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## CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**  
held on Thursday, 23rd January, 2014 at The Assembly Room - Town Hall,  
Macclesfield SK10 1EA

### PRESENT

Councillor H Davenport (Chairman)  
Councillor D Hough (Vice-Chairman)

Councillors Rachel Bailey, D Brickhill (Substitute) D Brown, J Hammond,  
P Hoyland, J Jackson, P Mason, B Murphy and G M Walton

### OFFICERS IN ATTENDANCE

Mr A Fisher (Head of Strategic & Economic Planning), Mr N Jones (Principal Development Officer, Mr D Malcolm (Interim Planning and Place Shaping Manager), Ms S Orrell (Principal Planning Officer), Mr N Scanlon (Locum Solicitor, Planning and Highways), Mr N Turpin (Principal Planning Officer) and Miss E Williams (Principal Planning Officer)

### 145 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P Edwards, C Thorley, S Wilkinson and J Wray.

### 146 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 13/3032C, Councillor D Hough declared that he was a member of Alsager Town Council, however he had not commented on the application, although he acknowledged he had expressed some concerns at the previous meeting when the application was considered.

In the interest of openness in relation to application 13/2954C, Councillor D Brown declared that he attended the Congleton Town Council Planning meeting where the application was discussed but only as an observer and had not taken any part in the debate.

### 147 MINUTES OF THE PREVIOUS MEETING

#### RESOLVED

That the minutes be approved as a correct record and signed by the Chairman subject to the insertion of the following paragraph at the end of the decision in respect of Minute No. 140:-

Should this application be the subject of an appeal, authority be delegated to the Interim Planning and Place Shaping Manager in consultation with the Chairman of the Strategic Planning Board 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.

148        **PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

149        **13/2661M-ERECTION OF 167 DWELLINGS, LAND OFF, SPRINGWOOD WAY AND LARKWOOD WAY, TYTHERINGTON, MACCLESFIELD FOR P E JONES (CONTRACTORS) LIMITED**

Consideration was given to the above application.

(Kerren Phillips, the agent for 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 oral update the application be approved subject to the completion of a Section 106 Agreement securing the following:-

30% Affordable Housing = 65% social or affordable rent, and 35% intermediate tenure

□□A contribution of £70 000 towards highway improvements to be made to the A523, north of the application site and towards measures, which will result in a reduction in the traffic using Tytherington Lane.

□□A detailed scheme for the design and layout of the open space to be approved prior to commencement. A NEAP is also required.

□□A commuted sum would be required for Recreation / Outdoor Sport of £167 000 (which includes discount for the affordable housing based on the affordable dwellings). The commuted sums would be used to make improvements, additions and enhancements to the facilities at Rugby Drive playing field. The Recreation / Outdoor sports commuted sum payment will be required prior to commencement of the development

□□A 15 year sum for maintenance of the open space will be required IF the council agrees to the transfer of the open space to CEC on completion. Alternatively, arrangements for the open space to be maintained in perpetuity will need to be made by the developer, subject to a detailed maintenance schedule to be agreed with the council, prior to commencement

□□ Provision of art in public areas to be incorporated into the landscaping scheme

□ Green links and footpaths, which will provide a pedestrian/cycle link between the Middlewood Way, residential development, and adjacent existing residential areas;

□ £108,463 towards primary education

(It is noted that the highways improvements, distribution of affordable housing within the site and public art proposals will be agreed following consultation with the Chairman of the Board, Ward Councillors and Interim Planning and Place Shaping Manager).

