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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 5th February, 2014 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

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

Councillors D Brown, P Edwards, J Hammond, P Hoyland, J Jackson,
P Mason, B Murphy, C G Thorley, G M Walton, S Wilkinson and J Wray

OFFICERS IN ATTENDANCE

Ms S Dillon (Senior Lawyer), Mr D Evans (Principal Planning Officer), Mr A Fisher (Head of Strategic & Economic Planning), Mr N Jones (Principal Planning Officer), Mr D Malcolm (Interim Planning & Place Shaping Manager), Mr N Turpin (Principal Planning Officer), Mr P Wakefield (Principal Planning Officer) and Miss E Williams (Principal Planning Officer)

154 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs R Bailey and P Hoyland.

155 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 13/2744W, Councillor J Hammond declared that although he had no involvement in discussions relating to the application, his appointment as a Director of the Shadow Board of Ansa Environmental Services Ltd who would be delivering Waste Management Services on behalf of the Authority could give the public perception that the Company of which he was a Director of had a pecuniary interest. He therefore decided to leave the room whilst the application was determined.

In addition he declared that currently he was the Chairman of the Maw Green Landfill Community Liaison Committee but he had not made any comments in respect of the application.

In the interest of openness in respect of the same application, Councillor C Thorley declared that he was also a member of the Maw Green Landfill Community Liaison Committee but he had not made any comments in respect of the application.

In the interest of openness in respect of applications 13/2741N, 12/1463C, 13/2746C and 13/2744W, Councillor J Hammond declared that he was a member of the Cheshire Wildlife Trust who had been consulted on the applications, however he had not made any comments in respect of the applications.

In the interest of openness in respect of application 13/2746C, Councillor J Wray declared that whilst he had attended meetings of Somerford Parish Council and had listened to presentations for and against the application he had not expressed an opinion.

In the interest of openness in respect of application 13/3293M, Councillor G Walton declared that he used to work on the application site.

Councillor A Moran a visiting Councillor declared a non pecuniary interest in respect of application 13/2471N by virtue of the fact that he was a Member of Nantwich Town Council who had made comments on the application. In addition he was a Governor of Brine Leas School and a Trustee of Nantwich and Acton Foundation Trust connected to Malbank School. Both of these schools would benefit from the application. He remained in the room during the consideration of the application.

156 **PUBLIC SPEAKING**

(During consideration of the item, Councillor D Brown arrived to the meeting).

RESOLVED

That the public speaking procedure be noted.

157 **13/2471N-OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 1,100 DWELLINGS, UP TO 1.82HA OF CLASS B1 BUSINESS USE, A POTENTIAL PRIMARY SCHOOL, COMMUNITY FACILITIES AND LOCAL CENTRE (USE CLASSES A1, A2, A3, B1 AND D1), ALLOTMENTS, RECREATIONAL OPEN SPACE AND ASSOCIATED LANDSCAPING, HIGHWAYS, ACCESS ROADS, CYCLEWAYS, FOOTWAYS AND DRAINAGE INFRASTRUCTURE, LAND AT KINGSLEY FIELDS, NORTH WEST OF NANTWICH, HENHULL, CHESHIRE FOR NORTH WEST NANTWICH CONSORTIUM**

Consideration was given to the above application.

(Councillor M Jones, the Ward Councillor, Councillor A Moran, a neighbouring Ward Councillor, Parish Councillor M Houlston, representing Acton Edleston & Henhull Parish Council, Meredydd David, Principal of Reaseheath College and a Supporter and Mark Sackett, 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 to Board the application be delegated to the Interim Planning & Place Shaping Manager to approve subject to the prior completion of a Section 106 Agreement securing obligations which are, in the opinion of the Interim Planning & Place Shaping Manager in consultation with the Chairman of the Board, the Ward Councillor and one of the Nantwich Ward Councillor in substantial accordance with the following:-

