

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 2nd May, 2012 at Council Chamber, Municipal Buildings,  
Earle Street, Crewe CW1 2BJ

### **PRESENT**

Councillor H Davenport (Chairman)

Councillors Rachel Bailey, D Brown, J Hammond, J Jackson, B Murphy,  
C G Thorley, G M Walton, R West, S Wilkinson and J Wray

### **In attendance**

Councillor D Brickhill (during application 12/0311C only) and L Gilbert

### **Officers**

Nigel Curtis	Principal Development Officer (Highways)
Shelia Dillon	Senior Solicitor
Daniel Evans	Planning Officer
Adrian Fisher	Strategic Planning and Housing Manager
Stephen Irvine	Development Management and Building Control Manager
Richard Kilbourne	Planning Officer
Diane Moulson	Democratic Services Officer
Robert Law	Planning Officer

### **Apologies**

Councillors D Hough and J Macrae

### 147 **DECLARATIONS OF INTEREST**

Councillor S Wilkinson declared a personal interest in item 5 (11/3089N) on the ground that he had shares in North West Farmers.

Although not a member of the Committee, Councillor L Gilbert declared a personal interest in item 6 (12/0311C) on the grounds that he was a member of Holmes Chapel Parish Council.

### 148 **MINUTES OF THE PREVIOUS MEETING**

Councillor Hammond moved the following amendment to condition 22, minute number 143 (application number 11/3414C) and condition 10, minute number 145 (application number 11/4434C) which was seconded by Councillor Walton -

Third line of each condition - replace "*approved in writing by the Local Planning Authority.*" with "approved by the Strategic Planning Board at a future meeting."

**NOTE:** Following the meeting on 2 May 2012, clarification was sought on the Section 106 Agreement in respect of Application 11/3414C (Hassall Road, Sandbach). Reference was made in the original report considered by Strategic Planning Board on 11 April 2012 to using Section 106 funding for a local playground. The report incorrectly referred to the Section 106 funding applying to Moss Drive playground in Middlewich, which was close to The Green where the applicant had made a previous application. The correct location is Mortimer Drive playground in Sandbach.

**RESOLVED: That**

Subject to the above amendment, the minutes of the meeting held on 11 April 2012 be confirmed as a correct record and signed by the Chairman.

149        **PUBLIC SPEAKING**

**RESOLVED**

That the public speaking procedure be noted.

150        **VARIATION OF AGENDA ORDER**

At the request of the Chairman, the Committee was invited to vary the order of business and consider agenda item 8 (Notice of Motion – Community Infrastructure Levy) first so that the Strategic Planning and Housing Manager could leave the meeting in early course.

**RESOLVED:**

That the order of business be amended as proposed

151        **NOTICE OF MOTION - COMMUNITY INFRASTRUCTURE LEVY**

The Board considered a report on the Notice of Motion submitted to Council on 23 February 2012 regarding the operation of the Community Infrastructure Levy.

The motion, which had been proposed by Councillor D Brickhill, was as follows:

1. At least 80% of all money raised by community levy payments by developers must be spent in the same town or parish council area as the actual development.
2. The remaining 20%, if any, must be spent in the same district as the actual development, where 'district' means the appropriate area of one of the three previous district councils that made up Cheshire East.

3. The planning department shall consult the parish or town council on how the money should be spent and, if necessary, fully explain at a planning Committee meeting why the parish's recommendations cannot be implemented.
4. The planning department shall provide to the parish or town council full accounts on how the money was spent.

The Strategic Planning and Housing Manager explained to the Board that the Community Infrastructure Levy (CIL) was a system of planning charges which the Council would be able to levy on developers undertaking most new building projects in the Borough. The money raised would be used to fund a wide range of infrastructure that was needed to support new development in the area, such as new road schemes, schools, community services, sports and leisure facilities and green infrastructure necessary to support development.

Whilst acknowledging the purpose of the Motion, the Strategic Planning and Housing Manager considered that it pre-empted the key questions which would need to be addressed as part of developing the CIL. Notwithstanding this, he confirmed that the issues raised would be taken into account during this process. To facilitate this, an amendment to the motion was moved and seconded.

RESOLVED: That the Board -

- a) notes that the operation of the Community Infrastructure Levy will be considered alongside the preparation of the Local Plan and that the points made in the Notice of Motion will be raised and considered at the appropriate time;
- b) notes that the Infrastructure Plan, Charging Schedule and other matters relating to the operation of the Levy will be subject to full consultation and Independent Examination, as prescribed by the Community Infrastructure Regulations;
- c) that the CIL Charging Schedule must be approved by a full meeting of Council; and
- d) that any decision on the operation of the Levy in Cheshire East is premature at the present time and therefore no further action is necessary at this juncture.

152      **11/3089N - LAND ON NANTWICH ROAD, CALVELEY:  
ERECTION OF THREE BUILDINGS. USE OF ONE BUILDING FOR  
RETAIL PURPOSES (CLASS A1) AND THE OTHER TWO FOR  
COMMERCIAL / INDUSTRIAL PURPOSES (CLASS B1/B2/B8) PLUS  
ASSOCIATED LANDSCAPING, CAR PARKING AND SERVICING FOR  
UNION PENSION TRUSTEES LTD**

The Development Management and Building Control Manager read out a statement on behalf of Councillor M Jones (local Ward Member) who was unable to attend the meeting.

Mr H Jones (Applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application and an oral report of the site inspection.

