

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 21st March, 2012 at Council Chamber, Municipal  
Buildings, Earle Street, Crewe CW1 2BJ

## **PRESENT**

Councillor H Davenport (Chairman)

Councillors J Hammond, Rachel Bailey, D Brown, D Hough, J Jackson,  
J Macrae, B Murphy, C G Thorley, G M Walton, R West, S Wilkinson and  
J Wray

## **In attendance**

Councillors D Brickhill, J Clowes and S Hogben (afternoon session only)

## **Officers**

Rachel Bolton (Section 106 Officer)  
Maria Cotton (Planning Enforcement Officer)  
Nigel Curtis (Principal Development Officer)  
Daniel Evans (Principal Planning Officer)  
Rachel Goddard (Senior Lawyer)  
Adrian Fisher (Strategic Planning and Housing Manager)  
Paul Mountford (Democratic Services Officer)  
Ben Haywood (Principal Planning Officer)  
Stephen Irvine (Planning and Development Manager)  
Neil Jones (Principal Development Officer)

## 128      **DECLARATIONS OF INTEREST**

Councillor J Hammond declared a personal interest in respect of application number 12/0009C on the grounds that he was a member of the Cheshire Wildlife Trust, which had been consulted on the proposed development. In accordance with the code of conduct, he remained in the meeting during consideration of this item.

Councillors C Thorley and G Walton declared personal interests in respect of application number 12/0009C on the grounds that they were members of the Cheshire Brine Board, which had been consulted on the proposed development. In accordance with the code of conduct, they remained in the meeting during consideration of this item.

## 129      **MINUTES OF THE PREVIOUS MEETING**

### **RESOLVED**

That the minutes of the meeting held on 29<sup>th</sup> February 2012 be approved as a correct record and signed by the Chairman.

**RESOLVED**

That the public speaking procedure be noted.

131      **11/4549N - LAND ON ROPE LANE, SHAVINGTON, CHESHIRE:  
OUTLINE PLANNING PERMISSION FOR ERECTION OF UP TO 80  
DWELLINGS INCLUDING DETAILS OF ACCESS LAND**

Councillor D Brickhill (local Ward Member), Mrs G Macintyre (Vice-Chairman of Shavington-cum-Gresty Parish Council), Dr P Lovie (Shavington and Gresty Residents' Association) and Mr P Jones attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application, a written update and an oral report of the site inspection.

**RESOLVED**

That the application be REFUSED for the following reasons:

1. Whilst it is acknowledged that the Council does not currently have a five year housing land supply and that, accordingly, in the light of the advice contained in PPS3 it should consider favourably suitable planning applications for housing, the current proposal is not considered to be "suitable" as it would undermine the spatial vision for the area, wider policy objectives and the strategic function of the Green Gap in that it would result in the erosion of the physical gap between the built up areas of Shavington and Crewe. The proposal is therefore contrary to Policies NE.2 and NE.4 of the Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within PPS3 and the Council's Interim Housing Planning Policy On The Release Of Housing Land.
2. The proposed residential development, which is located within the Open Countryside and Green Gap, is considered to be an unsuitable location for development by virtue of the adverse impact that the proposals would have on the visual character of the landscape and the erosion of the physical gaps between built up areas. The proposed development would therefore be contrary to Policies NE.2 and NE.4 of the Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within PPS1, PPS3 and PPS7.
3. The application is an outline application for new residential properties which are a sensitive end use and could be affected by any ground contamination present on site. No Phase I desk study and walkover survey have been submitted with the application and the applicant has therefore failed to demonstrate that the site is not

constrained by contamination. The application therefore fails to comply with Policy BE.6 of the Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within PPS23.

4. Insufficient archaeological or historical information has been submitted to determine whether the hedgerow to be removed is of significance according to the criteria set out in the Hedgerow Regulations, contrary to policies Policy NE.5 (Nature Conservation and Habitats) of the Crewe and Nantwich Replacement Local Plan 2011, Policy DP7 (Promote Environmental Quality) of the North West of England Plan Regional Spatial Strategy to 2021 and the provisions of PPS9 Biodiversity and Geological Conservation.

(Note: Councillor R Bailey arrived at this point.)

132      **12/0009C - FORMER TEST TRACK SITE, FORMER FODEN FACTORY SITE, MOSS LANE, SANDBACH, CHESHIRE: RESIDENTIAL DEVELOPMENT COMPRISING 124 DWELLINGS, ACCESS, PUBLIC OPEN SPACE AND ASSOCIATED LANDSCAPING**

Ms A Snook attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application and an oral report of the site inspection.

