

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 18th November, 2015 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor J Hammond (Vice-Chairman) in the Chair

Councillors Rhoda Bailey (Substitute), B Burkhill, T Dean, M Sewart,
L Durham, S Gardiner (Substitute), D Hough, J Jackson, S McGrory,
D Newton, S Pochin, J Wray and G M Walton

OFFICERS

Nicky Folan (Planning Solicitor)
Ben Haywood (Major Applications – Team Leader)
Paul Hurdus (Highways Development Manager)
David Malcolm (Head of Planning (Regulation))
Philippa Radia (Senior Planning Officer)
Marad Rees (Planning Officer)
Emma Williams (Principal Planning Officer)
Gaynor Hawthornthwaite (Democratic Services Officer)

77 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors H Davenport and Rachel Bailey.

78 DECLARATIONS OF INTEREST/PRE DETERMINATION

In respect of application 14/0365N, Councillor S Pochin declared that she was the Ward Member and had commented to the press on this application. As she considered that she had pre-determined this application, she would, therefore, speak as the Ward Member and then withdraw from the meeting and take no part in the discussions or voting on this application.

In the interest of openness in respect of applications 15/2099C, 15/3868N and 14/0365N, Councillor J Hammond declared that he was a Director of ANSA Environmental Services who had been a consultee on the applications and that he had not made any comments or taken part in any discussions on these applications.

In the interest of openness in respect of applications 15/1247W and 15/1431W Councillor J Hammond declared a pecuniary interest on the grounds that he was a Director of ANSA Environmental Services who use Whittakers Green Farm to deposit garden waste and Henshaws to deposit

recyclable waste and in the circumstances would leave the room prior to consideration of the applications.

In the absence of the Vice-Chairman, Councillor G Walton was appointed by the Board to take the Chair on these two applications.

In the interest of openness Councillor D Hough declared that he was a Director of TSS who were responsible for the administration of bus stops and applications 15/2099C and 14/0128N made reference to the provision of bus stops, but he had not discussed this with anyone at TSS.

In the interest of openness Councillor Rhoda Bailey declared that she was a member of CPRE who had made representations on applications 15/2099C and 14/0128N and that she had not made any comments or taken part in any discussions on these applications

In respect of applications 15/2099C and 15/3868N Councillor S Gardiner declared a non-pecuniary interest on the grounds that the applicants were former employers.

In the interest of openness in respect of application 15/1247W, Councillor S Gardiner declared that one of the public speakers on this application is known to him.

79 MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 21st October 2015 be approved as a correct record and signed by the Chairman.

80 PUBLIC SPEAKING

That the public speaking procedure be noted.

81 15/2099C - TALL ASH FARM, 112 BUXTON ROAD, CONGLETON, CHESHIRE CW12 2DY: DEMOLITION OF EXISTING BUILDING AND THE DEVELOPMENT OF UP TO 236 DWELLINGS INCLUDING ACCESS FOR BLOOR HOMES NORTH WEST LTD

The Board considered a report regarding the above application.

(Councillor G Williams (Ward Member), Councillor A Morrison (on behalf of Congleton Town Council, Mr P Minshull (Objector) and Mr B Pycroft (agent) 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 completion of a Section 106 legal agreement to secure:

- Affordable Housing comprising 30% (65% of which will be for social / affordable rent and 35% for shared ownership / intermediate tenure)
- Education contributions of £173,540 (primary) £196,112 (secondary) and £136,500 (Special Educational Needs) = total of £506,112
- Highways contributions of £3,000 per dwelling towards the A34 online improvements or the Link Road
- Public Open Space
 - Amenity Greenspace £66,977
 - Children and Young Persons Play Provision £169,070
 - Provision of a NEAP (8 items of play equipment)
 - 5,664 square metres of onsite Amenity Greenspace
- Macclesfield Canal Towpath contributions of £176,000
- PROW contributions of £17,065
- Public Realm contributions of £15,500
- Improvement to 2no. bus stops – contributions of £24,000
- TRO (30 mph consultation) £6000
- Provision of a controlled crossing

