

CHESHIRE EAST COUNCIL

Minutes of a virtual meeting of the **Strategic Planning Board**
held on Wednesday, 23rd September, 2020

PRESENT

Councillor M Hunter (Chairman)
Councillor S Gardiner (Vice-Chairman)

Councillors A Critchley, S Edgar, A Farrall, P Groves, S Hogben, D Jefferay,
R Moreton, P Redstone, J Weatherill and P Williams

OFFICERS IN ATTENDANCE

Ms S Dillon (Planning Lawyer), Mr D Evans (Principal Planning Officer), Mr T
Evans (Neighbourhood Planning Manager), Mr P Hurdus (Highways
Development Manager), Mr J Owens (Development Planning Manager) and
Mr D Malcolm (Head of Planning)

23 APOLOGIES FOR ABSENCE

There were no apologies for absence.

24 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 17/6366C, Councillor S
Hogben declared that he was a non-Executive Director of ANSA who had been
consulted on the application, however he had not discussed the application or
made any comments on it.

In the interest of openness in respect of applications 17/6366C and 20/2326C,
Councillor S Edgar declared that he was the Chairman of the Public Rights of
Way Committee, who had been consulted on the application, however had had
not discussed the application or made any comments on it.

In the interest of openness in respect of application 17/6366C, Councillor M
Hunter declared that he was the Ward Councillor and a non-Executive Director of
ANSA who had been consulted on the application, however he had not discussed
the application or made any comments on it.

In respect of application 20/2326C, Councillor P Williams declared that he had
pre-determined the application and would exercise his right to speak as the Ward
Councillor under the public speaking protocol and then leave the virtual meeting
for the remainder of the application.

It was noted that all Members had received correspondence in respect of agenda
item 9. Councillor S Gardiner confirmed he replied to the email to say he could
not respond.

25 MINUTES OF THE PREVIOUS VIRTUAL MEETING

RESOLVED

That the minutes of the virtual meeting held on 26 August 2020 be approved as a correct record and signed by the Chairman subject to the spelling of Barton Whilmore being corrected to Barton Willmore in respect of Councillor S Gardiner's declaration of interest.

26 PUBLIC SPEAKING -VIRTUAL MEETINGS

RESOLVED

That the public speaking procedure be noted.

27 17/6366C-OUTLINE PROPOSAL FOR A MIXED USE DEVELOPMENT INCLUDING RESIDENTIAL, CAFE, MARINA AND OTHER ANCILLARY WORKS, INTERTECHNIC UK LTD, ROAD BETA, MIDDLEWICH FOR MR PETER NUNN

Consideration was given to the above application.

(Tasleem Shahzad, an objector attended the virtual 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 S106 Agreement securing the following:-

S106	Amount	Triggers
Affordable Housing	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.
Education	For a development of up to dwellings; Secondary = £245,140 SEN = £45,500 Total = £290,640.	50% of the total education sum to be paid on the occupation of the 25 th dwelling. The next 50% of the total education sum to be paid on the occupation of the 50 th dwelling.
Indoor recreation	£20,540	Prior to first occupation
Outdoor recreation	£1,000 per family (2+bed) dwelling and £500 per 2+ bed apartment	Prior to occupation of 50% of the dwellings
Travel Plan	A revised travel plan shall be submitted to include the commitment to provide first occupiers cycle and bus pass up	Prior to commencement

	to the value of £150.00 / 3 month period respectively.	
Public Open Space	Private Management Company Provision of a NEAP and the open space	On first occupation On occupation of 50% of the dwellings
Highways Contribution	£300,000 towards highway improvements at A54/King Street/Leadsmithy Street £50,000 to fund traffic management measures along Brooks Lane	50% of the total highways sum to be paid on the prior to the occupation of the development The next 50% of the total education sum to be paid on the occupation of the 25 th dwelling.
PROW contribution	£5,000 for improvements to FP Middlewich 21	Prior to first occupation
NHS contribution	£95,616	50% to be paid prior to occupation and 50% prior top occupation of the 50% dwelling

