

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 15th June, 2016 at Grand Hall Congleton Hall,
Congleton Town Hall, High Street, Congleton CW12 1BN

PRESENT

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

Councillors Rhoda Bailey (Substitute), D Brown, B Burkhill, L Durham,
D Hough, J Jackson, D Newton, S Pochin and J Wray

OFFICERS IN ATTENDANCE

Adrian Crowther (Major Applications Team Leader)
Daniel Dickinson (Legal Team Manager - Corporate & Regulatory)
Paul Hurdus (Highways Development Manager)
David Malcolm (Head of Planning (Regulation))
Gaynor Hawthornthwaite (Democratic Services Officer)

12 APOLOGIES FOR ABSENCE

Apologies were received from Councillors H Gaddum and S McGrory.

13 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 15/4480C Councillor J Hammond declared that he was a member of the Cheshire Wildlife Trust who had been a consultee and that he had not made any comments on the application or taken part in any discussions.

Councillor D Brown declared that as the Highways and Infrastructure Portfolio Holder he had pre-determined application 15/4480C and would, therefore, speak as the Ward Member and would withdraw from the meeting and take no part in the discussions or voting on this application.

In the interest of openness Councillor S Pochin declared that with regard to application number 16/2006C she no longer has any links with Pochin Developments Ltd as her husband is no longer an employee.

14 MINUTES OF THE PREVIOUS MEETING

That the minutes of the meeting held on 18th May 2016 be approved as a correct record and signed by the Chairman.

15 PUBLIC SPEAKING

The Chairman announced that as application 15/4480C is a long ribbon road development, passing through four Wards and seven Parish Councils, he had agreed to extend the speaking time as an exception, in accordance with paragraph 2.8 of the public speaking rights at Strategic Planning Board and Planning Committee meetings, as follows:

- Ward Members – 5 minutes per Ward
- Neighbouring Ward Members – 3 minutes each per Ward Member
- Parish Council – 3 minutes per Parish Council
- Objectors – Up to 2 minutes each, depending on the numbers wishing to speak
- Supporters – Up to 2 minutes each, depending on the numbers wishing to speak
- Applicant/Agent – 5 minutes

16 **15/4480C - PROPOSED, CONGLETON LINK ROAD, CONGLETON: THE PROPOSED CONGLETON LINK ROAD - A 5.7 KM SINGLE CARRIAGEWAY LINK ROAD BETWEEN THE A534 SANDBACH ROAD AND THE A536 MACCLESFIELD ROAD FOR ANDREW ROSS, CHESHIRE EAST COUNCIL**

(Councillor L Smetham (Ward Member), Councillor G Baggott (Neighbouring Ward Member, Councillor D Brown (Neighbouring Ward Member), Councillor G Bell (on behalf of Somerford Parish Council), Councillor A Martin (on behalf of Congleton Town Council), Kenneth Armstrong (Objector), Jean Perry (Objector), Peter White (Objector) and Martin Davis and Paul Griffiths, Jacobs (On behalf of the Applicant) attended the meeting and spoke in respect of the application)

Prior to consideration of this application, as stated in his declaration, Councillor D Brown spoke as the Neighbouring Ward Member, then left the meeting and did not take part in the debate or voting and returned following consideration of the application.

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

RESOLVED

That for the reasons set out in the report the Board be MINDED TO APPROVE subject to referral to the Secretary of State and that further mitigation to supplement the acoustic measures be instigated for Back Lane residents in accordance with submitted environmental statements to ensure best possible measures are achieved be delegated to the Chairman in discussion with the Head of Planning (Regulation) and subject to the following conditions:

1. Development to commence within 3 years.
2. Development to be in accordance with the approved plans and documents
3. Development in accordance with Environmental Statement.
4. Details of materials for structures, lighting columns and fencing.
5. Further details of bridges, structures, underpasses, bridge wing walls, abutments and crossings.
6. Full construction details of proposed pedestrian and cycleway, footpaths and bridleways.
7. Lighting details (permanent)
8. Flood risk / drainage and contamination
9. Foul and surface water drainage in accordance with submitted details. Development in accordance with Flood Risk Assessment and Drainage Strategy Report.
10. Off site highway mitigation/improvement schemes at Eaton, Pagdbury Lane and Wallhill to be implemented prior to the opening of the link road. Improvement schemes to be subject to a programme of consultation to include Ward Members and Parish Councils

Landscaping and Trees

11. Landscaping scheme (note to include planting hedgerows so there is no net loss). The scheme should be subject to consultation with Ward Councillors.
12. Landscaping implementation
13. Tree and hedgerow retention
14. Tree protection
15. Tree pruning / felling specification

Construction

16. Environmental Management Plan. The plan shall address the environmental impact in respect of air quality and noise on existing residents during the demolition and construction phase. In particular the plan shall show mitigation measures in respect of;
17. Noise and disturbance during the construction phase including piling techniques, vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic routes;
18. Waste Management: There shall be no burning of materials on site during demolition / construction
19. Dust generation caused by construction activities and proposed mitigation methodology.
20. Details of the phased occupation of the site to protect new occupants. The Environmental Management Plan above shall be implemented and in force during the construction phase of the development.
21. Acoustic mitigation scheme as detailed in the Environmental Statement and subsequent addendum shall be implemented in full and maintained in perpetuity. Additional measures for Back Lane should be incorporated where appropriate.

