

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 24th May, 2017 at Council Chamber - Town Hall,  
Macclesfield, SK10 1EA

## **PRESENT**

Councillor G Merry (Chairman)  
Councillor J Hammond (Vice-Chairman)

Councillors B Burkhill, S Edgar (substitute), T Fox, S Hogben, D Hough,  
J Jackson, S Pochin, L Smetham and L Wardlaw

## **OFFICERS IN ATTENDANCE**

Ms S Dillon (Planning Lawyer), Mr S Hannaby (Director of Planning & Sustainable Development), Mr P Hurdus (Highways Development Manager), Mr D Malcolm (Head of Planning (Regulation)), Mr P Wakefield (Principal Planning Officer) and Miss N Wise-Ford (Principal Planning Officer)

Prior to the start of the meeting Councillor J Hammond on behalf of the Board welcomed Councillor G Merry to her first meeting as the new Chairman of the Strategic Planning Board. In addition he also acknowledged the Board's appreciation and the contribution made by the former Chairman, Councillor H Davenport during his 7 years as Chairman. On behalf of the Board he wished Councillor H Davenport all the best in his new role.

## **1 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J Macrae and M Sewart.

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

In respect of applications 16/0138M, 16/0802M, 16/3284M and 16/5678M, Councillor G Merry made a general declaration on behalf of the Board that the land involved in all of the applications was owned by Cheshire East Council. In addition it was noted that Members of the Board had received correspondence from the Emerson Group and CPG.

In the interest of openness in respect of application 17/0510M, Councillor J Hammond declared that he was a member of the RSPB who were a consultee, however he had not commented on the application nor had he discussed it.

In the interest of openness in respect of application 17/0510M, Councillor L Smetham declared that she was a member of the RSPB who were a consultee, however she had not commented on the application nor had she discussed it.

### **3 MINUTES OF THE PREVIOUS MEETING**

#### **RESOLVED**

That the minutes of the meeting held on 3 May 2017 be approved as a correct record and signed by the Chairman.

### **4 PUBLIC SPEAKING**

#### **RESOLVED**

That the public speaking procedure be noted.

### **5 16/0138M-ERECTION OF RETAIL AND LEISURE DEVELOPMENT COMPRISING CLASS A1 RETAIL UNITS, CLASS A3 CAFES AND RESTAURANTS, CLASS D2 GYM AND CLASS C1 HOTEL, LAND AT EARL ROAD, HANDFORTH FOR MARTIN RIDGWAY, CPG DEVELOPMENT PROJECTS LIMITED**

Consideration was given to the above application. The Officer reported at the meeting that the proposal no longer included a gym or a hotel and reference to these needed to be removed from the description of the development.

(Nick Lee, representing NJL Consulting and Gary Halman, representing the applicant attended the meeting and spoke in respect of the application).

#### **RESOLVED**

That the application be approved subject to subject to referral to the Secretary of State, subject to the completion of a Section 106 Agreement securing the following planning obligations,

- Financial contribution of £180,000 towards replacement woodland habitat planting (for set up costs, woodland creation and 30 years of management and maintenance costs).
- Financial contribution of £10,000 for travel plan monitoring
- Local Employment Agreement
- Financial contribution of £2m towards proposed improvements to Castlegate, Castle Street and Exchange Street (or other schemes identified by the Council)
- Relocation restriction on existing retailers

And subject to the following conditions:-

1. Submission of reserved matters
2. Time limit for submission of reserved matters
3. Commencement of development
4. Development in accord with approved plans

5. Materials as application
6. No subdivision of retail units
7. Net sales areas not to exceed those set out in application
8. Class A1 retail floorspace restricted to comparison goods only
9. Waste management plan to be submitted
10. Details of the improvements to the Coppice Way roundabout to be submitted and implemented
11. Details of the improvements to site access to be submitted and implemented
12. Details of the improvements to the footway link at the southern end of Earl Road leading to the southern retail park, and improvements to FP80 to the north of the site to be submitted and implemented
13. Details of crossing for Handforth Brook to be submitted
14. Details of cycle stores to be submitted
15. Travel Plan to be submitted
16. Electric vehicle charging points to be provided
17. Remediation strategy to be submitted
18. Imported soil to be tested for contamination
19. Intrusive Radiological Survey Monitoring Protocol/Risk Assessment and supplementary commentary by Radman should be followed throughout the course of the development
20. Unforeseen contamination – notify LPA
21. Details of the design and monitoring of the brown roof to be submitted and agreed
22. Updated badger survey to be submitted
23. Foul and surface water to be drained on separate systems
24. Surface water drainage scheme to be submitted
25. Management and maintenance regime for Sustainable Drainage Systems to be submitted

In addition that due to the scale and nature of the proposal, and its out of town location, the application will need to be referred to the Secretary of State under the requirements of The Town and Country Planning (Consultation) (England) Direction 2009: circular 02/2009.

