

# Strategic Planning Board

## Agenda

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| <b>Date:</b>  | <b>Friday, 15th November, 2013</b>                               |
| <b>Time:</b>  | <b>1.00 pm</b>   |
| <b>Venue:</b> | <b>The Kim Ryley Room - Westfields, Middlewich Road Sandbach</b> |

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

**Please note that members of the public are requested to check the Council's website the week the Planning/Board meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.**

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

**1. Apologies for Absence**

To receive any apologies for absence.

**2. Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

**3. Minutes of the Previous Meeting (Pages 1 - 16)**

To approve the minutes as a correct record.

**4. Public Speaking**

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**Please Contact:** Sarah Baxter on 01270 686462  
**E-Mail:** [sarah.baxter@cheshireeast.gov.uk](mailto:sarah.baxter@cheshireeast.gov.uk) with any apologies or request for further information  
[Speakingatplanning@cheshireeast.gov.uk](mailto:Speakingatplanning@cheshireeast.gov.uk) to arrange to speak at the meeting

A total period of 5 minutes is allocated for each of the planning applications for the Ward Councillors who are not members of the Strategic Planning Board.

A period of 3 minutes is allocated for each of the planning applications for the following individual/groups:

- Members who are not members of the Strategic Planning Board and are not the Ward Member
- The relevant Town/Parish Council
- Local Representative Groups/Civic Society
- Objectors
- Supporters
- Applicants

**5. Exclusion of the Press and Public**

The reports relating to the remaining items on the agenda have been withheld from public circulation and deposit pursuant to Section 100(B)(2) of the Local Government Act 1972 on the grounds that the matters may be determined with the press and public excluded.

The Board may decide that the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 5 (information in respect of which a claim to legal professional privilege could be maintained in legal proceedings) of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

**PART 2 - MATTERS TO BE CONSIDERED WITHOUT THE PUBLIC AND PRESS PRESENT**

**6. Exempt Item Minute-6 November 2013**

To approve the minutes as a correct record.

**7. Planning Appeals Update**

To receive an update with regard to ongoing Planning Appeals.

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 6th November, 2013 at The Capesthorne Room - Town  
Hall, Macclesfield SK10 1EA

### **PRESENT**

Councillor H Davenport (Chairman)  
Councillor D Hough (Vice-Chairman)

Councillors Rachel Bailey, D Brown, J Hammond, P Hoyland, J Jackson,  
P Mason, B Murphy, C G Thorley, G M Walton, S Wilkinson and J Wray

### **OFFICERS IN ATTENDANCE**

Mrs D Baker (Planning Officer), Mr D Evans (Principal Planning Officer), Mr A Fisher (Head of Strategic & Economic Planning), Mrs R Goddard (Senior Lawyer), Mr B Haywood (Principal Planning Officer), Mr S Irvine (Planning & Place Shaping Manager), Mr N Jones (Principal Development Officer), Mr N Turpin (Principal Planning Officer), Mr P Wakefield (Principal Planning Officer) and Miss E Williams (Principal Planning Officer)

### **92 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor P Edwards.

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

In the interest of openness in relation to 10/1149W, Councillor J Hammond declared that he was a member of the Cheshire Wildlife Trust who were a consultee, however he had not made any comments on the application.

In the interest of openness in respect of application 13/3025N, Councillor J Hammond declared that he was a member of Haslington Parish Council who were a consultee, however he had not made any comments on the application.

### **94 MINUTES OF THE PREVIOUS TWO MEETINGS**

#### **RESOLVED**

That the minutes of the meeting held on 26 September 2013 be approved as a correct record and signed by the Chairman.

That the minutes of the meeting held on 9 October 2013 be approved as a correct record and signed by the Chairman subject to an amendment to the declaration of interest made by Councillor J Hammond in respect of application 13/3025N to be amended to say that he was a Member of

Haslington Parish Council and not the Cheshire Wildlife Trust as incorrectly stated, however he had not commented on the application.