- Education contributions of £2,277,721 for primary provision (or provision of a school on site) and £1,078,618 for secondary provision
- Up to 30% affordable housing provision.
- Tenure split of the affordable dwellings.
- Affordable dwellings to be provided on site.
- 25% of the affordable dwellings to be built to meet Lifetime Homes standards.
- 2 of the rented affordable dwellings to be specifically for key workers.
- Submission of affordable housing schemes with each reserved matters application.
- The affordable dwellings should be built to meet Code for Sustainable Homes Level 3.
- The affordable dwellings which are not required to be built to Lifetime Homes standard should be built in accordance with the standards adopted by the Homes & Communities Agency.
- Phasing of affordable dwellings
- Affordable dwellings pepper-potted within each phase of the development.
- All the affordable dwellings should be provided no later than occupation of 80% of the open market dwellings
- Financial contribution of £4,168,145 for highways improvements
- Provision of open space and management arrangements
- Financial contribution of £20,000 for air quality mitigation (Hospital Street)
- Infrastructure / public realm improvements

And subject to the following conditions:-

1. A01OP - Submission of reserved matters
2. A02OP - Implementation of reserved matters
3. A03OP - Time limit for submission of reserved matters
4. A06OP - Commencement of development
5. A01AP - Development in accord with approved plans
6. A22GR - Protection from noise during construction (hours of construction)

7. A32HA - Submission of construction method statement
8. A08OP - Ground levels to be submitted with reserved matters application
9. A19MC - Refuse storage facilities to be approved
10. Environmental Management Plan to be submitted
11. Details of external lighting to be submitted
12. Acoustic assessment of A1, A2, A3, B1 and D1 uses to be submitted with reserved matters
13. Updated contaminated land Phase I report to be submitted
14. Noise mitigation details to be submitted with reserved matters
15. Submission of residential and business travel plans
16. Energy from decentralised and renewable or low-carbon energy sources
17. Site to be drained on a separate system
18. Development to be carried out in accordance with Flood Risk Assessment
19. Details of buffer zones around watercourses to be submitted with reserved matters
20. Details of watercourse crossings to be submitted with reserved matters
21. Site access roundabout from the A51 to be agreed prior to first development.
22. A51 diversion to be in place prior to occupation of the 600th dwelling
23. Link road to be provided prior to occupation of 400th dwelling
24. Provision of footbridge across the River Weaver
25. Reserved matters application to incorporate public right of way routes
26. Provision for pedestrians and cyclists
27. Reserved matters to be in accordance with parameters set out in Design & Access Statement and masterplan drawing
28. Submission of arboricultural details
29. Reserved matters application to be supported by an updated badger survey and mitigation strategy
30. Reserved matters application to be supported by detailed ecological mitigation and compensation proposed in accordance with the ecological mitigation and compensation strategy submitted in support of the outline application
31. Written scheme of archaeological investigation to be submitted

32. Hedgerow retention and enhancement

33. Design code to be submitted

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.

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.

(The meeting adjourned for a short break).

The view of the Board was that in agreeing the Section 106 obligations, the Interim Planning & Place Shaping Manager should strive to achieve a minimum of 30% affordable housing in line with the Interim Planning Statement: Affordable Housing and that the timing of the contributions for the highways improvement works in Acton be closer to the occupation of 300 dwellings rather than 500.

158 **13/3293M-OUTLINE APPLICATION INCLUDING DETAILS OF ACCESS AND LAYOUT FOR THE DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF UP TO 21,035 SQ M GROSS B1A OFFICE ACCOMMODATION, CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS AT BOOTHS PARK, KNUTSFORD, BOOTHS PARK, CHELFORD ROAD, KNUTSFORD, CHESHIRE FOR DR BRUNTWOOD ESTATES LTD**

Consideration was given to the above application.