22. The proposed traffic management works aimed at discouraging the use of minor roads to access the link road shall be assessed prior to implementation for their air quality impact.
23. A construction management plan should be prepared and agreed before works commencing and include safeguards to existing infrastructure, such as pipelines, to the satisfaction of the LPA.

Contamination

24. Contaminated Land assessment (Phase I)
25. Remediation strategy agreed if contaminated land found

Archaeology/Heritage

26. Programme of archaeological mitigation works
27. Milestone protection during works

PROW

28. Submission of a Public Rights of Way scheme of management to include:
 - the design of access and Public Rights of Way routes within the development and their surfacing, widths, gradients, landscaping, signage and structures;
 - proposals and timetable for the diversion/stopping-up of the Public Rights of Way within the side roads order under the Highways Act 1980; and
 - proposals and timetable for the temporary closure of any Public Rights of Way within the phasing of the construction, along with alternative route provision, where possible.

Ecology

29. A woodland management scheme for the whole ancient woodland Local Wildlife Site.
30. A detailed bat mitigation scheme should be provided.
31. 'Hop overs' and hedges along the entire scheme should be established early in the construction phase to provide mitigation for species such as barn owls. Grass verges should be regularly mown or nutrient poor substrate utilised. Alternatively verges should be planted with shrubs.
32. Locally sourced plant material should be used in the scheme where possible. Plant communities created should aim to replicate local communities.
33. Environmental Action Plan to draw together mitigation, enhancement, management, monitoring and funding details; Submission of updated ecological surveys and revised mitigation strategies prior to commencement for: Badgers, Otter, Kingfisher
34. Submission of Habitat Management Plan
35. Submission of a methodology for the creation of woodland and grassland habitats including ground preparation and planting/seeding specification to include introduction of native bluebells.
36. Safeguarding of Nesting Birds (general)
37. Submission of detailed proposals for provision of bat boxes, kingfisher nest sites, bat hop-overs and barn owl mitigation planting and the incorporation of Wych Elm.

38. Submission of method statement for the safeguarding of Little Ringed Plover at Eaton Hall Quarry and kingfisher.
39. Submission of hedgerow and ancient woodland translocation method statement
40. Management plan for ancient woodland mitigation area.
41. Method statement for the eradication non-native invasive plant species.
42. No night working in the vicinity of the River Dane and Loach Brook.
43. Submission of Construction Environment Management Plan including appointment of ecological clerk of works
- Surface Water Condition
44. Submission of surface water drainage scheme.
45. Post opening monitoring surveys as required by the Department for Transport to assess as built traffic flows and any necessary further mitigation measures.

The specific detail and wording of the proposed planning conditions still need to be finalised. Subject to the Strategic Planning Board's decision (such as to delete, vary or add conditions titles/informatives/ or reasons for approval/refusal) and prior to the decision being issued, the Head of Planning (Regulation) has delegated authority to add the wording for the conditions 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.

Following consideration of this application, the meeting adjourned for lunch from 1.10 pm to 2.00 pm

- 17 **16/2006C - MIDPOINT 18 (PHASE 3) POCHIN WAY/CLEDFORD LANE, MIDDLEWICH: APPLICATION FOR VARIATION OF CONDITIONS 1,3,4,5,7,12,14,15,18,20,21,22,23,25,26, & 28 AND REMOVAL OF CONDITIONS 2 & 24 ON APPLICATION 11/0899C FOR EXTENSION TO TIME LIMIT ON APPLICATION 07/0323/OUT (MIDPOINT 18 PHASE 3: PROPOSED DEVELOPMENT FOR B1, B2 AND B8, APPROPRIATE LEISURE AND TOURISM (INCLUDING HOTEL) USES, THE COMPLETION OF THE SOUTHERN SECTION OF THE MIDDLEWICH EASTERN BYPASS & ASSOCIATED LANDSCAPING MITIGATION AND ENHANCEMENT WORKS) FOR MR ANDREW ROUND, CHESHIRE EAST COUNCIL**

(The Head of Planning (Regulation)) read out a statement from Councillor S McGrory (Ward Councillor) who was unable to attend the meeting and Colonel R Goodwin, Jacobs (On behalf of the Applicant) attended the meeting and spoke in respect of the application)

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

RESOLVED

That for the reasons set out in the report the application for variation of conditions be APPROVED subject to the following conditions:

1. The development hereby approved shall be implemented as follows:
 - Phase 1: the bypass
 - Phase 2: The remainder of the development (including unit 101) or part thereof.
2. The approval of reserved matters relating to the landscaping of the Phase 1 development shall be submitted to the Local Planning Authority before the expiration of five years from the date of the permission reference 11/0899C (granted 11 July 2011). The landscaping shall be carried out in accordance with the approved plans.

