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CHESHIRE EAST COUNCIL

Minutes of a virtual meeting of the **Strategic Planning Board**
held on Friday, 12th March, 2021

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

Mr J Baggaley (Nature Conservation Officer), Mrs N Folan (Planning Solicitor)
Mr P Hurdus (Highways Development Manager and Mr D Malcolm (Head of
Planning)

86 APOLOGIES FOR ABSENCE

There were no apologies for absence.

87 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 19/5596C, Councillor
P Williams declared he knew Parish Councillor Vic Brown who was
speaking on the application, however he had not discussed the
application.

In the interest of openness in respect of application 19/5596C, 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 them.

In the interest of openness in respect of application 19/5596C, Councillor
S Gardiner declared that he knew Jon Suckley, was speaking on the
application in a professional capacity, however he had not discussed the
application with him.

In the interest of openness in respect of application 19/5596C, Councillor
R Moreton declared that he had met Parish Councillor Vic Brown who was
speaking on the application but he had not discussed the application with
him.

In the interest of openness in respect of application 19/5596C, Councillor
M Hunter 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 them.

In the interest of openness in respect of application 19/5596C, Councillor S Edgar declared that he was the Chairman of the Public Rights of Way Committee.

It was noted that in respect of application 19/5596C, all Members knew Councillor Susie Akers-Smith who was speaking on the application as she was a Cheshire East Councillor. In addition it was noted all Members had received correspondence in respect of the application.

88 MINUTES OF THE PREVIOUS VIRTUAL MEETING

RESOLVED

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

89 PUBLIC SPEAKING-VIRTUAL MEETINGS

RESOLVED

That the public speaking procedure be noted.

90 WITHDRAWN FROM THE AGENDA BY OFFICERS-19/3097M-RESERVED MATTERS APPLICATION FOR THE ERECTION OF 134NO. DWELLINGS, VEHICULAR ACCESS, ROADS AND FOOTWAYS, HARD AND SOFT LANDSCAPING, DRAINAGE AND OTHER ASSOCIATED WORKS FOLLOWING OUTLINE APPROVAL 17/4277M AT LAND BETWEEN CHELFORD ROAD AND WHIRLEY ROAD, HENBURY FOR MR MATTHEW SHIPMAN, BELLWAY HOMES LIMITED (MANCHESTER DIVISION)

This application was with withdrawn from the agenda by officers prior to the virtual meeting.

91 WITHDRAWN FROM THE AGENDA BY OFFICERS-19/3098M-ERECTION OF 23NO. DWELLINGS, VEHICULAR ACCESS, ROADS AND FOOTWAYS, HARD AND SOFT LANDSCAPING, DRAINAGE AND OTHER ASSOCIATED WORKS AT LAND BETWEEN CHELFORD ROAD HENBURY AND WHIRLEY ROAD MACCLESFIELD FOR MR MATTHEW SHIPMAN, BELLWAY HOMES LIMITED (MANCHESTER DIVISION)

This application was with withdrawn from the agenda by officers prior to the virtual meeting.

92 19/5596C-OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR THE PRINCIPAL MEANS OF ACCESS FOR THE ERECTION OF A RESIDENTIAL DEVELOPMENT (USE CLASS C3), EMPLOYMENT AND COMMERCIAL FLOORSPACE (USE

CLASSES B1/B2/B8/C1/D2) AND A LOCAL CENTRE (USE CLASSES A1/A2/A3/A4/A5/D1) WITH ASSOCIATED LANDSCAPING, DRAINAGE AND OTHER INFRASTRUCTURE, LAND OFF, VIKING WAY, CONGLETON FOR RICHBOROUGH ESTATES LLP

Consideration was given to the above application.

