

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 30th May, 2012 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor H Davenport (Chairman)
Councillor D Hough (Vice-Chairman)

Councillors C G Thorley, J Hammond, Rachel Bailey, B Murphy, G M Walton,
S Wilkinson and J Wray

Officers

Adrian Fisher, Strategic Planning and Housing Manager
Steve Irvine, Development Management and Building Control Officer
Ben Haywood, Planning Officer
Sue Orrell, Planning Officer
Shelia Dillon, Senior Solicitor
Rachel Graves, Democratic Services Officer

1 APOLOGIES FOR ABSENCE

Apologies were received from Councillors D Brown, P Hoyland and
J Jackson.

2 DECLARATIONS OF INTEREST

No declarations of interest were made.

3 MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 2 May 2012 be confirmed as a
correct record and signed by the Chairman, subject to the following
amendments:

1. The start time of the meeting be amended to 10.30 am
2. The paragraph in italics after the resolution for application 11/3089N
be amended to read
*“Note: Councillor D Brickhill, who attended the meeting in order to
hear the debate regarding the Notice of Motion – Community
Infrastructure Levy, arrived during consideration of this item. As the
Item for which he had attended had already been disposed of due*

to the variation in the order of business on the agenda, he then left the meeting. “

4 PUBLIC SPEAKING

RESOLVED:

That the public speaking procedure be noted.

5 **APPLICATION NOW WITHDRAWN - 12/0800C - FORMER TWYFORD BATHROOMS SITE, LAWTON ROAD, ALSAGER, ST7 2DF: FULL PLANNING PERMISSION FOR THE DEMOLITION OF ALL EXISTING BUILDINGS AND THE CONSTRUCTION OF A NEW RETAIL FOODSTORE, PARKING AND CIRCULATION SPACES, FORMATION OF NEW PEDESTRIAN AND VEHICLE ACCESSES, LANDSCAPING AND ASSOCIATED WORKS FOR SAINSBURY'S SUPERMARKETS LTD & LAGAN ALS**

The Chairman announced that this application had been withdrawn from the agenda prior to the meeting.

6 **12/1211C - BRIDESTONE SHOPPING CENTRE, VICTORIA STREET, CONGLETON, CW12 1DA: VARIATION TO CONDITIONS 2, 7, 13, 40 AND 41 AND REMOVAL OF CONDITION 10 ATTACHED TO THE REDEVELOPMENT OF THE BRIDESTONE CENTRE (09/1018C) TO ENABLE THE NON-PROVISION OF THE PREVIOUSLY APPROVED HOTEL AND ASSOCIATED EXTERNAL ALTERATIONS FROM THE SCHEME FOR SCARBOROUGH DEVELOPMENTS**

During consideration of the application Councillor Rachel Bailey joined the meeting and in accordance with the Code of Conduct she did not take part in the debate or vote on the application.

The Committee considered a report and a written update regarding the above planning application.

RESOLVED:

That the application be APPROVED subject to:

- a) the completion of a Section 106 agreement to secure the following:

1. Off-site Highway Works

(a) Mill Street Enhancements

That prior to the commencement of development, the agreement shall secure the submission, delivery timeframe and detailed material specification for a scheme for public realm enhancements to Mill Street. The scheme shall be based around the provisions of SAB Plan 11 - DWG no N60749/11 Rev D with alterations to more accurately reflect the alternative design which emerges from the

Town Centre Public Realm Study. The approved scheme shall then be implemented in accordance with an approved timescale

(b) Stonehouse Green

That prior to the commencement of development, a detailed scheme for enhancements to the Stonehouse Green pedestrian route is submitted, approved and implemented in accordance with a detailed timetable to be agreed. That the provision of funding for these works can be alternatively invested into the proposed works to Mill Street as identified at 1(a)

(c) A54/A34 Rood Hill Junction Improvement

Secure a financial contribution prior to the commencement of development of no more than £45,000 towards the upgrade of the junction through replacement of the existing signal controller.

(d) Treatment of Victoria Street

Continuation of the agreed public realm treatment for the proposed Town Square along the length of Victoria Street connecting to Bridge Street in accordance with precise details and timeframe to be agreed.