(Brian Chaplin, representing South Knutsford Residents Group and Bill Davidson, 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 update to Board the application be approved subject to the completion of a Section 106 Agreement securing the following:-

£380,000 towards junction improvements at:-

A537 Chelford Road/Goughs Lane roundabout
A50 Toft Road/Goughs Lane priority junction

A437 Brook Street/Hollow lane Signal junction
A537 Adams Hill/A50 Toft Road/Stanely Road/Bexton Road and £20,000
towards speed restrictions on Goughs Lane, Toft Road and Chelford Road

In addition to the above a 7 tonne weight limit to Goughs Lane.

And subject to the following conditions:-

1. A06OP - Commencement of development
2. A03OP - Time limit for submission of reserved matters
3. A01OP - Submission of reserved matters
4. A08OP - Ground levels to be submitted with reserved matters application
5. A01LS - Landscaping - submission of details
6. A04LS - Landscaping (implementation)
7. Implementation of a programme of archaeological work
8. Surface water not to be discharged to foul/combined sewer
9. A surface water regulation scheme
10. A scheme to manage the risk of flooding from overland flow of surface water
11. No change to surface of the Public Right of Way without consultation with the PROW unit
12. Piling hours
13. Piling method statement
14. Floor floating
15. Environmental Management Plan
16. Hours of operation
17. Travel Plan-To include a shuttle bus
18. Dust control
19. Contaminated land
20. Reserved matters application to be supported by a Tree Protection Scheme
21. Breeding birds
22. Indicative plan showing the locations of the proposed bat boxes/ bat tiles to be provided.
23. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources
24. Protection of breeding birds
25. Details of lighting to be approved

26. Refuse storage facilities to be approved
27. Travel Plan to include Electric Vehicle infrastructure within the car parking area
28. A Construction Management Plan
29. Upgrade of footpaths between Booths Hall and Delmar Road and South Downs
30. Details of green gym and improvements to running trails to be provided

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.

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.

(The meeting adjourned lunch from 1.20pm until 2.00pm. Councillor P Mason left the meeting and did not return).

159 **12/1463C-DEMOLITION OF 170 AND 172 MIDDLEWICH ROAD, SANDBACH, FORMATION OF NEW ACCESS TO SERVE RESIDENTIAL DEVELOPMENT OF UP TO 280 DWELLINGS, LANDSCAPING, OPEN SPACE, HIGHWAYS AND ASSOCIATED WORKS, LAND SOUTH OF MIDDLEWICH ROAD AND EAST OF ABBEY ROAD, SANDBACH FOR FOX STRATEGIC LAND AND PROPERTY**

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report and in the update to Board the application be approved subject to completion of Unilateral Undertaking/Section 106 Legal Agreement to secure the following:-

. Affordable Housing Scheme

- The numbers, type, tenure and location on the site of the affordable housing provision which shall consist of not less than 30% of the residential units (65% to be provided as social rent/affordable rent with 35% intermediate tenure)
- 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 a Social Landlord
 - 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. The provision of Community Park and Children's play provision and scheme of management to be agreed
 3. Education contribution of £513,773.11
 4. Wheelock Rail Trail contribution of £10,000
 5. Highways contribution of £60,000 towards upgrade works at Junction 17 of the M6
 6. Travel Plan monitoring contribution of £5,000
 7. Tree Contribution of £2,400

And the following conditions

1. Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
3. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
4. The development hereby permitted shall follow the general parameters of the illustrative Development Framework (Drwg No 4333-P-02 Rev D), the Masterplan (Drwg No 4333-P-03 Rev E), and the Design and Access Statement.
5. No development shall take place until a programme of phasing for the implementation of the whole development, including public open space and the provision of 35% affordable housing on each phase, has been submitted to and agreed in writing by the local planning authority. The phasing of the development shall be in accordance with the approved programme.
6. No development shall take place until a scheme of archaeological investigation, including a programme for its implementation, has been submitted to and approved in writing by the local planning authority. The investigation shall be implemented in accordance with the approved scheme.
7. No development shall take place until a scheme for surface water drainage has been submitted to and approved in writing by the local planning authority. The scheme shall be based on an assessment of the potential for disposing of surface water by means of a sustainable drainage system. Surface water drainage of the site shall be in accordance with the approved scheme.
8. No development shall take place until an ecological management plan has been submitted to and approved in writing by the local planning authority. The management plan shall be implemented as approved.

10. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works.

11. Construction hours, and associated deliveries to the site, shall be restricted to 08.00 to 18.00hrs Monday to Friday and 09.00 to 14.00hrs on Saturdays. There shall be no working on Sundays or Bank Holidays.

12. No development shall take place until a Travel Plan, including a timetable for its implementation, has been submitted to and approved in writing by the local planning authority. The Travel Plan shall be implemented as approved from the date of the first occupation of the first dwelling.

13. No development shall take place until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the Framework or any future guidance that replaces it. The scheme shall include:

- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units (65% to be provided as social rent/affordable rent with 35% intermediate tenure);
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) 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;
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) 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.

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.

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.

160 **CHESHIRE EAST HOUSING LAND SUPPLY-POSITION STATEMENT (31ST DECEMBER, 2013)**

Consideration was given to the above report.

RESOLVED

That the Cabinet Portfolio Holders for Strategic Communities and Housing, Planning, Economic Development and Regeneration be recommended:-

- To approve and endorse the Cheshire East Housing Land Supply-Position Statement (31st December, 2013) attached at Appendix 1;
- To resolve that the *Housing Land Supply - Position Statement* be given due weight in the determination of planning applications; and
- To resolve that the *Housing Land Supply - Position Statement* provides a basis for the emerging *Cheshire East Local Plan Strategy* and the updated *Strategic Housing Land Availability Statement (SHLAA) - 2014*.

161 **13/2746C-ERECTION OF UP TO 180 DWELLINGS, PUBLIC OPEN SPACE, GREEN INFRASTRUCTURE AND ASSOCIATED WORKS, LAND BETWEEN BLACK FIRS LANE, CHELFORD ROAD & HOLMES CHAPEL ROAD, SOMERFORD, CONGLETON, CHESHIRE FOR PAUL CAMPBELL, RICHBOROUGH ESTATES PARTNERSHIP LLP**

Consideration was given to the above application.

(Parish Councillor G Bell, representing Somerford Parish Council, Dr Julie Brown, representing Somerford Parish Resident's Action Group (SPRAG), Tim McCloud, representing the Link2Prosperity Group, Helen Brough, an objector and David Stentiford, agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be deferred in order to reassess the need for the number of homes, assess the position of the Local Plan, to obtain further information on the relief road and whether or not the relief road was dependant on the application being approved and to confirm whether the site was in a strategic location.

(This decision was contrary to the Officer's recommendation of approval).

(The meeting was adjourned for a short break. Councillor P Edwards left the meeting and did not return).

162 **13/4218M-REMODELLING OF STYAL GOLF COURSE INCORPORATING THE RECONFIGURATION OF SIX EXISTING HOLES INTO FIVE, THE DEVELOPMENT OF THREE NEW HOLES ON LAND IMMEDIATELY ADJACENT TO THE EASTERN BOUNDARY OF THE EXISTING GOLF COURSE, THE DEVELOPEMENT OF TWO NEW PONDS AND THE EXTENSION OF TWO EXISTING PONDS, STYAL GOLF CLUB, STATION ROAD, HANDFORTH, CHESHIRE FOR STOCKPORT MBC, CHESHIRE EAST COUNCIL AND MANCHESTER CITY COUNCIL**

(Councillor J Wray returned to the meeting during consideration of the application, as a result he did not take part in the debate or vote on the application).

Consideration was given to the above application.

