

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 28th June, 2017 at The Capesthorne Room - Town Hall,  
Macclesfield SK10 1EA

## **PRESENT**

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

Councillors E Brooks (Substitute), B Burkhill, S Edgar (Substitute), S Hogben, D Hough, S McGrory (Substitute), S Pochin, B Roberts (Substitute), M Sewart and L Smetham

## **OFFICERS IN ATTENDANCE**

Mr A Crowther (Principal Planning Officer), Mr D Evans (Principal Planning Officer), Mrs P Evans (Senior Planning and Highways Lawyer), Mr P Hurdus (Highways Development Manager), Mr D Malcolm, (Head of Planning (Regulation), Mr P Wakefield (Principal Planning Officer) and Mrs N Wise-Ford (Principal Planning Officer)

## **12 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors T Fox, J Jackson, J Macrae and L Wardlaw.

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

In the interest of openness in respect of applications 16/3209C and 16/3840C, Councillor J Hammond declared that he was a Director of ANSA who were a consultee however he had not made any comments nor been in any discussions relating to the application. In addition he along with other Members of the Board had received correspondence in respect of most of the applications on the agenda.

In the interest of openness in respect of applications 16/3209C and 16/3840C, Councillor S Hogben declared that he was a Director of ANSA who were a consultee however he had not made any comments nor been in any discussions relating to the application.

In the interest of openness in respect of application 16/5850C, Councillor G Merry declared that she was a member of Sandbach Town Council but that she did not participate in any planning discussions. She also declared that one of the landowners involved in the application was known to her.

In the interest of openness in respect of application 16/3209, Councillor S McGrory before the application was submitted at a time when the

application was under going pre- application advice he attended a presentation by the developer along with the Town Council. To the best of his knowledge all of the information available to the public and is on the website. He made it clear at the time of the presentation that he would offer no opinion or take part in any of the discussions and he left the presentation when the question and answer session took place. He had kept an open mind on this development and offered no opinion on the application.

In the interest of openness in respect of application 16/5850C, Councillor D Hough stated that he knew one of the people involved in the application.

In the interest of openness in respect of the urgent item of business relating to application 15/4888N, Councillor D Hough declared that he was a member of Alsager Town Council and whilst he did participate in planning meetings if there was a danger of an application coming to the Board he would play no part in consideration of an application. He had played no part in the urgent item, however he did know one of the speakers who had a great interest in the matter and had therefore contacted her directly to let her know that the item was going to be on the agenda.

In the interest of openness in respect of the urgent item of business relating to application 15/4888N, Councillor J Hammond declared that he was a member of Haslington Parish Council, however he had not made any comments nor been involved in any discussions relating to the application.

#### **14 MINUTES OF THE PREVIOUS MEETING**

##### **RESOLVED**

That the minutes of the meeting held on 24 May 2017 be approved as a correct record and signed by the Chairman.

#### **15 PUBLIC SPEAKING**

##### **RESOLVED**

That the public speaking procedure be noted.

#### **16 16/3209C-OUTLINE PROPOSAL FOR A MIXED USE DEVELOPMENT INCLUDING RESIDENTIAL, RETAIL, CAFES, ACCESS TO MARINA AND OTHER ANCILLARY WORKS (ACCESS), INTERTECHNIC UK LTD, ROAD BETA, MIDDLEWICH FOR MR PETER NUNN**

Consideration was given to the above application.

(Councillor Bernice Walmsley, the Ward Councillor, Town Councillor Bill Walmsley, representing Middlewich Town Council, Vicky Harper, an

objector and Mr Anthony Crean, QC, 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 proposed development in isolation would result in a piecemeal form of development which could result in a poorly planned development in advance of a masterplan led approach which will determine the precise nature and quantum of development for the wider site as required by Policy SL9 of the Cheshire East Local Plan Strategy and Policies DP1 and DP3 of the Congleton Borough Local Plan First Review. Without a masterplan the development would be piecemeal and it is not possible to determine whether the significant adverse noise impacts could be mitigated. Furthermore pedestrian/cycle links, green infrastructure, noise mitigation and open space for nature conservation and recreation cannot be secured. As a result the proposal does not represent sustainable development and is contrary to Policies DP1, DP3, DP8, GR1, GR2, GR6, GR7 and GR8 of the Congleton Borough Local Plan; Site SL9 and Policies SD1, SD2, SE1, SE6 and SE12 of the Cheshire East Local Plan Strategy.