And subject to the following conditions:-

1. Standard Outline 1
2. Standard Outline 2
3. Standard Outline 3– Reserved Matters to include details of Noise Mitigation and Acoustic Assessment referred to in conditions 21 and 22 and details of the internal highways layout
4. Approved Plans
5. Phasing details to be agreed
6. The reserved matters for the proposed development shall be in general accordance with the Brooks Lane SPD
7. Reserved Matters to include plans to demonstrate that boats can turn safely into the marina from the canal (to also demonstrate the turning of craft would not impact upon visitor moorings or cause damage to the towpath wall)
8. Canal Risk Assessment and Method Statement (structural integrity) to be submitted to the LPA for approval in writing
9. Details of appropriate mitigation measures to prevent any risk of pollution or harm to the adjacent Trent and Mersey Canal to be submitted to the LPA for approval in writing
10. No development shall take place until a scheme for the provision and implementation of a surface water drainage system to serve the development has first been submitted to and approved in writing by the Local Planning Authority
11. Reserved matters to include details of the footbridge over the marina
12. Submission and approval of a Construction Management Plan
13. Electric Vehicle Charging provision to be submitted and approved
14. Provision of low emission boilers within the development
15. Contaminated Land details to be submitted and approved
16. No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved

17. Details of any soil or soil forming materials to be tested for contamination prior to being brought onto site
18. If, during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find).
19. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.
20. No infiltration of surface water drainage into the ground where adverse concentrations of contamination are known (or suspected) to be present is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.
21. Reserved Matters to include an updated noise assessment (BS4142 Assessment)
22. Reserved Matters to include an updated acoustic mitigation scheme
23. Reserved matters application to be supported a lighting strategy informed by the advise in *Bats and lighting in the UK- bats and the built environment series*, (Bat Conservation Trust, 2009).
24. Reserved matters application to be supported by proposals for the incorporation of features for nesting birds and roosting bats.
25. Reserved matters application to be supported by a management plan for the control of Himalayan Balsam.
26. No development shall take place within the area described above until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.
27. Retention of trees on site unless otherwise agreed
28. Any future reserved matters application shall be supported by a Tree Survey no more than 12 months old, an Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan that shall inform the design of the definitive site layout and accord with the guidelines contained within *BS5837:2012 Trees in relation to design, demolition and Construction – Recommendations*
29. The Reserved Matters shall include an assessment of the facilitation of a footpath connection from the site boundary to Booth Lane.
30. The site access arrangements shall be completed prior to the development being brought into use.
31. Construction Traffic Management Plan to be submitted and approved
32. Prior to commencement a full detailed drainage strategy to be submitted and approved
33. No development should commence on site until such time as detailed calculations showing the effects of a 1 in 100 year rainfall event plus 30%

- allowance for climate change to support the chosen method of surface water drainage have been submitted to and agreed in writing
34. Restrict occupancy of retirement apartments to the over 55s
 35. First RM application to include POS provision and a NEAP (with 8 pieces of equipment and a separation distance of 30m to nearest dwellings)
 36. First RM application to include a marina with at least 30 births
 37. No consent given for the indicative plans

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 Head of Planning, in consultation with the Chairman (or in their absence the Vice 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.