**RESOLVED**

That the application be APPROVED subject to the following conditions and the satisfactory completion of a S106 Agreement comprising:

Heads of terms

- A provision of 10% affordable housing (12 units) all of which are to be provided as Affordable Rent or Social Rent
- Overage provision to capture any uplift in value with any additional sums paid to the Council to invest back into affordable housing provision within the borough
- A contribution towards local education provision of £120,000
- The provision of a Public Open Space and footway/cycle link which should be retained in perpetuity and a scheme of management (the scheme of management shall include the bridge link)
- A provision of a foot/cycle bridge or a contribution to provide a foot/cycle bridge and secure the landing and access rights for any foot/cycle bridge and/or footpath and from the adjacent Canal Fields site
- An Interim Residential travel plan in accordance with DfT guidance document

- A commuted sum for the necessary Traffic Regulation Orders and local traffic management orders (£44,000)

Conditions:

1. Standard time – 3 years
2. Materials to be submitted to the LPA and approved in writing
3. Submission of a landscaping scheme to be approved in writing by the LPA
4. Implementation of the approved landscaping scheme
5. No trees to be removed without the prior written consent of the LPA
6. Boundary treatment details to be submitted to the LPA and approved in writing
7. Remove PD Rights for extensions and alterations to the approved dwellings
8. Prior to any commencement of works between 1<sup>st</sup> March and 31<sup>st</sup> August in any year, a detailed survey is required to check for nesting birds.
9. Prior to the commencement of development the applicant to submit detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds.
10. The development hereby permitted shall not be commenced until such time as; a scheme to limit the surface water run-off generated by the proposed development, has been submitted to and approved in writing by, the Local Planning Authority.
11. The development hereby permitted shall not be commenced until such time as; a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to, and approved in writing by, the Local Planning Authority.
12. Before the development commences, and during the course of construction period, temporary protective metal fencing shall be erected 5 metres from the canal and drain.
13. Acoustic mitigation measures to be submitted and agreed
14. The hours of construction shall be limited to 08:00 – 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays or Bank Holidays
15. Any piling works shall be limited to 08:30 – 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays or Bank Holidays
16. Prior to the development commencing, a Remediation Statement shall be submitted to, and approved in writing by, the Local Planning Authority.
17. A Site Completion Report detailing the conclusions and actions taken at each stage of the works, including validation works, shall be submitted to, and approved in writing by, the LPA prior to the first use or occupation of any part of the development hereby approved.
18. Prior to development commencing, a comprehensive gas risk assessment shall be undertaken subsequent to the remedial works in order to prove the site is suitable for its intended use, and the results of these shall be submitted to, and approved in writing by, the LPA.
19. No building within 3 metres of the public sewer which crosses the site

20. Completion of the proposed off-site highway works
21. An Environmental Management Plan (EMP) to be submitted with respect to the construction phase of the development. The EMP shall identify all potential dust sources, and outline suitable mitigation. The plan shall be implemented and enforced throughout the construction phase.
22. Measures to show how mud, clay or other material is not deposited on the highway
23. Waste Management Strategy to be submitted to the LPA and approved in writing
24. Details of external lighting to be approved in writing by the LPA
25. Conservatories to be provided in accordance with approved plans and shall exclude two Souter House Types
26. Additional fenestration to side elevations of the plots either side of the foot/cycle link
27. 100mm reveals to windows
28. details of surfacing materials to be agreed with LPA
29. arrangements for the future maintenance and reinstatement of surfacing to be agreed with LPA
30. satisfactory recycling facilities to be provided for the apartment blocks
31. precautions against brine subsidence be taken in the design of all proposed buildings at the site

(Note: Councillor J Macrae arrived during consideration of this matter and took no part in the discussion or voting thereon.)

133      **11/3389N - WHITTAKERS GREEN FARM, PEWIT LANE, BRIDGEMERE, CHESHIRE CW5 7PP: VARIATION OF CONDITION NO 9 ON PERMISSION 7/2009/CCC1**

Councillor J Clowes (local Ward Member) and Mr R Frodsham attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above waste application, a written update and an oral report of the site inspection.

**RESOLVED**

That the Board agrees to the partial change of the wording of conditions 9 and 11 of permission 7/2009/CCC/1 to read:

The importation of green waste to the site and the unloading of green waste vehicles shall only take place within the following periods:

0800-1800hrs Monday to Friday between 1st March and 31st October.  
0800-1200hrs Saturday.

0900-1500 Monday to Friday between 1st November and 28th February.  
0800-1200hrs Saturday.

No importation of green waste taking place outside these times or on Sundays.

Bank Holiday operations:

The importation of green waste to the site and the unloading of green waste vehicles on Bank or Public Holidays shall only take place between the hours of 0830 – 1600.

No importation of materials or unloading is permitted outside of these hours or on Christmas Day, Boxing Day or New Years Day.

#### Condition 11

Between 1 April and 31 October:

- The maximum number of vehicle movements over 5.5 day week (Monday to Saturday) is limited to a maximum of 198 green waste vehicle movements (99 in, 99 out) of which, no more than;
- A maximum of 40 (20 in, 20 out) on any one day Monday – Friday;
- A maximum of 18 (9 in, 9 out) on Saturday mornings (between 0800 and 1200)
- A maximum of 10 (5 in, 5 out) on Bank or Public Holidays (between 0830 – 1600)

No green waste vehicle movements on Sundays.

