS ATTACHED TO PREVIOUS CONSENTS PROHIBITING THE EXPORT OF COMPOST FROM THE SITE. PLANNING CONDITION 11 OF 7/P04/0124 AND CONDITION 7 ON PERMISSIONS 7/2006/CCC/11, 7/2007/CCC/7 AND 7/2009/CCC/1, WHITTAKERS GREEN FARM, PEWIT LANE, BRIDGEMERE FOR MR RUSHTON

Consideration was given to the above application.

(Councillor D Brickhill, the Ward Councillor, Parish Councillor L Wilson, representing Doddington Parish Council and Mr Thornley, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the Board agreed to contest the appeal on the grounds that;

1. The application should not be determined under Section 73 of the Town and Country Planning Act 1990 as the development applied for is fundamentally different from that approved, and should be considered through a full application.
2. The site is not identified as a preferred site in the Cheshire Replacement Waste Local Plan and no assessment has been undertaken to demonstrate that the proposed development is in accordance with Policy 7 of that Plan.
3. The export of compost from the site would lead to an unacceptable increase in the quantity of waste being handled at the site, resulting in;
 - Larger vehicles adversely impacting on the safety and amenity of pedestrians, children attending school, cyclists, horse riders and other road users,
 - Increased activity on site impacting on the residential amenity of residents in terms of noise, dust, litter, odour and bio-aerosol emissions.

(Prior to consideration of the following application, Councillor C Thorley left the meeting and did not return).

88 09/2806W-EXTENSION TO SAND WORKINGS, MERE FARM QUARRY, CHELFORD ROAD, NETHER ALDERLEY FOR HANSON QUARRY PRODUCTS EUROPE LTD, HANSON HOUSE, 14 CASTLE HILL, MAIDENHEAD, BERKSHIRE, SL6 4JJ

Consideration was given to the above application.

(Councillor Miss Andrew, the Ward Councillor, Alison Freeman, agent for the objectors and Andrew Bower, representing the applicant attended the meeting and spoke in respect of the application).

RESOLVED

(1) That the application be deferred for a further report containing more detailed information regarding proposed mitigation and restoration measures and public access to the area after the quarry ceases working.

(2) The Board requested that further consideration needed to be given to the establishment and operation of a Liaison Committee on this site.

(This decision was against the Officers recommendation of approval).

89 10/2551W-GREAT CRESTED NEWT RECEPTOR SITE, TO INCLUDE THE CREATION OF THREE PONDS, CREATION OF FOUR HIBERNACULARS, WET GRASSLAND AND AREAS OF SCRUB, LAND OFF POCHIN WAY, MIDDLEWICH FOR COVANTA ENERGY LTD

Consideration was given to the above application.

RESOLVED

Had the application been before the Strategic Planning Board for determination it would have been refused on the following grounds:-

1. The proposed development is considered premature and would unnecessarily affect protected species.

Reason(s) for Decision:-

The development forms an integral part of the Covanta Energy from Waste proposal, and is unnecessary in isolation. The Energy from Waste proposal is an EIA development and the subject of a current appeal. There is no requirement to disturb protected species unless the above appeal is upheld. The application is currently contrary to policies 12 Impact of Development Proposals and 17 Natural Environment of the Cheshire Replacement Waste

Local Plan and policies NR2 Statutory Sites and NR3 Habitats of the Congleton Borough Local Plan which seek to protect habitats and species.

90 UPDATE REPORT FOR APPLICATION 09/0738W-ADDITIONAL INFORMATION: ERECTION OF ENERGY FROM WASTE FACILITY WITH ASSOCIATED BUILDINGS, CAR PARK AND HARDSTANDING AREAS, LAND OFF POCHIN WAY, MIDDLEWICH FOR COVANTA ENERGY LTD

Consideration was given to the above report.

