

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 3rd June, 2015 at Council Chamber, Municipal Buildings,
Earle Street, Crewe CW1 2BJ

PRESENT

Councillor H Davenport (Chairman)
Councillor J Hammond (Vice-Chairman)

Councillors B Burkhill, T Dean, L Durham, D Hough, J Jackson, S McGrory,
D Newton, S Pochin, G M Walton and J Wray

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors S Davies G Merry, B Moran and G Wait

OFFICERS PRESENT

Tim Driver (Lawyer)
Daniel Evans (Principal Planning Officer)
Adrian Fisher (Head of Planning (Strategy))
Paul Hurdus (Highways Development Manager)
David Malcolm (Head of Planning (Regulation))
Emma Williams (Principal Planning Officer)
Julie Zientek (Democratic Services Officer)

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R Bailey and M Sewart.

2 DECLARATIONS OF INTEREST/PRE DETERMINATION

The following declarations were made in the interests of openness:

With regard to application numbers 14/3892C, 14/1189C and 14/5615N, Councillor J Hammond declared that he was a Director of ANSA Environmental Services, but that he had not participated in the discussions with respect to these applications and had kept an open mind.

All Members of the Committee declared that they had received correspondence regarding applications on the agenda.

With regard to agenda item 14, Councillor D Hough declared that he was a Director of Transport Service Solutions Ltd and that he would withdraw from the meeting during consideration of this item.

With regard to application numbers 14/1944W and 14/1788W, Councillor G Walton declared that he was Chairman of the Public Liaison Group and that he would withdraw from the meeting during consideration of these items.

3 MINUTES OF THE PREVIOUS MEETING

RESOLVED – That, subject to the following amendments, the minutes of the meeting held on 15 April 2015 be approved as a correct record and signed by the Chairman:

- That in paragraph 3 of Minute 129 'ANSA Waste Services' be amended to read: 'ANSA Environmental Services'.
- That in Minute 132 Condition 40 be amended to read: 'No vehicular access from the site to the adjacent land to the east between Main Road Weston and the application site (known locally as site D1)', and that the same details be referred to in Condition 31.

4 PUBLIC SPEAKING

RESOLVED – That the public speaking procedure be noted.

5 INTRODUCTION TO THE WORK OF THE COMMITTEE

RESOLVED – That the Board's Terms of Reference be noted.

6 14/4531C-OUTLINE PLANNING WITH SOME MATTERS RESERVED - ACCESS- FOR THE PROPOSED CONSTRUCTION OF AN INLAND LEISURE MARINA; ASSOCIATED ANCILLARY BUILDINGS, INFRASTRUCTURE AND LANDSCAPING, LAND TO THE SOUTH OF, ELTON ROAD, SANDBACH FOR MR T BUNN

Note: Councillor D Hough declared that he had been the farm's veterinary surgeon for 39 years.

Note: Councillor G Wait (Ward Councillor), Mr J Burtonshaw (on behalf of Say No to Yeowood Farm Action Group) and Mr J Minshull (on behalf of Sandbach Neighbourhood Plan Working Group) attended the meeting and addressed the Board on this matter.

The Board considered a report regarding the above planning application.

RESOLVED – That the Board be MINDED TO REFUSE the application for the following reasons:

There is insufficient information to determine the impact of the development as part of the environmental role of sustainable development. The submitted application does not include any information to the following:

- Protected Species and Habitats
- Landscape impact of the development
- Whether the development would result in the loss of BMV Agricultural land
- Whether the proposed access could accommodate the proposed development

As such the development is contrary to Policies GR1 New Development, GR2 Design, GR5 Landscaping, GR9 (Accessibility, Servicing and Parking Provision), NR2 Statutory Sites and NR3 Habitats of the Borough of Congleton Local Plan First Review 2005 and guidance contained within the NPPF.

7 14/1944W-VARIATION OF CONDITIONS 4 AND 59 OF PERMISSION 5/06/2940 TO ALLOW TO EXTEND THE DATE IN CONDITION 4 FROM 28TH APRIL 2014 TO 30TH SEPTEMBER 2016, AND AMEND THE APPROVED RESTORATION SCHEME TO THAT SHOWN ON PLAN M103/222 REV C, MERE FARM QUARRY, CHELFORD ROAD, NETHER ALDERLEY FOR HANSON QUARRY PRODUCTS EUROPE LTD

Note: Having made a declaration, Councillor G Walton withdrew from the meeting during consideration of this and the following item.

