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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 9th January, 2013 at The Capesthorpe Room - Town
Hall, Macclesfield SK10 1EA

PRESENT

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

Councillors D Brown, J Hammond, P Hoyland, P Mason, B Murphy,
C G Thorley, G M Walton, S Wilkinson, J Wray and D Newton

OFFICERS IN ATTENDANCE

Miss S Bishop (Planning Assistant), Ms S Dillon (Senior Lawyer), Mr A Fisher (Strategic Planning and Housing Manager), Mr B Haywood (Principal Planning Officer), Mr S Irvine (Development Management and Building Control Manager), Mr N Jones (Principal Development Officer), Mr R Law (Principal Planning Officer) and Mrs E Tutton (Principal Planning Officer)

117 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs R Bailey and Mrs J Jackson.

118 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 12/4067M, Councillor B Murphy declared that he lived close to the application site, but was not affected visually by the application.

During consideration of the same application, in the interest of openness, Councillor H Davenport declared he was a Member of Disley Parish Council, however he had taken no part in any discussions relating to the application.

Prior to consideration of application 12/3536C, Councillor J Wray declared a non-pecuniary interest by virtue of the fact that he knew the agent speaking on the application, as a result he left the meeting prior to consideration of the application.

During consideration of the same application, in the interest of openness, Councillor D Brown declared that he was a Member of Congleton Town Council, however he had not taken part in any discussions relating to the application.

119 MINUTES OF THE PREVIOUS MEETINGS

RESOLVED

That the minutes of the meetings held on 5 December 2012 and 6 December 2012 be approved as a correct record and signed by the Chairman.

120 **PUBLIC SPEAKING**

Consideration was given to the public speaking procedure.

RESOLVED

That the public speaking procedure be noted.

121 **12/4067M - JACKSONS EDGE SERVICE RESERVOIR, JACKSONS EDGE ROAD, DISLEY: REPLACEMENT SERVICE RESERVOIR AND VALVE HOUSE BUILDING, TOGETHER WITH A TEMPORARY MATERIAL STORAGE AREA AND A TEMPORARY CONTRACTOR'S PARKING AREA FOR UNITED UTILITIES**

Consideration was given to the above application.

(Paul Kuiper, an objector and Jason Boyd, the agent for the applicant attended the meeting and spoke in respect of the application.

RESOLVED

That the application be deferred to a future meeting of the Board in order to consider further detailed information in relation to the option concerning the use of the quarry as a possible storage site.

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

122 **12/3240W - DANES MOSS LANDFILL SITE, CONGLETON ROAD, GAWSWORTH, MACCLESFIELD, CHESHIRE, SK11 9QP: VARIATION OF CONDITION 47 ON APPROVAL 09/0761W - EXTENSION TO TIME FOR MR M HAYES, 3C WASTE LTD**

Consideration was given to the above application.

(Jack Tregoning, representing the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report to Board, the application be approved subject to:-

- (1) a deed of variation to the existing Section 106 Planning Obligation to secure the long term management of the adjacent Danes Moss Site of Special Scientific Interest and Danes Moss Landfill Site;
- (2) Planning permission should be granted subject to conditions covering in particular:-
 - All the conditions attached to permission 09/0761W unless amended by those below
 - Extension of time to 31st December 2014 with full restoration of the site within 12 months or no later than 31st December 2015
 - Continued maintenance of a Bird Management Plan

123 **12/2217C - FORMER FISIONS SITE, LONDON ROAD, HOLMES CHAPEL, CW4 8BE: RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE PLANNING PERMISSION 11/1682C PROPOSING FULL DETAILS FOR THE APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOR A RESIDENTIAL DEVELOPMENT COMPRISING 224 DWELLINGS, INTERNAL ACCESS ROAD, OPEN SPACE AND LANDSCAPING ON THE FORMER FISIONS SITE, MARSH LANE, HOLMES CHAPEL FOR BELLWAY HOMES LIMITED & J S BLOOR (WILMSLOW) LIMITED**

Consideration was given to the above application.

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

RESOLVED

That for the reasons in report and in the update report to Board the application be approved subject to a further s106 Agreement, supplemental to the s106 Agreement which accompanied the outline permission. This supplemental agreement shall secure the following:

1. In respect of affordable housing
 - (a) 30% provision / 67 dwellings comprising
 - (b) the 57 x 3-bed houses and 10 x 2-bed houses shown on BHWL125/05
 - (c) split by tenure 65:35 i.e. 44 social/affordable rent and 23 shared ownership
 - (d) to be completed and transferred to a Registered Provider before more than 50% of the open market dwellings are occupied (within each phase if the development is to be constructed in more than one phase)
 - (e) designed to be visually indistinguishable from open market dwellings of similar size within the site and constructed in

accordance with the standards proposed to be adopted by the Homes and Communities Agency and achieve at least Code for Sustainable Homes Level 3

- (f) at a price discounted from open market value which will enable the Registered Provider to charge a target/affordable rent for the rented dwellings and to sell/lease the intermediate dwellings as shared ownership
- (g) prioritising the recycling of any affordable subsidy released after exercise of a tenant's right to acquire rented dwellings or staircasing of shared ownership dwellings for the provision of affordable housing within Holmes Chapel then Cheshire East.
- (h) reserving nomination rights and eligibility criteria based on housing need and a prioritised local connection cascade for (i) Holmes Chapel (ii) the Congleton Local Area Partnership wards – Dane Valley, Brereton Rural, Sandbach Town, Sandbach Heath and East, Sandbach Ettiley Heath and Wheelock, Sandbach Elworth, Middlewich, Alsager, Odd Rode, Congleton West and Congleton East (iii) Cheshire East
- (i) allowing mortgagee protection clauses for charges of the Registered Provider and, on standard HCA terms, for mortgagees of shared ownership dwellings allowing, with the prior consent of the Strategic Housing Manager, variation of plots and dwelling-types identified, types of intermediate tenures, alternative HCA products, temporary waiver of eligibility criteria on expiry of reasonable timescales, provided that the overall numbers and tenure splits of the affordable housing are retained.

