

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 27th July, 2011 at The Assembly Room - Town Hall,  
Macclesfield SK10 1DX

### **PRESENT**

Councillor (none)

Councillors J Hammond, D Hough, J Jackson, J Macrae, B Murphy,  
G M Walton, S Wilkinson and J Wray

### **OFFICERS IN ATTENDANCE**

Mr N Curtis (Principal Development Officer), Ms S Dillon (Senior Lawyer), Mr A Fisher (Head of Planning and Housing), Mr J Gomulski (Principal Environmental Planning Officer), Mr S Irvine (Planning and Development Manager), Mr P Moore (Principal Planning Officer) and Mrs E Tutton (Principal Planning Officer)

### **23 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors D Brown, Mrs Rachel Bailey, H Davenport and R E West.

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

It was noted that all Members of the Board had received correspondence from the agent for the applicant in respect of application 11/0736C-Redevelopment of Land for up to 200 Dwellings, Community Facilities & Associated Infrastructure, Loachbrook Farm, Sandbach Road, Congleton for Mr & Mrs Dale.

### **25 MINUTES OF THE PREVIOUS MEETING**

RESOLVED

That the minutes be approved as a correct record and signed by the Chairman.

### **26 PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

### **27 11/0736C-REDEVELOPMENT OF LAND FOR UP TO 200 DWELLINGS, COMMUNITY FACILITIES & ASSOCIATED INFRASTRUCTURE,**

**LOACHBROOK FARM, SANDBACH ROAD, CONGLETON FOR MR & MRS DALE**

Consideration was given to the above application.

(Councillor Mrs Rhoda Bailey, the neighbouring Ward Councillor, Parish Councillor Lancake, the Chairman of Somerford Parish Council, Donald Muir, a representative from Sandy Lane Action Group and Daniel Connolly, the agent for the applicant attended the meeting and spoke in respect of the application. In addition Councillor Mrs Rhoda Bailey declared a personal interest by virtue of the fact that she was a member of the Group Campaign to Protect Rural England (CPRE) and in accordance with the Code of Conduct she remained in the meeting during consideration of the application).

**RESOLVED**

That the application be refused for the following reasons:

1. The proposed residential development, which is located within the Open Countryside, is considered to be an unsuitable location for development by virtue of the adverse impact that the proposals would have on the local landscape character. In addition, the proposed development is poorly related to existing built form. The proposed development would therefore be contrary to Policies GR5, GR3 and PS8 of the Congleton Borough Adopted Local Plan First Review 2005 and guidance contained within PPS1, PPS3 and PPS7.
2. It is considered that the proposed development would result in an unsustainable form of development. The site is at the westernmost periphery of Congleton at a distance of 2km from the town centre and there are more suitable deliverable sites which offer a more sustainable location. The proposed development would also result in the loss of the best and most versatile agricultural land. There is also insufficient foul drainage infrastructure to accommodate the proposed development. The proposed development is therefore not suitable for housing development. The proposed scheme would be contrary to Policy GR20 (Public Utilities) and GR23 (Provision of Services and Utilities) of the Congleton Borough Adopted Local Plan First Review 2005 and guidance contained within PPS1, PPS3 and PPS7.

**28 11/1629M-RESERVED MATTERS APPROVAL FOR THE ERECTION OF 35 DWELLINGS WITH ASSOCIATED PARKING, OPEN SPACE AND LANDSCAPING (OUTLINE APPLICATION (10/3486M) RE-SUBMISSION OF APPLICATION 10/4697M, HAVANNAH MILL, HAVANNAH LANE, EATON, CONGLETON, CHESHIRE FOR ROWLAND HOMES LTD**

Consideration was given to the above application.