And the following conditions:

1. Standard Outline Time limit – 3 years
2. Submission of Reserved Matters
3. Accordance with Approved Plans
4. Access to constructed in accordance with approved plan prior to first occupation
5. Submission of an Environmental Management Plan (incl dust control)
6. Noise mitigation to be submitted with reserved matters
7. Submission of a travel plan
8. Provision of electric vehicle infrastructure (charging points)
9. Submission of contaminated land survey
10. Details of drainage to be submitted
11. Only foul drainage to be connected to sewer
12. Details of pile driving operations to be submitted
13. Retention of important trees and hedgerows
14. Tree and hedgerow protection measures
15. Arboricultural Specification/Method statement
16. Timing of the works and details of mitigation measures to ensure that the development would not have a detrimental impact upon breeding birds.
17. Reserved matters application to include details for the provision of an additional pond

18. Reserved matters application to be supported by updated badger survey and mitigation strategy
19. Updated barn owl mitigation strategy to be submitted with any future reserved matters application
20. Detailed lighting scheme to be submitted in support any future reserved matters application.
21. Provision of 20m buffer zone adjacent to the canal.
22. Provision of minimum 30m buffer adjacent to woodland in accordance with submitted parameters plan.
23. Provision of gaps in garden and boundary fencing to allow movement of hedgehogs.
24. Development to be carried out in accordance with in accordance with the recommendations of paragraph 5.17 of the submitted phase one survey report prepared by CES Ecology.
25. Reserved matters application to be supported by a method statement for the eradication of invasive non-native plant species.
26. Bin Storage
27. Construction Management Plan (to include a timetable for the installation of utilities/services/sewers and how long roads are to be closed)

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.

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.

(Note: Councillors S Gardiner and B Burkhill asked for their votes against this application to be recorded in the minutes)

Following consideration of this application the meeting adjourned for lunch from 12.30 pm to 13.00 pm.

- 82 **WITHDRAWN 14/0128N - LAND TO THE NORTH OF MAIN ROAD, WYBUNBURY: OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED (APART FROM ACCESS) FOR UP TO 40 DWELLINGS, INCIDENTAL OPEN SPACE, LANDSCAPING AND ASSOCIATED ANCILLARY WORKS FOR THE CHURCH COMMISSIONERS FOR ENGLAND**

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

- 83 **15/1247W - WHITTAKERS GREEN FARM, PEWIT LANE, BRIDGEMERE, CHESHIRE CW5 7PP: APPLICATION TO VARY CONDITION 11 OF PERMISSION 7/2006/CCC/11 TO INCREASE THE PERMITTED VEHICLE MOVEMENTS IN RESPECT OF BANK AND PUBLIC HOLIDAYS FROM 10 MOVEMENTS (5 IN, 5 OUT) TO 20 MOVEMENTS (10 IN, 10 OUT FOR MR F H RUSHTON)**

Prior to consideration of this application, as stated in his declaration, Councillor J Hammond left the meeting and returned following consideration of application number 15/1431W.

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

(Councillor J Clowes (Ward Member), Councillor B Frodsham (on behalf of Doddington and District Parish Council) and Councillor C Knibbs (on behalf of Hatherton and Walgherton Parish Council) attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report and written update the amendment of condition 11 of permission 7/2006/CCC/11 be APPROVED to read:

Between 1 April and 31 October:

- The maximum number of vehicle movements over 5.5 day week (Monday to Saturday) is limited to a maximum of 198 green waste vehicle movements (99 in, 99 out) of which no more than:

- A maximum of 40 (20 in, 20 out) on any one day Monday – Friday

- A maximum of 18 (9 in, 9 out) on Saturday mornings (between 0800-1200)

- A maximum of 20 (10 in, 10 out) on Bank or Public Holidays (between 0830-1600)

No green waste vehicle movements on Sundays'

Between 1 November and 31 March:

- the maximum number of vehicle movements over a 5 day week (Monday to Friday) is limited to a maximum of 140 green waste vehicle movements (70 in, 70 out) of which, no more than;

- A maximum of 32 (16 in, 16 out) on any one day Monday to Friday.

