

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 23rd September, 2015 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

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

Councillors Rachel Bailey, B Burkhill, S Edgar (Substitute),
S Gardiner (Substitute), D Hough, S McGrory, D Newton, S Pochin, B Roberts
(Substitute), M Sewart, J Wray and G M Walton

OFFICERS

Nicky Folan (Planning Solicitor)
Ben Haywood (Major Applications – Team Leader)
Paul Hurdus (Highways Development Manager)
Robert Law (Senior Planning Officer)
David Malcolm (Head of Planning (Regulation))
Bev Wilders (Principal Planning Officer)
Conal Kearney (Senior Enforcement Officer)
Gaynor Hawthornthwaite (Democratic Services Officer)

54 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors T Dean, L Durham
and J Jackson.

55 DECLARATIONS OF INTEREST/PRE DETERMINATION

Councillor J Hammond declared a pecuniary interest in respect of
application 15/2355W as he is a Director of ANSA who are the proposed
operators of the site and would leave the room prior to consideration of the
application.

In the interests of openness in respect of application 15/2943N, Councillor
Hammond declared that he is a Director of ANSA, who had been a
consultee on the application and that he had not made any comments on
the application.

In the interest of openness in respect of application 15/2943N, Councillor J
Hammond declared that he had attended Ward and Parish Briefings on
the Basford site, but had not made any comments on the application.

In respect of application 15/2576C, Councillor S Pochin declared a
pecuniary interest on the grounds that her husband is an employee of

Pochin Developments Ltd and would leave the room prior to consideration of the application.

With regard to application number 15/2730N, Councillor G Walton declared that he knew an employee of Geothermal Engineering Ltd, but that he had not discussed the application.

In the interest of openness in respect of application 15/2355W, Councillor S Gardiner declared that he was present at a Cabinet meeting when background information on this site was presented, but had not made any comments or expressed an opinion on the application.

In the interest of openness in respect of applications 15/2355W, Councillor S McGrory declared that he was a Member of Middlewich Town Council, but had not taken part in any debate on this application and had remained impartial.

In the interest of openness in respect of application 15/2355W, Councillor R Bailey declared that she was present at a Cabinet meeting when background information on this site was presented, but had not made any comments or expressed an opinion on the application.

In the interest of openness in respect of application 15/2943N, Councillor S Edgar declared that he was the Ward Member and that he had not pre-determined the application.

56 MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 26th August 2015 be approved as a correct record and signed by the Chairman, subject to condition 16 in respect of application 15/0446C, being amended as follows:

16. Prior to submission of boundary treatment details for the whole site, **in consultation with Ward Members.**

57 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

58 **15/2355W - IDEAL STANDARD, CLEDFORD LANE, MIDDLEWICH, MIDDLEWICH, CHESHIRE, CW10 0JW: THE CONSTRUCTION AND OPERATION OF A WASTE TRANSFER STATION AND REFUSE DERIVED FUEL PROCESSING FACILITY, THE REFURBISHMENT OF EXISTING SITE BUILDINGS TO PROVIDE OFFICES, A VEHICLE MAINTENANCE WORKSHOP, AN MOT TEST CENTRE,**

ENVIRONMENTAL SERVICES ACCOMMODATION AND ANCILLARY DEVELOPMENT INCLUDING CAR PARKING FOR RALPH KEMP, CHESHIRE EAST COUNCIL

Prior to consideration of this item, as stated in his declaration, Councillor J Hammond left the meeting and then returned after the application had been considered.

The Board considered a report regarding the above application.