Councillor S Hogben requested a recorded vote for this application.

The voting was as follows:-

#### **In Favour**

Councillor G Merry  
 Councillor J Hammond  
 Councillor B Burkhill  
 Councillor S Edgar  
 Councillor S Pochin  
 Councillor L Smetham  
 Councillor L Wardlaw

#### **Against**

Councillor T Fox  
 Councillor S Hogben  
 Councillor D Hough  
 Councillor J Jackson

(This decision was contrary to the Officer's recommendation of refusal).

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 Head of Planning (Regulation) 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.

(The meeting was adjourned for a short break).

**6 16/0802M-ERECTION OF FOUR RESTAURANTS AND THREE DRIVE-THRU RESTAURANT/CAFE'S ALONG WITH ASSOCIATED CAR PARKING, SERVICING AND LANDSCAPING, LAND AT EARL ROAD, HANDFORTH FOR MARTIN RIDGWAY, CPG DEVELOPMENT PROJECTS LIMITED**

Consideration was given to the above application. As a result of the decision on the previous application the Officer informed the Board that the recommendation of refusal would now be one of approval.

(Gary Halman, representing the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That for the verbal reasons provided by the Officer the application be approved subject to referral to the Secretary of State, subject to completion of a Section 106 Agreement securing the following:-

- Financial contribution of £66,000 towards replacement woodland habitat planting (for set up costs, woodland creation and 30 years of management and maintenance costs).
- Financial contribution of £5,000 for travel plan monitoring
- Local Employment Agreement

And subject to the following conditions:-

1. Submission of reserved matters
2. Time limit for submission of reserved matters
3. Commencement of development
4. Development in accord with approved plans
5. Materials as application
6. No permitted change to Class A1 use
7. Waste management plan to be submitted
8. Details of the improvements to the footway link at the southern end of Earl Road leading to the southern retail park to be submitted and implemented
9. Details of cycle stores to be submitted
10. Travel Plan to be submitted

11. Electric vehicle charging points to be provided
12. Remediation strategy to be submitted
13. Imported soil to be tested for contamination
14. Intrusive Radiological Survey Monitoring Protocol/Risk Assessment and supplementary commentary by Radman should be followed throughout the course of the development
15. Unforeseen contamination – notify LPA
16. Details of the design and monitoring of the brown roof to be submitted and agreed
17. Updated badger survey to be submitted
18. Foul and surface water to be drained on separate systems
19. Surface water drainage scheme to be submitted
20. Management and maintenance regime for Sustainable Drainage Systems to be submitted

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 Head of Planning (Regulation) 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.

**7 16/3284M-ERECTION OF RETAIL FLOORSPEACE, LAND AT EARL ROAD, HANDFORTH FOR MARTIN RIDGWAY, CPG DEVELOPMENT PROJECTS LTD**

Consideration was given to the above application.

(Gary Halman, representing 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 written update to the Board, the application be approved subject to referral to the Secretary of State and subject to the following conditions:-

1. Submission of reserved matters
2. Time limit for submission of reserved matters
3. Commencement of development
4. Development in accord with approved plans
5. Materials as application
6. No subdivision of retail units
7. Footway link improvements to south to be submitted
8. Sustainable drainage management and maintenance plan to be submitted
9. Scheme for the management of overland flow to be submitted
10. Floorspace not to exceed that shown on plans

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 Head of Planning (Regulation) 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.

**8 16/5678M-DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF FIVE UNITS TO BE USED FOR CLASS A1 (NON-FOOD RETAIL) PURPOSES AND TWO UNITS TO BE USED FOR USE CLASS A1 (NON-FOOD RETAIL OR SANDWICH SHOP) AND/OR USE CLASS A3 AND/OR USE CLASS A5. CREATION OF CAR PARK AND PROVISION OF NEW ACCESS FROM EARL ROAD, TOGETHER WITH LANDSCAPING AND ASSOCIATED WORKS. (RESUBMISSION 15/0400M), LAND AT JUNCTION OF EARL ROAD AND, EPSOM AVENUE, HANDFORTH FOR ORBIT INVESTMENTS (PROPERTIES) LTD**

Consideration was given to the above application.