**95 PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

**96 WITHDRAWN-13/2069N-OUTLINE PLANNING APPLICATION FOR THE CONSTRUCTION OF UP TO 275 DWELLINGS, INCLUDING ACCESS, LANDSCAPING, RECREATION AND AMENITY OPEN SPACE, ASSOCIATED INFRASTRUCTURE, THE DEMOLITION OF 28 CREWE ROAD AND DEMOLITION OF THE SINGLE-STOREY EXTENSION TO 56 CREWE ROAD. PERMISSION IS SOUGHT FOR MEANS OF ACCESS. LAYOUT, SCALE, APPEARANCE AND LANDSCAPING ARE RESERVED FOR SUBSEQUENT APPROVAL, LAND TO THE EAST OF CREWE ROAD, SHAVINGTON CUM GREYSTY FOR TAYLOR WIMPEY LTD AND OTHERS**

This application was withdrawn from the agenda by Officers prior to the meeting.

(Prior to consideration of the following item, Councillor D Brown arrived to the meeting. In addition the Head of Planning & Place Shaping gave a summary to Members regarding the recent Planning Inspector's decisions on a number of appeals prior to consideration of the following item).

**97 11/1879N-A HYBRID PLANNING APPLICATION SEEKING RESIDENTIAL DEVELOPMENT FOR UP TO 400 NEW DWELLINGS WITH OPEN SPACE; COMPRISING A FULL PLANNING APPLICATION FOR PHASE A OF 131 DWELLINGS AND PHASE B WHICH SEEKS OUTLINE PLANNING PERMISSION FOR UP TO 269 DWELLINGS WITH ACCESS AND ASSOCIATED INFRASTRUCTURE. IN RESPECT OF THE OUTLINE ELEMENT (PHASE B), ONLY ACCESS IS SOUGHT FOR APPROVAL AND ALL OTHER MATTERS ARE RESERVED FOR DETERMINATION AT A LATER DATE, LAND OFF PARKERS ROAD, LEIGHTON FOR BLOOR HOMES**

Consideration was given to the above application.

(Councillor D Bebbington, the Ward Councillor, Parish Councillor Horne, representing Minshull Vernon Parish Council and Gary Halman, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the for the reasons set out in the report and in the oral update to Board the application be approved subject to the completion of a Section 106 Agreement securing the following:-

1. Provision of education contribution of £398,990
2. Provision of £300,000 towards highway improvements to the Remer Street corridor and the provision of a drop-off lay-by at Leighton Primary School. (To include the provision for £200K for the layby to be requested after commencement)
3. Provision of public open space including amenity greenspace and an equipped children's play area conforming to NEAP Standard, to include:
  - a. A minimum of 8 pieces of equipment,
  - b. 1.4 metre high bowtop railing surround with two pedestrian access gates and a double leaf vehicular access gate.
  - c. Railings to be painted green and pedestrian gates to be yellow.
  - d. Equipment to be predominantly metal, inclusive, and conforming to BS EN 1176.
  - e. Equipment to have wetpour safer surfacing underneath it, conforming to BS EN 1177.
  - f. Surfacing between the wetpour to be tarmacadam with precast concrete edging surround.
  - g. Access paths to gates to be tarmacadam
4. Provision for future management of children's play areas and amenity greenspace to include transfer to and future maintenance by a private management company in perpetuity.
5. Provision of 10% of the 400 units proposed across the whole site as affordable housing in perpetuity with no front loading on Phase A. The tenure split to be on a 25% social/affordable rent, 75% intermediate tenure basis. Phase B to include key worker housing to be agreed as part of subsequent reserved matters applications.
6. Overage clause-Negotiation of detail to be delegated to the Head of Planning & Place Shaping Manager in consultation with the Chairman of the Strategic Planning Board)
7. Travel Plan Monitoring Fee £5000
8. Contribution of £25,000 for the provision of Green Infrastructure within Crewe and the environs of the site.

