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## CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 27th February, 2019 at The Capesthorne Room - Town  
Hall, Macclesfield SK10 1EA

### **PRESENT**

Councillor G Merry (Chairman)  
Councillor M J Weatherill (Vice-Chairman)

Councillors D Brown, B Burkhill, H Davenport, M Deakin (Substitute), S Edgar,  
T Fox, P Groves, S Hogben, J Jackson and B Roberts

### **OFFICERS IN ATTENDANCE**

Ms S Dillon (Senior Lawyer), Mr A Fisher Head of Planning, Strategy), Mr K Foster (Principal Planning Officer), Mr P Hurdus (Highways Development Manager, Mr D Malcolm (Head of Planning Regulation)) and Mr G Nancarrow (Minerals Planning Contractor)

### **90 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor J Macrae.

### **91 DECLARATIONS OF INTEREST/PRE DETERMINATION**

It was noted that Members had received correspondence in respect of applications 17/3605W and 18/3672M.

In the interest of openness in respect of applications 18/4892C and 18/3672M, Councillor S Hogben declared that he was a Director of ANSA who had been a consultee, however he had not made any comments nor discussed the applications.

In the interest of openness in respect of application 17/3605W, Councillor B Roberts declared that through a homelessness charity he was an acquaintance of one of the people representing Cranage Parish Council present at the meeting.

In the interest of openness in respect of application 18/4892C, Councillor B Roberts declared he used to work with the applicant, Colin Muller a number of years ago.

In the interest of openness in respect of application 18/4892C, Councillor G Merry declared that whilst she was a member of Sandbach Town Council she was not on the Town Council's Planning Committee and had not discussed the application.

In the interest of openness in respect of application 18/3672M, Councillor G Merry declared that she had received an email from the local MP.

## **92 MINUTES OF THE PREVIOUS MEETING**

### **RESOLVED**

That the minutes of the meeting held on 30 January 2019 be approved as a correct record and signed by the Chairman.

## **93 PUBLIC SPEAKING**

### **RESOLVED**

That the public speaking procedure be noted.

## **94 17/3605W-SILICA SAND EXTRACTION AND ASSOCIATED DEVELOPMENT, MINERAL EXTRACTION BY DREDGING, PROGRESSIVE RESTORATION, MINERAL PROCESSING AND DESPATCH, LAND AT RUDHEATH LODGE, NEW PLATT LANE, CRANAGE AND ALLOSTOCK, FORMR M HURLEY, SIBELCO UK LTD**

Consideration was given to the above application.

(Councillor A Kolker, the Ward Councillor, Parish Councillor Mike Cohen, representing Cranage Parish Council, Pamela Garnett, an objector and Mike Hurley, representing the applicant attended the meeting and spoke in respect of the application).

### **RESOLVED**

That subject to the Secretary of State deciding not to 'call-in' the application under the Departure from the Development Plan procedures, the application for the reasons set out in the report be approved subject to the following conditions:-

1. Commencement & notification
2. Approved plans
3. Cessation of mineral working and restoration within 15 years of commencement.
4. Hours of working
5. Access
6. Soils handling
7. Depth of extraction
8. Phased working
9. Advance Landscape works and planting
10. Annual progress and review meeting and report
11. Electromagnetic interference mitigation
12. Electromagnetic compatibility monitoring
13. Noise limits

14. Noise management plan
15. Dust management plan
16. Archaeological mitigation strategy
17. Environmental protection scheme
18. Pollution prevention measures
19. Contaminated land scheme
20. Unexpected contamination
21. Lighting scheme
22. Surface water management plan
23. Drainage scheme
24. Drainage monitoring
25. Stability monitoring
26. Additional boreholes for stability monitoring
27. Protection of trees/vegetation
28. Plant and machinery
29. Site maintenance and emergency repairs
30. Progressive species surveys and mitigation proposals.
31. Groundwater monitoring and mitigation
32. Storage of materials harmful to water quality
33. Liaison Committee
34. Provision of footpaths

In the event of any changes being needed to the wording of the Board'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.

(The meeting adjourned for a short break).

