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## CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 6th July, 2011 at The Assembly Room - Town Hall,  
Macclesfield SK10 1DX

### **PRESENT**

Councillor H Davenport (Chairman)  
Councillor C G Thorley (Vice-Chairman)

Councillors Rachel Bailey, D Brown, P Edwards, J Hammond, D Hough,  
J Jackson, J Macrae, B Murphy, G M Walton, R West and S Wilkinson

### **OFFICERS IN ATTENDANCE**

Mr N Curtis (Principal Development Officer), Mr I Dale (Heritage and Design Manager, item 21 only), Ms S Dutton (Senior Lawyer), Mr A Fisher (Head of Planning and Housing), Mr S Irvine (Planning and Development Manager) and Mr D Malcolm (Southern Area Manager),

### **16 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor J Wray.

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

It was noted that Councillors had received correspondence in respect of both applications on the agenda.

In respect of application Mr Steve Irvine, the Planning and Development Manager declared a personal and prejudicial interest on behalf of Councillor B Moran who was not present at the meeting but who would have declared a close involvement in the Scheme and in accordance with the Code of Conduct would have exercised his right to speak and then left the meeting prior to consideration of the application.

In respect of application 11/0899C - Land South of Pochin Way and Cledford Lane, East of Booth Lane (A533), Middlewich - Extension to Time Limit - 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.) Councillors P Edwards and W J Macrae declared that whilst they had not pre determined the application nor had an interest in the application they had in the past communicated with the developer of the Scheme.

### **18 MINUTES OF THE PREVIOUS MEETING**

RESOLVED

That the minutes be approved as a correct record and signed by the Chairman.

## 19 **PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

## 20 **11/0440C - DEMOLITION OF 170 AND 172 MIDDLEWICH ROAD, SANDBACH AND FORMATION OF NEW ACCESS TO SERVE RESIDENTIAL DEVELOPMENT**

Consideration was given to the above application.

(Mr Steve Irvine the Planning and Development Officer read out statements on behalf of Councillor Mrs G Merry, the Ward Councillor and B Moran, the Councillor representing the adjacent Ward. In addition Mrs Maguire, an objector attended the meeting and spoke in respect of the application).

RESOLVED

That the application be deferred due to lack of information on the impact on the local highway network.

(This decision was contrary to the Officers recommendation of approval).

## 21 **11/0899C - LAND SOUTH OF POCHIN WAY AND CLEDFORD LANE, EAST OF BOOTH LANE (A533), MIDDLEWICH - EXTENSION TO TIME LIMIT - 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.)**

Consideration was given to the above application.

(Mr Nicholson, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be approved subject to the following conditions:-

1. The development hereby approved shall be implemented as follows:

Phase 1: Unit 101 and the whole of the bypass

Phase 2: The remainder of the development or part thereof

2. The landscaping of the site shall be carried out in complete accordance with the plans approved under application number 08/0557/REM, numbered 3824.2.001 – 0010 Rev F, date stamped received on 8<sup>th</sup> January 2008. The landscaping of the Phase 1 development shall be implemented as follows:
  - The approved landscaping works within 9 months of the commencement of the Phase 1 development
  - The remainder of the approved landscaping works 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. Any further matters applications for 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 this permission.
4. The Phase 1 development hereby approved shall be commenced before the expiration of five years from the date of this permission, 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.
5. 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 (hereinafter called “the Phase 2 reserved matters”) shall be obtained from the Local Planning Authority in writing before the development is commenced.
6. 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.
7. The Phase 2 development hereby approved shall be commenced before the expiration of ten years from the date of this permission, 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 later.
8. None of the buildings hereby approved, shall be occupied until the whole of the Middlewich Eastern bypass has been opened to traffic.
9. Prior to the commencement of the development 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.

10. 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.
11. 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.
12. Prior to the commencement of the development hereby approved, details showing where soils and aggregates are to be stored on the site, 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.
13. 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.
14. Prior to the commencement of each phase of the development hereby approved an air quality management plan covering the period of construction 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.
15. Prior to the commencement of each phase of the development

hereby approved a noise management plan covering the period of construction 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.

16. 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.

17. 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

18. Within 3 months of the commencement of development, 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.

19. 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.

20. No construction shall take place until details of an archaeological watching brief have been submitted to and approved in writing by the Local planning Authority. Construction shall take place in accordance with the approved details.

21. 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 one year of the completion of the dig unless otherwise agreed in writing with the Local Planning Authority.

22. The occupier of each of the buildings hereby approved shall, within 6 months of occupation, 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.
23. Prior to first occupation of any 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.
24. Prior to the occupation of Unit 101 hereby approved, the flood attenuation associated with Phase 1 of the development shall be constructed in accordance with the plans approved under application number 07/0323/OUT for the storage lagoon reference numbers CL(50)01 and CL(50)05 and the Midpoint 18 Phase III Flood Risk Assessments Volumes one and two dated April 2007.
25. Where identified in the Environmental Statement submitted with application number 07/0323/OUT, flood attenuation schemes for each other building shall be submitted to and approved in writing by the Local Planning Authority and shall be carried out in accordance with the approved details.
26. No 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.
27. 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.
28. No 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.

29. 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.
30. 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.
31. 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.
32. 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.
33. 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.
34. 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.

35. 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.

36. 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 adjourned at 1.25pm until 1.30pm).

## **22 PLANNING FOR GROWTH & THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT**

To consider a report on Planning for Growth & the Presumption in Favour of Sustainable Development.

Councillor Mrs Rachel Bailey requested that the minutes include her thanks to Officers in relation to the hard work undertaken to clear the backlog of planning applications.

**RESOLVED**

That the report be noted.

The meeting commenced at 2.00 pm and concluded at 4.00 pm

Councillor H Davenport (Chairman)