And subject to the following conditions:-

1. Standard 3 year time limit (Phase A)
2. Standard outline time limit (Phase B)
3. Submission of reserved matters (Phase B)

4. Plans
5. Materials
6. Boundary Treatment
7. Landscaping submission
8. Landscaping implementation
9. Breeding bird survey to be carried out prior to commencement of any works during nesting season
10. Features for use by birds and bats
11. Habitat creation and management plan
12. Design of proposed pond
13. Design and layout of the proposed newt mitigation area including proposals to ensure no public access.
14. Submission of details of bin storage.
15. Archaeology investigation / report
16. Compliance with flood Risk Assessment
17. Restrict surface water run-off
18. Surface water attenuation
19. Minimum Floor Levels
20. Surface Water Regulation Scheme
21. Site to be drained on a separate system
22. Phase II contaminated land investigation and remediation
23. Travel Plan
24. Updated Air Quality Impact Assessment
25. Limit hours of construction to 08:00 – 1800 Monday to Friday and
  - a. 0900 – 1400 on Saturday with no working on Sunday or Bank Holiday
26. Details of external lighting to be submitted and approved
27. Submission of details of phasing / triggers for construction of access and highway improvements. Works to be carried out in accordance with the approved details.
28. Provision of Parking
29. Highway Construction details to be submitted
30. Replacement hedge and tree planting
31. Tree / hedge protection measures
32. Implementation of Tree / hedge Protection
33. Arboricultural Method Statement
34. Code for Sustainable Homes Level 3
35. Noise Impact Assessment
36. Details of proposed apprenticeship scheme
37. Provision of Bin Stores

(The meeting adjourned for a short break. Prior to consideration of the following item, Councillor Mrs Rachel Bailey arrived to the meeting and Councillor D Brown left the meeting).

- 98 **13/0041C-OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT, COMPRISING 80 HOMES, INCLUDING 24 AFFORDABLE HOMES TO INCLUDE AN AREA OF PUBLIC OPEN**

**SPACE AND CHILDREN'S PLAY AREA, LAND OFF MIDDLEWICH ROAD, HOLMES CHAPEL FOR ADELE SNOOK, PERSIMMON HOMES NORTH WEST**

Consideration was given to the above application.

(Councillor A Kolker, the Ward Councillor and Adele Snook, the agent for the applicant attended the meeting and spoke in respect of the application. In addition a statement was read out by the Planning & Place Shaping Manager on behalf of Councillor L Gilbert, the Ward Councillor).

**RESOLVED**

That for the reasons set out in the report the application be approved subject to the completion of a Section 106 Agreement securing the following:-

- 30% affordable housing (24no. units), split on the basis of 65% social rent and 35% intermediate tenure as per the requirements of the interim planning statement.
- Provision for a management company to maintain the on-site Amenity Space and LEAP in perpetuity
- £100,000 Highways contributions towards traffic management in Holmes Chapel and Provision of Toucan Pelican Crossing on Middlewich Road
- Provision of Bus Stop/s on Middlewich Road
- Commuted Sum towards ecological offsetting to be agreed
- The need for education contributions (currently zero) be recalculated at Reserved Matters stage and any contribution to be made accordingly

And subject to the following conditions:-

1. Standard Outline Time limit – 3 years
2. Submission of Reserved Matters
3. Amended / Approved Plans
4. Submission of an Environmental Management Plan
5. Hours of construction to be limited
6. Details of pile driving operations to be limited
7. Submission of details of bin storage
8. Details of drainage (SUDS) to be submitted
9. Scheme to limit surface water runoff and overland flow
10. Only foul drainage to be connected to sewer
11. Retention of important trees
12. Tree and hedgerow protection measures
13. Arboricultural Specification/Method statement
14. Landscape scheme to include replacement native hedgerow planting and boundary treatments
15. Implementation of landscaping scheme

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. Jodrell Bank Electromagnetic screening measures
18. Implementation of a programme of archaeological work in accordance with a written scheme of investigation to be submitted

In the event of any changes being needed to the wording of the Board's decision (such as to delete, vary or add additional conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Planning & Place Shaping Manager, 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.