- 95 **18/4892C-HYBRID PLANNING APPLICATION FOR DEVELOPMENT COMPRISING: (1) FULL APPLICATION FOR ERECTION OF A FOODSTORE (CLASS A1), PETROL FILLING STATION (SUI GENERIS) AND ANCILLARY KIOSK/CONVENIENCE STORE (CLASS A1), DRIVE-THROUGH RESTAURANT (CLASS A3 / A5), DRIVE-THROUGH COFFEE SHOP (CLASS A1 / A3), FARM SHOP (CLASS A1) AND 2 NO. RETAIL 'POD' UNITS (CLASS A1 / A3 / A5), ALONG WITH CREATION OF ASSOCIATED ACCESS ROADS, PARKING SPACES AND LANDSCAPING. (2) OUTLINE APPLICATION, INCLUDING ACCESS FOR ERECTION OF A CARE HOME (CLASS C2), 92 NEW DWELLINGS (CLASS C3), CONVERSION OF EXISTING BUILDING TO 2 DWELLINGS (CLASS C3) AND REFURBISHMENT OF TWO EXISTING**

**DWELLINGS ALONG WITH CREATION OF ASSOCIATED ACCESS ROADS, PUBLIC OPEN SPACE AND LANDSCAPING, LAND SOUTH OF, OLD MILL ROAD, SANDBACH FOR C MULLER, MULLER PROPERTY GROUP**

Consideration was given to the above application.

(Councillor S Corcoran, the Ward Councillor and Matthew Wedderburn, the agent for the applicant attended the meeting and spoke in respect of the application. In addition a statement was read out on behalf of Councillor B Moran, a neighbouring Ward Councillor).

**RESOLVED**

That the application be refused for the following reasons:-

1. The proposed development would have a high trade impact. There are also concerns regarding the potential loss of linked trips associated with the trade impacts on the Waitrose and Aldi anchor stores in Sandbach Town Centre. The impact on Sandbach Town Centre as a whole would be significantly adverse and would outweigh the small improvement in consumer choice that the application scheme would deliver. The proposed development would be contrary to policy EG5 of the CELPS, HC2 of the Sandbach Neighbourhood Plan and the NPPF.
2. This is an important gateway location and prominent site in Sandbach. The level of information provided to demonstrate the appearance and design impact of the site engineering is inadequate. The commercial buildings are all standard designs that pay little regard to Sandbach as a place and consequently the development will not suitably integrate and add to the overall quality of the area in architectural terms. The proposed development fails to take the opportunities available for improving the character and quality of the area and is contrary to Policy SE1 of the CELPS, Policy H2 of the SNP and guidance contained within the NPPF.
3. The commercial part of the development would be car dependent and insufficient information has been submitted with this application to show how the proposed development would be served by public transport and how the site would be linked to Sandbach Town Centre and thereby encouraging linked trips. The proposed development is contrary to Policies SD1, SD2, CO1 and CO2 of the CELPS, Policies GR9, GR10 and GR13 of the Congleton Local Plan and Policies H5 and JLE1 of the Sandbach Neighbourhood Plan and guidance contained within the NPPF.
4. The proposed development would affect PROW Nos 17, 18 and 19. The PROW would be diverted along estate roads or pavements (which is an extinguishment of the public right of way) or accommodated along narrow corridors at the rear of the retail development or residential properties affording no natural surveillance and the potential for anti-social

behaviour. The proposed development would be contrary to Policy CO1 of the CELPS, Policy GR16 of the Congleton Local Plan, Policies PC5 and JLE1 of the Sandbach Neighbourhood Plan and guidance contained within the NPPF.

5. The Local Planning Authority considers that insufficient information has been provided to demonstrate that the site could accommodate the number of dwellings proposed together with the required level of Open Space/Green Infrastructure/Children's play space. As such the proposed development is contrary to Policy SE6 of the CELPS, Policy GR22 of the Congleton Local Plan and guidance contained within the NPPF.

6. The application site is of a very challenging topography including an escarpment that runs along the central part of the site. It is considered that there is insufficient information contained within the application in relation to the proposed levels and there is limited evidence of any landscape mitigation within the application. On this basis the development would not achieve a sense of place nor has design quality. The proposed development is therefore contrary to Policies SD2, SE1 and SE4 of the CELPS, PC2 of the Sandbach Neighbourhood Plan and guidance contained within the NPPF.