Note: Mr Andrew Bower attended the meeting and addressed the Board on behalf of the applicant.

The Board considered a report regarding the above planning application.

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED subject to Deed of Variation to the existing Section 106 Planning Obligation securing the same obligations as 5/06/2940 namely:

- monitor hydrology and comply with hydrometric monitoring scheme
- allow access to the company to carry out the obligations

and the addition of the following:

- Replication of the requirements under the s106 agreement attached to permission 09/2806W in respect of a habitat management plan, and the addition of bird management measures identified in the bird management plan for a period of 10 years after the aftercare period.

And

Subject to the imposition of planning conditions in respect of:

- All the conditions attached to permission 5/06/2940 unless amended by those below;
 - Revised restoration plan;
 - Extension of time to 30 September 2016
 - Provision of ecological mitigation measures
- (b) That, in the event of any changes being needed to the wording of the Committee'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 Principal Planning Manager be granted 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.
- (c) That, should this application be the subject of an appeal, authority be delegated to the Principal Planning 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

8 14/1788W-VARIATION OF CONDITION 2 AND 54 OF PERMISSION 09/2806W TO EXTEND THE DATE IN CONDITION 4 FROM 28TH APRIL 2014 TO 30TH SEPTEMBER 2016, AND AMEND THE APPROVED RESTORATION SCHEME TO THAT SHOWN ON PLAN M103/222 REV 'C', MERE FARM QUARRY, CHELFORD ROAD, NETHER ALDERLEY FOR HANSON QUARRY PRODUCTS EUROPE LTD

The Board considered a report regarding the above planning application.

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED subject to Deed of Variation to the existing Section 106 Planning Obligation securing the same obligations as 09/2806W namely:
- monitor hydrology and comply with hydrometric monitoring scheme
 - allow access to the company to carry out the obligations
 - management of the land in accordance with a management plan for 10 years post aftercare period

and the addition of the following:

- revision of the management plan to incorporate bird management measures identified in the bird management plan for a period of 10 years after the aftercare period.

And

Subject to the imposition of planning conditions in respect of:

- All the conditions attached to permission 09/2806W unless amended by those below;
- Revised restoration plan;
- Extension of time to 30 September 2016
- Provision of ecological mitigation measures

(b) That, in the event of any changes being needed to the wording of the Committee'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 Principal Planning Manager be granted 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.

(c) That, should this application be the subject of an appeal, authority be delegated to the Principal Planning 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

9 14/3892C-REDEVELOPMENT OF THE SITE TO PROVIDE UP TO 200 HOMES AND A COMMUNITY FACILITY, LAND WEST OF, CREWE ROAD, SANDBACH, CHESHIRE FOR HIMOR (LAND) LTD, SIMON FODEN, PAUL FODEN

Note: Councillor T Dean left the meeting and returned during consideration of this item but after returning did not take part in the debate or vote.

Note: Councillor G Wait (Ward Councillor), Councillor G Merry (Neighbouring Ward Councillor), Councillor B Moran (Neighbouring Ward Councillor), Ms C Jealous (on behalf of Park Lane and Crewe Road Action Group), Mr J Minshull (on behalf of Sandbach Neighbourhood Plan Working Group), Mr J Harris (objector) and Mr N Lee (on behalf of the applicant) attended the meeting and addressed the Board on this matter.

The Board considered a report regarding the above planning application and a written update.

The Principal Planning Officer clarified that the paragraph entitled 'Health' on page 87 of the agenda should be deleted and that the correct position was set out on page 97.