(Nick Lee, representing NJL Consulting and Graham Bee, representing the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That the application be refused for the following reason:-

1. The proposal seeks to provide a retail use on a site allocated for employment purposes. The existing warehouse and office buildings on the site are currently occupied, and it has therefore not been demonstrated that there is no reasonable prospect of the site being used for employment purposes, as required by paragraph 22 of the NPPF. The development is therefore contrary to policies E1 and E2 of the Macclesfield Borough Local Plan and policy EG3 of the Proposed Changes Version of the emerging Cheshire East Local Plan Strategy.

Should this application be the subject of an appeal, the Head of Planning (Regulation) has delegated authority to enter into a S106 Agreement for this current application and application 15/0400M, which is the subject of a current appeal, to secure the following Heads of Terms:

- Financial contribution of £65,372 to CEC for improvements to provision for pedestrians and cyclists in the vicinity
- Financial contribution of £65,372 to CEC towards public transport improvements
- Financial contribution of £200,548 to Stockport MBC towards junction improvements in the Borough of Stockport at Stanley Road junction.

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 Head of Planning (Regulation) 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.

(The meeting adjourned from 1.50pm until 2.15pm for lunch).

**9 WITHDRAWN-16/5850C-IMPROVEMENT OF J17 NORTHBOUND SLIP ROAD. PROVISION OF NEW ROUNDABOUT TO PROVIDE ACCESS TO DEVELOPMENT SITE, OLD MILL ROAD AND SLIP ROAD, LAND SOUTH OF, OLD MILL ROAD, SANDBACH FOR W AND S SANDBACH LTD**

This item was withdrawn prior to the meeting.

**10 17/0510M-DELIVERY OF WATERSPORTS AND OUTDOOR ACTIVITY CENTRE ON THE NORTH AND SOUTH LAKE OF THE FORMER MERE FARM QUARRY, INCLUDING NEW VEHICULAR ACCESS, CAR PARKING AND MULTI USE BUILDING, FORMER MERE FARM QUARRY, ALDERLEY ROAD, CHELFORD FOR MR TIM WOODHEAD, ADVENTURE LAKES LIMITED**

Consideration was given to the above application.

(Parish Councillor Brian Brindley, Vice Chairman of Chelford Parish Council, representing Chelford Parish Council, Andrew Kay, an objector, Rebecca Wainwright, representing Marketing Cheshire and a supporter, Tim Woodhead, the applicant, Howard Fearn, Avian Ecology, representing the applicant and Jonathan Vose, the agent for the applicant attended the meeting and spoke in respect of the application. In addition a statement was read out on behalf of the Ward Councillor G Walton).

**RESOLVED**

That the application be refused for the following reasons:-

1. The proposed development will have a detrimental impact on biodiversity at the site by proposing activities on both the north and south lakes, which is likely to have a significant adverse impact upon the nature conservation value of the lakes as a result of the increase in disturbance and the potential risk posed to birds posed by the network of wires associated with the wakeboarding infrastructure. These impacts will be for the duration of the operational life of the centre. Further, the proposal is in an unsustainable location which is not highly accessible by a choice of transport and will mainly be reliant on access by the private car,

therefore the proposals are not environmentally sustainable contrary to policy NE11 of the Macclesfield Borough Local Plan, SE3 and SC1 of the emerging Cheshire East Local Plan Strategy and the NPPF.

2. The proposed use of the site and the associated built development are inappropriate by definition, the use is not listed as an exception and the building impacts on openness, therefore very special circumstances are required to outweigh the significant harm. In this case it is not considered that very special circumstances exist to outweigh the harm by inappropriateness or the harm to the openness of the Green Belt, contrary to policy GC1 of the Macclesfield Borough Local Plan and paragraph 89 of the NPPF.

(This decision was contrary to the Officer's recommendation of approval).

**11 ITEM OF URGENT BUSINESS-15/4888N - WHITE MOSS QUARRY, BUTTERTON LANE, BARTHOMLEY, CW1 5UJ-PART WITHDRAWAL OF A REASON FOR REFUSAL**

Consideration was given to the above report.

(Peter Todd, representing the applicant attended the meeting and spoke in respect of the item).

**RESOLVED**

That the refusal reason in respect of highways be withdrawn and the Head of Planning (Regulation) be instructed not to contest that issue at the forthcoming Appeal.

The meeting commenced at 10.00 am and concluded at 4.28 pm

Councillor G Merry (Chairman)