

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 21st January, 2015 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor H Davenport (Chairman)
Councillor G M Walton (Vice-Chairman)

Councillors D Brickhill, P Edwards, J Hammond, S Hogben (Substitute),
D Hough, P Hoyland, B Murphy, D Newton, L Smetham, A Thwaite
(Substitute), S Wilkinson and J Wray

OFFICERS IN ATTENDANCE

Mr A Barnes (Planning Officer), Mr D Evans (Principal Planning Officer), Ms P
Evans (Lawyer), Mr B Haywood (Major Applications-Team Leader), Mr D
Malcolm (Principal Planning Manager), Mr N Jones (Principal Development
Officer) and Mr N Turpin (Principal Planning Officer)

96 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs Rachel Bailey,
D Brown and Mrs J Jackson.

97 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 14/4172M, Councillor
H Davenport declared that he was a Member of Disley Parish Council but
had made no comments on the application.

In the interest of openness in respect of application 14/4010C, Councillor
D Hough declared that he was a Member of Alsager Town Council but had
made no comments on the application.

98 MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes be approved as a correct record and signed by the
Chairman subject to the inclusion of the following information relating to
the informatives with regard to application 14/4212C:-

Informative:- Prior to first development the developer will enter into and
sign a Section 38 agreement under the Highways Act with regard to the
formal adoption of highways within the site.

Informative:- Prior to first development the developer will enter into and sign a Section 278 agreement under the Highways Act with regard to the construction of the new junction with the A534.

99 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

100 14/4172M-RESIDENTIAL DEVELOPMENT FOR THE ERECTION OF 122 DWELLINGS, ACCESS AND ASSOCIATED WORKS (AMENDMENT TO PREVIOUSLY APPROVED APPLICATION 12/0165M), LAND OFF, (FORMER FIBRESTAR LTD), REDHOUSE LANE, DISLEY, CHESHIRE FOR MR NIALL MELLAN, PERSIMMON HOMES NORTH WEST

(During consideration of the application, Councillor B Murphy arrived to the meeting. He did not take part in the debate or vote on the application. During consideration of the application, Councillor P Edwards left the meeting and did not return).

Consideration was given to the above application.

(Parish Councillor David Kidd, representing Disley Parish Council, Angela Gallagher, an objector and Adele Snook, agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be delegated to the Principal Planning Manger in consultation with the Chairman, Vice Chairman and Parish Council for approval subject to conditions (including a condition, which considers options for the towpath, which will be discharged in consultation with the Chairman, Vice Chairman and Parish Council) and subject to the completion of a Section 106 Agreement securing the following:-

- To provide £300 000 (Indexed) for Highways Works before 50% of the development is provided.
- Payment to be made for undertaking traffic calming and traffic management measures.
- 25% Affordable Housing.
- A commuted sum would be required for offsite provision for use towards play, access, recreation and amenity facilities at Arnold Rhodes open space. The commuted sum total is £119 925.
- A commuted sum would be required for offsite provision for recreation and outdoor sports provision at Arnold Rhodes and Newtown Sports fields. The commuted sum total is £145 000.

- Arrangements for the open space to be maintained in perpetuity will need to be made by the developer, subject to a detailed management maintenance schedule to be agreed with the council.
- A contribution to the Canals and River Trust of £20 000 towards improvement of the canal towpath and associated infrastructure.

And subject to the following conditions:-

1. A01AP - Development in accord with plans
2. A02LS - Notwithstanding the submitted details -Submission of landscaping scheme
3. A02RM - To comply with outline permission
4. A04LS - Landscaping (implementation)
5. A10LS - Additional landscaping details including street furniture, public art and interpretation; vehicular/pedestrian barriers; surfacing material; and secure railway boundary fencing
6. A13HA - Construction of junction/highways
7. A22GR - Protection from noise during construction (hours of construction)
8. A23GR - Pile driving details to be submitted and approved by LPA
9. A01GR - Removal of permitted development rights
10. A15HA - Construction of highways - submission of details
11. A21HA - Submission of details of turning facility
12. A32HA - Submission of construction method statement
13. Further details required for play area scheme shall be submitted to and approved by LPA
14. Notwithstanding the submitted details - within 3 months an updated Landscape and Habitat Management Plan to include management of canal side vegetation to be submitted and approved by LPA
15. Development carried out in accordance with method statement for the protection of the SBI
16. Wheel washing facilities to be carried out in accordance with submitted details
17. Construction Management plan to be carried out in accordance with submitted details.
18. Scheme to minimise dust emissions to be carried out in accordance with submitted details
19. Compliance with individual travel plan
20. Development to be carried out in accordance with Arboricultural Impact Assessment
21. Development in accordance with Invasive Species Management Plan
22. Materials in accordance with submitted schedule
23. Compliance with details of phasing and timing of provision of POS and play area
24. trespass proof fencing
25. Surface water and foul drainage to be directed away from railway line

