

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 8th January, 2014 at Council Chamber, Municipal  
Buildings, Earle Street, Crewe CW1 2BJ

## **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, J Wray and  
D Brickhill (Substitute)

## **OFFICERS IN ATTENDANCE**

Ms P Cockroft (Senior Planning Officer), Ms S Dillon (Senior Lawyer), Mr D  
Evans (Principal Planning Officer), Mr A Fisher (Head of Strategic & Economic  
Planning), Mr B Haywood (Principal Development Officer), Mr N Jones  
(Principal Development Officer) and Mr D Malcolm (Interim Head of Planning  
& Place Shaping Manager)

### **133 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor P Edwards.

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

In respect of application 13/4675N, Councillor D Brickhill declared that he  
had fettered his discretion. He exercised his right to speak as the Ward  
Councillor and then vacated his chair and sat in the public gallery for the  
remainder of the application.

In the interest of openness in respect of application 13/4627C, Councillor  
D Hough declared that he was a member of Alsager Town Council,  
however he had not commented on the application.

In the interest of openness in respect of applications 13/4781C and  
13/4634C, Councillor J Wray declared that he knew the agent for the  
applicant speaking on both of the applications.

In the interest of openness in respect of item 12-Revocation of Certificate  
of Existing Lawful Use for the parking and storage of vehicles machinery  
and equipment, White Moss Quarry, Barthomley, Councillor D Brickhill  
declared that he knew the applicant well and therefore would leave the  
room prior to consideration of the item.

(During the item, Councillor D Brown arrived to the meeting).

## **135 MINUTES OF THE PREVIOUS MEETINGS**

### **RESOLVED**

That the minutes of the meeting held on 15 November 2013 be approved as a correct record and signed by the Chairman.

That the minutes of the meeting held on 4 December 2013 be approved as a correct record and signed by the Chairman subject to condition 10 in relation to planning application 13/2035N being amended to refer to structured planting and not structure planting.

That the minutes of the meeting held on 9 December 2013 be approved as a correct record subject to the inclusion of Councillor P Hoyland in the list of apologies. In addition in relation to application 13/3032C, Councillor D Hough requested it be noted that the deferral reasons relating to highways contributions must result in a scheme being brought forward.

## **136 PUBLIC SPEAKING**

### **RESOLVED**

That the public speaking procedure be noted.

## **137 13/4675N-OUTLINE APPLICATION FOR PROPOSED DEVELOPMENT OF 47 HOUSES OF MIXED TYPE TO INCLUDE 30% AFFORDABLE (RESUBMISSION OF 13/3018N), 414, NEWCASTLE ROAD, HOUGH FOR DAVID WOOTTON**

Consideration was given to the above application.

(Councillor D Brickhill, the Ward councillor, Councillor S Hogben, the neighbouring Ward Councillor, Councillor Mrs J Clowes, the neighbouring Ward Councillor and Parish Council Mrs G McIntyre, representing Shavington-cum-Gresty 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 completion of a Section 106 Agreement securing the following:-

1. A scheme for the provision of 30% affordable housing (12 units)– 65% to be provided as social rent/affordable rent (8 units) with 35% intermediate tenure (4 units). The scheme shall include:
  - The numbers, type, tenure and location on the site of the affordable housing provision
  - The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing

- The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
  - The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
  - The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
2. A contribution of £25,000 for improvements to the existing equipped children's play area at Wessex Close, Shavington.
  3. Education contribution £75,924 for primary education

And subject to the following conditions

1. Standard Outline
2. Submission of Reserved Matters (Landscaping to include buffer of at least 5metres including native species only, Design should reflect the local characteristics of this area)
3. Time limit for submission of reserved matters
4. Approved Plans
5. Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays
6. The Reserved Matters applications(s) shall include details of noise mitigation measures
7. Dust Control measures
8. Contaminated land
9. A scheme for surface water management
10. Prior to undertaking any 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. A report of the survey and any mitigation measures required to be submitted and agreed by the LPA.
11. 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. Such proposals to be agreed by the LPA. The proposals shall be permanently installed in accordance with approved details.
12. The reserved matters application shall include details of replacement hedgerow planting
13. Reserved Matters application to include an Arboricultural Impact Assessment and Tree Protection Measures
14. Reserved matters application to include details of existing and proposed levels
15. Reserved Matters application to include details of a footway across the front of the site
16. Prior to the commencement of development details of replacement signage to the front of the site to be provided
17. Reduction of number of dwellings to 39
18. Access to the development to be located in the centre of the site
19. Submission of a Construction Method Statement

Informative:

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 Interim Planning and 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 Interim Planning and 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.