(Councillor Bernice Walmsley and Councillor M Parsons (Ward Members), Councillor Bill Walmsley (on behalf of Middlewich Town Council), Ms R Pendleton (Objector) and Mr R Kemp (applicant) attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report and written update, the application be APPROVED subject to the following conditions:

1. Standard conditions
2. Hours of operation
3. Approved plans
4. Vehicle numbers
5. Secure the implementation of off site highway works prior to the operation of the waste transfer station
6. Construction of new accesses along Cledford Lane with visibility splays prior to occupation of the development
7. Implementation of internal parking and servicing arrangements prior to the occupation of the development
8. Submission of construction management plan prior to commencement of development
9. Submission of vehicle routing agreement prior to occupation of the development
10. Implementation of travel plan
11. Submission of fleet management and replacement strategy to be agreed prior to occupation
12. Acoustic mitigation details to be agreed prior to commencement of building works
13. Limit on times for movement of RCVs unless in exceptional circumstances
14. Noise management plan for all on-site activities to be agreed prior to occupation
15. Noise limits to be achieved and scheme for noise monitoring
16. Construction environmental management plan submitted for approval prior to commencement

17. Operational dust and litter management plan to be submitted prior to occupation
18. Odour mitigation prior to development of the waste transfer building
19. Details of electronic charging points and maintenance arrangements agreed prior to occupation
20. Detailed design, operation and maintenance of biomass plant to be submitted prior to its use
21. Lighting scheme and lighting details to be submitted prior to installation
22. Final landscape scheme to be agreed
23. Remediation strategy to be agreed prior to development commencing and site completion report agreed prior to occupation
24. Nesting bird survey prior to the removal of any vegetation or works to buildings
25. Updated badger survey prior to development commencing
26. Scheme for ecological enhancement to be agreed within 3 months of development commencing
27. Implementation of reasonable avoidance measures
28. Implementation of precautionary recommendations for otters and water voles
29. Details of fencing to be agreed prior to installation
30. Surface water drainage arrangements to be agreed prior to development commencing
31. Surface water disposal scheme to be agreed prior to development commencing
32. Measures to deal with unexpected contamination
33. Piling restrictions and restrictions on infiltration of surface water drainage where land contamination is present
34. Foul water disposal details to be agreed prior to development commencing
35. Scheme for mitigation of pollution to canal to be agreed prior to commencement of development
36. Tree protection plan to be submitted prior to commencement of development
37. Liaison Group to be set up

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning and Interim Place Shaping Manager has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided

that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority be delegated to the Interim Planning and Place Shaping Manager in consultation with the Chairman of the Strategic Planning Board to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

Following consideration of this item, Councillors R Bailey and D Hough left the meeting and did not return.

- 59 **15/2730N - LAND AT MMU CREWE CAMPUS, CREWE GREEN ROAD, CREWE, CHESHIRE, CW1 5DU: PROPOSED CONSTRUCTION AND OPERATION OF A DEEP GEOTHERMAL SINGLE WELL (DGSW) SYSTEM INCLUDING A SINGLE VERTICAL WELL DRILLED TO A DEPTH OF 2 KM BELOW GROUND LEVEL AND ASSOCIATED INFRASTRUCTURE TO INCLUDE ABOVE GROUND WELL HEAD AND PERIMETER SECURITY FENCE AND UNDERGROUND PIPELINE CONNECTION TO THE MMU VALENTINE BUILDING PLANT ROOM, TEMPORARY CONSTRUCTION ACCESS, CONSTRUCTION COMPOUND AND LIGHTING FOR MR RYAN LAW, GEOTHERMAL ENGINEERING LTD**

Prior to consideration of this application, there was an adjournment for lunch from 13.20 to 14.15.

Prior to consideration of this application, Councillor S Edgar arrived to the meeting.

The Board considered a report regarding the above application.

(Mr S Cook (on behalf of Mr Ryan Law, Geothermal Engineering Ltd) attended the meeting and spoke in respect of the application).