And subject to the following conditions:-

1. A07EX - Sample panel of brickwork to be made available
2. A03FP - Commencement of development (3 years)
3. A03AP - Development in accord with revised plans (unnumbered)
4. A01GR - Removal of permitted development rights
5. A05EX - Details of materials to be submitted
6. A01LS - Landscaping - submission of details
7. A04LS - Landscaping (implementation)
8. A12LS - Landscaping to include details of boundary treatment
9. A15LS - Submission of additional landscape details
10. A06NC - Protection for breeding birds
11. A04NC - Details of drainage
12. A22GR - Protection from noise during construction (hours of construction)
13. A23GR - Pile Driving
14. A19MC - Refuse storage facilities to be approved
15. Trees - Arboricultural Impact Assessment
16. Existing and proposed site levels, contours and cross-sections
17. A Greenway / Green link of a minimum width of 20m in accordance with the outline application 11/3738M (It was noted that the a plan securing the link is required prior to any decision notice being issued. this will inform whether the final number of dwellings to be provided will be 171 or 172)
18. A programme for the implementation of the southern cycleway, public open space and footpath routes
19. Floor floating (polishing large surface of wet concrete floors)
20. Dust Control
21. Bin and Cycle Store in accordance with approved details
22. Compliance with noise mitigation scheme and acoustic insulation to obtain a 'good' standard
23. Contaminated land
24. To accord with Arboricultural Statement
25. Details of provision of access to Poole End site to be provided to link to Manchester Road

26. Phasing plan
27. Incorporation of features to house birds and
28. Construction Method Statement
29. Information on walking, cycling and public transport to be provided and electrical hook up points
30. Submission of lighting scheme
31. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources
32. Submission of a foul/surface water drainage scheme
33. Submission of SUDS
34. Verification of the remediation works, if required
35. Remediation strategy if contaminants are found during development phase
36. Compliance with Waste Management Plan
37. Hours of Construction
38. Affordable housing to be 'pepper potted'

It was agreed that a plan identifying the location of the affordable units and tenures shall be submitted to and agreed in consultation with the Chairman of the Board, Ward Councillors, Interim Planning and Place Shaping Manager and Housing Strategy and Needs Manager, prior to any consent being issued. This plan should include a high degree of 'pepper potting,' with no more than 10 affordable units permitted per cluster. In the event that a plan is not agreed, the application would be brought back to Board for reconsideration.

The developer shall submit a revised plan, which shows a minimum width of 20m for the Greenway / Green link. This will require the loss of plot 141 and potential loss of plot 142. The plan shall be submitted to and agreed in consultation with the Chairman of the Board, Ward Councillors and Interim Head of Planning and Place Shaping prior to any consent being issued.

(The meeting adjourned for a short break).

150      **13/2954C-PROPOSED OUTLINE APPLICATION FOR THE DEMOLITION OF HAWTHORNE COTTAGE, CANAL SIDE FARM, AND GAINING THE CONSENT FOR THE PRINCIPLE OF UP TO 49 NO. DWELLINGS. THE FORMATION OF A NEW VEHICLE AND PEDESTRIAN ACCESS FROM THE EXISTING GOREDALE CLOSE CARRIAGEWAY, HAWTHORN COTTAGE, HARVEY ROAD, CONGLETON FOR DR DAVID POYNER, DAVICO PROPERTIES UK LTD**

Consideration was given to the above application.

(Councillor A Thwaite, the Ward Councillor, Town Councillor P Bates, representing Congleton Town Council, Mike Tingle, an objector and Mr

Dooley, representing the applicant attended the meeting and spoke in respect of the application).

## RESOLVED

That the application be refused for the following reasons:-

1 The proposal is an inappropriate form of development within the Green Belt, as defined by the Development Plan. The development is therefore contrary to policy PS7 of the Congleton Borough Local Plan First Review and would cause material harm to the openness of the Green Belt. The proposed development by reason of inappropriateness would be contrary to nationally established policy as set out in NPPF, and as a result would cause harm to the objectives of this guidance. There are no very special circumstances to outweigh this harm.

2 The proposed development, notwithstanding the contribution to economic and social activity associated with new residents, by virtue of its locational characteristics, impact upon trees and lack of information concerning protected species will cause environmental harm and thereby comprises unsustainable development contrary to the NPPF.

3 The proposed development by virtue of its size and siting of the proposed access would result in the direct loss of existing trees which are the subject of the Gordale Close are subject to TPO protection; The Congleton Borough Council (Goredale Close) TPO 1983. The loss of these trees is considered to be unacceptable because of the impact upon the general amenity and character of the area in which the application site is located contrary to Policy NR1 of the Congleton Borough Local Plan First Review and the provisions of the National Planning Policy Framework.