(The meeting adjourned for lunch from 12.25pm until 1.00pm).

**138      13/4627C-ERECTION OF UP TO 95 DWELLINGS AND  
FORMATION OF ACCESS POINT INTO THE SITE TO SERVE THE  
DEVELOPMENT (RESUBMISSION OF 12/4146C), LAND OFF,  
DUNNOCKSFOLD ROAD, ALSAGER, CHESHIRE FOR THE MORRIS  
FAMILY & P.E. JONES**

Consideration was given to the above report.

(Councillor R Flether, the Ward Councillor, Town Councillor Derek Longhurst, representing Alsager Town Council, Honorary Alderman Derek Bould, representing Alsager Residents Action Group (ARAG), Dr Margaret Wakelin, an objector and Mr Short, the agent for the applicant attended the meeting and spoke in respect of the application.

**RESOLVED**

That the application be deferred for further information on highways and further consideration of the Hasall Road and Sandbach Road North appeals.

(This decision was contrary to the Officers recommendation of approval).

**139      13/4781C-OUTLINE   APPLICATION   WITH   ACCESS   FOR  
ERECTION OF UP TO 14 NO. DWELLINGHOUSES WITH ANCILLARY  
FACILITIES AND ASSOCIATED INFRASTRUCTURE, LAND EAST OF,  
MEADOW AVENUE, CONGLETON, CHESHIRE FOR MR ROBERT  
PEDLEY**

(During consideration of the item, Councillor G Walton left the room and returned. As a result he did not take part in the vote on the application).

Consideration was given to the above application.

(Councillor G Baxendale, the Ward Councillor, Town Councillor Paul Bates, representing Congleton Town Council, Peter Minshull, representing Congleton Sustainability Group, Mr Light, an objector and Russell Adams, 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:-

1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent (3 units) with 35% intermediate tenure (1 unit). The scheme shall include:
  - The numbers, type, tenure and location on the site of the affordable housing provision
  - The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing
  - The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
  - The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
  - The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
2. A £31,985.06 contribution to public open space.

And subject to the following conditions:-

1. Commencement
2. Submission of reserved matters (all matter other than access)
3. Plans
4. Tree and hedgerow protection measures
5. Arboricultural Method statement
6. Landscape maintenance and management
7. Boundary treatment to be submitted with reserved matters

8. Breeding Bird Survey for works in nesting season
9. Bats and bird boxes
10. Updated protected species survey and method statement prior to commencement
11. Submission of a scheme to limit the surface water run-off generated by the proposed development,
12. Reserved matters to make provision for containing any such flooding within the site, to ensure that existing and new buildings are not affected and that safe access and egress is provided.
13. Submission of a scheme of Sustainable Urban Drainage
14. Submission of 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.
15. This site must be drained on a total separate system, with only foul drainage connected into the public foul sewerage system.
16. The hours of construction of the development (and associated deliveries to the site) shall be restricted to: Monday – Friday 08:00 to 18:00 hrs Saturday 09:00 to 14:00 hrs Sundays and Public Holidays Nil
17. Should there be a requirement to undertake foundation or other piling on site it is recommended that these operations are restricted to: Monday – Friday 08:30 – 17:30 hrs Saturday 09:30 – 13:00 hrs Sunday and Public Holidays Nil
18. Submission of scheme to minimise dust emissions arising from construction activities on the site
19. Submission of Construction Management Plan
20. Reserved Matters to include details of bin storage.
21. Details of improvements to public footpath
22. Arboricultural Impact Assessment and Tree Protection Plan to form part of the reserved matters
23. Implementation of a programme of archaeological work in accordance with a written scheme of investigation
24. Reserved matters to incorporate existing and proposed levels and boundary treatments
25. Submission of a Phase I contaminated land survey

(The meeting adjourned for a short break. Councillor C Thorley left the meeting and did not return).

**140      13/2649N-OUTLINE PLANNING APPLICATION FOR PROPOSED RESIDENTIAL DEVELOPMENT OF UP TO 300 DWELLINGS, HIGHWAY WORKS, PUBLIC OPEN SPACE AND ASSOCIATED WORKS, LAND NORTH WEST OF CHURCH LANE, WISTASTON CREWE, CHESHIRE FOR GLADMAN DEVELOPMENTS, GLADMAN DEVELOPMENTS LTD**

Consideration was given to the above application.