(Councillor Susie Akers-Smith, the Ward Councillor, Parish Councillor Vic Brown, representing Hulme Walfield and Somerford Booth Parish Council and Jon Suckley, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be approved subject to the completion of a S106 Agreement securing the following:-

S106	AMOUNT/REQUIREMENT	TRIGGER
Link Road contribution	£15,000 per dwelling. Minimum of £2million regardless of numbers of dwellings	<ul style="list-style-type: none"> •£900,000 before 1st residential occupation •£900,000 upon occupation of 80th dwelling •Balance of monies of all dwellings/remainder of £2 million paid upon occupation of 70% of dwellings
Toucan	£95,000	Prior to any occupation of the development
New bus service	£150,000	Upon occupation of 50 th dwelling
Greenway and Dane Cycle and Pedestrian Bridge /cycling improvements	£260,000	Prior to any occupation of any dwelling on site
Greenway and Dane Cycle and Pedestrian Bridge /cycling improvements	£100,000	Prior to occupation of any development on the west side of Viking Way
Western Greenway Land	<p>Transfer to the Council, any transfer to the Council will be free from incumbrances (other than as set out below) but for the avoidance of doubt the transfer shall:</p> <ul style="list-style-type: none"> i. be a transfer of the entire freehold interest of land as shown on BRJ10407-H-SK-410 ii be free from any pre- 	No more than 10% of the dwellings

	<p>emption or option agreement</p> <p>iii. be free from any mortgage, charge, lien or other such incumbrance</p> <p>iv. include all usual and necessary rights of way with or without vehicles</p> <p>v. be subject to rights of access to the public</p> <p>vi. reserve any usual and necessary rights to use existing services and to lay and use new services together with any rights of entry to inspect, repair, renew, cleanse and maintain the same</p> <p>viii. not require consideration in excess of one pound (£1)</p>	
Easement to be provided	<p>Easement over the land shown on BRJ10407-H-SK-411 to allow access to the Western Greenway Land. Any Easement to the Council will be free from incumbrances (other than as set out below) but for the avoidance of doubt the transfer shall:</p> <p>i. be free from any pre-emption or option agreement</p> <p>ii. be free from any mortgage, charge, lien or other such incumbrance</p> <p>iii. include all usual and necessary rights of way with or without vehicles to allow the construction of the Western Greenway and River Dane Bridge crossing.</p> <p>iv. not require consideration in excess of one pound (£1)</p>	No more than 10% of the Dwellings
Affordable Housing	Minimum 17.5% at 80% Open Market Value with overage/claw back clause	•Not more than 50% (80% if there is a high degree of pepper potting through the site) of the open market dwellings shall be occupied until all of the affordable

		housing units have been completed and the affordable housing scheme made ready for immediate occupation and use.
Education	Secondary and SEN education formula	<ul style="list-style-type: none"> •25% of the contribution to be paid prior to first occupation of any dwelling. •30% of the contribution to be paid prior to occupation of 33% percentile of the dwellings • Remaining balance of the contribution to be paid prior to occupation of the 66% percentile of dwellings
NHS contribution	<p>NHS formula</p> <p>1 bed unit 1.4 persons £504 per 1 bed unit</p> <ul style="list-style-type: none"> • 2 bed unit 2.0 persons £720 per 2 bed unit • 3 bed unit 2.8 persons £1,008 per 3 bed unit •4 bed unit 3.5 persons £1,260 per 4 bed unit • 5 bed unit 4.8 persons £1,728 per 5 bed unit 	<ul style="list-style-type: none"> •33% of the contribution to be paid prior to first occupation any dwelling •33% of the contribution to be paid prior to first occupation of the 50% percentile dwelling •Remaining balance of the contribution to be paid prior to occupation of 75% percentile dwelling
Outdoor contribution	<p>Sport</p> <p>Outdoor Sports formula is to be written into the s106 The formula is:</p> <p>Residential:</p> <ul style="list-style-type: none"> • £1,000 per 2+bed family dwelling • £500 per 2+ bed (or more) Apartment <p>Commercial (over 1,000 sqm): Use Class A1 Shops Food retail: 1 space/£300 per 14 m2</p> <p>Non-food retail: 1 space/£300 per 20 m2 Use Class A3 Food and</p>	<p>Residential</p> <ul style="list-style-type: none"> •33% to be paid prior to first occupation of the residential development •33% to be paid prior to first occupation of 50% percentile dwelling •Remaining balance of the contribution to be paid prior to occupation of 75% percentile dwelling •The contribution will be paid in full prior to the first occupation of the relevant commercial use for that phase.