Between 1 November and 31 March:

- the maximum number of vehicle movements over a 5 day week (Monday to Friday) is limited to a maximum of 140 green waste vehicle movements (70 in, 70 out) of which, no more than;
- A maximum of 32 (16 in, 16 out) on any one day Monday to Friday.
- No green waste vehicle movements on Saturday or Sunday
- A maximum of 10 (5 in, 5 out) on Bank or Public Holidays

The approval of the application is also subject to a condition that a local liaison committee be established.

At this point, the meeting adjourned and reconvened at 2.00 pm.

#### 134      **DEED OF VARIATION TO A SECTION 106 AGREEMENT - KERSHAW MILL, NEWTON STREET, MACCLESFIELD, SK11 6QJ**

The Board considered a report on an application to vary a Section 106 agreement and an oral report by the S106 Officer.

## **RESOLVED:**

That the deed of variation to the Section 106 agreement be approved on the basis outlined in the report.

### **135 INTERIM POLICY ON THE RELEASE OF HOUSING LAND**

The Board considered a report setting out proposed changes to the Interim Policy on the release of housing land.

On 24<sup>th</sup> February 2011 the Council had approved an Interim Planning Policy for the release of Housing land. At the Council meeting on 13<sup>th</sup> October 2011, an attempt was made to rescind the policy. The matter was remitted to the Strategic Planning Board for consideration. At the meeting of the Board on 21<sup>st</sup> December it was agreed that the interim Policy be retained but that revisions to it be considered. The report now before the Board considered a number of amendments. The proposed amended Policy was set out as Appendix 2 to the report.

Since the report had been produced, a further minor change had been recommended to the Proposed Policy set out in Appendix 2. As well as excluding sites within the green belt, it was also suggested that sites within the Green Gap should also be excluded. This change would make Section 3 of the Policy consistent with Section 1; the revised wording would read as follows:

“3. Adjacent to the settlement boundary of Macclesfield and the nine Key Service Centres (Alsager, Congleton, Handforth, Knutsford, Middlewich, Nantwich, Poynton, Sandbach and Wilmslow), provided that the applicant can demonstrate that the site meets all of the following criteria:

- is not within the Green Belt or the Green Gap;”

A letter objecting to the Interim Policy had been received from Indigo Planning Ltd. It was noted, however, that the Board was being asked to recommend the policy for consultation purposes only at this stage.

## **RESOLVED**

That subject to the amendment to the proposed Interim Policy set out above, Cabinet be recommended

- (1) to approve the Draft Policy set out in Appendix 2 to the report for consultation purposes; and
- (2) to delegate the approval of the wording of the accompanying consultation document to the Cabinet Member for Performance and Capacity.

The Committee considered a summary of appeals for the first two months of 2012.

**RESOLVED**

That the Board notes

- (1) the Council's appeals performance for January and February 2012 (77.77%) and its success in most instances in defending planning appeals; and
- (2) the reasons the Council lost some appeals and a recent Cheshire West and Chester appeal that raised issues in relation to housing land supply.

**NOTICE OF MOTION: SYDNEY ROAD BRIDGE - CREWE**

The Board considered a report on a Notice of Motion submitted to Council on 23<sup>rd</sup> February 2012 regarding the impact of development on Sydney Road Bridge in Crewe.

The motion, which had been proposed by Councillor S Hogben, was as follows:

*"Coppenhall East Crewe  
No large scale housing plans in Coppenhall East should be approved or signed off until essential improvements to the road bridge over the Crewe to Manchester railway line on Sydney Road, as well as the northern relief road from Crewe Green roundabout to the A530 Middlewich Road, have been approved."*

Councillor Hogben attended the meeting to explain the background to the motion.

Sydney Road was an important distributor route in northern Crewe. It connected the Leighton and Coppenhall areas of Crewe with the Crewe Green Roundabout.

On 19<sup>th</sup> October 2011, the Strategic Planning Board approved a planning application for 650 homes during the spring of 2011 on a site at Coppenhall East.

The Council had a duty to consider and determine planning applications provided they were properly made. If any future application had an impact on the Sydney Road bridge, this would be a material consideration in its determination. However, the Council could not rule out the proper assessment of development proposals which may come forward at a future time.



The Motion did, however, serve to emphasise an area of concern on the local highway network. It would be appropriate for the Strategic Board and other planning committees to explore the impact of proposed development on the bridge and examine whether applications were accompanied by suitable measures to mitigate any identified impacts. In addition, the forthcoming Cheshire East Local Plan would be underpinned by further traffic studies and would be accompanied by an Infrastructure Plan.

## **RESOLVED**

That

- (1) the Board notes that a decision was made on planning application 11/1643 for Coppenhall East on 19<sup>th</sup> October 2011;
- (2) the Board further notes that the Council has a duty to consider and determine any fresh planning application in the Coppenhall area strictly on its planning merits; and
- (3) the Officers be asked to pursue the inclusion of a scheme for the improvement of the Sydney Road Bridge in the Local Transport Plan to enable the scheme to receive suitable prioritisation, and the improvement of the Bridge be identified as an issue within the Local Plan Infrastructure Plan at the appropriate time.

The meeting commenced at 10.30 am and concluded at 4.00 pm

Councillor H Davenport (Chairman)