(e) Provision of new surface level pedestrian crossing island to Market Street in accordance precise design and timeframe to be agreed with the Council.

2. Market Provision

Provision to cover the following: -

a) That prior to the first occupation of the hereby-approved food store, or an alternative timescale as may be agreed in writing by the Local Planning Authority, the applicants purchase and make available for use 36 new pop-up market stalls in accordance with a detailed specification to be agreed in writing by the Council.

b) The applicant to purchase anchor points for any new stalls which are to be laid out in the new public square in a location and arrangement to be agreed in writing with the Council within an agreed timeframe.

c) The applicant to install pop-up sockets (or alternative power point specification) within the new public square in a location and arrangement to be agreed in writing with the Council within a timeframe to be agreed in writing by the Council.

3. New Public Square

Provisions to ensure the following: -

a) That no less than 12 events per annum, where they are agreed with the Town Council and Cheshire East Borough Council, can be held within the proposed public square.

b) To secure installation of facilities for lighting and power for public events within the new square in accordance with details to be agreed within the Council prior to the commencement of development and implemented prior to the first occupation of the food store or other such time as may be agreed in writing by the Local Planning Authority.

c) Ensure public access to the square at all times unless otherwise agreed in writing with the Local Planning Authority (LPA).

d) That prior to the commencement of development, the detailed design, material specification and landscape plan for the proposed public square is agreed in writing with the LPA and fully implemented in accordance with the approved plans prior to the first occupation of the development

4. Restrictions

a) Prevent the erection of shelving and display of advertisements within windows overlooking public realm within the proposed public square and Pedestrian walk way connecting to Mill Street and that a minimum of 75% of the ground floor windows overlooking Mill Street remain un-obscured of shelving, any form of advertisements or other structures.

b) That a café use be incorporated the food store floor space overlooking the public square in accordance with precise details to be agreed in writing with the Council prior to first occupation of the development.

5. Framework Travel Plan

a) To secure submission and implementation of a detailed Travel Plan based around the submitted Framework Travel Plan, to be agreed in writing by the Council with specific provisions and trigger mechanisms for the occupiers of the food store.

b) Secure a financial contribution of £5000 toward monitoring of the Travel Plan, returnable after 5-years should the Council not utilise the funds for monitoring of the agreement.

6. Secure Two Hours Free Parking

7. Public Realm

a) A contribution of £10,000 or 50% (whichever is the lower) to the cost of a Public Realm Design Strategy commissioned by Congleton Town Council.

b) Any cost savings which arise between (i) the actual cost of the off site highways works in paragraph 1 (the Off Street Highways Works) and (ii) the applicant's indicative costings for those works, shall be quantified and paid to the Council to pay for any further works identified in the Public Realm Design Strategy.

b) the following conditions:

- 1 3 Year Time Limit.
- 2 Development in accordance with the approved plans.
- 3 All external facing materials to be submitted and approved prior to the commencement of development and implemented in accordance with the approved details. Design Related Matters
- 4 Development to be constructed with Green Roof, the details of which shall be submitted and approved prior to the commencement.
- 5 Precise design and materials specification of the clock tower submitted and approved prior to the commencement of development.
- 6 Minimum 100mm window reveal depths to the Mill Street Façade unless otherwise agreed in writing by the Local Planning Authority.
- 7 Site levels in accordance with approved drawings Environmental Health
- 8 Environment Agency contaminated land condition.
- 9 Further gas monitoring to be undertaken and scheme for gas protection measures submitted and approved prior to commencement of development
- 10 Scheme for noise mitigation to plant and equipment within the development for each phase of development in accordance with BS4142 – hotel deleted.
- 11 Submission of a Construction Environmental Management Plan to cover the following areas: -
 - a) Restriction on hours of demolition, construction and deliveries in accordance with those specified by Environmental Health
 - b) Submission of detailed scheme for measures to mitigate dust
 - c) Details of road sweeper provision during demolition and construction
 - d) Identification of storage and delivery areas within the site
 - e) To prevent materials being burnt on site
- 12 Scheme for ventilation and extraction equipment for the café and restaurant uses, extending to also include kitchen and bakery areas within the proposed hotel and or food store, to be submitted and approved for each phase of development and implemented thereafter.
- 13 Ensure total net retail floorspace with the food store is restricted to 3583m² with a maximum 2480m² net convenience floorspace and a maximum 1013m² net comparison floorspace.
- 14 Restriction within the food store to prevent the inclusion of an in store pharmacy and post-office.
- 15 Restriction on food store opening hours

