CHESHIRE EAST COUNCIL

Minutes of a meeting of the Strategic Planning Board
held on Wednesday, 16th May, 2018 at The Capesthorne Room - Town Hall,
Macclesfield SK10 1EA

PRESENT

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

Councillors B Burkhill, T Dean (Substitute), L Durham (Substitute), S Edgar
(Substitute), T Fox, S Hogben, D Hough, N Mannion (Substitute), L Smetham
and L Wardlaw

OFFICERS IN ATTENDANCE

Mr D Evans (Principal Planning Officer), Mr A Fisher (Head of Planning
(Strategy)), Mrs N Folan (Planning Solicitor), Mr P Hurdus (Highways
Development Manager), Ms S Orrell (Principal Planning Office) and Mr D
Malcolm (Head of Planning (Regulation))

115  APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Jackson, J
Macrae, S Pochin and M Sewart.

116  DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 17/5898C, Councillor L
Smetham declared that she was a member of the Cheshire Wildlife Trust
who had been a consultee.

In the interest of openness in respect of application 17/5898C, Councillor J
Hammond declared that he was a member of the Cheshire Wildlife Trust
who had been a consultee, however he had no involvement in the
application nor discussed it.

In the interest of openness in respect of application 18/0902C, Councillor J
Hammond declared that he was a Director of ANSA who had been a
consultee, however he had not made any comments or discussed the
application.

In the interest of openness in respect of application 17/5898C, Councillor L
Wardlaw declared that she was a member of Congleton Town Council,
however she had not been involved in any discussions nor had she been
present when the Town Council considered the application.
In the interest of openness in respect of application 18/0902C, Councillor S Hogben declared that he was a Director of ANSA who had been a consultee, however he had not made any comments or discussed the application.

In the interest of openness, Councillor D Hough declared that he was a Director of TSS who organised bus routes, however he had not discussed bus routes with anyone.

In the interest of openness in respect of application 18/0902C, Councillor G Merry declared that she was a member of Sandbach Town Council and that she had not made any comments in respect of the application.

117  MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 25 April 2018 be approved as a correct record and signed by the Chairman.

118  PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

119  17/5898C-RESIDENTIAL DEVELOPMENT OF 45 DWELLINGS, LAND AT FORGE MILL, FORGE LANE, CONGLETON FOR WAINHOMES (NORTH WEST) LIMITED

Consideration was given to the above application.

(Town Councillor Amanda Martin, representing Congleton Town Council and Ben Pycroft, agent for 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 a 21 day notification period to the University of Manchester (Jodrell Bank) of the intention to grant planning permission and subject to the completion of a Section 106 Agreement securing the following Heads of Terms:-

- 30% affordable units (13 total) in the 65% (intermediate):35% (affordable rent) split
- £10,000 off-site contribution for highway works on Forge Lane (Quiet Lane) - figure to be adjusted for inflation (from January 2015) to be paid within 28 days of grant of permission
• £10,000 highways contribution to fund TRO to Forge Lane - figure to be adjusted for inflation (from January 2015) to be paid within 28 days grant of permission

• Cheshire Wildlife Trust to be sold land to rear (for £1) of built area and provided with management and maintenance fee of £88,000 - full fee to be lodged with the Planning Authority prior to 1st occupation of the site, Cascade provision to allow Council to consider whether it wishes to take ownership of land in event that CWT no longer wishes to be involved. Reversion to Private Management only if Council does not wish to take ownership

• Link through site from Congleton Link Road to Forge Lane to be safeguarded. Council to be allowed on to site to form link. Minimum period of 10 years set aside to allow Council to provide the link

• Ecological mitigation payment of £7,905.00 - figure to be adjusted for inflation (from January 2015) to be paid within 28 days grant of permission

• Private management company to maintain all areas of public open space/LEAP and all other defined areas (including 10 m zone to rear of all houses adjacent to woodland) not within the management of Cheshire Wildlife Trust, children's play space in perpetuity in accordance with management scheme. Submission of a scheme for the maintenance of the land to be transferred to CWT and the implementation of the management scheme by the management company should that transfer not occur.