4 The application fails to provide sufficient information to quantify and mitigate any impact on species protected under the Wildlife and Countryside Act 1981 and Habitat Regulations in accordance with Policies NR3 and NR4 of the Congleton Borough Local Plan First Review and the provisions of the National Planning Policy Framework

5 Insufficient information has been provided to demonstrate that the proposed development can achieve an adequate quality of design to justify approval of planning permission. In reaching this conclusion regard was had to the indicative design and layout including the width of access and the characteristics of the site, contrary to the Policy GR1, GR2, GR3 and GR9 of the Congleton Borough Local Plan First Review and the provisions of the National Planning Policy Framework.

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 Planning and Place Shaping Manager 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.

Should this application be the subject of an appeal, authority be delegated to the Interim Planning and Place Shaping Manager in consultation with the Chairman of the Strategic Planning Board 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.

(During consideration of the application, Councillor G Walton arrived to the meeting, however he did not take part in the debate or vote on the application.

(The meeting adjourned from 12.15pm until 1.00pm for lunch during which Councillor B Murphy left the meeting and did not return and Councillor Mrs R Bailey and P Hoyland arrived to the meeting).

151      **13/3032C-OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT, COMPRISING 110 HOMES, INCLUDING 33 AFFORDABLE HOMES TO INCLUDE AN AREA OF PUBLIC OPEN SPACE AND CHILDREN'S PLAY AREA, LAND OFF CREWE ROAD, ALSAGER, CHESHIRE FOR LUCY HAWLEY, PERSIMMON HOMES NORTH WEST**

Consideration was given to the above application.

(Councillor R Fletcher, the Ward Councillor, Honorary Alderman Derek Bould, representing Alsager Residents Action Group (ARAG), Mrs Dykes, an objector and Adele Snook, agent for 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 completion of a Section 106 Agreement securing the following:-

- 30% affordable housing (33no. units), split on the basis of 65% social rent and 35% intermediate tenure as per the requirements of the interim planning statement.
- Provision for a management company to maintain the on-site Open Amenity Space and LEAP (min 5 pieces of equipment) or provision of something within the town
- Provision of commuted sum of £216,926 towards primary education provision
- Highways contributions of £179,794 towards highways improvements in Alsager

And subject to the following conditions:-

1. Standard Outline Time limit – 3 years

2. Submission of Reserved Matters
3. Approved parameters Plan
4. Submission of an Environmental Management Plan, to include traffic signs and routing to site
5. Hours of construction to be limited
6. Scheme of noise mitigation for glazing and ventilation in accordance with 8233:1999 can be achieved and subject to the proposed mitigation for the gardens closest to potential noise sources will require the recommended design criteria of <55dB LAeq
7. Provision of Right turn lane into access from Crewe Road
8. Details of pile driving operations to be limited
9. Submission of details of bin storage
10. Details of drainage (SUDS) to be submitted
11. Scheme to limit surface water runoff and overland flow
12. Only foul drainage to be connected to sewer
13. Dwellings to be no more than 12m and be of brick construction
14. Tree and hedgerow protection measures
15. Buffer zone of 20m between houses and play space
16. Arboricultural Specification/Method statement
17. Landscape scheme to include replacement native hedgerow planting and boundary treatments
18. Implementation of landscaping scheme
19. Timing of the works and details of mitigation measures to ensure that the development would not have a detrimental impact upon breeding birds.
20. Implementation of a programme of archaeological work in accordance with a written scheme of investigation to be submitted
21. Landscaping scheme to retain existing hedging, where possible. When not, landscaping to provide replacement hedge planting.
22. Minimum 10% reduction in energy use through a building fabric first approach (enhanced insulation or construction technologies).
23. Submission of a Travel Plan
24. Vehicle charging points
25. Affordable housing to be 'pepper potted'

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 Interim Planning and Place Shaping Manager 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.