- 16 Mezzanine floor to be used only as ancillary accommodation as shown on 1SG1 1-005P 'Site Plan at Foodstore level'
- 17 All car parking spaces proposed within the development to be fully available prior to the first use of the hereby-approved development.
- 18 Submission of surface water regulation and drainage strategy prior to the commencement of development and implementation of thereafter.
- 19 Prior to first occupation, precise details of cycle parking facilities to be submitted and approved.
- 20 Site to be drained on a separate system with only foul drainage connected into the existing foul public sewer which crosses the site. Surface water to be discharged into the Howty Brook.
- 21 Relocation of War plaque to a location to be agreed in writing prior to the commencement of development and fully implemented thereafter.
- 22 No development to commence until the temporary market facilities to the Fairground Site have been fully implemented in accordance with approved details unless otherwise agreed in writing with the Local Planning Authority.
- 23 Scheme for detailed archaeological investigation to be submitted and agreed prior to the commencement of development with a mechanism to ensure a mitigation strategy is agreed with the Local Planning Authority where necessary and fully implemented thereafter.
- 24 Prior to commencement of development a scheme for CCTV to be submitted and approved by the Local Planning Authority and fully implemented thereafter.
- 25 Prior to commencement of development a scheme for external lighting for the development site shall be submitted and approved by the Local Planning Authority and fully implemented thereafter. This is to also include town direction signage.
- 26 Prior to commencement of development detailed scheme for lighting and physical security measures for the Princess Street underpass to be submitted and approved by the Local Planning Authority and fully implemented thereafter.
- 27 Prior to commencement of development (excluding demolition and remediation) detailed scheme for security measures to all retail (excluding the food store) and internal market units to be submitted and approved by the by the Local Planning Authority to include details of internal roller shutters, panic and intruder Alarms and CCTV and fully implemented thereafter.
- 28 Prior to commencement of development, precise details of toilets which are available for public use to be submitted and approved in writing by the Local Planning Authority and fully implemented thereafter.
- 29 Detailed Landscape Plan to be submitted
- 30 5-year landscape management condition

- 31 Detailed scheme for implementation of Bat habitat creation/mitigation in accordance with recommendations within the applicants report to be submitted and approved in writing by the Local Planning Authority and fully implemented thereafter
- 32 Standard breeding bird condition
- 33 Submission of a Site Waste Management Plan prior to the commencement of development and fully implemented thereafter
- 34 Restriction to use classes - Restaurant & Café Uses. Excluding café within food store element which is included within the S106 Agreement
- 36 Precise design of gable wall adjoining 19 Mill Street to be submitted, agreed in writing and fully implemented thereafter.
- 37 10% on site renewable, decentralised and or low carbon to be submitted and approved
- 38 Precise details of Shop Mobility and time frame for implementation to be submitted and be agreed.
- 39 Development to not commence prior to a detailed scheme for treatment of the proposed brick panel to elevation L-L (drawing no 3-057 rev a) to be submitted and approved
- 40 Development to not commence prior to a detailed scheme for treatment of the proposed brick panel to elevation N-N (drawing no 3-059 rev a) to be submitted and approved
- 41 Precise design details of the arched pedestrian entrance off Mill Street, half dormers and the clock tower including the clock and roof to be submitted, agreed in writing and fully implemented thereafter.

- c) Authority be delegated to the Development Management and Building Control Manager, in consultation with the Chairman of Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution between approval of the minutes and issue of the decision notice.