(Councillor Mrs M Simon, the Ward Councillor, Councillor Mrs J Weatherill, the Ward Councillor, Parish Councillor Mrs Bond, representing Wistaston

Parish Council and Peter Wainwright, representing Hands Off Wistaston Action Group attended the meeting and spoke in respect of the application.

## RESOLVED

That the application be refused for the following reasons:-

1. The proposed development would cause a significant erosion of the Green Gap between the built up areas of Crewe and Nantwich which would significantly and demonstrably outweigh the benefits of the scheme notwithstanding a shortfall in housing land supply. The development is therefore contrary to Policy NE4 (Green Gaps) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the NPPF.
2. The proposed development would cause the loss of Open Countryside, which would significantly and demonstrably outweigh the benefits of the scheme notwithstanding a shortfall in housing land supply. The development is therefore contrary to Policy NE.2 (Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and paragraph 17 of the National Planning Policy Framework, which recognises the intrinsic character and beauty of the countryside.
3. The proposal would involve the permanent loss of best and most versatile agricultural land. The NPPF states that local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. Together with the reasons stated above this would significantly and demonstrably outweigh the benefits of the scheme notwithstanding a shortfall in housing land supply. The proposed development is contrary to Policy NE.12 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and Paragraph 112 of the NPPF.

(Prior to consideration of the following item, Councillors P Hoyland, P Mason and G Walton left the meeting and did not return).

**141      13/4634C-OUTLINE APPLICATION FOR UP TO 13 NO. RESIDENTIAL DWELLING HOUSES, ASSOCIATED INFRASTRUCTURE AND ANCILLARY FACILITIES. (RE-SUBMISSION OF REFUSED PLANNING APPLICATION 13/1559C), LAND EAST OF, SCHOOL LANE, SANDBACH FOR JEAN PIERPOINT, PAUL FERGUSON, AND GRANT AND HELEN DINSDALE**

Consideration was given to the above application.

(Councillor S Corcoran, the Ward Councillor, Town Councillor Andrew Wood, representing Sandbach Town Council and Russell Adams, 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:-

2. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent (3 units) with 35% intermediate tenure (1 unit). The scheme shall include:

- The numbers, type, tenure and location on the site of the affordable housing provision
- The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing
- The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
- The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

3. A £23,349.31 contribution to public open space.

And subject to the following conditions:-

1. Commencement
2. Submission of reserved matters (all matters other than access)
3. Plans
4. Tree and hedgerow protection measures
5. Boundary treatment to be submitted with reserved matters
6. Submission of method statement for any piling operations
7. Hours of construction (8am to 6pm Mon-Fri, 9am to 2pm Saturday, no working Sunday or Public Holidays)
8. Noise mitigation scheme to be submitted with reserved matters application
9. Construction management plan including a compound within the site
10. Breeding bird survey for works in nesting season
11. Bat and bird boxes
12. Submission of a scheme to limit surface water run-off
13. Reserved matters to include details of bin storage
14. Reserved matters to include existing and proposed levels
15. Reserved matters to include frontage footpaths
16. Reserved matters to include a detailed suite of design construction plans for the adoptable highways



17. Notwithstanding the details shown on the indicative layout plan, the development shall be served only by a single access point shown with a red arrow on plan number 541-SL-01 Rev A.

**142 13/4603N-OUTLINE APPLICATION FOR UP TO 40 DWELLINGS (RESUBMISSION OF 13/1223N), LAND TO REAR OF 144, AUDLEM ROAD, NANTWICH, CHESHIRE FOR WAINHOMES (NORTHWEST) LTD**

Consideration was given to the above application.

(Councillor P Groves, the Ward Councillor, A Martin, the Ward Councillor and Pat Cullen, representing Protect Stapeley attended the meeting and spoke in respect of the application).

**RESOLVED**

That for the application be refused for the following reason:-

In the opinion of the Local Planning Authority, visibility at the proposed access to the site from the A529 is substandard and would result in a severe and unacceptable impact in terms of road safety. This severe adverse impact coupled with the location of the site within the Open Countryside, would significantly and demonstrably outweigh the benefits of the scheme notwithstanding a shortfall in housing land supply. The development is therefore contrary to Policies NE2 and BE.3 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and paragraphs 17 and 32 of the National Planning Policy Framework, which recognise the intrinsic character and beauty of the countryside as a core planning principle and states that decisions should take account of whether safe and suitable access to the site can be achieved for all people, respectively.