(The meeting adjourned for lunch from 1.45pm until 2.30pm. Councillor C Thorley left the meeting and did not return).

**99 10/1149W-APPLICATION TO VARY CONDITION 3 OF PLANNING PERMISSION 7/P05/0217 TO EXTEND THE TIME TO COMPLETE RESTORATION WORKS, HOUGH MILL QUARRY, BACK LANE, WALGHERTON, NANTWICH FOR ANTHONY CONSTRUCTION LTD**

Consideration was given to the above application.

**RESOLVED**

That for the reasons set out in the report and in the update to Board the application to vary condition 3 be approved subject to the following:-

- (1) An appropriate Deed under s106 to continue the management of nature conservation land in accordance with an approved habitats and fisheries management plan for a period until January 2023.
- (2) Planning conditions covering in particular: -

All the conditions attached to permission 7/P05/0217 unless amended by those below;

Approved plans;  
Completion of the restoration works by March 2015; and  
Establishment of a Liaison Committee  
Implementation of the mitigation identified in the ecological surveys  
Protection of breeding birds

In order to give proper effect to the Board's intentions and without changing the substance of the decision, authority is delegated to the Planning & Place Shaping Manager 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.

100      **13/0735M-OUTLINE APPLICATION FOR ERECTION OF UP TO 175 RESIDENTIAL DWELLINGS AND ASSOCIATED HIGHWAY AND LANDSCAPING, LAND SOUTH OF, COPPICE WAY, HANDFORTH, WILMSLOW, CHESHIRE FOR P.E. JONES (CONTRACTORS) LIMITED**

Consideration was given to the above application.

(Councillor B Burkhill, the Ward Councillor, Councillor D Mahon, the Ward Councillor, Parish Councillor Brian Tolver, representing Handforth Parish Council, Dr Small, an objector and David Short the agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That for the reasons set out in the report and in the oral update to Board the application be approved subject to the completion of a Section 106 Agreement securing the following:-

- Education contributions of up to £347,081 (32 places) towards primary accommodation and £375,882 (23 places) towards secondary.
- The provision of a LEAP facility and management details for the maintenance of all amenity greenspace / public open space, public footpaths and greenways within the site, play areas, and other areas of incidental open space not forming private gardens or part of the adopted highway in perpetuity.
- Provision of 30% affordable housing with 65% to be provided as social/affordable rent and 35% provided as intermediate tenure
- Phasing of affordable housing.
- Affordable units to be constructed to achieve at least Level 3 of the Code for Sustainable Homes (2007), and be integrated with the open market homes.
- The provision of 40sqm of POS [play and amenity] per dwelling
- Financial contribution in lieu of on site provision of recreation and outdoor sport facilities at rate of £1,000 per open market family dwelling / £500 per open market 2+bed space apartment.

And subject to the following conditions:-

1. A01OP      - Submission of reserved matters
2. A02OP      - Implementation of reserved matters
3. A03OP      - Time limit for submission of reserved matters
4. A06OP      - Commencement of development
5. A01AP      - Development in accord with approved plans

6. A22GR - Protection from noise during construction (hours of construction)
7. A23GR - Details of any required pile driving to be submitted
8. A19MC - Refuse storage facilities to be approved
9. A08OP - Ground levels to be submitted with reserved matters application
10. A32HA - Submission of construction method statement
11. Ecological buffer zone to pond
12. Surface water drainage scheme to be submitted
13. Development to be carried out in accordance with Flood Risk Assessment
14. Scheme to control over land flood flow routing to be submitted
15. Hedgerow retention and enhancement
16. Retention of tree(s) with bat roosting potential
17. Safeguarding breeding birds
18. Provision for breeding birds and roosting bats
19. Implementation of Great Crested Newt mitigation strategy
20. Submission of landscape and habitat management plan
21. Provision for pedestrians and cyclists
22. Written scheme of archaeological investigation to be submitted
23. Development to be carried out in accordance with recommendations in submitted noise assessment
24. Noise mitigation scheme to be submitted
25. Submission of a travel plan
26. Development shall be carried out in accordance with the mitigation outlined in the submitted Air Quality Impact Assessment report
27. Supplementary Phase II investigation to be submitted
28. Drainage details
29. Energy from decentralised and renewable or low-carbon energy sources
30. Submission of arboricultural details
31. No infringement of Manchester Airport's protected obstacle limitation surfaces
32. Roundabout improvement works to be carried out
33. Open space strategy to be submitted

