

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 30th August, 2017 at The Board Room, Town Hall,
Macclesfield, SK10 1EA

PRESENT

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

Councillors S Edgar (Substitute for Cllr J Macrae), T Fox, S Hogben, D Hough,
J Jackson, D Mahon (Substitute for Cllr B Burkhill), S Pochin, M Sewart,
L Smetham and L Wardlaw

Officers in Attendance

David Malcolm, Head of Planning (Regulation)
Adrian Crowther, Major Application Team Leader
James Baggaley, Nature Conservation Officer
Neil Jones, Principal Development Officer Highways
Emma Williams, Principal Planning Officer (Minerals and Waste)
Nicky Folan, Planning Solicitor
Rachel Graves, Democratic Services Officer

34 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors B Burkhill and
J Macrae.

35 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 17/1874, Councillor J
Hammond and Councillor S Hogben declared that they were a Director of
ANSA who were a consultee. However they had not made any comments
nor been in any discussions relating to the application.

With regard to applications number 17/1874M, 16/3298W, 16/3282W
Councillor J Hammond and Councillor L Smetham declared that they were
a member of the Cheshire Wildlife Trust, who had been consultees on
these applications but had not made any comments in respect of the
applications nor taken part in any discussions.

In the interest of openness Councillor L Wardlaw declared that she was
the Cabinet Member for Health.

It was noted that Members had received correspondence from the Engine
of the North in respect of application 17/1874M.

36 MINUTES OF THE PREVIOUS TWO MEETINGS

RESOLVED

That the minutes of the meetings held on 24 July 2017 and 2 August 2017 be approved as a correct record and signed by the Chairman.

37 PUBLIC SPEAKING

RESOLVED:

That the public speaking procedure be noted.

38 17/1874M LAND EAST OF CONGLETON ROAD, MACCLESFIELD: DEMOLITION OF EXISTING STRUCTURES AND REDEVELOPMENT OF SITE INCLUDING UP TO 950 HOMES; A ONE FORM ENTRY PRIMARY SCHOOL (USE CLASS D1), RETAIL DEVELOPMENT (USE CLASS A1) OF UP TO 4000SQM; EMPLOYMENT FLOORSPACE COMPRISING OFFICES (USE CLASS B1A) OF UP TO 500SQM AND WAREHOUSING (USE CLASS B8) UP TO 10,000 SQM OR RELOCATION OF EXISTING DEMOLITION / RECLAMATION YARD OPERATIONAL FACILITIES (SUI GENERIS); ASSOCIATED LANDSCAPING, ROADS AND RELATED WORKS - OUTLINE APPLICATION, ALL MATTERS RESERVED EXCEPT SITE ACCESSES FROM CONGLETON ROAD, MOSS LANE AND MOSS LANE/STAR LANE FOR ENGINE OF THE NORTH LTD AND TG LTD

The Committee consider a report regarding planning application 17/1874M.

Councillor L Jeuda (Ward Councillor), Rachel Giles, (objector) and John Jowitt (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, to approve subject to further discussion on the s106 requirements in respect of ecology and the possibility of increasing affordable housing provision from 10% and withdrawal of holding objection from Sport England.

The s106 to include:

- £1.2m for offsite highways improvement works to the Flowerpot junction
- sport pitch contribution of £225,000 to be spent at the Congleton Road Playing pitches
- public open space provision in accordance with policy and long term maintenance

- long term ecological management plan for the woodland (including the ancient woodland) and wildlife sites and long term maintenance
- provision and transfer of serviced school site at no cost

And subject to the following conditions:-

1. Commencement of development (3 years) or 2 from date of approval of reserved matters
2. Reserved matters to be approved
3. Phasing plan, including highways works to be agreed
3. Approved Plans
4. Materials
5. Landscaping
6. Implementation of landscaping
7. Tree/Hedgerow Protection Measures
8. Arboricultural Impact Assessment in accordance with Section 5 of BS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations which shall include a Tree Protection Scheme
9. Construction and Environmental Management Plan to be submitted prior to commencement, to include dust control measures.
10. Submission of a detailed acoustic assessment with mitigation required with reserved matters.
11. Hours of deliveries to be agreed
12. Odour Management Plan
13. Air pollution damage cost calculation and associated mitigation works.
14. Electric Vehicle Infrastructure
15. Approval of lighting associated with the leisure and commercial uses.
16. Submission of a post demolition Phase II ground contamination and risk assessment together with a remediation report.
17. Control of soils brought onto site.
18. Measures to address contamination should it be unexpectedly be found during works.
19. Submission of a Ecological mitigation and Management Plan for the Woodland (including the Ancient Woodland) and Local Wildlife Site.
20. Submission of an updated Badger Survey as part of and reserved matters application.
21. Updated reptile survey as part of any Reserved Matters
22. Updated GCN mitigation strategy as part of and reserved matters application.
23. Management of and improvements to the PROW
24. Travel Plan to be submitted prior to occupation of the first dwelling.
25. Programme of archaeological work
26. Approval of levels.
27. Submission of a Flood Risk Assessment.
28. Drainage strategy/design in accordance with the appropriate method of surface water drainage chosen.
29. Foul and surface water drained on separate systems.