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 Planning (Regulation), in consultation with the Chairman (or in her absence the Vice Chairman) of the 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. Secondary school education contribution of £294,168

3. SEN education contribution of £45,500

4. Contribution of £150,000 towards the improvement scheme at the A54/Leadsmyth Street
5. Travel Plan requirement to include a cycle voucher that can be redeemed in exchange for a bike worth up to £150.00 and a travel voucher that can be redeemed in exchange for a 3 month bus pass valid on services connecting the development to surrounding destinations. Travel Plan Monitoring sum of £5,000.
6. PROW Contribution of £5,000 towards PROW Middlewich 21
7. POS provision and a scheme of management and transfer to a management company to be maintained in perpetuity

**17 16/3840C-FULL PLANNING PERMISSION FOR DEVELOPMENT OF 83 DWELLINGS INCLUDING THE PROVISION OF INFORMAL AREAS OF LANDSCAPING, OFF ROAD VEHICULAR PARKING WITH VEHICULAR AND PEDESTRIAN ACCESS FROM BACK LANE, LAND NORTH OF CHESTNUT DRIVE AND WEST OF, BACK LANE, CONGLETON FOR SEDDON HOMES LIMITED**

Consideration was given to the above application.

(Councillor G Baggott, the Ward Councillor, Town Councillor Mrs Martin, representing Congleton Town Council, Mrs Parry, an objector and Sarah Wozencroft, representing the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That the application be delegated to the Head of Planning (Regulation) in consultation with the Chairman and Ward Councillors to approve subject to a review of the location of the pumping station, the footpath links to Chestnut Drive, a review of the education and affordable housing contributions and subject to a Section 106 Agreement securing the following:-

- Area of public open space to be dedicated to CEC set aside for the future expansion to Back Lane Playing Fields (0.62 acres), to be maintained by Seddon Homes until “drawn down” by the Council.
- Amenity Greenspace provision including Footpath/cycleway and LAP provision with future management arrangements
- Contribution of £354,830 towards the delivery of the Back Lane improvement works.
- Footpath link to be provided to Chestnut Drive with an all weather surface

And the following conditions

1. Standard 3 year consent
2. Approved Plans
3. Materials
4. Landscaping

5. Implementation of landscaping
6. Tree/Hedgerow Protection Measures
7. Arboricultural Method Statement including a requirement for a “no dig” hard surface construction for any area of hard surfacing within the root protection area of retained trees
8. Levels
9. Services/Drainage layout
10. Construction and environmental Management Plan to include dust control
11. Travel Information packs to be provided for residents
12. Electric Vehicle Infrastructure
13. Submission of a Contaminated Land Phase II investigation.
14. Control over imported soils
15. Requirement to inform LPA if unexpected contamination found
16. Bin storage.
17. 10% renewable provision
18. Updated badger survey to be undertaken and submitted to the LPA prior to the commencement of development.
19. Safeguarding of nesting birds
20. Signage of footpath/cycle links
21. Scheme of appropriate surface water drainage
22. Detailed design of surface water drainage including the site discharge rate of a maximum of 13.4 l/s.
23. Provision and implementation of Travel Plan
24. Cycle storage

In the event of any changes being needed to the wording of the Board's decision (such as to delete, vary or addition conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Head of Planning (Regulation), in consultation with the Chairman of the Strategic Planning Board is delegated the authority to do so, provided that she does not exceed the substantive nature of the Board's decision.

(The meeting adjourned for lunch from 1.20pm until 1.55pm. Councillor S McGrory left the meeting and did not return).

**18 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**

Consideration was given to the above application.

(Councillor S Corcoran, the Ward Councillor, David Butler, representing an objector and Steve Fisher, 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 update to Board, the application be approved subject to the following conditions:-

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Landscaping - submission of details
4. Landscaping (implementation)
5. Design and construction details to be submitted
6. Scheme to limit the surface water runoff to be submitted
7. Scheme to manage the risk of flooding from overland flow of surface water to be submitted
8. Environmental Management Plan to be submitted
9. Breeding birds survey to be submitted
10. Banksman to be provided

**19 17/0341N-PROPOSED CONSTRUCTION OF 5 STEEL FRAME UNITS TO BE PART OF A COMMERCIAL DEVELOPMENT OF B2 AND B8 USE THAT IS MADE UP OF A NUMBER OF COMMERCIAL UNITS TOTAL CIRCA 164,000SQ.FT INCLUSIVE OF OFFICE CONTENT. ALLOCATED STAFF/VISITOR PARKING, SERVICE YARDS AND FENCING TO BE INCLUDED WITH EACH UNIT, LAND OFF, UNIVERSITY WAY, CREWE FOR BEESON**

Consideration was given to the above application.

(A statement was read out on behalf of Councillor D Marren a neighbouring Ward Councillor).