	<p>drink Restaurants: 1 space/£100 per 5 m² Fast food/Drive through 1 space £100/per 7.5 m²</p> <p>Use Class BI Business B1 including offices: 1 space/£300 per 30 m² Business parks: 1 space/£300 per 35 m²</p> <p>Use Classes B2 and B8 General industry and Storage and distribution 1 space/£300 per 45 m²</p> <p>Use Class C1 Hotels 1 space/£300 per bedroom</p>	
Indoor Sport & Recreation	<p>Formula - Population increase x participation rate = additional "active population" due to the new development Active population / 25 x £6,500 (one fitness station)</p>	<ul style="list-style-type: none"> •33% of the contribution to be paid prior to first occupation of any dwelling •33% of the contribution to be paid prior to first occupation of 50% percentile dwelling •Remaining balance of the contribution to be paid prior to occupation of 75% percentile dwelling
Open Space Management scheme	<p>Management scheme for NEAP and all POS/incidental open space throughout management site</p>	<ul style="list-style-type: none"> •No more than 75% of the residential development to be occupied until the open space has been provided or such other higher percentage as may be proposed by the Owner and agreed by the Council having regard to the construction programme and health and safety only. •Not to allow or permit occupation of the residential development until the Management Plan has been submitted

		and approved by the Council. • The NEAP will be delivered in full prior to first occupation of 50% of the residential development.
Residential Greenway Link	To be offered up via a S38 agreement for the Council for future maintenance. Any soft landscaping provided in the approved proposals will be required to be maintained by the Open Space Management Company	Prior to 1 st residential occupation
Travel Plan Monitoring payment	£6000	Prior to occupation of 1 st dwelling
Allotments	Formula - £563.50 for each residential unit for every residential phase or sub phase	•33% of the contribution to be paid prior to first occupation of any dwelling •33% of the contribution to be paid prior to first occupation of 50% percentile dwelling •Remaining balance of the contribution to be paid prior to occupation of 75% percentile dwelling
Signage for pedestrians and cyclists	Scheme of signage for pedestrians and cyclists within the red line boundary and off-site shall be included within the s278 agreement	Prior to any development on site

And subject to the following conditions

1. Standard Outline
2. Submission of reserved matters
3. Plans
4. Residential travel plan inc residents information pack
5. Development to comply with Coding within Chapter 6 of the revised Design and Access Statement and the Regulating Plan (p39 rev Design and access statement)
6. Phasing plan covering entire site to be provided with 1st reserved matters application. The phasing plan shall secure the delivery of habitat creation/ecological mitigation throughout the River Dane corridor upon implementation of the 1st reserved matters scheme within the site.