30. Cycle storage
31. Bin stores
32. Prior to the occupation of either
A: 220 houses and 4000 Sqm of food retail or
B: 4000 Sqm food retail and 16,500 Sq.m employment
The full link road shall be implemented
33. Prior to the occupation of 200 units, the Moss Lane/Signal junction improvements as indicated on DWG 2176-13 shall be implemented through a S278 agreement
34. Prior to the occupation of 200 units the Moss Lane/Star Lane road improvements as indicated on DWG 2176-10 shall be implemented through a S278
35. Prior to the occupation 500 units a scheme for the installation of traffic signals at the Moss Lane/Congleton road improvements as indicated on DWG 5108479-014-TP-GA-DR-D-001 Rev P01 shall be submitted for approval of the Strategic Highways Manager
36. Prior to the occupation of 700 units the scheme approved at (35) above is implemented
37. Prior to commencement a Construction Management Statement shall be submitted and approved.
38. Network Rail condition to safeguard the west coast main line
39. Removal of PD rights at the retail units to ensure no mezzanines are constructed
40. Invertebrate and bat survey
41. Site completion report to be submitted and approved for each phase of development
42. Implementation of a programme of archaeological works to be agreed

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) 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 Committee's decision.

Should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) in consultation with the Chairman of the Strategic Planning Board to enter into a planning agreement in accordance with the S111 of the Local Government Act 1972.

[The meeting adjourned for lunch from 1.00 pm to 1.35 pm.
Councillor S Pochin left the meeting and did not return]

39 16/3298W EATON HALL QUARRY, MANCHESTER ROAD, EATON, CONGLETON, CHESHIRE CW12 2LU: APPLICATION TO EXTEND EATON HALL QUARRY TO THE NORTH AND EAST OF THE EXISTING PERMITTED EXTRACTION AREA TO THE NORTH OF SCHOOL LANE FOR MR G FYLES, TARMAC TRADING LTD

The Committee consider a report regarding planning application 16/3298W.

Grahame Fyles (applicant) attended the meeting and spoke in respect of the application.

RESOLVED:

That subject to the Secretary of State deciding not to 'call-in' the application under the Departure from the Development Plan procedures, planning permission be granted subject to the following conditions:

1. Approved documents
2. Commencement of development
3. Cessation of mineral working and restoration within 25 years of commencement
4. Hours of working
5. Vehicle numbers from blended mixes and records of movements
6. Access arrangements
7. Method of working
8. Depths of extraction
9. Phased working and annual report of mineral working undertaken over previous and future 12 month period
10. Protection of trees/vegetation
11. Plant and machinery
12. Noise limits
13. Implementation and maintenance of noise mitigation
14. Best practice for controlling vibration
15. Dust control measures in accordance with dust management method statement
16. Drainage and pollution control
17. Lighting details to be agreed
18. Archaeological mitigation
19. Site maintenance
20. Soil handling, storage and use in accordance with soil management plan
21. Measures to deal with unexpected contamination
22. Details and implementation of mitigation for protected species
23. Updated protected species surveys
24. Implementation of habitat mitigation
25. Submission of heathland restoration strategy
26. Submission and implementation of bluebell translocation method statement

27. Implementation of hedgerow management plan
28. Provision of alternative public right of way and protection of route for the duration of the development
29. Restoration drainage arrangements
30. Mitigation for derogated abstraction
31. Limits on off-site dewatering
32. Groundwater monitoring and mitigation
33. Controls on water quality
34. Fleet modernisation programme
35. Implementation of restoration/aftercare in accordance with approved plans and restoration and aftercare management plan
36. Aftercare for five years

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) has delegated authority to do so in consultation with the Chairman of the Strategic Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) in consultation with the Chairman of the Strategic Planning Committee 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.