Should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

S106	Amount	Triggers
Affordable Housing	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.
Education	For a development of up to dwellings; Secondary = £245,140 SEN = £45,500 Total = £290,640.	50% of the total education sum to be paid on the occupation of the 25 th dwelling. The next 50% of the total education sum to be paid on the occupation of the 50 th dwelling.
Indoor recreation	£20,540	Prior to first occupation
Outdoor recreation	£1,000 per family (2+bed) dwelling and £500 per 2+ bed apartment	Prior to occupation of 50% of the dwellings
Travel Plan	A revised travel plan shall be submitted to include the commitment to provide first occupiers cycle and bus pass up to the value of £150.00 / 3 month period respectively.	Prior to commencement
Public Open Space	Private Management Company Provision of a NEAP and the open space	On first occupation On occupation of 50% of the dwellings
Highways Contribution	£300,000 towards highway improvements at A54/King Street/Leadsmithy Street	50% of the total highways sum to be paid on the prior to the occupation of the development

	£50,000 to fund traffic management measures along Brooks Lane	The next 50% of the total education sum to be paid on the occupation of the 25 th dwelling.
PROW contribution	£5,000 for improvements to FP Middlewich 21	Prior to first occupation
NHS contribution	£95,616	50% to be paid prior to occupation and 50% prior top occupation of the 50% dwelling

(Prior to consideration of the following application, Councillor M Hunter left the virtual meeting and did not return. Councillor S Gardiner took the Chair for the remainder of the virtual meeting).

28 20/2326C-APPROVAL OF RESERVED MATTERS (APPEARANCE) FOLLOWING OUTLINE APPLICATION 19/0529C (APPEAL APP/R0660/W/19/3234366) FOR UP TO 19,236 SQM OF EMPLOYMENT FLOORSPACE, LAND AT CREWE ROAD, (RADWAY GREEN NORTH), ALSAGER FOR MRS MIRANDA BELL, COMMERCIAL DEVELOPMENT PROJECTS LIMITED

Consideration was given to the above application.

(Councillor Phil Williams, the Ward Councillor, Town Councillor Sue Helliwell, representing Alsager Town Council, Town Councillor Derek Hough, representing Alsager Town Council, Michael Unett, an objector, Andrew Williamson, representing the applicant and Miranda Bell, the applicant attended the virtual meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report and in the written update to the Board the application be delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chairman) of the Strategic Planning Board to resolve the outstanding issues of the Biodiversity Strategy and to allow further investigation regarding the concern from United Utilities and then approve subject to the following conditions;

1. Approved Plans
2. Cladding colour to be submitted and approved in writing and to include consultation with the Town Council.

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 Head of Planning, in consultation with the Chairman (or in their absence the Vice 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.

(The virtual meeting was adjourned for lunch from 1.50pm until 2.30pm. Councillors S Hogben and R Moreton left the virtual meeting and did not return. Councillor A Critchley left the virtual meeting).

29 20/2877N-PARTIAL DEMOLITION AND REDEVELOPMENT AND PARTIAL REFURBISHMENT OF AN EXISTING BUILDING RESULTING IN A TOTAL OF 25,706SQ.M OF B8 FLOORSPACE AT UNITS A AND B, 1 WESTON ROAD, CREWE FOR AEW UK CORE PROPERTY FUND

Consideration was given to the above application.

(Alexandra Walsh, representing the applicant attended the virtual meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report and in the written update to the Board the application be approved subject to the following conditions:-

1. Standard Time
2. Approved Plans
3. External Material details to be submitted
4. Landscape Implementation Scheme
5. Submission of a Tree Protection Scheme
6. Submission of a Arb Method Statement
7. Provision of Electric Vehicle Charging infrastructure
8. Provision of Ultra Low Emission Boilers
9. Submission of Phase II contaminated land report
10. Submission of a verification report in accordance with the remediation scheme
11. Prior approval of a soil contamination verification report
12. Development should stop if contamination is encountered
13. Development to be in accordance with FRA
14. Submission of a detailed strategy / design, associated management / maintenance plan for sustainable drainage
15. Foul and surface water to be drainage separately
16. Lighting Scheme to include existing light spill survey
17. Additional planting scheme to offset loss of trees to be submitted

In order to give proper effect to the Board's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice 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.

(Prior to consideration of the following application, Councillor A Critchley returned to the virtual meeting).