- No green waste vehicle movements on Saturday or Sunday

- A maximum of 10 (5 in, 5 out) on Bank or Public Holidays

Reason: To control the scale of the development; in order to safeguard the amenities of both the area and local residents and in the interests of highway safety; and to comply with Policy 28 of Cheshire Replacement Waste Local Plan, and Policy BE.1 of the Crewe and Nantwich Local Plan.

- An update of all of the original conditions to take account of other applications and decisions at the site.

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 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 Head of Planning (Regulation) in consultation with the Chairman of the Strategic Planning Committee 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.

84 15/1431W - HENSHAW'S WASTE MANAGEMENT, 150 MOSS LANE, MACCLESFIELD, CHESHIRE SK11 7XF: THE TEMPORARY USE OF AN AREA WITHIN THE EXISTING HENSHAW'S BUILDING FOR THE ACCEPTANCE AND STORAGE OF COUNCIL-COLLECTED RECYCLABLE WASTES ON SELECTED BANK HOLIDAYS (FOR 2 YEARS) FOR CFM HENSHAW

The Board considered a report regarding the above application.

(Councillor L Jeuda (Ward Member) and Mr R Sims (agent) attended the meeting and spoke in respect of the application).

RESOLVED

That the application be REFUSED for the following reasons:

1. The hours of operation proposed would result in significant adverse impacts on residential amenity due to noise disturbance associated

with the delivery, receipt and handling of waste. This is contrary to policies 12, and 23 of the Cheshire Replacement Waste Local Plan; as well as policy DC3 of Macclesfield Borough Local Plan; paragraph 7 of NPPW and paragraph 123 of NPPF.

2. The proposed hours of operation do not conform with those stipulated in the development plan and would result in unacceptable impacts on residential amenity due to noise disturbance. This conflicts with policy 29 of the Cheshire Replacement Waste Local 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 Board's decision.

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.

Following consideration of this application, Councillor S McGrory left the meeting and did not return.

85 15/3380N - LAND SOUTH OF ROYALS WOOD FARM, WHITCHURCH ROAD, ASTON: INSTALLATION OF GROUND MOUNTED PHOTOVOLTAIC (PV) SOLAR ARRAYS TO PROVIDE C.3MW GENERATION CAPACITY TOGETHER WITH INVERTER HOUSES, INTERNAL ACCESS TRACK; LANDSCAPING; FENCING; SECURITY MEASURES; ACCESS GATE; AND ANCILLARY INFRASTRUCTURE FOR INRG SOLAR PARKS LTD

The Board considered a report regarding the above application.

Mr J Coombs (agent) 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 completion of a Section 106 legal agreement to secure:

- A bond/mechanism for the clearance and restoration of the land to agricultural use after 25 years

- Provision for sky larks and a landscape management plan – to be submitted to cover that provision for an offsite area.

And the following conditions:

1. Time limit.
2. Approved plans
3. Submission of plans showing visibility splays of 2.4m x 120m
4. Submission of landscaping scheme with planting specification for new hedgerow along northern boundary and details of seeding of the grassland habitats within solar arrays
5. Implementation and maintenance of landscaping scheme
6. Submission and implementation of a Landscape and Habitat Management Plan
7. Submission and implementation of Construction Environment Management Plan including details of retention and maintenance of the public footpaths within the site
8. Tree protection
9. Tree retention
10. Submission and implementation of full service/drainage layout
11. Submission of report detailing the results of the contaminated land watching brief and any remediation works necessary
12. Submission of and implementation of full details of solar arrays, fencing and all other equipment, including colour and finish
13. Development completed between 1st November and 28th February in any year unless a mitigation statement to avoid Great Crested Newts has been submitted and approved
14. Submission of an updated protected species survey and mitigation measures prior to the commencement of development
15. Details of the provision of gaps in the security fencing to allow access for Badgers and Brown Hares
16. Protection for breeding birds
17. Provision of 2 Barn Owl boxes
18. Development completed in accordance with the Flood Risk Assessment