In the event of any Appeal against the decision, and in respect of the existing Appeal against the non-determination of application 13/1223N DELEGATE authority to the Interim Planning and Place Shaping Manager and Borough Solicitor to enter into a Section 106 Agreement to secure:-

- Affordable housing:
  - 12 units (8 rented and 4 intermediate)
  - A mix of 2 and 3 bedroom properties
  - units to be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration.
  - constructed in accordance with the Homes and Communities Agency Design and Quality Standards (2007) and should

achieve at least Level 3 of the Code for Sustainable Homes (2007).

- no more than 50% of the open market dwellings are to be occupied unless all the affordable housing has been provided, with the exception that the percentage of open market dwellings that can be occupied can be increased to 80% if the affordable housing has a high degree of peppercorn and the development is phased.
- developer undertakes to provide the social or affordable and shared ownership rented units through a Registered Provider who are registered with the Homes and Communities Agency to provide social housing.
- Contribution of £75,924 towards primary education. This contribution will be required to be paid on occupation of the site.
- £30,000 towards improvement works to footpath 28 in relation to the proposed development payable trigger of commencement of development.
- £20,000 for the purposes of resurfacing the car park at the Shrewbridge Lake
- £1500 per dwelling towards level crossing improvements in Nantwich
- £11,122 towards off-site habitat creation / enhancement

(The meeting adjourned for a short break).

**143      13/4635N-OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT AT 30 DWELLINGS PER HECTARE NET WITH PRIMARY ACCESS OFF BRIDGE STREET AND SOME OTHER MATTERS RESERVED. RESUBMISSION OF 13/1421N, LAND TO REAR OF WOODLANDS VIEW, 20, BRIDGE STREET, WYBUNBURY FOR MR & MRS GRAHAM POOLE**

Consideration was given to the above application.

(Mr Clark, an objector and Colin Bowen, 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 the completion of a Section 106 Agreement securing the following:-

1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent (4 units) with 35% intermediate tenure (2 units). The scheme shall include:
  - The numbers, type, tenure and location on the site of the affordable housing provision
  - The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing

- The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
  - The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
  - The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
2. Public Open Space contribution of £20,000
  3. Education contribution of Primary £43,385 and Secondary £49,028

And subject to the following conditions

1. Standard Outline
2. Submission of Reserved Matters
3. Time limit for submission of reserved matters
4. Approved Plans
5. Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays
6. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays
7. Reserved Matters application to include a noise survey and noise mitigation measures
8. Dust control measures
9. Prior to the commencement of development a Phase II Contaminated Land Assessment shall be submitted to the LPA for approval in writing.
10. Prior to the commencement of development details of drainage to be submitted to the LPA for approval in writing.
11. The proposed development to proceed in strict accordance with the recommendations of the submitted Badgers: addendum to protected species survey and site assessment report number 2013 (14)/VC/01ADD unless varied by a subsequent Natural England license.
12. Prior to undertaking any 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. A report of the survey and any mitigation measures required to be submitted and agreed by the LPA.
13. 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 including house sparrow. Such proposals to be agreed by the LPA. The proposals shall be permanently installed in accordance with approved details.
14. The first reserved matters application to be supported by a plan to show the existing and proposed land levels on the site
15. The Reserved Matters application to include a off-street parking for the properties which adjoin the site fronting Bridge Street

In addition the following informative was included:-

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

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 Interim Planning and 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 Interim Planning and 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.

(Prior to consideration of the following item, Councillors B Brickhill and B Murphy left the meeting and did not return).

**144      REVOCATION OF CERTIFICATE OF EXISTING LAWFUL USE  
FOR THE PARKING AND STORAGE OF VEHICLES MACHINERY  
AND EQUIPMENT, WHITE MOSS QUARRY, BARTHOMLEY**

Consideration was given to the above report.

**RESOLVED**

That confirmation be given to the revocation of the Certificate of Existing Lawful Use for the parking and storage of vehicles, machinery and equipment for White Moss Quarry, Bathomley which was issued in December 2011.

The meeting commenced at 10.30 am and concluded at 6.35 pm

Councillor H Davenport (Chairman)