(Helen Leggett, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be approved subject to the following conditions:-

1. To comply with outline permission
2. Time limit following approval of reserved matters
3. Development in accord with approved plans
4. Details of materials to be submitted
5. Landscaping (implementation)
6. Removal of permitted development rights
7. Submission of an updated Remediation Statement, prior to the commencement of development
8. External Lighting- submission of details
9. A01LS - Submission of revised landscaping scheme (including evergreen trees in the boundary treatment opposite New Street cottages)
10. A04LS - Implementation of landscaping scheme

**29 09/1018C-FULL PLANNING APPLICATION FOR THE ERECTION OF AN EXTENSION TO THE BRIDESTONES CENTRE COMPRISING A FOOD STORE, SPECIALITY A1 RETAIL UNITS, REPLACEMENT MARKET, A3 UNITS, A HOTEL, CAR PARKING AND SERVICING FACILITIES AND CREATION OF A TOWN SQUARE, BRIDESTONES SHOPPING CENTRE, VICTORIA STREET, CONGLETON, CHESHIRE**

Consideration was given the above amended application.

RESOLVED

That the application be approved subject to the completion of a Section 106 Agreement comprising the following Heads of Terms:-

**Off-site Highway Works**

**(a) Mill Street Enhancements**

That prior to the commencement of development, the agreement shall secure the submission, delivery timeframe and detailed material specification for a scheme for public realm enhancements to Mill Street. The scheme shall be based around the provisions of SAB Plan 11 - DWG no N60749/11 Rev D with alterations to more accurately reflect the alternative design which emerges from the

Town Centre Public Realm Study. The approved scheme shall then be implemented in accordance with an approved timescale

(b) Stonehouse Green

That prior to the commencement of development, a detailed scheme for enhancements to the Stonehouse Green pedestrian route is submitted, approved and implemented in accordance with a detailed timetable to be agreed. That the provision of funding for these works can be alternatively invested into the proposed works to Mill Street as identified at 1(a)

(c) A54/A34 Rood Hill Junction Improvement

Secure a financial contribution prior to the commencement of development of no more than £45,000 towards the upgrade of the junction through replacement of the existing signal controller.

(d) Treatment of Victoria Street

Continuation of the agreed public realm treatment for the proposed Town Square along the length of Victoria Street connecting to Bridge Street in accordance with precise details and timeframe to be agreed.

(e) Provision of new surface level pedestrian crossing island to Market Street in accordance precise design and timeframe to be agreed with the Council.

## **2. Market Provision**

Provision to cover the following: -

a) That prior to the first occupation of the hereby-approved food store, or an alternative timescale as may be agreed in writing by the Local Planning Authority, the applicants purchase and make available for use 36 new pop-up market stalls in accordance with a detailed specification to be agreed in writing by the Council.

b) The applicant to purchase anchor points for any new stalls which are to be laid out in the new public square in a location and arrangement to be agreed in writing with the Council within an agreed timeframe.

c) The applicant to install pop-up sockets (or alternative power point specification) within the new public square in a location and arrangement to be agreed in writing with the Council within a timeframe to be agreed in writing by the Council.

## **3. New Public Square**

Provisions to ensure the following: -

a) That no less than 12 events per annum, where they are agreed with the Town Council and Cheshire East Borough Council, can be held within the proposed public square.

b) To secure installation of facilities for lighting and power for public events within the new square in accordance with details to be agreed within the Council prior to the commencement of development and implemented prior to the first occupation of the food store or other such time as may be agreed in writing by the Local Planning Authority.

c) Ensure public access to the square at all times unless otherwise agreed in writing with the Local Planning Authority (LPA).

d) That prior to the commencement of development, the detailed design, material specification and landscape plan for the proposed public square is agreed in writing with the LPA and fully implemented in accordance with the approved plans prior to the first occupation of the development

#### **4. Restrictions**

a) Prevent the erection of shelving and display of advertisements within windows overlooking public realm within the proposed public square and Pedestrian walk way connecting to Mill Street and that a minimum of 75% of the ground floor windows overlooking Mill Street remain un-observed of shelving, any form of advertisements or other structures.

b) That a café use by incorporated the food store floorspace overlooking the public square in accordance with precise details to be agreed in writing with the Council prior to first occupation of the development.