**RESOLVED**

That for the reasons set out in the report the application be approved subject to the following conditions:-

1. Time (3 years)
2. Plans
3. Materials as per application
4. Landscape (scheme to include at least 4 Pedunculate Oak) - Prior submission / approval
5. Landscape – Implementation
6. Boundary treatment to include consideration of acoustic fencing to protect amenity
7. Retaining wall - design details and sections - Prior submission/approval
8. Levels - Prior submission / approval / implementation
9. Tree Protection - Implementation
10. Updated Arboricultural Method statement to include an auditable programme of arboricultural supervision and implementation thereof - Prior submission / approval / implementation

11. Woodland and Ecological Management Plan - Prior submission / approval / implementation
12. Construction Management Plan (to include wheel wash) - Prior submission / approval / implementation
13. Hedgerow frontage retention
14. Bat mitigation strategy - Implementation
15. Attenuation pond design - Prior submission/approval/implementation
16. Bat friendly lighting proposals - Prior submission / approval / implementation
17. Updated badger survey and mitigation strategy - Prior submission / approval / implementation
18. Nesting birds survey - Prior submission / approval / implementation
19. Provision of features for nesting birds - Prior submission / approval / implementation
20. Proposals for the safeguarding of the adjacent watercourses during the construction process - Prior submission / approval / implementation
21. Prior submission/approval of details of the safe provision of route(s) into and out of the site
22. The finished floor levels should be set no lower than - Unit 1 (48.8 metres Above Ordnance Datum (AOD)), Units 2 & 3 (49.4 metres above AOD).
23. Foul and surface water shall be drained on separate systems
24. Piling method statement - Prior submission / approval / implementation
25. Dust mitigation scheme - Prior submission / approval / implementation
26. Floor Floating Method Statement - Prior submission / approval implementation
27. Electric Vehicle Charging Infrastructure - Prior submission / approval / implementation
28. Phase II contaminated land report- Prior submission / approval / implementation
29. Prior submission/approval of hours of operation of all units
30. No plant or equipment shall be installed on the facades of the buildings facing residential properties to the northeast unless mitigation approved in writing by the LPA
31. No HGV operations 2300-0700 for all Units with no Sunday or Bank Holiday working

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 Planning (Regulation), in consultation with the Chairman (or in her absence the Vice Chairman) of the 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.

**20 17/0454M-CONSTRUCTION OF A 9 HOLE PITCH AND PUTT GOLF COURSE ADJACENT TO APPROVED GOLF DRIVING RANGE, LAND NORTH OF, CHELFORD ROAD, OLLERTON FOR MR BRIAN COUTTS**

Consideration was given to the above report.

(Rawdon Gascoigne, agent for the applicant attended the meeting and spoke in respect of the application. In addition a statement was read out on behalf of Councillor G Walton, the Ward Councillor).

**RESOLVED**

That for the reasons set out in the report the application and in the update to Board the application be approved subject to the following conditions:-

1. Time Limit
2. Approved Plans
3. Lighting Details to be approved
4. Tree Retention
5. Tree Protection measures
6. The proposed development to proceed in strict accordance with the Great Crested Newt Reasonable Avoidance measures detailed in Table 3 of the submitted Great Crested newt Survey and Mitigation Strategy prepared by NLG Ecology dated December 2016.
7. Detailed design of new pond to be submitted.
8. Updated badger survey to be submitted prior to commencement of development.
9. Protection of Nesting birds
10. 10 year habitat management plan
11. Construction Management Plan
12. Drainage strategy/design in accordance with the appropriate method of surface water drainage chosen dependent on the ground testing on site. This should be submitted to the Lead Local Flood Authority to be assessed and deemed appropriate for the specific site before construction can commence.
13. Prior to the development commencing:
  - No materials shall be imported, stored or placed at the site until a suitable plan for the assessment, verification and management of imported materials has been submitted to and approved in writing by the Local Planning Authority. This plan should include:
    - full details and specifications of the infilling works;
    - proposals for the preparatory works for the receiving land area (this should include any remediation of existing contamination and management of existing Japanese Knotweed) ;
    - proposals for contamination testing of imported materials including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment and should include solid and leachable contamination) and source material information;



- proposals for the screening of invasive species within imported materials, such as Japanese Knotweed;
- proposals for the quarantine of suspected contaminated materials;
- actions to be taken where allowable contaminant concentrations have been exceeded or other non-compliance (e.g. rejected at site or treatment on site);
- proposals for dealing with unexpected contamination;
- proposals for the mitigation of pollution/nuisance from site works;
- proposals for monitoring and verification reporting of the infilling engineering works in terms of land contamination and suitability for use;
- Timescales for which the infilling engineering works will be carried out.