7. The proposed development is located partly within the Sandbach Wildlife Corridor and within 2-3m of the top of the bank of Arclid Brook. The proposed development would result in a loss of a substantial area of habitat within the wildlife corridor. The application does not provide a strategy to deliver compensatory habitats of the proposed development upon the wildlife corridor. Without this information the proposed development would be contrary to Congleton Local Plan Policy NR4, CELPS Policy SE3 and SNP Policies PC4 and JLE1.

8. The Local Planning Authority considers that insufficient information has been submitted in support of this application to allow an assessment of the impact of the development upon Water Vole. The Council therefore has insufficient information to assess the potential impacts of the proposed development upon this protected species. The proposed development is contrary to Policies NR2 of the Congleton Local Plan, SE 3 of the Cheshire East Local Plan Strategy, PC4 and JLE1 of the Sandbach Neighbourhood Plan and guidance contained within the NPPF.

9. There is a small bat roost present within an existing building on the site and this proposed development would result in a low impact upon this species as a result of the loss of this roost. The proposed development fails two of the tests contained within the Habitats Directive and as a result would also be contrary to Policies NR2 of the Congleton Local Plan, SE 3 of the Cheshire East Local Plan Strategy, PC4 and JLE1 of the Sandbach Neighbourhood Plan and guidance contained within the NPPF.

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head

of Planning (Regulation) in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

If the application is subject to an appeal approval is given to enter into a S106 Agreement with the following Heads of Terms:-

<b>S106</b>	<b>Amount</b>	<b>Triggers</b>
<b>Affordable Housing</b>	30% (65% Affordable Rent / 35% Intermediate)	In accordance with phasing plan to be submitted at the reserved matters stage.  No more than 80% open market occupied prior to affordable provision in each phase.
<b>Education</b>	For a development of 94 dwellings;  17 x £11,919 x 0.91 = £184,387.00 (primary)  14 x £17,959 x 0.91 = £228,798.00 (secondary)  1 x £50,000 x 0.91 = £45,500.00 (SEN)  Total education contribution: £458,685.00	SEN – Full amount prior to first occupation of the housing development  Secondary – Full amount prior to first occupation of 30 dwellings  Primary – Full amount prior to first occupation of 50 dwellings
<b>Health</b>	Contribution of £79,496	Full amount to be paid prior to the commencement of the housing/care home
<b>Indoor recreation</b>	Contribution of £30,530	Full amount to be paid prior to the commencement of the housing/care home
<b>Outdoor recreation</b>	Contribution of £1,000 for a family dwelling or £500 per 2 bed apartment space	Full amount prior to first occupation of 50 dwellings
<b>Public Open Space</b>	Private Management Company  Provision of a NEAP and the	On first occupation  On occupation of 50% of the

	open space (amount based on calculation within Policy SE 6) – to include 30m buffer from NEAP to the nearest housing.	dwellings
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(The meeting was adjourned from 1.25pm until 1.55pm for lunch).

- 96 **18/3672M-OUTLINE APPLICATION (WITH ALL MATTERS RESERVED FOR FUTURE APPROVAL) FOR A RESIDENTIAL-LED (USE CLASS C3) DEVELOPMENT, INCLUDING A LOCAL CENTRE COMPRISING OF RETAIL, RESIDENTIAL AND COMMUNITY USES (USE CLASSES A1, A2, A3, A4, A5, D1 AND C3 USES); A MIXED RESIDENTIAL USE AREA TO ALLOW FOR RESIDENTIAL DWELLINGS (C3 USE CLASS), A HOTEL (C1 USE CLASS), AND/OR A RESIDENTIAL CARE HOME (C2 USE CLASS); ALONGSIDE ANY ASSOCIATED RECREATIONAL SPACE, CAR PARKING, CYCLE PARKING, LANDSCAPING, AND OTHER WORKS FOR ALL PROPOSED USES, TATTON BLUEBELL VILLAGE, LAND EAST OF MANCHESTER ROAD, KNUTSFORD FOR MRS RACHEL WILBRAHAM, TATTON ESTATE MANAGEMENT LTD**

Consideration was given to the above application.

(Councillor T Dean, the Ward Councillor, Debbie Jamison, an objector, Brian Chaplin, representing the five Knutsford Community Groups, supporting and Sebastian Tibenham, the agent for the applicant attended the meeting and spoke in respect of the application).