The approved landscaping works shall commence within 9 months of the commencement of the Phase 1 development; and shall be substantially completed within 9 months of the substantial completion of the Phase 1 development.

Any trees or plants within the approved advance landscaping scheme which, within a period of 5 years from the completion of the development die, are removed or become seriously damaged, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

3. The Phase 1 development hereby approved shall be commenced before the expiration of five years from the date of this permission reference 11/0899C (granted on 11 July 2011), or before three years from the date of the approval of the last reserved matters to be approved for this phase, whichever is the later.
4. Approval of the details of the layout, scale and appearance of the buildings, the means of access thereto and the landscaping of the phase 2 development or part thereof (hereinafter called "the Phase 2 reserved matters") shall be obtained from the Local Planning Authority in writing before the development of Phase 2 is commenced.
5. Application for approval of the Phase 2 reserved matters shall be made to the Local Planning Authority before the expiration of ten years from the date of this permission.
6. The Phase 2 development hereby approved shall be commenced before the expiration of ten years from the date of permission

reference 11/0899C (granted on 11 July 2011), or before the expiration of two years from the date of approval of the last reserved matters to be approved for this phase, whichever is the earlier.

7. None of the buildings hereby approved, shall be occupied until the whole of the Middlewich Eastern bypass has been opened to traffic.
8. Prior to the commencement of each phase of the development hereby approved, a scheme for the protection of those trees proposed to be retained, shall be submitted to and approved in writing by the Local Planning Authority. The approved tree protection scheme shall be implemented prior to construction and retained during the construction work on each phase.
9. An Ecological and Landscape Management Plan shall be prepared for each phase of the development and shall be in accordance with the Strategic Ecological and Landscape Plan (SELP) and the amendment to Paragraph 5.2, hereby approved and dated March 2008 and June 2011.
10. Within the period of 6 months prior to the commencement of the ecological mitigation and enabling works for each phase of the development hereby approved, an Ecological and Landscape Mitigation, Enhancement and Management Plan (ELMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority. Each ELMP shall be in accordance with the framework established in the approved SELP (as amended in 2011), shall accord with, update and implement the mitigation strategies proposed for protected species in the Environmental Statement submitted with application number 07/0323/OUT, have specific regard to the particular issues related to that phase of development and include details of the habitat creation, enhancement scheme, ecological mitigation and implementation and monitoring programmes required. The ecology and landscape shall be implemented and managed in accordance with the approved Ecological and Landscape Mitigation, Enhancement and Management Plan.
11. Prior to the commencement of each phase of the development hereby approved, details showing where soils and aggregates are to be stored on the site relating to each phase, shall be submitted to and approved in writing by the Local Planning Authority and thereafter soils and aggregates shall be stored in accordance with the approved details.
12. Prior to the commencement of development of the bypass hereby approved the design of the railway bridge and a method statement for its construction, shall be submitted to and approved in writing by the Local Planning Authority. The construction of the bridge shall

be carried out in accordance with the approved details unless otherwise agreed in writing.

13. Prior to the commencement of each phase of the development hereby approved an air quality management plan covering the period of construction for that phase shall be submitted to and approved in writing by the Local Planning Authority. Construction shall be carried out in accordance with the approved air quality management plan.
14. Prior to the commencement of each phase of the development hereby approved a noise management plan covering the period of construction for that phase shall be submitted to and approved in writing by the Local Planning Authority. Construction shall be carried out in accordance with the approved noise management plan
15. Prior to the occupation of any building hereby approved a scheme for the acoustic enclosure of any fans, compressors or other equipment with the potential to create noise shall be submitted to and approved in writing by the Local Planning Authority. The development of the scheme shall be implemented in accordance with the approved details prior to the first occupation and retained thereafter.
16. During the construction of B1, B2, and B8 units and hotel in any phase of the development hereby approved, foundation and other piling should only take place between the following hours, except as otherwise agreed in writing with the Local Planning Authority:

Monday to Friday	0730hrs to 1730hrs
Saturday	0730hrs to 1300hrs
Sunday & Public Holidays	Nil

During the construction of B1, B2 and B8 units and hotel in any phase of the development hereby approved, 'floor floating' should only take place between the following hours, except as otherwise agreed in writing with the Local Planning Authority:

Monday to Friday	0730hrs to 1730hrs
Saturday	0730hrs to 1300hrs
Sunday & Public Holidays	Nil

17. Prior to the commencement of development of phase 2, samples of the external materials and finishes to be used on the buildings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
18. All boundary treatments shall be in accordance with details which

have been submitted to and approved in writing by the Local Planning Authority prior to first occupation. The details shall include the position, size, design, colour and implementation for all boundary treatments.