RESOLVED

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

1. Commencement of development
2. Approved plans
3. Noise management plan
4. Noise levels
5. Noise monitoring plan
6. Noise communication plan

7. Lighting scheme
8. Ground gas risk assessment and mitigation
9. Detailed badger survey
10. Nesting bird survey
11. Restricted vehicle movements in term time
12. Implementation of flood risk mitigation
13. Scheme for foul and surface water disposal and details of surface water drainage
14. Removal of all construction infrastructure on completion of construction works
15. Limit on number of vehicle movements
16. Best practical means for control of dust
17. Control of mud on highway
18. Limits on timing of construction works (aside from drilling operations)

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Principal Planning Manager has delegated authority to do so in consultation with the Chairman of the Strategic Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority be delegated to the Principal Planning Manager in consultation with the Chairman of the Strategic Planning Board to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

Following consideration of this item, Councillor Wray left the meeting and did not return.

60 15/2576C - PLOT 62, MIDPOINT 18, POCHIN WAY, MIDDLEWICH, CHESHIRE: 14,402SQ M WAREHOUSE (B2 B8) WITH OFFICE ACCOMMODATION TO THE FIRST FLOOR, ASSOCIATED CAR PARKING SERVICE YARDS, HGV PARKING AND GATEHOUSE FOR POCHIN DEVELOPMENTS LTD

Prior to consideration of this item, as stated in her declaration, Councillor S Pochin left the meeting and then returned after the application had been considered.

The Board considered a report regarding the above application.

(Councillor B Walmsley (Ward Member) attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report, the application be APPROVED subject to a legal agreement to secure a contribution of £11,010.67 towards ecological mitigation and the following conditions:

1. Standard time limit (3 years)
2. Accordance with plans
3. Accordance with submitted materials
4. Parking provided prior to first use
5. Access constructed in accordance with submitted details prior to first use
6. The proposed development to proceed in strict accordance with the submitted plan Figure A Outline Great Crested Newt Mitigation proposals and the recommendations of paragraphs 6.8 - 6.16 of the submitted Ecology report prepared by PAA Ltd dated May 2015.
7. Survey for nesting birds
8. a further otter and kingfisher survey to be undertaken and submitted to the LPA prior to any works being undertaken within 20m of the brook.
9. further badger survey be undertaken and a revised impact assessment and mitigation proposals be submitted to the LPA prior to the commencement of development
10. Management plan for improved grassland
11. Details of foul water drainage to be submitted
12. Surface water drainage strategy to be submitted
13. Landscape to be submitted
14. Landscape implementation
15. Piling and method statement
16. Floor floating method statement
17. Travel plan to be submitted
18. Electric vehicle infrastructure

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) of the 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.

Should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) in consultation with the Chairman of the Strategic Planning Board to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

61 **15/2943N - LAND OFF CREWE ROAD, SHAVINGTON CUM GREY, CREWE: RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE PLANNING PERMISSION REF. 13/0336N FOR THE CONSTRUCTION OF 370 DWELLINGS, ASSOCIATED ON SITE HIGHWAYS INFRASTRUCTURE, CAR PARKING AND PEDESTRIAN ROUTES, FORMAL AND INFORMAL OPEN SPACE PROVISION AND ASSOCIATED WORKS FOR TAYLOR WIMPEY UK LIMITED**

The Board considered a report and written update regarding the above Reserved Matters application.

(Mr I Harrison (on behalf of Taylor Wimpey) attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report and written update, the application be APPROVED subject to the following conditions:

1. A02RM - To comply with outline permission
2. A01AP - Development in accord with approved plans
3. A32HA - Development to be carried out in accordance with the approved construction method statement
4. A06NC - Protection for breeding birds
5. A04LS - Landscaping (implementation)
6. A01GR - Removal of permitted development rights
7. Materials as submitted
8. Garaging to be retained and not to be converted to living accommodation without permission from the Ipa
9. Features for breeding birds
10. Development to be carried out in accordance with submitted Tree Removal Plan and Arboricultural Method Statement

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Principal Planning Manager in consultation with the Chair (or in his absence the Vice Chair) 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.