30 20/2876N-PARTIAL DEMOLITION AND REDEVELOPMENT AND PARTIAL REFURBISHMENT OF AN EXISTING BUILDING RESULTING IN A TOTAL OF 25,673SQ.M OF B8 FLOORSPACE AT UNITS A AND B, 1 WESTON ROAD, CREWE FOR AEW UK CORE PROPERTY FUND

Consideration was given to the above application.

(Alexandra Walsh, representing the applicant attended the virtual meeting and spoke in respect of the application).

RESOLVED

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

1. Standard Time
2. Approved Plans
3. External Material details to be submitted
4. Landscape Implementation Scheme
5. Submission of a Tree Protection Scheme
6. Submission of a Arb Method Statement
7. Provision of Electric Vehicle Charging infrastructure
8. Provision of Ultra Low Emission Boilers
9. Submission of Phase II contaminated land report
10. Submission of a verification report in accordance with the remediation scheme
11. Prior approval of a soil contamination verification report
12. Development should stop if contamination is encountered
13. Development to be in accordance with FRA
14. Submission of a detailed strategy / design, associated management / maintenance plan for sustainable drainage

- 15. Foul and surface water to be drainage separately
- 16. Lighting Scheme to include existing light spill survey
- 17. Additional planting scheme to offset loss of trees to be submitted

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 Head of Planning, in consultation with the Chairman (or in their absence the Vice 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.

(During consideration of the virtual meeting, Councillor A Critchley left the meeting and did not return).

31 UPDATE FOLLOWING THE RESOLUTION TO APPROVE APPLICATION 17/5070C - OUTLINE PLANNING PERMISSION (REVISIONS TO 09/2083C) IN RESPECT OF ZONES 2, 5 AND 6 TO PROVIDE UP TO 100 RESIDENTIAL UNITS (C3) PLUS CARE HOME (C2) OR 120 RESIDENTIAL UNITS, UP TO 2,600SQM OF COMMERCIAL USES INCLUDING RETAIL (A1), RESTAURANT/PUB (A3/A4) PLUS OFFICES (B1) WITH ASSOCIATED INFRASTRUCTURE AT THE FORMER ALBION CHEMICAL WORKS, MOSTON

Consideration was given to the above report.

(Councillor J Wray, the Ward Councillor, Parish Councillor Dave Nixon, representing Moston Parish Council and Mark Krassowski, the agent for the applicant attended the virtual meeting and spoke in respect of the item).

RESOLVED

That the Heads of Terms for the S106 Agreement be amended and an additional condition imposed (as stated below).

That the application be delegated to the Head of Planning (Regulation) in consultation with the Chairman of the Strategic Planning Board for further details of the Spatial Design Code. The rest of the Section 106 Agreement to include the following:-

S106	Amount	Triggers
Affordable Housing	10% (65% Affordable Rent / 35% Intermediate)	In accordance with phasing plan to be submitted at the reserved matters

		<p>stage.</p> <p>No more than 80% open market occupied prior to affordable provision in each phase.</p>
Education	<p>For a development of 100 dwellings;</p> <p>Primary £195,233</p> <p>Secondary £245,140</p> <p>SEN £45,500</p> <p>For a development of 120 dwellings;</p> <p>Primary £238,618</p> <p>Secondary £294,168</p> <p>SEN £45,500</p>	<p>50% of the total education sum to be paid on the occupation of the 25th dwelling.</p> <p>The next 25% of the total education sum to be paid on the occupation of the 50th dwelling.</p> <p>The final 25% of the total education sum to be paid on the occupation of the 75th dwelling.</p>
Indoor recreation	<p>For a development of 100 dwellings a contribution of £18,200.</p> <p>For a development of 120 dwellings a contribution of £21,450.</p>	Prior to first occupation.
Outdoor recreation	£1,000 per family dwelling or £500 per 2 bed pace (or more) apartment. Priority is that the money be spent on Canal Towpath improvements, second any other recreation/sports provision in Moston or Sandbach including Elworth Cricket Club	Prior to the occupation of the 75 th dwelling.
Allotment Contribution	£230.70 per dwelling	Prior to the occupation of the 75 th dwelling.
Public Open Space	<p>Private Management Company</p> <p>Provision of a NEAP and the open space</p>	<p>On first occupation</p> <p>On occupation of 50% of the dwellings</p>
Biodiversity Off-Setting Contribution	£30,000	Prior to first occupation.