**AND ASSOCIATED CAR PARKING, LAND OFF, EARL ROAD,  
HANDFORTH, CHESHIRE FOR NEXT PLC**

Consideration was given to the above application.

**RESOLVED**

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

1. Commencement of development (3 years)
2. Development in accordance with approved plans
3. Submission of samples of building materials
4. Development in accordance with Flood Risk Assessment
5. Site to be drained on a separate system
6. Phase 2 contaminated land survey to be submitted
7. Landscaping-submission of details
8. Landscaping (implementation)
9. Electric car charging points to be provided
10. No subdivision of retail unit
11. Provision of cycle parking shown on approved plans
12. The building hereby approved shall be constructed to achieve a minimum rating of BREEAM 'very good' as outlined in the sustainability assessment
13. Details of external lighting to be submitted for approval
14. Requirement for Section 106 planning obligation / agreement to include the following Heads of Terms:
  - Payment of a Commuted sum of £15,000 for off-site provision of Public Open Space for improvements, additions and enhancement of existing Public Open Space facilities at open space facilities at Meriton Road Park, Henbury Road and Spath Lane.
  - Payment of a commuted sum of £15,000 for off-site provision of recreation/outdoor sport (outdoor sports facilities and pitches, courts, greens and supporting facilities/infrastructure) at Meriton Road Park and Spath Lane.
  - Submission, operation and monitoring of a staff travel plan.
  - Payment of a commuted sum of £45,000 for upgrading footpaths in the local area.
  - Payment of a commuted sum of £205,000 for improvements to local bus services to and from the site.
  - Payment of a commuted sum of £30,000 for new bus stops on Earl Road.
  - Payment of a commuted sum of £100,000 for infrastructure works within the employment site
  - Submission and implementation of an employment and skills plan (local employment agreement)

102      **13/3762N-CONSTRUCTION OF 21 TWO-STOREY RESIDENTIAL DWELLINGS, NEW SHARED ACCESS AND ASSOCIATED WORKS (RESUBMISSION 13/0641N), LAND TO THE NORTH OF CHEERBROOK ROAD, WILLASTON, NANTWICH, CHESHIRE FOR WAINHOMES (NORTH WEST) LTD**

(During consideration of the application, Councillor D Brown arrived to the meeting, however he did not take part in the debate or vote on the application).

Consideration was given to the above application.

(Stephen Harris, the agent for the applicant attended the meeting and spoke in respect of the application. In addition a statement was read out by the Planning & Place Shaping Manager on behalf of Councillor B Silvester, the Ward Councillor).

The Head of Strategic & Economic Planning emphasised that whilst the Rope Lane appeal decision concluded that Policies NE2 (countryside) and NE4 (green Gap) were 'out of date' this was not the approach that the Council now adopted. The appeal came relatively early after the impact of NPPF started to be felt in decision making – and since then understanding of the Framework had matured. The recent appeal inquiries in Sandbach and Alsager considered the role of countryside in considerable detail and it was concluded that countryside policies were not housing supply policies for the purposes of paragraph 49 of the NPPF – and in these cases were afforded significant weight. Taking a similar approach, policies NE2 and NE4 should also not be viewed as policies for the supply of housing – and instead should be given significant weight.

