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## CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 16th February, 2011 at Sandbach Cricket Club, Hind  
Heath Road

### **PRESENT**

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

Councillors A Arnold, Rachel Bailey, D Brown, M Hollins, D Hough,  
W Livesley, G M Walton, S Wilkinson and J Wray

### **OFFICERS IN ATTENDANCE**

Ms S Dillon (Senior Solicitor), Mrs R Ellison (Principal Planning Officer), Mr D Evans (Principal Planning Officer), Mr A Fisher (Head of Planning and Housing), Mr B Haywood (Principal Planning Officer), Mr S Irvine (Planning and Development Manager) and Mr N Jones (Principal Development Officer)

### 106 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors W J Macrae and C Thorley.

### 107 **DECLARATIONS OF INTEREST/PRE-DETERMINATION**

Councillor J Hammond declared a personal interest in application 10/4610N-Siting of 20 Timber Clad Twin Unit Caravans for Holiday Accommodation & Erection of Administration Building, Wrenbury Fishery, Hollyhurst, Marbury, Cheshire for Mr Spencer, Marcus Brook Ltd by virtue of the fact that he was a member of the Cheshire Wildlife Trust who had been consulted on the application and in accordance with the Code of Conduct he remained in the meeting during consideration of the application.

### 108 **MINUTES OF THE PREVIOUS MEETING**

#### **RESOLVED**

That the minutes be approved as a correct record and signed by the Chairman subject to the following amendment to resolution No.2 under Minute No.99-10/3506M - Woodside Poultry Farm, Stocks Lane, Over Peover, Knutsford, WA16 8TN: Conversion of Barn into Offices (Use Class B1) Together with Associated Parking for Dean Johnson Farms Limited:-

‘The position of the proposed development relative to the dwellings approved under planning application reference 10/0346M would result in an unacceptable level of residential amenity for the occupiers of those

dwellings in terms of an unacceptable sense of enclosure and by virtue of the proposed office building being overbearing when viewed from a number of the approved dwellings. The proposed development is thereby contrary to Local Plan policies DC3 and DC38’.

109        **PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

110        **10/4660C-REDEVELOPMENT OF THE FORMER FODEN TRUCK FACTORY FOR RESIDENTIAL (248 UNITS), B1C LIGHT INDUSTRIAL, (3,620SQ.M) AND A1 RETAIL (360SQ.M), FORMER FODEN FACTORY SITE, MOSS LANE, SANDBACH FOR HURSTWOOD LANDBANK AND BELLWAY HOMES**

Consideration was given to the above application.

(Councillor Mrs G Merry, the Ward Councillor, Councillor B Moran, the Ward Councillor, Mr F Noton, an objector and Mr Dumbrell, 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 comprising of the following Heads of Terms:-

- A provision of 30% affordable housing (74 units) split 50:50 between social rented and intermediate tenure
- A contribution towards local education provision
- The provision of a LEAP and maintenance costs
- The provision of Public Open Space and a scheme of management of this public open space
- A commuted payment towards canal side improvements of £30,000
- An Interim Residential travel plan in accordance with DfT guidance document
- A framework Travel Plan for any commercial use-classes in the development to be agreed with the Cheshire East Council Travel Plan co-ordinator
- The Travel Plan proposed in the Transport Assessment (submitted with the application) shall be submitted and agreed by the Local Planning Authority prior to the first use commencing.
- A commuted sum for the necessary Traffic Regulation Orders and local traffic management orders

And subject to the following conditions:-

1. Standard time – 3 years
2. Prior to the completion and occupation of 100 of the dwellings the retail unit shall be constructed and internal road layout for the employment units shall be laid out
3. Materials to be submitted to the LPA and approved in writing
4. The B1 units shall be restricted to B1 use only
5. Submission of a landscaping scheme to be approved in writing by the LPA
6. Implementation of the approved landscaping scheme
7. No trees to be removed without the prior written consent of the LPA
8. Boundary treatment details to be submitted to the LPA and approved in writing
9. Remove PD Rights for extensions and alterations to the approved dwellings
10. If protected species are discovered during construction works, works shall stop and an ecologist shall be contacted
11. Prior to any commencement of works between 1<sup>st</sup> March and 31<sup>st</sup> August in any year, a detailed survey is required to check for nesting birds.
12. Prior to the commencement of development the applicant to submit detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds.
13. The proposed development to proceed in accordance with the recommendation made by the submitted Badger survey report and method statement dated January 2011.
14. The development hereby permitted shall not be commenced until such time as; a scheme to limit the surface water run-off generated by the proposed development, has been submitted to and approved in writing by, the Local Planning Authority.
15. The development hereby permitted shall not be commenced until such time as; a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to, and approved in writing by, the Local Planning Authority.
16. The development hereby permitted shall not be commenced until such time as a scheme to discharge surface water has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.
17. The acoustic mitigation measures as outlined in Acoustic Report 20860.01.v1 dated November 2010 submitted with the application shall be implemented.
18. The Bund and Concrete Fence to the Eastern Boundary of the site shall be retained, and maintained throughout the life of the development.
19. The operational hours, and servicing hours shall be agreed with the Local Planning Authority prior to bringing the B1c and A1 uses into operation.
20. Prior to positioning any fixed plant or equipment on the Northern or Western aspects of the B1c or A1 uses, a scheme of acoustic attenuation shall be submitted to, and approved by the Local Planning