40 16/3282W EATON HALL QUARRY, MANCHESTER ROAD, EATON, CONGLETON, CHESHIRE CW12 2LU: APPLICATION TO VARY PLANNING PERMISSION 5/APP/2004/0012 UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TO DEVELOP LAND WITHOUT COMPLIANCE TO CONDITIONS FOR MR G FYLES, TARMAC TRADING LTD

The Committee consider a report regarding planning application 16/3282W.

Grahame Fyles (applicant) attended the meeting and spoke in respect of the application.

RESOLVED:

That the application be approved subject to the imposition of planning conditions in respect of:

1. All the conditions attached to permission 5/APP/2004/0012 as relevant unless amended by those below;
2. Revised restoration plan;

3. Revised phasing plans and annual report of mineral working undertaken over previous and future 12 month period
4. Extension of time for a period of 25 years from the date of commencement
5. Confirmation of date of commencement
6. Provision of ecological mitigation measures
7. Best practice for controlling vibration
8. Dust control measures in accordance with dust management method statement
9. Implementation of soil management plan
10. Measures to deal with unexpected contamination
11. Details and implementation of mitigation for protected species
12. Implementation of habitat mitigation
13. Heathland restoration strategy
14. Implementation of hedgerow management plan
15. Restoration drainage arrangements
16. Limits on off-site dewatering
17. Updated groundwater monitoring and mitigation
18. Implementation of restoration/aftercare in accordance with approved plans and aftercare management plan
19. Aftercare for five years

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) has delegated authority to do so in consultation with the Chairman of the Strategic Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) in consultation with the Chairman of the Strategic Planning Committee 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

- 41 LAND OFF WARMINGHAM LANE, MIDDLEWICH, CHESHIRE: UPDATE FOLLOWING THE RESOLUTION TO APPROVE APPLICATION 15/5840C - OUTLINE PLANNING PERMISSION FOR UP TO 235 RESIDENTIAL DWELLINGS (INCLUDING UP TO 30% AFFORDABLE HOUSING), INTRODUCTION OF STRUCTURAL PLANTING AND LANDSCAPING, INFORMAL PUBLIC OPEN SPACE, AND CHILDREN'S PLAY AREA, 0.22HA FOR A COMMUNITY FACILITY (USE CLASS D1 OR D2), SURFACE WATER FLOOD MITIGATION AND ATTENUATION, VEHICULAR ACCESS POINT FROM WARMINGHAM LANE AND ASSOCIATED ANCILLARY WORKS. ALL MATTERS TO BE RESERVED WITH THE EXCEPTION OF THE MAIN SITE ACCESS.**

The Strategic Planning Board, at its meeting on 2 August 2017, had resolved to approve the planning application 15/5840C subject to a s106

agreement and conditions and a further report to provide information and clarification about phasing contributions to the Middlewich Eastern Bypass and provision of education and affordable housing contributions, in the event that the bypass did not come forward.

The report received set out details of the proposed phasing contributions for the Bypass and redistribution of the s106 payment if the Bypass did not come forward within 5 years from the date of implementation of the reserved matters associated with the planning permission.

RESOLVED:

The detailed wording of the s106 agreement, set out below, be noted and approved:

- Management Company to maintain all open space in perpetuity (including, inter alia, the NEAP, woodland, general amenity open space, village green, nature conservation area, drainage areas, ponds and any other areas of incidental open space not within private gardens or the adopted highway).
- 10% Affordable Housing
- Funding for the TROs necessary on Warmingham Lane/Travel Plan Co-ordinator (£5000)
- Contribution of £1,223,645 towards the provision of the Middlewich Eastern Relief Road £611,822 payable on 1st occupation of any dwelling and a further contribution of £611,822 upon occupation of the 75th dwelling.
- Should the Middlewich Eastern Bypass not come forward within 5 years from the date of the implementation of the reserved matters of this outline scheme then the MEB contribution shall be re-allocated to either affordable housing and/or education provision, with a report going back to Strategic Planning Board (or any other committee which takes the responsibilities of SPB) to consider the priority of need for affordable housing and education provision as a result the development relevant at that time.

The meeting commenced at 10.30 am and concluded at 2.20 pm

Councillor G Merry (Chairman)