**RESOLVED**

That for the reasons set out in the report and in the update to Board, the application be approved subject to the completion of a Section 106 Agreement to secure the following:-

1. A commuted payment of £9,000 towards habitat creation within the Meres and Mosses Natural Improvement Area to the south of Nantwich
2. A commuted payment of £40,999 towards primary school education
3. A commuted payment of £20,000 towards cycleways, footways, street lighting and bus shelters
4. A commuted payment of £18,000 should be made towards providing a skate park facility or other alternative to the children's play area on the Parish Council owned open space on Wybunbury Road, Willaston

And subject to the following conditions:-

1. Standard time limit 3 years
2. Approved Plans
3. Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays
4. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays
5. Prior to the commencement of development the applicant shall submit a method statement, to be approved by the Local Planning Authority
6. External lighting details to be agreed
7. No development shall take place until a scheme to minimise dust emissions arising from construction activities on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The construction phase shall be implemented in accordance with the approved scheme, with the approved dust suppression measures being maintained in a fully functional condition for the duration of the construction phase.
8. Works should commence outside the bird breeding season
9. Materials to be submitted and approved
10. Landscaping to be submitted and approved
11. Landscaping scheme to be implemented
12. Remove Permitted Development Rights for certain plots
13. Boundary Treatment details
14. Tree and hedgerow retention
15. Tree Protection to be submitted and approved
16. The parking spaces to be provided on the approved plan should be provided
17. Visibility splays of 2.4 metres by 60 metres to be provided before development commences and thereafter be retained.
18. Provision of 30% affordable housing which equates to 4 rented units and 2 intermediate units on this site.
19. Windows to the south-east facing elevation of plot 1 to be obscure glazed. Remove PD for additional windows to the side elevation of Plot 1.
20. No development within 3 metres either side of the centre line of the sewer which crosses the site
21. 10 metre easement strip for the 24" Concrete Trunk Water Main
22. Storage of wheelie bins
23. Wheel washing facility
24. Submission of Construction Management Statement to include no parking of construction vehicles on Cheerbook Road

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 Planning & 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 Board's decision.

Should this application be the subject of an appeal, authority be delegated to the Planning & 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.

103      **13/3025N-THE ERECTION OF 44 DETACHED/TERRACED DWELLINGS, PARKING AND AMENITY SPACE; AND THE CREATION OF PUBLIC OPEN SPACE, INCLUDING APPEARANCE, LANDSCAPING, LAYOUT AND SCALE. THE ORIGINAL OUTLINE APPLICATION WAS NOT AN ENVIRONMENT IMPACT ASSESSMENT APPLICATION, LAND OFF VICARAGE ROAD, HASLINGTON FOR ELAN HOMES LTD/MULLER STRATEGIC LTD**

Consideration was given to the above application.

(Paul Darwin, the agent for the applicant attended the meeting and spoke in respect of the application. In addition the Planning & Place Shaping Manager read out a further representation on behalf of Haslington Parish Council).

**RESOLVED**

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

1. Obscure glazing to the side elevation of Plot 1 facing No 31 Vicarage Road
2. No additional windows to be installed in the side elevation of plots 3, 9, 19, 30, 36, 37, 41 & 44
3. Removal of Permitted Development Rights for Plots 3, 4, 5, 6, 13, 14, 16, 17, 18, 36, 37, 43 and 44
4. Materials as application
5. Construction of the access as shown on plan reference VRH/TPP/07/12/01 in accordance with the construction specification/method statement for the construction of the access
6. The proposed development to proceed in accordance with the submitted badger survey and mitigation statement
7. Landscaping submission of details
8. Implementation of landscaping
9. Details of the retaining wall and boundary treatment to the open space
10. Maintenance scheme for the car parking area to be provided
11. The Parking area shall be free of charge

**Informative:**

1. The applicant is advised that they have a duty to adhere to the regulations of Part IIA of the Environmental Protection Act 1990, the National Planning Policy Framework 2012 and the current Building Control Regulations with regards to contaminated land. If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation /

remedial / protective works carried out in relation to this application shall be carried out to agreed timescales and approved by the LPA in writing. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

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 Development Management and Building Control 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 adjourned for a short break).