14. Hours of operation

15. Driving range and golf course to operate concurrently

**21 17/1540C-DEMOLITION OF EXISTING DWELLING AND ANCILLARY STRUCTURES, AND THE CREATION OF A NEW DWELLING TO FORM A MODERN COUNTRY ESTATE, INCLUDING THE ERECTION OF ANCILLARY DOMESTIC BUILDINGS, GARDENS, PLAY AREA, ESTATE PARKLAND, AN ESTATE WORKERS COTTAGE, GATEHOUSE, STABLES, OUTDOOR RIDING MÉNAGE, SUNKEN TENNIS COURT, GARDEN AND EQUIPMENT STORES, FACILITIES BUILDINGS, THE ERECTION OF A BOUNDARY WALL AND ESTATE FENCING, THE FORMATION OF A LAKE, THE CLOSURE OF THE EXISTING ACCESS AND THE FORMATION OF A NEW ACCESS ONTO ROUGHWOOD LANE, ASSOCIATED LANDSCAPING, ECOLOGICAL ENHANCEMENTS AND TREE PLANTING, RODDYMOOR MILL HOUSE, ROUGHWOOD LANE, HASSALL FOR CARL COPESTAKE**

Consideration was given to the above application.

(Mr Gerard Evenden, representing 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. Time (3 years)
2. Plans
3. Materials as per application
4. Prior submission/approval of existing and proposed levels on the same plan for 'cut and fill' areas and the areas for the flood compensation storage
5. Prior submission/approval of a series of cross-sections for the lake and flood storage area
6. Prior submission/approval of a bulk excavation and earth moving strategy

7. No importation of any material required in connection with the engineering works and no material generated as part of the engineering works being exported off site, except for that identified in the remediation strategy as requiring off site disposal
8. Prior submission/approval of engineers designs and a technical specification for the construction of the bridge
9. Prior submission/approval of external lighting (Landscape and Ecology)
10. Prior submission/approval of plan demonstrating extent of domestic curtilages to main dwelling and estate workers cottage
11. Prior submission/approval of a landscaping scheme for domestic curtilages
12. Prior submission/approval of updated grass, hedgerow and shrub planting plan for wider site (to include the specification details for grassland /meadow seeding mixes, or new hedgerow planting)
13. Prior submission/approval of an updated tree planting plan
14. Prior submission/approval of samples of hard landscape materials
15. Landscape - Implementation
16. Prior submission/approval of an updated CMP
17. Implementation of Estate Management Plan (with reference to adjustment of dates if project delayed)
18. Prior submission/approval of boundary hedge planting details - To include retention of existing
19. Prior submission/approval of proposals to be submitted to safeguard retained woodlands and other habitats during the construction phase
20. Bat mitigation - Implementation
21. Great Crested Newt Mitigation – Implementation
22. Badger Mitigation - Implementation
23. Restriction of construction to daylight hours (Ecology)
24. Prior submission/approval of an updated otter survey
25. Nesting Birds
26. Prior submission/approval of breeding bird features
27. Estate Workers Cottage - Worker's restriction
28. Flood Risk mitigation - Implementation
29. Prior submission/approval of Electric Vehicle Charging infrastructure
30. Prior submission/approval of a scope of works for addressing contamination report
31. Prior submission/approval of a soil verification report
32. Works should stop if contamination is identified
33. Prior submission/approval of a programme of archaeological work
34. Prior submission/approval of finish of service buildings
35. Prior submission/approval of a development phasing plan
36. No commercial equine use
37. Prior submission/approval of a surface water drainage scheme
38. Gatehouse – Ancillary building only
39. Prior submission/approval of scaled greenhouse/enclosure plans
40. PD Removal Classes A-E, Part 1, Schedule 2 – domestic curtilages of main house and estate workers cottage

41. PD Removal – Class A, Part 2, Schedule 2 – Overall site

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 Planning (Regulation), in consultation with the Chairman (or in her 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.

**22 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.

(Town Councillor Sue Helliwell, representing Alsager Town Council and Sylvia Dyke, an objector attended the meeting and spoke in respect of the application.

**RESOLVED**

That refusal reasons 3 and 4 be withdrawn and the Head of Planning (Regulation) be instructed not to contest that issue at the forthcoming Appeal.

Should the Inspector allow the 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. Secondary school education contribution of £964,218.71

3. SEN education contribution of £227,500

4. Primary school education contribution £802,625.46

5. Travel Plan Monitoring sum of £5,000.

6. PROW Contribution of £15,000 towards 12, 37 and 49 in the parish of Haslington.

7. POS, NEAP and LAPS provision and a scheme of management to be maintained for a period of 50 years.
8. A scheme for the restoration and a scheme of management to be maintained in perpetuity for the area of lowland raised bog.

The meeting commenced at 10.30 am and concluded at 5.30 pm

Councillor G Merry (Chairman)