And subject to the following conditions:-

1. Standard Outline 1
2. Standard Outline 2
3. Standard Outline 3
4. Approved Plans
5. Contaminated land – submission of a remediation strategy
6. Contaminated land – No occupation prior to the submission of a verification report
7. Contaminated land – works to stop if further unknown contaminated land is uncovered
8. Reserved Matters application to include details of existing and proposed levels
9. Each Reserved Matters application for residential development shall include an updated acoustic appraisal together with any mitigation measures.
10. Piling works
11. Travel Plan – Residential development
12. Travel Plan – Commercial development
13. Electric Vehicle Charging Provision
14. Reserved matters application for the commercial units to include a scheme of brown roofs
15. Reserved matters application to include a scheme of replacement hedgerow planting
16. The proposed development to proceed in strict accordance with the measures detailed in paragraph 5.2.5 of the submitted Preliminary Ecological Appraisal prepared by enzygo
17. Reserved Matters application for the housing to include a phasing plan
18. Development to be carried out in accordance with the submitted FRA
19. No development shall take place until a detailed strategy / design and associated management / maintenance plan of surface water drainage for the site has been submitted to and approved in writing by the Local Planning Authority.
20. Scheme to ensure that the site boundary will need to be adequately protected to ensure that any flood risk is contained and managed onsite and not transferred off site.
21. External Lighting to be submitted and approved
22. Each phase of the development hereby approved shall incorporate a mix of units of -
 - 1bed and/or 2 bed dwellings – between 10% and 30% of the number of dwellings
 - 3 bed dwellings – between 20% and 40% of the number of dwellings
 - 4 bed and/or 5 bed dwellings – between 20% and 40% of the number of dwellingand a minimum of 5 % of the units shall be bungalows or units for single storey living. The 1st reserved matters application shall provide a strategy for the distribution of all the housing across the site in accordance with these parameters. Thereafter the housing on each phase of development shall accord with the housing mix details provided unless otherwise approved in writing by the Local Planning Authority
23. The first Reserved matters application shall include a survey the trees within the grass verge and provide and implement a scheme of re-planting of tree (and removal if necessary) within the grass verge.
24. Visibility splays

25.No development shall commence until the Booth Lane improvement works have been submitted and approved. The approved works shall be carried out prior to the first occupation of the development

In order to give proper effect to the Board's intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chairman (or in their absence the Vice Chairman) to correct any technical slip or omission in the resolution, before issue of the decision notice.

(It was requested it be minuted that Councillor D Jefferay voted against the officer's recommendation).

32 STATEMENT OF COMMUNITY INVOLVEMENT UPDATE 2020

Consideration was given to the above report.

RESOLVED

That the Portfolio Holder for Planning be recommended to approve the Statement of Community Involvement October 2020.

(Prior to consideration of the following item, the virtual meeting was adjourned for a short break).

33 SITE ALLOCATIONS AND DEVELOPMENT POLICIES DOCUMENT – REVISED PUBLICATION DRAFT

Due to the time taken to consider the previous items on the agenda, it was resolved that the item be deferred in order for an additional meeting of the Strategic Planning Board to be arranged to consider the document in isolation.

RESOLVED

That the item be deferred in order for an additional meeting of the Strategic Planning Board to be arranged to consider the document in isolation.

The meeting commenced at 10.00 am and concluded at 5.00 pm

Councillor M Hunter (Chairman)