Authority addressing the acoustic impact of such units on the nearby residential uses.

21. Prior to the development commencing, an 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. In particular the plan shall show mitigation measures in respect of;
  - a) Noise and disturbance during the construction phase including piling techniques, vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic routes;
  - b) Dust generation caused by construction activities and proposed mitigation methodology.
22. All demolition / construction works likely to be audible beyond the site boundary, and deliveries to and collections from the site shall be restricted to the following hours:

Monday – Friday	07:30 – 18:30hrs
Saturday	08:00 – 14:00

And at no time on Sundays or public holidays.
23. There shall be no burning of waste on the site during the demolition and construction of the development.
24. Prior to the commencement of development the developer shall provide justification of the values detailed in Appendix E of the Detailed Remedial Strategy any alterations to the Remediation Strategy shall be agreed in writing with the LPA.
25. Once the remedial targets have been agreed by the Local Authority and remediation of the site has been completed a Site Completion Report detailing the conclusions and actions taken at each stage of the works including validation works shall be submitted to, and approved in writing by, the LPA prior to the first use or occupation of any part of the development hereby approved.
26. Method statement for the control of any Japanese Knotweed on the site
27. No building within 3 metres of the public sewer which crosses the site
28. Completion of the proposed off-site highway works
29. Details and location of the contractors compound together with details of management of the site to be submitted to the LPA and approved in writing.
30. Measures to show how mud, clay or other material is not deposited on the highway.
31. Development to be carried out in accordance with the Waste Management Strategy.
32. Details of how the development will secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources
33. Details of external lighting to be approved in writing by the LPA.
34. Prior to the commencement of development – details of existing and proposed land levels to be submitted to the LPA and approved in writing

35. Arboricultural method statement & implementation to be submitted to the LPA and approved in writing (to include tree protection, program of tree works, specification for remediation works in proximity to trees, site supervision etc).

(Prior to consideration of the following application Councillor D Brown arrived to the meeting, in addition he declared a personal and prejudicial interest in the application by virtue of the fact that as a former Member of Congleton Borough Council he had advocated the approval of the scheme and therefore in accordance with the Code of Conduct he left the meeting prior to consideration of the application).

**111        10/4626C-VARIATION OF CONDITION 2 OF PLANNING PERMISSION 09/2058C - AMENDMENT TO APPROVED DRAWINGS, LAND OFF HIND HEATH ROAD, SANDBACH FOR CHESHIRE EAST COUNCIL**

Consideration was given to the above application.

**RESOLVED**

That the application be approved subject to the following conditions:-

1. Development to commence within 3 years.
2. Development to be in accordance with approved drawings.
3. Samples and detail of materials on external elevations to be submitted prior to development.
4. Supplementary tree planting scheme to be submitted providing details for fruit trees.
5. Implementation and maintenance of landscaping.
6. Review of lighting when operational.
7. Floodlighting to be restricted to 14:00 to 22:30 hours Monday to Saturday and 14:00 to 20:30 Sundays.
8. Prior to commencement of development, the applicant will submit a Construction management plan with a method statement, to demonstrate appropriate safe management of construction traffic taking access to and from the site.
9. Hours of construction to be restricted to 08:00 to 18:00 hours on Monday to Friday, 08:00 to 13:00 hours on Saturday, with no work at any other time including Sundays and Public Holidays.
10. Details of pile driving method, timing and operation to be provided before work commences.
11. Wheel washing facilities to be provided.
12. Measures to control dust during construction to be submitted and approved prior to development.
13. Sustainable urban drainage scheme (SUDS) to be submitted to and approved by the LPA.
14. Drainage works to be implemented in accordance with submitted details.