(During consideration of the application, Councillor P Mason left the room and returned and therefore did not take part in the debate or vote on the application. In addition Councillor P Hoyland felt that he had pre determined the application by virtue of the fact that he had extensive knowledge regarding pylons as part of his professional employment and therefore he did not feel he could support the application given this knowledge. As a result he left the meeting and did not return until the

decision had been made. The Legal advice from the Officer was that Councillor P Hoyland had not pre determined the application however it was ultimately a decision for the Councillor to make. The meeting then adjourned for a short break).

152        **13/5037W-RETROSPECTIVE PLANNING PERMISSION FOR THE IMPORTATION OF INERT MATERIAL TO INSTALL COVER SYSTEM TO FORMER TIP AND RESTORATION SCHEME TO ALLOW CHANGE OF USE TO INFORMAL RECREATIONAL OPEN SPACE WITH ANCILLARY CAR PARK, FORMER TIP, ROUGHWOOD LANE, HASSALL GREEN, SANDBACH, CHESHIRE FOR PROFESSOR HAYS PLC**

Consideration was given to the above application.

RESOLVED

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

1. Standard conditions
2. Entrance gate to remain locked aside from when in use by visiting parties
3. No external lighting
4. Retention of defensive planting fencing
5. Submission of final landscape/nature conservation enhancement scheme

Members of the Board were extremely unhappy that the application was retrospective and it was requested that on behalf of the Board the Chairman write a letter to the applicant outlining the concerns the Board had regarding the fact that the application was retrospective.

153        **URGENT ITEM-APPLICATION 13/4382N: AFFORDABLE HOUSING DEVELOPMENT AT SIR WILLIAM STANIER COMMUNITY SCHOOL, LUDFORD STREET, CREWE CW1 2NU FOR RENEW LAND DEVELOPMENTS LTD**

In accordance with Section 100B (4)(b) of the Local Government Act 1972 the Chairman of the Board agreed to allow consideration of this item as a matter of urgency as the development of the site is reliant on Home & Community Agency funding which requires an urgent decision on the application before the end of January 2014.

Consideration was given to the report.

RESOLVED



That the approval be given subject to a Unilateral Undertaking for contributions of:-

- £30,000 towards public open space
- £65,000 towards education

And subject to the following conditions:-

1. Standard time limit
2. Approved plans
3. Construction of Access
4. Provision of parking
5. Implementation of Materials – No approval for buff bricks
6. All piling operations shall be restricted to: Monday – Friday 09:00 – 17:30 hrs Saturday 09:00 – 13:00 hrs Sunday and Public Holidays Nil
7. Submission, approval and implementation of piling method statement
8. Construction works taking place during the development (and associated deliveries to the site) restricted to: Monday – Friday 08:00 to 18:00 hrs Saturday 09:00 to 14:00 hrs Sundays and Public Holidays Nil
9. Submission, approval and implementation of details of any lighting prior to installation
10. The mitigation recommended in Noise Mitigation report number 90291r0 shall be implemented prior to the use of the development / first occupation.
11. Implementation of submitted Travel Plan
12. Implementation of submitted dust control measures
13. The development shall not be occupied until the remedial/protection measures included in the approved contaminated land report (REC Report Reference 02c45022, 28 November 2013) have been fully implemented and completed.
14. Once the development is complete, a Site Completion Statement detailing the remedial/protective measures incorporated into the development hereby approved shall be submitted to and approved in writing by the LPA in full prior to the first occupation and use of this development.
15. Detailed breeding bird survey for works in nesting season
16. Arboricultural Method Statement to include removal of areas of hard standing around trees, the reinstatement of the ground around retained trees, tree protection measures and an auditable system of arboricultural supervision.
17. Features for use by breeding birds and bats
18. Implementation of boundary treatment
19. Implementation of drainage scheme
20. Implementation of cycle parking within scheme
21. Implementation of landscaping
22. A revised landscape plan to include further tree planting.

23. Retention of the railings and for them to be made good where necessary to enclose the front garden areas of the proposed dwellings

The meeting commenced at 10.30 am and concluded at 3.50 pm

Councillor H Davenport (Chairman)