RESOLVED

1. That the report updating Members be noted,
2. In furtherance of the Council's case at Inquiry, and as required by the Planning Inspectorate in the event that permission is granted on appeal, the Head of Planning & Housing is authorized to propose, contest or settle the terms of any appropriate conditions and planning obligations and, if he considers it appropriate, to enter into an Agreement under S106 Town & Country Planning Act 1990;
3. That the Inspector be notified that the Council considers the grid connection and CHP link should be formally submitted in detail for inclusion within a comprehensive planning application and supporting environmental statement.
4. In addition to reasons for refusal given in April 2010, the Strategic Planning Board objects to the application on the following grounds:-
 - a. That the proposal fails to demonstrate that sustainable transport has been adequately considered. It is therefore contrary to policies 1, 12 and 27 of the Cheshire Replacement Waste Local Plan, Policies DP1, DP 4, DP5, DP7, EM 12 and EM 13 of the Regional Spatial Strategy and policy GR 1 of the Congleton Borough Local Plan.
 - b. The importation of significant quantities of waste by road from outside the County of Cheshire is considered unsustainable and undermines the principle of treating and disposing of wastes close to source. The importation of waste now proposed is therefore contrary to policies 1, 12 and 27 of the Cheshire Replacement Waste Local Plan, Policies DP1, DP 4, DP5, DP7, EM 12 and EM 13 of the Regional Spatial Strategy and policy GR 1 of the Congleton Borough Local Plan.
5. That approval be given to raise objection to the introduced assessments, which have not be included within the application details, as follows:

i. The indicative routes for the grid connection and steam pipeline would negatively and unacceptably impact on Public Rights of Way, Middlewich footpath N^{os} 19 and 20. These impacts have not been adequately assessed nor mitigation measures proposed. The assessments are considered contrary to policy 20 of the Cheshire Replacement Waste Local Plan, and GR16 of the Congleton Borough Local Plan.

ii. The indicative route and infrastructure required to provide a grid connection taken cumulatively with the submitted proposal details for a waste facility would have an unacceptable impact in terms of landscape and visual amenity. The assessments are considered contrary to policies 2,12,14, and 36 of the Cheshire Replacement Waste Local Plan, Policy DP 7 and EM 1 of the Regional Spatial Strategy and policies GR 1,2,5 and 6 of the Congleton Borough Local Plan.

iii. That adequate ecological surveys and mitigation have not been provided to assess the impact on protected species. The assessments are considered contrary to policies 1, 12 and 17 of the Cheshire Replacement Waste Local Plan, EM1 of the Regional Spatial Strategy.

(Prior to consideration of the following item, Councillors Mrs R Bailey, D Brown, B Livesley and W J Macrae left the meeting and did not return).

91 CHESHIRE EAST LOCAL DEVELOPMENT FRAMEWORK ANNUAL MONITORING REPORT 2009/10

Consideration was given to the above report.

In respect of paragraph 1.8 of the report it was suggested that the word 'pipeline' in the last sentence be revisited as concerns were raised that this implied there were proposals to re-develop Crewe town centre in the near future and Members considered this was not the case as the developers allocated to work on redeveloping the town centre had gone- into administration.

Concerns were also raised that the data relating to waste was two years out of date. It was requested that the data submitted to the Portfolio Holder be as up to date as possible.

Officers reported that a number of staff had been trained on the Building for Design Assessments. Members welcomed this and suggested this information be included within the report.

In respect of paragraph 1.4 of the report, it was requested that the figures also refer to the number of houses that would need to be built per annum

in order to meet the 5 year supply requirement rather than just focusing on the total figure of houses that would need to be built over the same period.

RESOLVED

That the Strategic Planning Board recommends that the Portfolio Holder approves the Annual Monitoring Report 2009/2010 subject to the inclusion of up-to-date amended waste figures.

92 LOCAL DEVELOPMENT SCHEME

Consideration was given to the above report.

RESOLVED

That the Strategic Planning Board recommends that the Portfolio Holder approves the Local Development Scheme 2010-2014.

93 APPEAL SUMMARIES

Consideration was given to the Appeal Summaries.

RESOLVED

That the Appeal Summaries be noted.

The meeting commenced at 11.00 am and concluded at 4.40 pm

Councillor H Davenport (Chairman)