## **RESOLVED**

That, except for the Public House (Use Class A4) and Hotel (Use Class C1), for the reasons set out in the report and in the written update to the Board, the application be approved subject to the completion of a Section 106 Agreement securing the following:-

<b>S106</b>	<b>Amount</b>	<b>Triggers</b>
<b>Affordable Housing</b>	30% (65% Affordable Rent / 35% Intermediate)	In accordance with phasing plan. No more than 80% open market occupied prior to affordable provision in each phase.
<b>Education</b>	£182,000 SEN	50% Prior to first occupation 50% at occupation of 50% of dwellings
<b>Health</b>	£302,400 to additional GP provision in Knutsford. (amount based on	50% Prior to first occupation 50% at occupation of 50%

	occupancy)	of dwellings
<b>Indoor Recreation</b>	£52,000 – Knutsford Leisure Centre	Prior to First Occupation
<b>Recreation Open Space</b>	(£1000 per market dwelling and £500 per 1 / 2 bed market apartment). Plus additional contribution depending on the nature of the commercial floor space brought forward	50% Prior to first occupation 50% at occupation of 50% of dwellings
<b>Public Open Space</b>	Management Company for future maintenance	As per website s106 Agreement precedent
<b>Allotments</b>	Scheme for improvement to Allotments on Mereheath Lane and future maintenance.	On first occupation
Landscaping to North	Scheme for landscaping buffer on land to the north of the site and future maintenance.	On first occupation
<b>Travel Plan Monitoring</b>	£5000	On first occupation

And subject to the following conditions:-

1. Standard contaminated land condition
2. Importation of soil
3. Unexpected contamination
4. Time period to implement permission
5. Approve reserved matters details
6. Plans
7. details of surface water drainage
8. Submission and implementation of Travel Plan
9. submit arboricultural impact assessment
10. levels
11. submission of design code
12. Construction environment management plan
13. Wildlife lighting scheme
14. Ecological enhancement strategy
15. Landscape and habitat management plan
16. boundary details
17. Provision of Electric Vehicle Charging Points
18. Noise Impact Assessment,
19. implement landscaping scheme
20. The development hereby approved shall include a total of no more than 275 residential dwellings (Use Class C2 and C3) of which no more than 250 shall fall within C3 Use Class. C2 units to no more than 50
21. details of materials
22. details of play area



23. retention of hedgerows
24. submission of heritage impact assessment.
25. broadband
26. Details and implementation of cycle way and footpath
27. The proposed local centre/parade of shops hereby approved shall comprise of no more than 1,000 sq m gross of A1 retail floorspace. No individual retail unit shall be more than 450 sq m gross. The convenience goods floorspace in any one retail unit should not exceed 280 sq m net.
28. Restriction in D1 uses and floor space
29. Submit updated bat survey at reserved matters
30. scheme for archaeological works
31. Implement Great Crested Newt mitigation
32. No tree removal during the bird nesting season
33. Details of a secure boundary with the adjoining football clubs
34. The section of the site in the Protected Open Space should be used as playing pitch or remain in agricultural/horticultural use
35. Improvements at Canoute Place implement before occupation of 100 houses or 1000m2 of commercial floor space
36. Improvements at Toft Rd / A537 junction implement before occupation of 100 houses or 1000m2 of commercial floor space
37. Improvements at Hollow Lane / A537 junction - implement before occupation of 100 houses or 1000m2 of commercial floor space
38. The development hereby approved does not include the public house (Class A4) or hotel (Class C1) applied for

In the event of any changes being needed to the wording of the Board'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) 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.

(The following item was considered after Minute No.97. Councillors D Brown and P Groves left the meeting and did not return).

#### **97 CHESHIRE EAST LOCAL PLAN: AUTHORITY MONITORING REPORT 2017/18**

Consideration was given to above report.

#### **RESOLVED**

That the report be noted.

(The following item was considered after Minute No.96).

#### **98 HAND CAR WASHES AND PLANNING**

Consideration was given to the above application.

(John Wheeler attended the meeting and spoke in respect of the report).

**RESOLVED**

That the Housing, Planning and Regeneration Portfolio Holder be recommended to endorse the production and use of a Supplementary Planning Document on hand car washes, following the outline attached at Appendix 2.

(Councillor H Davenport left the meeting and did not return).

**99 PLANNING APPEALS**

Consideration was given to the above report.

**RESOLVED**

That the report be noted.

The meeting commenced at 10.30 am and concluded at 4.00 pm

Councillor G Merry (Chairman)