And subject to the following conditions;

1. Plans
2. Materials as submitted
3. Details of electricity substation/pumping station and associated structure to be submitted/approved
4. Submission and approval of land Verification report/ no occupation
5. no development on undeveloped areas until remediation strategy submitted /approved
6. Unforeseen contamination
7. Garden soil testing for contamination prior to implementation
8. Compliance with scheme for disposal of foul and surface water as previous scheme
9. Finished floor levels/road levels minimum as per previous approval
10. Forge Lane improvements compliance
11. Compliance with archaeology report
12. Construction and Environmental Management Plan, inc wheel washing –/approval; piling, dust control - compliance with info submitted and approved
13. Approved landscaping implementation
14. compliance with ecological buffer zone as required by original pp
15. Amending condition for design and surfacing of streets and areas of hardscape (including driveways) shall be submitted to and agreed in writing by the LPA to comply with Design Guide (within 28 days of permission and implementation prior to occupation)
16. Breeding birds and roosting bat features – compliance
17. reasonable avoidance measures compliance
18. finished road and floor levels compliance
19. Residential travel plan inc residents information pack
20. Car charging for each dwelling - submission of details within 28 days of permission and implementation prior to 1st occupation
21. Tree and hedgerow Protection scheme – compliance with previous approved scheme
22. Scheme for the incorporation of electromagnetic screening measures (protection of Jodrell Bank telescope) compliance with previous approval
23. Ultra Low Emission boilers submission of details within 28 days of permission and implementation prior to 1st occupation
24. Permitted development removal - fences/means of enclosure forward of building line
25. Compliance with levels proposed
26. Remediation strategy compliance
27. No occupation until verification report approved
28. Superfast broadband provision submission of details within 28 days of permission and implementation prior to 1st occupation
29. Piling details compliance
30. Bin storage
31. Cycle storage for the apartments

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 their 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 approval is given to enter into a S106 Agreement to secure the Heads of Terms as detailed above.

RESOLVED

That the application be refused for the following reasons:-
1. The proposed residential development is unacceptable because it is located within the Open Countryside, contrary to Policies PC3 and H1 of the Sandbach Neighbourhood Plan, PS8 (Open Countryside) and H6 (Housing in Open Countryside) of the Congleton Borough Local Plan, Policies PG2 and PG6 of the Cheshire East Local Plan Strategy and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.

2. The Local Planning Authority considers that there is insufficient information included within this application to determine the impact of the proposed development upon the local highway network. The submitted application relies on information from 2016 and there has been increased queues and usage on the local road network which should be considered. As a result the proposed development is contrary to Policies CO4 of the CELPS, Policy GR18 of the Congleton Local Plan and IFT1 of the SNP and guidance contained within the NPPF.

3. The proposed development would result in the loss of BMV Agricultural Land. It is considered that the development is unsustainable because of the unacceptable environmental and economic impact of the scheme in terms of loss of best and most versatile agricultural land. As such the proposal is contrary to Policies SD1, SD2 and SE2 of the Cheshire East Local Plan Strategy and the provisions of the NPPF.

In order to give proper effect to the Board’s intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chairman (or in their absence the Vice Chairman) to correct any technical slip or omission in the resolution, before 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. 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 £379,620
4. Secondary school education contribution of £441,253
5. SEN education contribution of £91,000
6. PROW Contribution of £15,531
7. Indoor Sport contribution of £25,500
8. Outdoor sport contribution of £1,000 per family dwelling

(Prior to consideration of the following item, Councillor L Smetham left the room and did not return).

121   CHESHIRE EAST LOCAL PLAN: AUTHORITY MONITORING REPORT 2016/17

Consideration was given to the above report.

Members made comments/raised questions in respect of affordable housing, auditing of viability assessments, submission of viability assessments to the Strategic Planning Board, progression with viability checklists, whether or not the Local Plan could deliver a mix of affordable housing, delays in producing the information contained within the report to Members and whether or not Officers were aware of changes to policies when writing reports.

RESOLVED

That the content and conclusions of the report be noted.

(During consideration of the item, Councillor L Durham left the meeting and did not return. Councillor N Mannion left the meeting and returned).

The meeting commenced at 10.30 am and concluded at 1.35 pm

Councillor G Merry (Chairman)