62 **OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT COMPRISING OF UP TO 119 DWELLINGS (INCLUDING A MINIMUM OF 30% AFFORDABLE HOUSING), STRUCTURAL PLANTING AND LANDSCAPING, INFORMAL OPEN SPACE, SURFACE WATER ATTENUATION, A VEHICULAR ACCESS POINT FROM MAIN ROAD AND ASSOCIATED ANCILLARY WORKS**

Consideration was given to the above report.

RESOLVED

That for the reasons set out in the report, it was agreed that the second reason for refusal relating to full planning application 14/5579C (Land off Main Road, Goostrey) for residential development comprising of up to 119 dwellings (including a minimum of 30% affordable housing), structural planting and landscaping, informal open space, surface water attenuation, a vehicular access point from Main Road and associated ancillary works, should be amended to read as follows:

The proposal will result in harm to the setting of the Grade II listed building, Swanwick Hall. The harm triggers the “strong presumption” against granting permission as established by the Court of Appeal in the Barnwell Manor case; the public benefits of the proposal when taken as a whole would not rebut this strong presumption. In addition, the harm is considered to amount to “less than substantial harm” as defined in the National Planning Policy Framework. The public benefits of the proposal, when taken as a whole, are not considered to be sufficient to outweigh this harm to the heritage asset. The proposed development is therefore contrary to policy BH4 of the Congleton Borough Local Plan First Review 2005 and national guidance in the NPPF.

63 **URGENT ITEM - 15/2779N - LAND TO THE NORTH OF DAIRY HOUSE FARM, MAIN ROAD, WORLESTON, CHESHIRE CW5 6DN: INSTALLATION AND OPERATION OF A SOLAR FARM AND ASSOCIATED INFRASTRUCTURE, INCLUDING PV PANELS, MOUNTING FRAMES, INVERTER, TRANSFORMER, POLE MOUNTED CCTV CAMERAS, SUBSTATIONS, COMPOSTING TOILET AND FENCE FOR SPV195 LIGHTSOURCE RENEWABLE ENERGY LTD**

In accordance with Section 100B (4)(b) of the Local Government Act 1972, the Chairman announced that he had agreed to allow consideration of this item as an urgent item of business, as the applicants have made the Council aware that in order to be eligible for Feed in Tariff (FIT) pre-accreditation, they need to have planning permission in place before the deadline of 30th September 2015.

The Board considered a report regarding the above planning application and an updated plan.

(Mr F Percival (landowner) and Ms J Laurenson (agent) attended the meeting and spoke in respect of the application).

RESOLVED

That authority be DELEGATED to the Head of Planning (Regulation), in consultation with the Chairman and Vice-Chairman of Strategic Planning Board, to APPROVE subject to the response from Natural England, the submission of a Unilateral Undertaking to secure a bond for the clearance and restoration of the land to agricultural use after 25 years and the following conditions:

1. Time limit
2. Approved plans
3. Submission of landscaping scheme, including habitat creation
4. Implementation and maintenance of landscaping scheme
5. Submission and implementation of a Landscape Management Plan
6. Submission and implementation of Construction Environment Management Plan
7. Tree protection
8. Tree retention
9. Tree pruning specification
10. Submission and implementation of an arboricultural method statement
11. Submission and implementation of levels survey
12. Submission and implementation of full service/drainage layout
13. Submission and implementation of method statement for groundworks (archaeology)
14. Submission and implementation of full details of solar arrays, fencing and equipment including colour and finish
15. Submission and implementation of details of facing and roofing materials for sub station, inverters and transformer housing
16. Development completed between October and February in any year unless a mitigation statement to avoid Great Crested Newts has been submitted and approved
17. Submission of an updated protected species survey and mitigation measures prior to the commencement of development
18. Details of the provision of gaps in the security fencing to allow access for hedgehogs
19. Details for the provision of a replacement pond
20. Protection for breeding birds
21. Habitat management plan.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning

(Regulation) has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

The meeting commenced at 10.30 am and concluded at 4.15 pm

Councillor H Davenport (Chairman)