**RESOLVED:**

That, for the reasons set out in the report, the application be APPROVED subject to the following conditions -

1. Commencement of development
2. Reserved matters
3. Plans
4. Details of the boundary treatment around the periphery of the site and the external display area to be submitted and approved in writing
5. Surfacing materials
6. Materials
7. Details of any external lighting to be submitted and approved
8. Landscaping submitted
9. Landscaping implemented
10. Drainage scheme to be submitted and approved in writing
11. Details of secured covered cycle parking to be submitted and agreed in writing
12. Details of bin storage areas to be submitted and agreed in writing
13. Details of the underground sewage treatment plant to be submitted and agreed in writing
14. Details of the wildlife area to be excavated and landscaped to be submitted and agreed in writing
15. Incorporation of sustainable features to be submitted and approved
16. All noisy works to be inside with doors and windows closed
17. Details of the footpath to the site frontage to be submitted and agreed in writing
18. Unit 3 restricted to B1 or B2 uses only
19. Unit 2 restricted to B2 office use only
20. Notwithstanding the plans hereby approved no permission is granted for the subdivision of Unit 1
21. Hours of use of the units to be submitted and agreed in writing
22. Details of the noise levels generated by the private wastewater treatment plant to be submitted and approved in writing
23. Details of the noise reduction measures for all of the units shall be submitted and approved in writing
24. Contaminated land report
25. The A1 unit hereby permitted shall be used for non food retail only and for no other purpose, including any other purpose within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended). Furthermore, unless

otherwise authorised in writing by the Local Planning Authority, the unit shall not be used for retailing other than those genuinely associated with a country store, and shall not be used for the retailing of any of the following goods:

- Fashion clothing and footwear (other than country, equestrian and leisure clothing and footwear normally retailed within a country store);
- Fashion accessories, including jewellery, cosmetics, toiletries and pharmaceutical products; books, newspapers and magazines (other than specialist publications or animal health products normally retailed within a country store);
- Electrical goods (other than those which would normally be retailed within a country store);
- Kitchenware or goods associated with cookery.

26. Unit 1 shall be occupied by Countrywide Stores
27. No outside storage for unit no. 3
28. Travel Plan
29. Car parking and turning areas to be made available prior to the first occupation of the buildings
30. Wheel wash
31. Protective measures for breeding birds

And

b) In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or addition conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Development Management and Building Control Manager, in consultation with the Chair of the Strategic Planning Board, is delegated the authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.

*Note: Councillor D Brickhill who attended the meeting, arrived during consideration of the application. However, he left the Chamber at the conclusion of the item, having been informed of the Committee's earlier decision to vary the order of business on the agenda.*

153      **12/0311C - FORMER FISIONS SITE, LONDON ROAD, HOLMES CHAPEL, CHESHIRE, CW4 8DE: REMOVAL OF CONDITION 40 OF APPROVED APPLICATION 11/1682C - RELATING TO DETAILS OF MINI ROUNDABOUT FOR MR S ARTISS, BELLWAY HOMES LIMITED NW**

Councillor L Gilbert (local Ward Member), Mr L Burgess (Objector) and Mr T Bentley (Agent) attended the meeting and addressed the Committee on this matter.

The Committee considered the report regarding the above planning application which sought removal of a condition, imposed by the Strategic Planning Board, in respect of the construction of a mini roundabout to serve the site. Following a lengthy debate, the Board concluded that it had insufficient information to determine the application. Accordingly, it was

**RESOLVED:**

That, contrary to the officer's recommendation, the report be DEFERRED to enable further exploration of the proposed condition and the implications of that proposal on the application. In particular, the Board requested further information regarding the highway safety implications and the practicality of providing a roundabout situated within the site and the public highway at Marsh Lane/Station Road south of the junction with Manor Lane. This should be accompanied by assessment of the comparative impact upon the listed Marsh Hall of the T junction and the roundabout proposals.

Note: Councillor Gilbert left the meeting at this point in the proceedings.

154      **PROPOSAL ALTERATIONS TO THE SECTION 106 AGREEMENT TO ALLOW A DIFFERENT TYPE OF IMMEDIATE HOUSING TO THAT REFERRED TO IN THE OFFICIAL MINUTE FOR APPLICATION 11/3956C**

The Committee considered the report of the Development Management and Building Control Manager which sought to amend a previous resolution passed by the Strategic Planning Board on 8 February 2012 in respect of the Section 106 Agreement attached to planning application 11/3956C (Former Fodens Factory, Land off Moss Lane, Sandbach) namely, to change the requirement for 'shared ownership' within the scheme to 'shared equity'.

The Board was also asked to approve the inclusion of a clause, which had been omitted from the previous resolution, to grant delegated authority to the Head of Planning and Housing in consultation with the Chair of Strategic Planning Board to make minor amendments to the wording of the decision (if required) on the proviso that the substantive nature of the decision was not exceeded.

RESOLVED: That, for the reasons set out in the report,

- a) the previous resolution in respect of application 11/3956C relating to the affordable housing heads of terms be amended to

"Affordable housing – the number and tenure split of the affordable housing will be no less than 19.7% (53 units in total) comprising at least 65% (34 units) affordable rent and 35% intermediate housing (19 units)"; and

- b) in the event of any changes being needed to the wording of the Committee's decision (such as to delegate, vary or additional conditions/ informatives/ planning obligations or reasons for approval / refusal) prior to the decision being issued, the Development Management and Building Control Manager, in consultation with the Chair of the Strategic Planning Board, is delegated the authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.

The meeting commenced at 10.00 am and concluded at 1.05 pm

Councillor H Davenport (Chairman)