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

86 15/3572C - CHELLS HILL FARM, CHELLS HILL, CHURCH LAWTON CW11 2TJ: VARIATION OF CONDITIONS 05, 09, 10, 11, 15, 19, 22, 23 & 24 ON APPLICATION 14/2479C FOR PROPOSED INLAND WATERWAYS MARINA INCLUDING SUPPORTING FACILITIES BUILDING AND WORKSHOP, NEW WETLANDS, HABITAT CREATION,

ECOLOGICAL AREAS, LANDSCAPING, FOOTPATHS, ROAD ACCESS AND ASSOCIATED CAR PARKING FOR MR ED NIELD

The Board considered a report regarding the above application.

RESOLVED

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

1. Commencement of development – time frame as originally approved
2. Approved Plans (14/2479C)
3. Materials -buildings and all hard surfaces
4. Tree survey
5. Except for the construction of the first 25 metres of the new highway access road and notwithstanding the submitted landscaping details, prior to the commencement of development, full details of structural landscape planting/additional screen planting to be introduced on the site shall be submitted to and agreed in writing by the Local Planning Authority
6. Full details of the works to deposit the excavated material on the site and finished site levels shall be submitted to and agreed in writing by the local planning authority.
7. Amended landscaping scheme including details of any boundary treatment inc replacement hedge/ all fencing to segregate marina from farmers field/ landscape management plans to be submitted
8. Implementation and maintenance of landscaping
9. Except for the construction of the first 25 metres of the new highway access road, submission of 10 year habitat management plan
10. Except for the construction of the first 25 metres of the new highway access road detailed designs of new ponds shall be submitted
11. Except for the construction of the first 25 metres of the new highway access road, details of provision of bat and bird boxes shall be submitted
12. Safeguarding breeding birds
13. Implementation of Great Crested Newt mitigation, subject to Natural England licence.

14. Scheme to limit the surface water runoff generated by the proposed development, to be submitted to and approved
15. Except for the construction of the first 25 metres of the new highway access road, details of temporary protective metal fencing to be erected 5 metres from the Trent and Mersey Canal shall be submitted
16. Prior to first development the developer will provide a detailed highway access design from the revised access point on Cappers Lane, based on a topographical survey, which will show standard junction geometry and be tracked to demonstrate safe turning movements and to the satisfaction of the LPA.
17. Prior to first development the developer will provide an amended plan showing intervisible passing places along the internal access road to the marina to the satisfaction of the LPA.
18. Workshop/ maintenance /repairs of canal boats only
19. Except for the construction of the first 25 metres of the new highway access road a scheme to implement a programme of archaeological work shall be submitted
20. Narrow boats within dry dock to be stored at ground level only and not stacked
21. No moorings to be used as sole or main residence and the site operator shall maintain an up-to-date register of the names and addresses of all owners and occupiers, and shall make this record available to the local planning authority at all reasonable times, upon request
22. Except for the construction of the first 25 metres of the new highway access road a scheme to allow pedestrian access across the Trent & Mersey Canal at Pierpoints Bottom Lock (Lock 56) to be submitted
23. Except for the construction of the first 25 metres of the highway access rod bin store details shall be submitted
24. Full details of all external lighting to be submitted prior to installation
25. Submission of amended tree protection plan required to reflect amendments to spoil disposition. Implementation.
26. Updated badger survey

In the event of any changes being needed to the wording of the committee's decision (such as to delete, vary or add additional conditions/informative/ planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation), in consultation with the Chairman 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.