#### **5. Framework Travel Plan**

a) To secure submission and implementation of a detailed Travel Plan based around the submitted Framework Travel Plan, to be agreed in writing by the Council with specific provisions and trigger mechanisms for the occupiers of the food store and hotel elements.

b) Secure a financial contribution of £5000 toward monitoring of the Travel Plan, returnable after 5-years should the Council not utilise the funds for monitoring of the agreement.

#### **6. Secure Two Hours Free Parking**

#### **7. Public Realm**

A contribution of £10,000 or 50% (whichever is the lower) to the cost of a Public Realm Design Strategy commissioned by Congleton Town Council. Any cost savings which arise between (i) the implementation of the specification contained in the Strategy or of off-site highway works (if completed beforehand) and (ii) the applicant's indicative costings for those works, shall be used to further enhance the public realm.

And subject to the following conditions:-

1. 3 Year Time Limit.
2. Development in accordance with the approved plans.
3. All external facing materials to be submitted and approved prior to the commencement of development and implemented in accordance with the approved details.

#### **Design Related Matters**

4. Development to be constructed with Green Roof, the details of which shall be submitted and approved prior to the commencement.
5. Precise design and materials specification of the feature tower to be submitted and approved prior to the commencement of development.
6. Minimum 100mm window reveal depths to the Mill Street Façade unless otherwise agreed in writing by the Local Planning Authority.
7. Site levels in accordance with approved drawings Environmental Health
8. Environment Agency contaminated land condition.
9. Further gas monitoring to be undertaken and scheme for gas protection measures submitted and approved prior to commencement of development.
10. Scheme for noise mitigation to achieve a BS8233: 1999 "Good Standard" to hotel bedrooms to northern and western facades to be submitted and approved prior to the commencement of development.
11. Scheme for noise mitigation to plant and equipment within the development for each phase of development in accordance with BS4142.
12. Submission of a Construction Environmental Management Plan to cover the following areas: -

- a) Restriction on hours of demolition, construction and deliveries in accordance with those specified by Environmental Health
- b) Submission of detailed scheme for measures to mitigate dust
- c) Details of road sweeper provision during demolition and construction
- d) Identification of storage and delivery areas within the site
- e) To prevent materials being burnt on site

13. Scheme for ventilation and extraction equipment for the café and restaurant uses, extending to also include kitchen and bakery areas within the proposed hotel and or food store, to be submitted and approved for each phase of development and implemented thereafter.

### **Retail Conditions**

14. Ensure total net retail floorspace with the food store is restricted to 3583m<sup>2</sup> with a maximum 2480m<sup>2</sup> net convenience floorspace and a maximum 1103m<sup>2</sup> net comparison floorspace. In addition a percentage based approach is adopted to allow flexibility with a 70% convenience and 30% comparison goods split.

15. Restriction within the food store to prevent the inclusion of an instore pharmacy and post-office.

16. Mezzanine level for ancillary accommodation only as specified on the approved plans unless otherwise agreed in writing by the Local Planning Authority.

### **Highways and Drainage**

17. Restriction on food store opening hours Highway and Drainage Conditions

18. All car parking spaces proposed within the development to be fully available prior to the first use of the hereby-approved development.

19. Submission of surface water regulation and drainage strategy prior to the commencement of development and implementation of thereafter.

20. Prior to first occupation, precise details of cycle parking facilities to be submitted and approved.

21. Site to be drained on a separate system with only foul drainage connected into the existing foul public sewer which crosses the site. Surface water to be discharged into the Howty Brook.

### **Specific Conditions**

22. Relocation of War plaque to a location to be agreed in writing prior to the commencement of development and fully implemented thereafter.

23. No development to commence until the temporary market facilities to the Fairground Site have been fully implemented in accordance with approved details unless otherwise agreed in writing with the Local Planning Authority.