19. No construction shall take place until details of an archaeological watching brief for each phase has been submitted to and approved in writing by the Local planning Authority. Construction shall take place in accordance with the approved details.
20. No construction shall take place until an archaeological survey dig has been undertaken on the area identified as Site 9 on the Environmental Statement submitted with application number 07/0323/FUL, the scope and methodology of which shall be approved in writing by the Local Planning Authority. A written report of this survey shall be submitted to the Cheshire Archaeology Planning Advisory Service in A4 format within 6 months of the completion of the dig unless otherwise agreed in writing with the Local Planning Authority.
21. The occupier of each of the buildings hereby approved shall, within 3 months of occupation of each building in phase 2, prepare and submit a travel plan for approval in writing by the Local Planning Authority. The travel plan shall be based upon staff travel survey data and include targets and an action plan. Each occupier shall nominate a member of staff to act in the role of travel plan co-ordinator to liaise with the Highway Authority and oversee implementation of the travel plan.
22. Prior to first occupation of any phase 2 unit a scheme detailing all external lighting shall be submitted to and approved in writing by the Local Planning Authority. All external lighting shall be implemented in strict accordance with the approved details.
23. The Phase 1 development hereby approved shall not be commenced until such time as a scheme for the provision, implementation and management of a surface water regulation system for the whole development has been submitted to, and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the road in phase 1 being brought into use, and shall subsequently be maintained in accordance with the approved details.
24. Where identified in the Environmental Statement submitted with application number 07/0323/OUT, a flood attenuation scheme for each building in phase 2 of the development shall be submitted to and approved in writing by the Local Planning Authority prior to the development of that building, and shall be implemented in accordance with the approved details prior to the occupation of that building.

25. No phase 2 development approved by this permission shall be commenced until a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be constructed and completed in accordance with the approved plans.
26. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from impermeable parking areas, roadways and hardstandings for vehicle, commercial lorry parks and petrol stations shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.
27. No phase 2 development approved by this permission shall be commenced until a scheme for the storage, handling, loading and unloading of fuels, oils, chemicals or effluents has been approved in writing by the Local Planning Authority. The works shall be constructed and completed in accordance with the approved scheme and programme.
28. Prior to first occupation of Unit 101 a scheme detailing the sprinkler tanks shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail an implementation programme. The development shall be undertaken in accordance with the approved scheme and programme.
29. Prior to the first occupation of Unit 101 a scheme detailing the electricity sub stations shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail an implementation programme. The development shall be undertaken in accordance with the approved scheme and programme.
30. Unless otherwise agreed in writing by the Local Planning Authority, the development hereby approved shall not exceed the heights indicated in Section 6.2 of the Design and Access Statement (March 2007), which was submitted with application number 07/0323/OUT.
31. The general site mitigation measures during the construction and operational phases of the development as identified within Paragraphs 6.2 and 6.8 of the Environmental Statement: Technical Annex 1. Geology, Soils and Land Contamination (March 2007) submitted with application number 07/0323/OUT, shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.
32. The mitigation measures proposed to limit the potential for water contamination during the construction and operational phases of the development as identified within Sections 5.2 – 5.4 of the

Environmental Statement: Technical Annex 4. Water Quality (March 2007) submitted with application number 07/0323/OUT, shall be implemented in full unless otherwise agreed in writing with the Local Planning Authority.

33. On or prior to each application for the approval of reserved matters for Phase 2, a statement detailing:
- (a) The design principles and design concepts of those aspects of the development to which the application for the approval of reserved matters relates;
 - (b) How such principles and concepts are reflected in the proposals for development set out in the reserved matters application; and
 - (c) The relationship of the portion of the development to which the reserved matters application relates, to the development site as a whole and to the wider context

Shall be submitted to and approved in writing by the Local Planning Authority and the approval of reserved matters shall be in accordance with that approved statement.

34. Car parking spaces shall be provided in accordance with the approved details under application number 07/0323/OUT before the building to which they relate is occupied and shall be retained at all times for car parking, except as otherwise agreed in writing with the Local Planning Authority.
35. Secure cycle spaces shall be provided in accordance with the approved details under application number 07/0323/OUT before the building to which they relate is occupied and shall be retained at all times for cycle storage, except as otherwise agreed in writing by the Local Planning Authority.

The meeting commenced at 10.30 am and concluded at 2.25 pm

Councillor H Davenport (Chairman)