26. Earthworks and excavations to be carried out in accordance with submitted details
27. Detailed remediation strategy
28. Validation Report
29. Compliance with Noise Impact Assessment details
30. bin storage
31. Traffic Calming scheme to be submitted and approved
32. All parking to be provided prior to occupation of any part of the development
33. Compliance with access road with the Public Highway details
34. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources
35. Lighting
36. Phase II land contamination investigation to be submitted & any remediation work carried out as necessary
37. Prevention of contaminants from entering the watercourse
38. boundary treatment
39. Provision of Public Art shall be submitted
40. Compliance with water vole and bat survey mitigation as required
41. Provision of bat and bird boxes
42. 10 year management plan for the nature conservation area and canal side habitats
43. Sound proofing measures for facades facing the Manchester - Buxton railway line
44. In compliance with Air Quality Impact Assessment report

(The meeting adjourned for lunch from 1.00pm until 1.30pm).

101 **14/4010C-OUTLINE APPLICATION FOR PROPOSED
RESIDENTIAL DEVELOPMENT OF UP TO 60 DWELLINGS WITH
ACCESS AND ALL OTHER MATTERS RESERVED, LAND TO THE
EAST OF HASSALL ROAD, ALSAGER, CHESHIRE FOR GLADMAN
DEVELOPMENTS LTD**

Consideration was given to the above application.

(Councillor R Fletcher, the Ward Councillor, Town Councillor Derek Longhurst, representing Alsager Town Council, Sue Helliwell, representing Friends of Heath End, Mr J Rowland, an objector and Sue Helliwell, an objector attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused for the following reasons:-

1. The proposed residential development is unsustainable because it is located within the Open Countryside partly on Grade 2 Agricultural Land, contrary to Policies PS8 and H6 of the Congleton Borough Adopted Local

Plan First Review 2005 and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance.

2. The proposed development would result in a harmful encroachment into the open countryside. The development would adversely impact upon the landscape character and does not respect or enhance the landscape when viewed from the local footpath network and the Salt Line Way. Therefore the proposed development is contrary to Policies GR1 and GR5 of the adopted Congleton Borough Local Plan First Review and guidance contained within the NPPF.

3. The traffic generated by this proposed development together with other committed developments in Alsager would have a severe impact upon the highway network in particular the junctions of Crewe Road/Sandbach Road and Hassall Road/Crewe Road. The proposed development would be contrary to Paragraph 32 of the NPPF and Policy GR9 of the Congleton Borough Local Plan First review 2005.

4. The proposed development when taken cumulatively with other committed developments in Alsager would exceed the spatial distribution of development for Alsager as identified within Policy PG6 (Spatial Distribution of Development) of the Local Plan Strategy Submission Version. This is supported by comments made by the Inspector at Paragraph 75 of the Inspectors Interim views on the legal compliance and soundness of the submitted Local Plan Strategy. As such the proposal would result in an unsustainable form of development.

In order to give proper effect to the Board's intentions and without changing the substance of the decision, authority is delegated to the Head of Strategic & Economic Planning, in consultation with the Chairman (or in his absence the Vice Chairman) of 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.

Should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. 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. Provision of Public Open Space and a LEAP (5 pieces of equipment) to be maintained by a private management company

3. Provision of a car-park (minimum of 14 spaces) to serve Borrow Pit Meadows to be maintained by Cheshire East Council

4. Primary School Education Contribution of £119,309

5. Highways Contribution of £46,154

6. PROW Contribution of £16,555

(This decision was contrary to the Officer's recommendation of approval. The meeting adjourned for a short break. Prior to consideration of the following application, Councillor B Murphy left the meeting and did not return).

102 **14/4220N-REMOVAL OF CONDITION 47 (RESTRICTION ON THE PROVISION OF UNITS) OF 12/0831N FOR OUTLINE PLANNING PERMISSION FOR THE ERECTION OF 165 DWELLINGS ON LAND TO THE NORTH AND SOUTH OF MAW GREEN ROAD, ACCESS PROPOSED VIA A NEW ROUNDABOUT OFF MAW GREEN ROAD, LAND SOUTH AND NORTH OF, MAW GREEN ROAD, CREWE FOR PAUL CAMPBELL, RICHBOROUGH ESTATES**

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 be approved subject to the completion of a Section 106 Agreement securing the following:-