7 11/4549N - ROPE LANE, SHAVINGTON

The Board considered a report which sought to withdraw two of the four reasons for refusal relating to outline planning application 11/4549N for up to 80 dwellings including access land off Rope Lane, Shavington.

At its meeting on 21 March 2012 the Board had resolved to refuse the application for the following reasons:

- 1 *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 would undermine the spatial vision for the area, wider policy objectives and the strategic function of the*

Green Gap in that it would result in the erosion of the physical gap between the built up areas of Shavington and Crewe. The proposal is therefore contrary to Policies NE.2 and NE.4 of the Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within PPS3 and the Council's Interim Housing Planning Policy On The Release Of Housing Land.

- 2 *The proposed residential development, which is located within the Open Countryside and Green Gap, is considered to be an unsuitable location for development by virtue of the adverse impact that the proposals would have on the visual character of the landscape and the erosion of the physical gaps between built up areas. The proposed development would therefore be contrary to Policies NE.2 and NE.4 of the Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within PPS1, PPS3 and PPS7.*
- 3 *The application is an outline application for new residential properties which are a sensitive end use and could be affected by any ground contamination present on site. No Phase I desk study and walkover survey have been submitted with the application and the applicant has therefore failed to demonstrate that the site is not constrained by contamination. The application therefore fails to comply with Policy BE.6 of the of the Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within PPS23.*
- 4 *Insufficient archaeological or historical information has been submitted to determine whether the hedgerow to be removed is of significance according to the criteria set out in the Hedgerow Regulations, contrary to policies Policy NE.5 (Nature Conservation and Habitats) of the Crewe and Nantwich Replacement Local Plan 2011, Policy DP7 (Promote Environmental Quality) of the North West of England Plan Regional Spatial Strategy to 2021 and the provisions of PPS9 Biodiversity and Geological Conservation.*

Since the meeting there had been ongoing negotiations in respect of the contaminated land issue and the Council's Environmental Health Officers had now withdrawn their objection to the scheme, subject to appropriate conditions, including those relating to mitigation of the contaminated land impact.

The Applicant had lodged an Appeal against the refusal of the application and the Planning Inspectorate had determined that the application should be dealt with at a Hearing. In the light of the Environmental Health Officers withdrawal of objection, it was considered that the contaminated land reason for refusal was no longer be sustainable at the Appeal.

The Applicant had now submitted an amended plan showing the proposed footpath along the site frontage to be relocated behind the hedgerow, within the site. The plan also showed that the required visibility splays for

the proposed access could be achieved without the need to remove the hedgerow. With the exception of the removal of a small 10m section in the middle of the site frontage to accommodate the highway access itself, it was now proposed to retain the existing hedgerow. In the light of the amended plan, the fact that the historic line of the hedgerow, which was considered to be important, and that as its line followed that of the road, it could still be traced in the landscape following the implementation of the development, it was not considered that a refusal on the grounds of Policy NE.5 could now be sustained.

RESOLVED:

That the reason for refusal in respect of both contaminated land the hedgerow be withdrawn and the Development Management and Building Control Manager be instructed not to contest these issue at the forthcoming appeal.

8 HOUSING SUPPLY BUFFER

The Board consider a report on the Council's approach to a housing supply 'Buffer' in the light of advice contained within the National Planning Policy Framework (NPPF).

The NPPF advised that a five percent buffer should be applied to the requirement to identify five years worth of specific deliverable housing sites. It was stated that the buffer was "to ensure choice and competition in the market for land". The Framework also indicated that were there had been "a record of persistent under delivery of housing" the buffer should be increased to twenty percent.

In Cheshire East, the housing market had traditionally been prosperous and housing completions have matched or outstripped development plan targets. The current recession had changed this picture with underperformance in the past few years. This current down turn was not considered to be a record of 'persistent under delivery' but rather a reflection of pervading national trends. It was therefore proposed that a buffer of five percent be applied to the housing supply in the Borough.

RESOLVED:

That the Council apply a five percent buffer to its housing supply figure and that this figure be reviewed at least annually to take account of changes in circumstances.

The meeting commenced at 10.30 am and concluded at 11.40 am

Councillor H Davenport (Chairman)