RESOLVED

- (a) That the application be REFUSED for the following reasons:
1. The Local Planning Authority considers that having regard to the context of developments in the Sandbach area and the scale of the proposed development that it would be premature following the publication consultation draft of the Sandbach Neighbourhood plan. As such allowing this development would prejudice the outcome of the neighbourhood plan-making process and would be contrary to guidance contained at Paragraph 216 of the NPPF and guidance contained within the NPPG.
 2. Whilst it is acknowledged that there is a presumption in favour of sustainable development in the planning balance, it is considered that the development is unsustainable because of the conflict with the draft Sandbach Neighbourhood plan and because of the unacceptable environmental and economic impact of the scheme in terms of loss of best and most versatile agricultural land and open countryside. These factors significantly and demonstrably outweigh the social benefits in terms of its contribution to boosting housing land supply, including the contribution to affordable housing. As such the proposal is contrary to Policies PS8 and H6 of the adopted Congleton Borough Local Plan First Review 2005 and Policies PG 5 and SE 2 of the Cheshire East Local Plan Strategy – Submission Version and the provisions of the NPPF.
- (b) That, in order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Strategic & Economic Planning, in consultation with the Chair (or in his absence the Vice Chair) 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.
- (c) That, 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 NEAP (8 pieces of equipment) to be maintained by a private management company in perpetuity
- 3. Provision of a fully serviced site to be large enough to accommodate a 1 Form Entry Primary School (or other community facility to be agreed in writing with the LPA) and the requested contributions of £390,466 (for primary education) and £424,910 (for secondary school education).
- 4. Highways Contribution of £166,000
- 5. PROW Contribution of £42,280

Note: In accordance with paragraph 15.5 of the Council Procedure Rules, Councillors B Burkhill and D Hough requested that the Minutes of the meeting recorded that they abstained.

10 14/1189C-PROPOSED RESIDENTIAL DEVELOPMENT OF UP TO 165 DWELLINGS, INCLUDING 'AFFORDABLE HOUSING', HIGHWAY AND ASSOCIATED WORKS, PUBLIC OPEN SPACE AND GREEN INFRASTRUCTURE., LAND OFF, ABBEY ROAD, SANDBACH FOR FOX STRATEGIC LAND & PROPERTY LTD

Note: Prior to consideration of this application, the meeting was adjourned for refreshments.

Note: Councillor G Merry (Ward Councillor), Councillor B Moran (Neighbouring Ward Councillor), Mr B Roberts (on behalf of Friends of Abbeyfields) and Mr J Minshull (on behalf of Sandbach Neighbourhood Plan Working Group) attended the meeting and addressed the Board on this matter.

The Board considered a report regarding the above planning application and a written update.

RESOLVED

(a) That the application be REFUSED for the following reasons:

1. The Local Planning Authority considers that having regard to the context of developments in the Sandbach area and the scale of the proposed development that it would be premature following the publication consultation draft of the Sandbach Neighbourhood plan. As such allowing this development would prejudice the outcome of the neighbourhood plan-making process and would be contrary to guidance contained at Paragraph 216 of the NPPF and guidance contained within the NPPG.
2. Whilst it is acknowledged that there is a presumption in favour of sustainable development in the planning balance, it is considered

that the development is unsustainable because of the conflict with the draft Sandbach Neighbourhood plan and because of the unacceptable environmental and economic impact of the scheme in terms of loss of best and most versatile agricultural land and open countryside. These factors significantly and demonstrably outweigh the social benefits in terms of its contribution to boosting housing land supply, including the contribution to affordable housing. As such the proposal is contrary to Policies PS8 and H6 of the adopted Congleton Borough Local Plan First Review 2005 and Policies PG 5 and SE 2 of the Cheshire East Local Plan Strategy – Submission Version and the provisions of the NPPF.

- (b) That, in order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Strategic & Economic Planning, in consultation with the Chair (or in his absence the Vice Chair) 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.
- (c) That, 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 NEAP (8 pieces of equipment) to be maintained by a private management company
 - 3. Primary school education contribution of £325,388.70
 - 4. Secondary school education contribution of £343,169.49
 - 5. PROW Contribution of £25,000
 - 6. Highways Contribution of £137,211 towards improvements to the A533/A534 corridor

11 13/5239C-RESERVED MATTERS FOLLOWING OUTLINE APPROVAL (12/4874C) FOR RESIDENTIAL DEVELOPMENT, COMPRISING 50 HOMES, INCLUDING 15 AFFORDABLE HOMES TO INCLUDE AN AREA OF PUBLIC OPEN SPACE AND A CHILDREN'S PLAY AREA (ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT), LAND OFF HAWTHORNE DRIVE, SANDBACH, CHESHIRE FOR ADELE SNOOK, PERSIMMON HOMES NORTH WEST

Note: The Head of Planning (Regulation) read a representation from Councillor S Corcoran (Ward Councillor), who was unable to attend the meeting.