- 10% affordable housing (20 dwellings), on a tenure split of 75% intermediate tenure and 25% rented, (either social rented dwellings let at target rents or affordable rented dwellings let at no more than 80% of market rents)
- Transfer of any rented affordable units to a Housing Association
- Affordable house scheme to be submitted at reserved matters
- Affordable homes to be let or sold to people who are in housing need and have a local connection. (The local connection criteria used in the agreement to match the Councils allocations policy.)
- Provision of play area / five-a-side pitch
- Provision of detailed specification for play area to incorporate :
 - o 8 pieces of play equipment should be provided.
 - o 5 a side pitch (600sqm)
 - o NEAP (2,620sqm)
 - o Durable retaining walls – concrete or brick
 - o porous wet pour safer surfacing.
 - o concrete steps to the bank
 - o the slide to be set in concrete

- o Two bins with one being provided on each level.
- o Metal bow top railings are required; pedestrian access gates in the same style but a contrasting colour to the railings.
- o Gate to be outward opening, with rubber caps on the clapping side and have a mechanical self-closing mechanism.
- o NEAP to provide seating; bicycle parking and appropriate signage.
- Provision for a management company to maintain the on-site amenity space / play area
- 10 year management plan for landscaping
- Education Contribution of £292, 850.
- Commuted sum of £1500 to barn owl group
- Highways Contributions:
- o Maw Green Road Signage Scheme - £20,000
- o Crewe Green Roundabout - £60,000
- o Sydney Road bridge - £ 1,082,000
- o Public Transport Contribution - £12,000

And subject to the following conditions:-

1. Reserved matters for each phase.
2. Reserved Matters in 18 months.
3. Drawing numbers.
4. No approval of the submitted indicative layout.
5. Nesting birds.
6. Details of bat and bird nest boxes.
7. Open space/nature conservation areas.
8. Ponds.
9. Updated wildlife mitigation/compensation proposals for that phase.
10. Updated protected species survey report for that phase.
11. contamination.
12. Removal of pd rights.
13. Flood Risk Assessment.
14. Surface water run-off.
15. Surface water drainage system.
16. Flood mitigation measures.
17. Overland flow.
18. Houses to face waterfronts and footpaths.
19. Green open spaces adjacent to any watercourses and ponds.
20. Sustainable Urban Drainage Scheme (SUDS).
21. Drained on a total separate system.
22. Only clean surface water soakaway.
23. Scheme to limit the surface water run-off.
24. Scheme to manage the risk of.
25. Hours of construction.
26. Piling.
27. Floor floating.
28. Floor floating operations.
29. External lighting.
30. Noise mitigation scheme.
31. Environmental Management Plan (EMP).

- 32 Archaeological mitigation.
- 33 Energy saving features.
- 34 Boundary treatment.
- 35 Materials.
- 36 Landscaping.
- 37 Planting, seeding or turfing.
- 38 Hedgerows.
- 39 Protection of trees, shrubs.
- 40 Services, storage of materials.
- 41 Provision for replacement hedge planting.
- 42 Bin storage.
- 43 Off-site highways works.
- 44 Reptile mitigation measures.
- 45 Remediation Strategy.
- 46 Importation and placement of material onto the Public Open Space
- 47 Construction Management Plan.
- 48 Bungalows to be located adjacent to the existing properties on Sydney Road.
- 49 (50th house), traffic lights shall be installed at the railway bridge.

103 **14/5675C-OUTLINE PLANNING PERMISSION FOR 70 DWELLINGS AND ASSOCIATED WORKS (RESUBMISSION OF 14/0134C), LAND TO THE SOUTH OF, HOLMES CHAPEL ROAD, CONGLETON FOR HOURIGAN CONNOLLY**

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report and in the written update to Board, the application be delegated to the Principal Planning Manager in consultation with the Chairman, Vice Chairman and Ward Councillor for approval subject to consultation comments being received by 23 January 2015 and subject to the completion of a Section 106 Agreement securing the following:-

- Affordable housing:
- 30% of all dwellings to be affordable (65% social or affordable rented and 35% intermediate tenure)
- A mix of 1, 2 , 3 bedroom and other sized properties to be determined at reserved matters
- 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 pepper-potting and the development is phased.
- Developer undertakes to provide the social or affordable rented units through a Registered Provider who are registered with the Homes and Communities Agency to provide social housing.
- Provision of minimum of 1680m²sqm and of shared recreational open space and children's play space to include a LEAP with 5 pieces of equipment.
- Private residents management company to maintain all on-site open space, including footpaths and habitat creation area in perpetuity.
- Commuted Sum payment in lieu of health related provision in accordance with the NHS Health Delivery Plan for Congleton of £68,000.
- Highways contribution of £20,000 towards provision of a bus stop.