87 15/3868N - 144, AUDLEM ROAD, NANTWICH, CHESHIRE, CW5 7EB: OUTLINE PERMISSION FOR RESIDENTIAL DEVELOPMENT FOR UP TO 104 DWELLINGS (USE CLASS C3) AND LAND FOR EXPANSION OF BRINE LEAS SCHOOL (USE CLASS D1) FOR WAINHOMES (NORTH WEST) LTD

Councillor P Groves (Ward Member), Councillor J Davenport (on behalf of Stapeley and District Parish Council), Mr P Staley (Objector) and Mr S Harris (agent) attended the meeting and spoke in respect of the application).

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

RESOLVED

That contrary to the Planning Officer's recommendation for approval, the application be REFUSED for the following reasons:

- Inability to provide safe and suitable access to the development

Following consideration of this application, Councillors J Jackson and T Dean left the meeting and did not return.

88 15/4046N - LAND OFF, CREWE ROAD, SHAVINGTON CUM GREY, CREWE: THE APPROVAL OF RESERVED MATTERS IN RESPECT OF APPEARANCE, LANDSCAPING, LAYOUT, AND SCALE FOR THE CONSTRUCTION OF 275 DWELLINGS INCLUDING LANDSCAPING, RECREATION AND AMENITY OPEN SPACE ON LAND AT CREWE ROAD, SHAVINGTON FOR TAYLOR WIMPEY UK LIMITED

The Board considered a report and verbal update regarding the above application.

Councillor S Edgar (Ward Member) and Ms C Musker (agent) 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. Approved plans
2. Materials
3. Boundary treatment
4. Landscape implementation
5. Scheme of Placemaking Features
6. Surfacing materials for rights of way / cycle tracks
7. Removal of permitted development rights for buffer area
8. Felling Technique (22 and 49)
9. Tree decay assessment
10. Hedgerow species

89 14/0365N - LAND NORTH OF MOORFIELDS, WILLASTON: DEVELOPMENT OF UP TO 170 DWELLINGS WITH ASSOCIATED INFRASTRUCTURE AND OPEN SPACE PROVISION (OUTLINE) FOR RICHBOROUGH ESTATES

The Board considered a report regarding the above application.

Councillor S Pochin (Ward Member) attended the meeting and spoke in respect of the application).

Prior to consideration of this application, as stated in her declaration, Councillor S Pochin spoke as the Ward Member and then left the meeting.

RESOLVED

That the Board be minded to REFUSE the application for the following reasons:

1. The proposed residential development is unsustainable because it is located within the Open Countryside contrary to Policies NE.2 (Open Countryside), NE.12 (Agricultural Land Quality) and RES.5 (Housing in the Open Countryside) of the Crewe and Nantwich Replacement Local Plan, Policy PG5 of the emerging Cheshire East Local Plan Strategy – Submission Version and the principles of the National Planning Policy Framework, which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use. As such it and creates harm to interests of acknowledged importance.
2. The proposal would result in loss of the best and most versatile agricultural land and the applicant has failed to demonstrate that this development could not be accommodated elsewhere. The use of the

best and most versatile agricultural land is unsustainable and contrary to Policy NE.12 of the Borough of Crewe and Nantwich Replacement Local plan 2011 and the provisions of the National Planning Policy Framework.

3. In the opinion of the Local Planning Authority, the proposed development would cause a significant erosion of the Green Gap between the built up areas of Willsaton and Rope which would significantly and demonstrably outweigh the benefits of the scheme notwithstanding a shortfall in housing land supply. The development is therefore contrary to Policy NE4 (Green Gaps) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the NPPF.

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.

Should this application be the subject of an appeal, authority is approved to enter into a S106 Agreement to secure the following:

1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:
 - The numbers, type, tenure and location on the site of the affordable housing provision
 - The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing
 - The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
 - The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
2. The provision of 1.09 hectares of amenity green space, a LEAP to be maintained by a private management company
3. Highways contribution £292,000 towards the A51 Corridor
4. Biodiversity off-setting contribution £25,000
4. A primary school education contribution of £314,542.41
5. A secondary school education contribution of £359,539.18
6. A contribution towards SEN £91,000

The meeting commenced at 10.35 am and concluded at 4.45 pm

Councillor J Hammond