Note: Mr J Minshull had registered his intention to address the Board on behalf of Sandbach Neighbourhood Plan Working Group but did not speak.

Note: Ms A Snook attended the meeting and addressed the Board on behalf of the applicant.

The Board considered a report regarding the above planning application.

RESOLVED

- (a) That, for the reasons set out in the report, the application be APPROVED subject to the outcome of the referral to the Secretary of State and the following conditions:
 - 1. A02RM - To comply with outline permission
 - 2. A05RM - Time limit following approval of reserved matters
 - 3. A01AP - Development in accord with approved plans
 - 4. A02EX - Submission of samples of building materials
 - 5. A25GR - Obscure glazing requirement
 - 6. A01TR - Tree retention
 - 7. A02TR - Tree protection
 - 8. A01LS - Landscaping - submission of details
 - 9. A04LS - Landscaping (implementation)
 - 10. A23GR - Pile Driving - details to be submitted
 - 11. A12LS - Landscaping to include details of boundary treatment
 - 12. Provision of electric vehicle charging infrastructure
 - 13. Foul and surface water drainage details to be submitted
- (b) That an informative be added regarding the public right of way.
- (c) That the Head of Planning (Regulation) be granted delegated authority to consider the inclusion of a broadband condition, in consultation with the Chairman of the Strategic Planning Board.
- (d) That, in the event of any changes being needed to the wording of the Committee'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 Planning (Regulation) be granted 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.

12 14/5615N-OUTLINE PLANNING PERMISSION FOR A RESIDENTIAL DEVELOPMENT COMPRISING UP TO 85 RESIDENTIAL DWELLINGS (INCLUDING 30% AFFORDABLE HOUSING),STRUCTURAL PLANTING AND LANDSCAPING , INFORMAL PUBLIC OPEN SPACE AND CHILDRENS PLAY AREA , SURFACE WATER ATTENUATION AND ASSOCIATED ANCILLARY WORKS ,WITH ALL MATTERS RESERVED FOR FUTURE DETERMINATION WITH THE EXCEPTION OF ACCESS, WEAVER FARM, THE GREEN, WRENBURY FOR GLADMAN DEVELOPMENTS LTD

Note: Councillor S Davies (Ward Councillor) and Parish Councillor J Palmer (on behalf of Wrenbury-cum-Frith Parish Council) attended the meeting and addressed the Board on this matter.

The Board considered a report regarding the above planning application.

RESOLVED – That the application be DEFERRED for further discussions with the applicant with respect to a reduction in the number of dwellings.

13 14/3054C-OUTLINE APPLICATION FOR THE ERECTION OF UP TO 70 DWELLINGS, LAND OFF CREWE ROAD, ALSAGER FOR HOLLINS STRATEGIC LAND LLP

Note: Prior to consideration of this application, the meeting was adjourned for refreshments.

Note: Councillor S Pochin left the meeting prior to consideration of this application.

Note: The Head of Planning (Regulation) read a representation from Councillor R Fletcher (Ward Councillor), who was unable to attend the meeting.

Note: Town Councillor S Helliwell (on behalf of Alsager Town Council) and Mrs S Dyke (objector) attended the meeting and addressed the Board on this matter.

Note: Mr M Symons had registered his intention to address the Board on behalf of the applicant but did not speak.

The Board considered a report regarding the above planning application.

The Head of Planning (Regulation) reported that revised plans had been received and that a Landscape and Visual Impact Assessment had been provided.

RESOLVED

- (a) That the Board be MINDED TO REFUSE the application for the following reasons:

Whilst it is acknowledged that there is a presumption in favour of sustainable development in the planning balance, it is considered that the development is unsustainable because:

1. There would be an unacceptable environmental impact of the scheme on the intrinsic character and beauty of the open countryside and woodland which appears on the UK BAP inventory of priority habitats and is identified as Broad Leaved Woodland on the Habitat Survey submitted by the applicant in support of the application contrary to Policies PS8 NR3 and NR4 of the adopted Congleton Borough Local Plan First Review and Policies PG5, SE3 and SE5 of the Cheshire East Local Plan Strategy Submission Version as well as the provisions of the National Planning Policy Framework
2. There would be an unacceptable, social, economic and environmental impact, in terms of increasing the level of congestion at the major junctions in the town which would already be operating over capacity as a result of the cumulative impact of other committed development in Alsager contrary to Policy GR1 and GR18, of the adopted Congleton Borough Local Plan First Review and Policy CO4, of the Cheshire East Local Plan Strategy Submission Version as well as the provisions of the National Planning Policy Framework
3. There would be an adverse environmental and economic impact resulting from loss of best and most versatile agricultural land contrary to Policy SE2 of the Cheshire East Local Plan Strategy Submission Version and the provisions of the National Planning Policy Framework.