15. Prior to first use, a formal Travel Plan based on the Travel Plan Framework to be submitted for the approval of the LPA.
16. Prior to the commencement of development, the developer to submit plans of construction specification and geometry for the proposed junction with the B5079 Hind Heath Road. Details to include for the provision of a pedestrian link between the proposed access and the cricket club.
17. Prior to commencement of development, the proposed junction with the B5079 Hind Heath Road, will be substantially constructed, to exclude carriageway wearing course only.
18. Prior to first use the proposed junction with the B5079 Hind Heath Road will be constructed to completion.
19. Car parking to be constructed and marked out prior to first use.
20. Details of covered and secure cycle parking to be submitted and implemented.
21. Development to be in accordance with submitted Travel Plan.
22. Prior to first use, all proposed improvements to sustainable links, specifically for safe access to and lighting for the Wheelock Rail Trail, will be completed to the satisfaction of the LPA.
23. Provision of litter bins.

(The meeting adjourned at 11.50am and reconvened at 11.55am).

112      **09/2083C-OUTLINE APPLICATION FOR COMPREHENSIVE REDEVELOPMENT COMPRISING OF UP TO 375 RESIDENTIAL UNITS (CLASS 3); 12,000 SQM OF OFFICE FLOORSPACE (CLASS B1); 3810 SQM OF GENERAL INDUSTRIAL (CLASS B2), WAREHOUSING (CLASS B8), CAR DEALERSHIPS AND PETROL STATIONS (SUI GENERIS) AND FAST FOOD RESTAURANT (CLASS A5) USES; 2600 SQM OF COMMERCIAL LEISURE USES INCORPORATING HOTEL (CLASS C1), RESTAURANT/PUB USES (CLASS A3/A4) AND HEALTH CLUB (CLASS D2); RETENTION AND CHANGE OF USE OF YEW TREE FARM COMPLEX**

Consideration was given to the above application.

(Town Councillor K Bagnall, Middlewich Town Council, Miss Joyce, an objector and Roberta Cameron, the agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That the application be deferred in order for further discussions to take place in respect of the % of affordable housing being offered by the developer, to allow further information to be submitted in respect of the contamination of the land and to consider the possibility of relocating the housing element to the Greenfield part of the site and the commercial use to the brownfield part of the site.

(The meeting adjourned for lunch at 1.25pm and reconvened at 2.00pm).

(Prior to consideration of the following application, Councillor Mrs R Bailey arrived to the meeting. In addition Councillor W J A Arnold left the meeting and did not return).

**113      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 was given to the above application.

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

**RESOLVED**

That the application be approved subject to the following conditions:-

1. Plans
2. Scheme of tree protection
3. Implementation of tree protection
4. Scheme of landscaping
5. Implementation of landscaping
6. Elevational details of substation to be submitted and approved

**114      10/4610N-SITING OF 20 TIMBER CLAD TWIN UNIT CARAVANS  
FOR HOLIDAY ACCOMMODATION & ERECTION OF  
ADMINISTRATION BUILDING, WRENBURY FISHERY, HOLLYHURST,  
MARBURY, CHESHIRE FOR MR SPENCER, MARCUS BROOK LTD**

Consideration was given to the above application.

(Councillor S Davies, the Ward Councillor, Mr Stephens, an objector and Mr Goodwin, the agent for 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 use of the land for the siting of 20 twin caravan units to provide a chalet development with

associated roads, hardstandings, lighting, cycle parking and an office building will result in the erosion of the character of this rural location, creating visual intrusion, away from any established settlement. To allow the development would be detrimental to the rural tranquillity of this area of open countryside and would erode the physical character of the location, detrimentally impacting on the appearance of the area, contrary to policies NE.2 (Open Countryside) and RT.6 (Recreation Uses in the Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

2. The proposed site for 20 timber clad twin caravan units would be located away from the village of Wrenbury, shops and services. Roads from the site to Wrenbury, the railway station and the local public houses are unlit and do not have footways. Whilst the station can also be accessed across fields the development site is not well related to the existing settlement, is not on any bus route and is located in a position which would not promote sustainable transport or encourage visitors to walk to these facilities. To allow the development would be contrary to policy EC7: Planning for Tourism in Rural Areas of PPS4: Planning for Sustainable Economic Growth which seeks to promote sustainable tourism and leisure developments as well as policy W6 (Tourism and the Visitor Economy) and policy W7 (Principles for Tourism Development) of the North West of England Plan Regional Spatial Strategy to 2021.

(This decision was contrary to the Officers recommendation of approval).

**115        UPDATE REPORT ON APPLICATION 09/4331N APPLICATION SITE: NEW START PARK, WETTENHAL ROAD, REASEHEATH, NANTWICH, CHESHIRE, CW5 6EL**

Consideration was given to the update report.

**RESOLVED**

That the update report be noted.

**116        APPEAL SUMMARIES**

Consideration was given to the Appeal Summaries.

**RESOLVED**

That the Appeal Summaries be noted.



The meeting commenced at 10.30 am and concluded at 3.30 pm

Councillor H Davenport (Chairman)

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