(Jim McMahon, Project Director of the A6MARR Project Team, Stockport MBC, 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 oral update to Board the application be approved subject to the following conditions:-

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A01LS - Landscaping - submission of details
4. A04LS - Landscaping (implementation)
5. A16LS - Submission of landscape/habitat management plan
6. A22GR - Protection from noise during construction (hours of construction)
7. Breeding bird survey to be submitted
8. Development to be carried out in accordance with submitted GCN mitigation strategy
9. Written scheme of archaeological investigation to be submitted
10. Maintenance of grassed areas around ponds
11. Avoidance and removal of wildfowl nesting sites
12. Access for agents of Manchester Airport
13. Measures to prevent earth works becoming a bird attractant to be submitted

14. Scheme to be submitted for restoration of the site in the event the A6-MARR scheme does not go ahead

(Councillor D Brown left the meeting and did not return).

163 **13/2744W-PROPOSED DEVELOPMENT AND OPERATION OF A TEMPORARY MATERIALS RECYCLING FACILITY (MRF) AND ASSOCIATED DEVELOPMENT FOR A PERIOD UP UNTIL DECEMBER 2027; FINAL SITE RESTORATION BY DECEMBER 2028; RETENTION OF SITE OFFICES, WEIGHBRIDGE, WEIGHBRIDGE OFFICE AND CONTINUED USE OF THE SITE ACCESS ROAD IN CONNECTION WITH THE OPERATION OF THE MRF AND FINAL SITE RESTORATION; AMENDMENTS TO THE APPROVED LANDFILL CONTOURS TO PROVIDE FOR A LOWER LEVEL RESTORATION AND EXTENSION TO EXISTING SURFACE WATER MANAGEMENT LAGOON, MAW GREEN LANDFILL SITE, MAW GREEN ROAD, CREWE FOR MATTHEW HAYES, FCC ENVIRONMENT**

Consideration was given to the above application.

(Matthew Hayes, 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. Standard conditions
2. Time limit until 2027 and restoration of site by 2028
3. Control of waste and overall throughput of 75,000tpa
4. All waste unloading/handling to take place within the building
5. Roller shutter doors to remain closed, aside from when in use by vehicles
6. Control over hours of working and receipt of waste
7. Construction management plan
8. Control of pile foundations and method statement
9. Control of floor floating operations and method statement
10. Hours of construction and operation
11. Details of lighting and restrictions on use
12. Noise mitigation scheme
13. Noise levels
14. Scheme of noise monitoring
15. Scheme for dust and litter control
16. Contaminated land investigation
17. Reptile mitigation method statement
18. Pre-commencement badger survey
19. Safeguarding of breeding birds
20. Method statement for invasive species

21. Detailed design of enlarged surface water lagoon
22. Scheme for foul and surface water
23. Control of vehicle movements and limit on total cumulative vehicle movements with landfill operational
24. Access arrangements
25. Sheeting of vehicles
26. Submission of details of building materials
27. Control of water pollution
28. Landscape scheme (whilst building in operation)
29. Final restoration scheme (once building is removed)

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.

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.

**164 12/3300N-UPDATE REPORT FOR WESTON LANE
 ,SHAVINGTON**

Consideration was given to the above report.

RESOLVED

That the sixth reason for refusal in respect of ecology be withdrawn and that the Interim Planning and Place Shaping Manager be instructed not to contest the issue at the forthcoming public inquiry.

**165 NEWBOLD ASTBURY AND MORETON NEIGHBOURHOOD
 AREA APPLICATION**

(During consideration of the application, Councillor C Thorley left the meeting and did not return).

Consideration was given to the above Neighbourhood Area Application.

RESOLVED

That for the reasons set out in the report and in the oral update to Board that the Board recommend to the Portfolio Holder for Strategic Communities that:-

- (i) Land identified in appendix 3 is formally designated as the Astbury and Moreton Neighbourhood Area for the purposes of preparing a neighbourhood plan and
- (ii) Land identified in appendix 4 is excluded from designation within the Astbury and Moreton neighbourhood plan.

The meeting commenced at 10.30 am and concluded at 6.00 pm

Councillor H Davenport (Chairman)