7. Prior to development commencing Biodiversity Net Gain scheme to be provided for area identified Blue hatch on Parameters plan. The scheme shall be completed prior to the completion of the 1st reserved matters scheme anywhere on site. Each RM's to be supported by habitat creation/30yr habitat management plan for all created areas within that phase informed by submitted biodiversity metric
8. Updated otter and water vole surveys
9. Any reserved matter application to be supported by updated badger survey/impact assessment and mitigation
10. Each reserved matters application to include proposals for the creation of compensatory hedgerow planting to address any hedgerows unavoidably lost.
11. Each phase of development to have bat friendly/ecologically sensitive lighting
12. Detailed design of surface water outfall to river Dane to be submitted with Reserved Matters (relevant phase)
13. Submission of habitat creation, management and monitoring proposals (for a period of 30 years) with each reserved matters application informed by submitted biodiversity metric
14. 50 m buffer to River Dane
15. Drainage strategy/surface water run off
16. Groundwater monitoring scheme/westlow mere
17. Compliance with AIA/trees identified as bat roost potential in ES to be retained
18. Tree/Hedge protection for each phase
19. Programme of archaeological work
20. Scheme of signage for pedestrians and cyclists within the red line boundary
21. A scheme for the provision of Street lighting (To cover as a minimum from the end of the existing lighting installed on Barn Road to cover up to the new residential development access)
22. A scheme for the provision of a right-turn lane facility shall be submitted as part of the Reserved Matters application for the proposed superstore parcel of the site.
23. Full details inc Street Lighting of the proposed Greenway Link as shown on the illustrative residential parcel masterplan.
24. The proposed residential Greenway Link will be built to adopted highway standards (including any structural retaining walls / earthworks that may be required) shall be provided prior to the occupation of the 50th dwelling
25. Prior to the occupation of any of the residential properties a Scheme for the provision of a Bus Layby and bus shelter on the northbound side of Barn Road as detailed in the Illustrative Layout shall be submitted for approval. This layby shall be delivered prior to the Occupation of 50 dwellings.
26. Prior to the occupation of any of the residential properties a Scheme for the provision of a 'on carriageway' Bus Waiting facility on the southbound side of Barn Road, including raised kerbs, road markings and bus shelter shall be submitted for approval. This Bus Stop facility shall be delivered prior to the Occupation of 50 dwellings.

27. Prior to any development on the West side of the Barn Road development a Scheme shall be submitted for approval for the provision of a minimum 2.0m wide footpath adjacent to Barn Road (limited to within the extents of the development) and this implemented prior to any occupation.
- 28 Noise Impact Assessment tbs with reserved matters to achieve DbA at residential properties
- 29 A scheme of odour abatement / control / mitigation shall be submitted for each phase of commercial development
- 30 Electric Vehicle Infrastructure – for all land uses proposed
- 31 Ultra Low Emission Boilers
- 32 Construction and Environment Management Plan for each phase
- 33 Material Management Plan
- 34 Contamination each phase - Residential
- 35 Contamination commercial each phase
- 36 Soil importation – whole site
- 37 Verification Report for each phase approved prior to occupation of that phase
- 38 Unforeseen contamination – whole site
- 39 Existing/proposed/FFL Levels for each phase
- 40 Superfast broadband provision
- 41 Scheme for the incorporation of electromagnetic screening measures(Protection of Jodrell Bank telescope)
- 42 Removal pd for extensions - Class E uses only (Part 7 GPDO) /no mezzanine floors to be developed for discount foodstore/parade of 3 shops and café unit
- 43 Discount food store – limit to 1,900 sq m gross (GIA). To comprise 1,300 sq m net floorspace of which 80% (1,040sq m net) would be for convenience retail floorspace and 20% (260sq m net) would be for comparison goods floorspace.
- 44 The café unit hereby permitted shall not exceed 303 sqm (GIA) and shall be used for use class E(b) the sale of food and drink for consumption (mostly) on the premises
- 45 The 3 no small retail units shall not be operated for a use that falls within Use Class E(a) and E(g) of the Use Classes Order (as amended) and shall have cumulative floor area no larger than 488sq m gross (maximum) in total. The 3 units shall be separate from each other and not amalgamated into
- 46 EMPLOYMENT AREA - limited to Use Class E(g)(i) (Offices), E(g)(ii) (Research and Development) and E(g)(iii) (Industrial Processes), B2 (general industry), B8 (storage or distribution)
- 47 site waste management to be provided prior to any commercial floor space being occupied
- 48 Commercial development – non centralised low carbon energy
- 49 Max residential = 175 units
- 50 Scheme of public art to greenway
- 52 Ecological enhancement (bat and bird boxes) to be submitted with each reserved matters
- 53 Landscape/public realm/habitat management plans should be for a minimum period of 25 years

54 Construction and Management Plan dealing with noise/pollution impacts upon adjacent wildlife site

In addition it was requested that there be an informative included with the Conditions stating that focus should be on the greenway, cycling and walking routes and the design which would enhance the experience of residents of Congleton and the local area.

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 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 10.00 am and concluded at 12.30 pm

Councillor M Hunter (Chairman)