2. In respect of Public Open Space

- (a) Provision of Amenity Greenspace as shown on planning layout drawing no. BHWL125/01 REV E
- (b) 2x Locally Equipped Areas of Play
- (c) To be completed and made available for public use in perpetuity in accordance with a specification to be approved by the LPA and transferred to a local residents management company prior to the occupation of 50% of the dwellings for each phase at nominal consideration
- (d) in accordance with a management & maintenance plan / schedule to be approved by the LPA before being first brought into use
- (e) maintenance and management plan / schedule shall be in force for the lifetime of the development together with transfer to the local residents management company of any other areas preserved as private open space, managed & maintained subject to M&M plan
- (f) With reference to the play equipment contained within the Landscape Specification (LDS217-LS) LEAP 2 shall include extra DDA inclusive equipment (unless any variation if first agreed

- i. Roleplay – Play Train replace with Inclusive roundabout
- ii. Climbers & Nets – Scramble net replace with Single Mast Activity Net

And subject to the following conditions:-

1. Standard
2. Approval for reserved matters relates only to Plots A & B (residential element of outline approval 11/1682C)
3. Approved Plans / amended plans
4. Notwithstanding detail shown – landscaping scheme to be submitted to show retention/management of area of woodland to south of site, retention of hedgerow along south-eastern boundary and supplementary planting along Marsh Lane frontage
5. Implementation of Landscaping Scheme
6. Retention of trees and hedgerows
7. Submission of Arboricultural Impact Assessment
8. Submission of Arboricultural Method Statement
9. Submission of Comprehensive tree protection measures
10. Materials to be submitted inc hard-landscaping and surfacing
11. Recommendations and mitigation within submitted Protected Species survey to be carried out
12. Breeding birds survey
13. Further contaminated land investigations / mitigation for Plot B (western portion of site)
14. Detailed design and construction drawings for the proposed access junction, related carriageway widening and footway provision and mini roundabout. Delivered prior to first occupation
15. Submission of Environmental Management Plan
16. Submission of existing and proposed levels survey
17. Removal of Permitted Development Rights Classes A-E on selected plots
18. Removal of Permitted Development Rights for openings including obscured glazing requirement on selected plots
19. A scheme for the storage of refuse bins to be submitted
20. No Ash trees to be planted on the mounding close to Marsh Lane
21. No construction parking to take place on Marsh Lane
22. Detailed drawings showing the following alterations to the scheme shall be submitted to and approved by the local planning authority before any work is commenced on site:

A roundabout and spur accessing the site or suitable practical alternative.

This part of the development shall only be completed in accordance with alterations thus approved.

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

124 **12/3536C - LAND EAST OF MEADOW AVENUE, CONGLETON, CHESHIRE, CW12 4BX: OUTLINE APPLICATION WITH ACCESS FOR ERECTION OF UP TO 14 NO. DWELLINGHOUSES WITH ANCILLARY FACILITIES AND ASSOCIATED INFRASTRUCTURE FOR MR ROBERT PEDLEY**

Consideration was given to the above application.

(Councillor D Topping, the Ward Councillor, Town Councillor Paul Bates, representing Congleton Town Council, Mr Light, representing SLATE (Stony Lane Action Team), John Saville Crowther, an objector and Russell Adams, 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 development would create new residential development in the Open Countryside and is therefore not in compliance with Policies PS8 and H6 of the adopted Congleton Borough Local Plan First Review 2005.
2. The development would have an adverse impact on Badger habitat contrary to the requirements of Policies NR3 and NR5 of the adopted Congleton Borough Local Plan First Review 2005.
3. The development would have an adverse impact on highway safety contrary to the requirements of Policy GR9 of the adopted Congleton Borough Local Plan First Review 2005.

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

125 **DEED OF VARIATION TO THE SECTION 106 AGREEMENT FOR PLANNING PERMISSION 11/3956C**

(This item was considered after item no.10 which in turn was considered after application 12/3240W).

Consideration was given to the above report.

RESOLVED

That the Board approve a Deed of Variation for the S106 Agreement attached to planning permission 11/3956C to alter the location of the intermediate units on the site as set out in the report.

(The meeting was adjourned for lunch from 12.50pm until 1.30pm).

126 **ERECTION OF UP TO 65NO. DWELLINGS (OUTLINE) AT CREWE ROAD, ALSAGER**

(This item was considered after application 12/3240W. During consideration of this item Councillor B Murphy left the meeting and did not return until the meeting was adjourned for lunch and Councillor D Newton left the meeting and returned during its consideration, however did not take part in the debate or vote on the item).

Consideration was given to the above report.

RESOLVED

Having taken into account an additional consultation response received from the Health and Safety Executive, that the previous resolution in respect of application 12/0893C should still stand, with the addition of the following condition:

- Properties to be of traditional brick construction and no more than 12m in height.

The meeting commenced at 10.30 am and concluded at 4.20 pm

Councillor H Davenport (Chairman)

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