And subject to the following conditions:-

1. Standard Time limit
2. Standard Outline
3. Submission of Reserved Matters
4. Approved Plans
5. Submission, approval and implementation of details of existing and proposed ground levels
6. Submission, approval and implementation of details of materials
7. Submission, approval and implementation of scheme of surface water drainage
8. Submission, approval and implementation of scheme to manage overland flow
9. Submission, approval and implementation of scheme of foul water drainage
10. Submission, approval and implementation of Phase II contaminated land investigation
11. Submission, approval and implementation of Environmental (Construction) Management Plan
12. Submission, approval and implementation of Travel Plan
13. Submission, approval and implementation of electric vehicle infrastructure
14. Submission, approval and implementation of scheme of noise mitigation
15. Submission, approval and implementation of Noise Validation Test & Attenuation
16. Submission, approval and implementation of 8m buffers zone along waterbodies
17. Submission, approval and implementation of breeding bird survey prior to any works in nesting season, scheme for eradication of Himalyan Balsam.

18. Submission, approval and implementation of features for use by breeding birds
19. Reserved Matters to make provision for hedge replanting
20. Submission, approval and implementation of scheme of tree protection / arboricultural method statement
21. Submission, approval and implementation of open space scheme with first reserved matters
22. Submission, approval and implementation of maintenance plan for open space in perpetuity
23. Submission, approval and implementation of scheme of bin storage
24. Submission, approval and implementation of details of boundary treatment

Furthermore, amend Section 106 Heads of Terms included in previous resolution made on the 17th September 2014, in respect of application 14/0134C to reflect those listed above and resolve to enter into a Section 106 in respect of the Appeal scheme on this basis.

104 **14/2479C-VARIATION OF THREE PLANNING CONDITIONS 2, 16 AND 18 ON APPROVED APPLICATION 13/0402C TO ALLOW THE CURRENT APPROVED LOCATION OF THE MARINA ROAD ACCESS TO BE REMOVED AND RELOCATED FROM THE B5078 (CHELLS HILL) ONTO THE A533 (CAPPERS LANE), CHELLS HILL FARM, CHELLS HILL, CHURCH LAWTON FOR ED NIELD**

Consideration was given to the above application.

(David Jackson, 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 the application be approved subject to the following conditions:-

1. Commencement of development – time frame as originally approved
2. Revised Plans
3. Materials -buildings and all hard surfaces
4. Tree survey
5. Notwithstanding the submitted landscaping details, prior to the commencement of development, full details of structural landscape planting/additional screen planting to be introduced on the site shall be submitted to and agreed in writing by the local planning authority
6. Full details of the works to deposit the excavated material on the site and finished site levels shall be submitted to and agreed in writing by the local planning authority.
7. Amended landscaping scheme including details of any boundary treatment inc replacement hedge/ all fencing to segregate marina from farmers field/ landscape management plans to be submitted

8. Implementation and maintenance of landscaping
9. Submission of 10 year habitat management plan
10. Detailed designs of new ponds
11. Provision of bat and bird boxes
12. Safeguarding breeding birds
13. Implementation of great crested newt mitigation, subject to Natural England licence.
14. Scheme to limit the surface water runoff generated by the proposed development, to be submitted to and approved
15. temporary protective metal fencing to be erected 5 metres from the Trent and Mersey Canal
16. Prior to first development the developer will provide a detailed highway access design from the revised access point on Betchton Lane, based on a topographical survey, which will show standard junction geometry and be tracked to demonstrate safe turning movements and to the satisfaction of the LPA.
17. Prior to first development the developer will provide an amended plan showing intervisible passing places along the internal access road to the marina to the satisfaction of the LPA.
18. Workshop/ maintenance /repairs of canal boats only
19. Archaeology
20. Narrow boats within dry dock to be stored at ground level only and not stacked
21. No moorings to be used as sole or main residence and the site operator shall maintain an up-to-date register of the names and addresses of all owners and occupiers, and shall make this record available to the local planning authority at all reasonable times, upon request
22. Scheme to allow pedestrian access across the Trent & Mersey Canal at Pierpoints Bottom Lock (Lock 56) to be submitted
23. Bin store details
24. Amended lighting scheme – inc Full details, including design, position and lux levels of all lighting
- 25 Submission of amended tree protection plan required to reflect amendments to spoil disposition. Implementation.
26. Updated badger survey

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 Principal Planning 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 Board's decision.

**105 14/1579N - LAND NORTH OF CHOLMONDLEY ROAD,
WRENBURY FRITH-WITHDRAWAL OF REASON FOR REFUSAL**

Consideration was given to the above report.

RESOLVED

That for the reasons set out in the report the reason for refusal in respect of insufficient information in respect of flood risk (reason no 1 attached to decision 14/1579N) be withdrawn and the Principal Planning Manager be instructed not to contest the issue at the forthcoming Informal Hearing.

The meeting commenced at 10.30 am and concluded at 4.15 pm

Councillor H Davenport (Chairman)