104      **13/2406M-RESERVED    MATTERS    APPLICATION    SEEKS  
APPROVAL FOR 91 CLASS C3 RESIDENTIAL DWELLINGS AND  
ASSOCIATED WORKS. (TO FOLLOW OUTLINE APPLICATION  
11/4501M), FORMER KAY METZELER LTD, WELLINGTON ROAD,  
BOLLINGTON FOR BELLWAY HOMES**

Consideration was given to the above application.

(Councillor B Livesley, the Ward Councillor, Town Councillor K Edwards, representing Bollington Town Council, Sandra Edwards, representing Bollington Civic Society, Professor Mills, an objector and Tim Astle, the agent for the applicant attended the meeting and spoke in respect of the application.

**RESOLVED**

That for the reasons set out in the report and in the update to Board the application be approved subject to completion of a Section 106 Agreement as agreed at outline, application 11/4501M and subject to the following conditions:-

1. A02RM      - To comply with outline permission
2. A05RM      - Time limit following approval of reserved matters
3. Materials
4. Landscaping
5. Landscape implementation
6. Approved plans
7. Removal of PD rights
8. Use of natural materials
9. Streetscape materials
10. Archaeology

(Prior to consideration of the following item, Councillor D Brown declared that as he was the Portfolio Holder responsible for making the decision on the item application he would leave the meeting. He did not return).

105        **NEWBOLD ASTBURY AND MORETON NEIGHBOURHOOD  
AREA APPLICATION**

Consideration was given to the above Neighbourhood Area Application.

(Parish Councillor Carter, Chairman of Newbold Astbury and Moreton Parish Council and Donald Muir, Astbury and Moreton Neighbourhood Planning Team Member attended the meeting and spoke in respect of the application. In addition a statement was read out by the Planning & Place Shaping Manager on behalf of Councillor Mrs Rhoda Bailey, the Ward Councillor).

**RESOLVED**

That the Neighbourhood Area Application be deferred for further discussions with Officers regarding removal of part of the proposed neighbourhood area from designation.

(This decision was contrary to the Officers recommendation that the Strategic Planning Board recommends that the Portfolio Holder for Strategic Communities rejects the proposed neighbourhood area identified in Appendix 3 and does not designate the entirety of land within the proposed Astbury and Moreton neighbourhood area).

106        **EXCLUSION OF THE PRESS AND PUBLIC**

Pursuant to Section 100B (2) of the Local Government Act 1972, the report relating to the remaining item on the agenda had been withheld from public circulation and deposit on the grounds that the matters may be determined with the public and press excluded.

It was moved and seconded, pursuant to Section 100A (4) of the Local Government Act 1972 that the public and press be excluded from the remaining item of the Board's business on the grounds that the item involved the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Local Government Act 1972, as amended, and that the public interest would not be served in publishing the information, and it was:-

**RESOLVED**

That the press and public be excluded from the remainder of the meeting for the reasons given.

107        **URGENT ITEM-FIVE YEAR HOUSING LAND SUPPLY &  
PLANNING APPEALS**



*In accordance with Section 100B (4)(b) of the Local Government Act 1972 the Chairman of the Committee agreed to allow consideration of the item as a matter of urgency as there was an urgent need to consider the implications of recent appeal decisions on the Council's case at forthcoming planning appeal inquiries. The Council needed to act quickly to avoid abortive work and mitigate the risk of awards of costs.*

Consideration was then given to a report with regard to Planning Appeals with a five year Housing Supply element.

RESOLVED

Based on the information available at the time of the meeting, the recommendations in the Officer report were agreed, subject to considerations relating to ecology, wildlife and sustainability.

The meeting commenced at 10.30 am and concluded at 7.25 pm

Councillor H Davenport (Chairman)

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