24. Scheme for detailed archaeological investigation to be submitted and agreed prior to the commencement of development with a mechanism to ensure a mitigation strategy is agreed with the Local Planning Authority where necessary and fully implemented thereafter.

25. Prior to commencement of development a scheme for CCTV to be submitted and approved by the Local Planning Authority and fully implemented thereafter.

26. Prior to commencement of development a scheme for external lighting for the development site shall be submitted and approved by the Local Planning Authority and fully implemented thereafter. This is to also include town direction signage.

27. Prior to commencement of development detailed scheme for lighting and physical security measures for the Princess Street underpass to be submitted and approved by the Local Planning Authority and fully implemented thereafter.

28. Prior to commencement of development detailed scheme for security measures to all retail (excluding the food store) and internal market units to be submitted and approved by the by the Local Planning Authority to include details of internal roller shutters, panic and intruder Alarms and CCTV and fully implemented thereafter.

29. Prior to commencement of development, precise details of toilets which are available for public use to be submitted and approved in writing by the Local Planning Authority and fully implemented thereafter.

30. Detailed Landscape Plan to be submitted

31. 5-year landscape management condition

## **Ecology**

32. Detailed scheme for implementation of Bat habitat creation/mitigation in accordance with recommendations within the



applicants report to be submitted and approved in writing by the Local Planning Authority and fully implemented thereafter

33. Standard breeding bird condition

34. Submission of a Site Waste Management Plan prior to the commencement of development and fully implemented thereafter

35. Restriction to use classes - Restaurant & Café Uses. Excluding café within food store element which is included within the S106 Agreement

36. Phasing mechanism to ensure:-

a) That a construction timetable and overall build approach is agreed with the Council prior to the commencement of development and is fully implemented in accordance with those details unless otherwise agreed in writing by the Local Planning Authority.

b) Requiring that no part of the development be occupied until such time as the development has been fully constructed (externally) and completed in accordance with the approved plans.

37. Precise design of gable wall adjoining 19 Mill Street to be submitted and agreed in writing and fully implemented thereafter.

38. 10% renewable energy condition, precise details of power voltage optimisation system to be submitted, agreed in writing and fully implemented thereafter.

39. Precise details of Shop Mobility and time frame for implementation to be submitted and be agreed.

40. Precise design of the brick panel to elevation L-L to be submitted and agreed in writing prior to the commencement of development

41. Precise details for means of enclosure of the parapet wall adjacent as shown on elevation N-N shall be submitted and approved in writing and be fully implemented prior to first occupation of the hereby-approved food store.

**30 PLANNING APPEALS: LAND AT MARRIOT ROAD / ANVILL CLOSE / FORGE FIELDS AND SOUTH OF HIND HEATH ROAD, SANDBACH**

Consideration was given to the above report.

RESOLVED

That the report be noted.

### **31 EXCLUSION OF THE PUBLIC AND PRESS**

RESOLVED

That the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

### **32 LAND SOUTH WEST OF THE GREEN, MIDDLEWICH**

Consideration was given to the above report.

At the meeting held on 26 July 2010 the Strategic Planning Board considered an outline application for up to 68 dwellings with associated public open space and highway works with details of access and siting.

The Strategic Planning Board refused the application for three reasons relating to open countryside policy and spatial vision, inadequate Public Open Space and a lack of low cost housing.

The Applicant has appealed this decision and a Public Local Inquiry will take place later in the year. Since the refusal, the Applicant has submitted further information in support of their case and, having taken Legal advice regarding the merits of the appeal the following resolution was agreed:-

RESOLVED

That the third reason for refusal in respect of low cost market housing be withdrawn and that the Head of Planning and Housing in consultation with the Chairman or Vice Chairman be instructed to amend or remove any other reason for refusal if necessary.

The meeting commenced at 2.00 pm and concluded at 4.15 pm

Councillor C G Thorley (Chairman)