These factors significantly and demonstrably outweigh the economic and social benefits in terms of its contribution to boosting housing land supply, including the contribution to affordable housing.

- (b) That a Section 106 Agreement be entered into in respect of the forthcoming Appeal to secure the following:
- Affordable housing:
 - 30% of all dwellings to be affordable (65% social or affordable rented and 35% intermediate tenure)
 - A mix of 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 peppercotting 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 shared recreational open space and the provision of on site children's play space to include a LEAP with 5 pieces of equipment
- Private residents management company to maintain all on-site play space, open space, including footpaths, hedgerows and green spaces in perpetuity
- Education (primary) contribution of £141,002

14 UPDATE FOLLOWING THE RESOLUTION TO APPROVE APPLICATION 13/4121C SUBJECT TO A S106 AGREEMENT, FORMER TWYFORDS BATHROOMS LTD, LAWTON ROAD, ALSAGER

Note: Having made a declaration, Councillor D Hough withdrew from the meeting during consideration of this item.

Note: Town Councillor S Heliwell attended the meeting and addressed the Board on behalf of Alsager Town Council.

The Board considered a report regarding a proposed amendment to the Heads of Terms within the committee resolution relating to planning application 13/4121C, which had been determined by the Strategic Planning Board on 2 April 2014.

RESOLVED

- (a) That, for the reasons set out in the report, the Heads of Terms be amended to read as follows:
- £5,000 Travel Plan Monitoring
 - £25,000 for the upgrade of two local bus stops to quality partnership standards sum to be paid prior to commencement of development
 - £330,000 for the provision of the agreed new bus service for the site sum to be paid 6 months before the store is first brought into use

- £30,000 for identified local traffic management issue sum to be paid prior to commencement of development

(b) That the following paragraph be attached to the resolution:

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

15 URGENT ITEM: 14/1326N - LAND TO THE NORTH OF WISTASTON GREEN ROAD, WISTASTON

In accordance with Section 100B (4)(b) of the Local Government Act 1972, the Chairman announced that he had agreed to allow consideration of this item as an urgent item of business, due to the need for a speedy decision to ensure that proofs of evidence for a forthcoming appeal were submitted within the set deadlines.

The Board considered a report regarding planning application 14/1326N, which had been refused by the Strategic Planning Board on 15 October 2014, and which was now the subject of an appeal.

RESOLVED

- (a) That for the reasons set out in the report, the Head of Planning (Regulation) be instructed not to contest the housing land supply, barn owls and highways issues at the forthcoming appeal, and to defend the appeal on the following grounds:
 1. The proposed residential development is unsustainable because it is located within the Open Countryside, contrary to Policies NE.2 (Open Countryside) and RES.5 (Housing in Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan, Policy PG 5 of the Cheshire East Local Plan Strategy – Submission Version and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance. The application is also contrary to the emerging Development Strategy.
 2. In the opinion of the Local Planning Authority, the proposed development would cause a significant erosion of the Green Gap between the built up areas of Nantwich and Crewe and would adversely affect the visual character of the landscape 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.

3. The site comprises 5.05ha (67%) best and most versatile agricultural land, the loss of which weighs against the proposal in the overall planning balance, and when taken cumulatively with the other factors referred to in 1 and 2 above renders the development unsustainable and the harm caused would significantly and demonstrably outweigh the benefits and is contrary to Policy NE.12 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the provisions of the National Planning Policy Framework.
- (b) That a planning agreement be entered into in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

S106 Heads of Terms:

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 to include pepper potting
 - 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 POS and a LEAP with 5 pieces of equipment and a scheme of management in perpetuity
3. Commuted Sum payment in lieu of primary education provision £292,850
4. Commuted Sum payment of £2000 in lieu of ecological mitigation for loss of grassland

The meeting commenced at 10.30 am and concluded at 5.45 pm

Councillor H Davenport (Chairman)