

CHESHIRE EAST COUNCIL

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

PRESENT

Councillor H Davenport (Chairman)

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

OFFICERS IN ATTENDANCE

Mr N Curtis (Principal Development Officer), Mr D Evans (Principal Planning Officer), Mr A Fisher (Head of Strategic and Economic Planning), Mr T Graham (Planning Solicitor), Mr N Jones (Principal Planning Officer), Mr D Malcolm (Interim Planning and Place Shaping Manager), Ms S Orrell (Principal Planning Officer), Mr P Wakefield (Principal Planning Officer) and Miss E Williams (Principal Planning Officer)

195 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Mrs J Jackson.

196 **DECLARATIONS OF INTEREST/PRE DETERMINATION**

In the interest of openness in respect of application 13/2746C, Councillor J Hammond declared that he was a member of the Cheshire Wildlife Trust who had been consulted on the application, however he had not made any comments in respect of the application.

In the interest of openness in respect of application 13/3449C, Councillor P Edwards declared that he was a member of Middlewich Town Council and whilst he had attended a presentation held by the developer he had not made any comments on the application.

In the interest of openness in respect of application 13/4121C, Councillor D Hough declared that he was a member of the Co-Op, a member of Alsager Town Council and a member of the Alsager Partnership.

In the interest of openness in respect of applications 12/3948C and 14/0043C, Councillor D Brown declared that he was a member of the Local Transport Body.

It was noted that Members had received correspondence in relation to a number of applications on the agenda.

197 **MINUTES OF THE MEETING HELD ON 5 MARCH 2014**

RESOLVED

That the minutes of the meeting held on 5 March 2014 be approved as a correct record and signed by the Chairman.

198 **PUBLIC SPEAKING**

RESOLVED

That the public speaking procedure be noted.

199 **12/3948C-OUTLINE APPLICATION FOR COMMERCIAL DEVELOPMENT COMPRISING OF FAMILY PUB/RESTAURANT, 63 BEDROOM HOTEL, DRIVE THROUGH CAFE, EAT IN CAFE AND OFFICE AND LIGHT INDUSTRIAL COMMERCIAL UNITS WITH AN ADJACENT RESIDENTIAL DEVELOPMENT OF UP TO 250 DWELLINGS. THE PROPOSAL ALSO INCLUDES ASSOCIATED INFRASTRUCTURE AND ACCESS, LAND BOUNDED BY OLD MILL ROAD & M6 NORTHBOUND SLIP ROAD, SANDBACH FOR DAVID BRISLEN, W AND S (SANDBACH) LTD**

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

Consideration was given to the above application.

(Councillor S Corcoran, the Ward Councillor, Paul Smith, an objector, Paul Williams, an objector and Stephen Stoney, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be deferred for reassessment of the viability and review of the whole strategic site.

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

(Prior to consideration of the following application, Councillor P Mason arrived to the meeting and Councillor S Wilkinson left the meeting and did not return).

200 **14/0043C-IMPROVEMENT OF J17 NORTHBOUND SLIP ROAD. PROVISION OF NEW ROUNDABOUT TO PROVIDE ACCESS TO DEVELOPMENT SITE, OLD MILL ROAD AND SLIP ROAD, NORTHBOUND SLIP ROAD, JUNCTION 17 OF THE M6, AND OLD MILL ROAD, SANDBACH FOR W AND S SANDBACH LTD**

Consideration was given to the above application.

(Councillor Sam Corcoran, the Ward Councillor and Richard Pettitt, representing 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. 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. Design and construction details to be submitted
6. Scheme to limit the surface water runoff to be submitted
7. Scheme to manage the risk of flooding from overland flow of surface water to be submitted
8. Environmental Management Plan to be submitted
9. Breeding birds survey to be submitted

(The meeting adjourned for lunch from 1.25pm until 2.00pm).

201 **13/3449C-OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT (APPROXIMATELY 450 DWELLINGS), RETAIL UNIT (A1, A2, A3, A4 AND/OR A5) AND SUPPORTING INFRASTRUCTURE, GLEBE FARM, BOOTH LANE, MIDDLEWICH, CHESHIRE FOR BOVALE LIMITED**

Consideration was given to the above application.

(Parish Councillor Alan Holder, representing Moston Parish Council and Patrick Downes, the agent for the applicant attended the meeting and spoke in respect of the application. In addition a statement was read out by the Principal Planning Officer on behalf of Councillor S McGrory, the Ward Councillor).

RESOLVED

That for the reasons set out in the report and in the written update to Board the application be approved subject to the completion of a Section 106 Agreement securing the following:-

1. A contribution towards playing pitch improvements at Sutton Lane £220,000 (Sum to be paid prior to the commencement of development)
2. A contribution towards Middlewich Eastern Bypass of £4,780,000. If the MEB is not delivered the sum will be spent on the following highway/sustainability measures: Bus Service/Facility Improvements; Town Bridge – Signal Junction Improvements; Cycle Lanes -Towpath: Middlewich to Glebe Farm; Cycle Lanes -Carriageway Modification: Middlewich to Glebe Farm; and Cycle Lanes -Towpath: Glebe Farm to Elworth. The sum is to be submitted prior to the commencement of development.
3. A scheme for the provision of 10% affordable housing all to be affordable rent. The scheme shall include:
 - The numbers, type 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.
4. Provision of Public Open Space, a NEAP and LEAP to be maintained by a private management company

And subject to the following conditions:-

1. Standard Outline
2. Submission of Reserved Matters
3. Time limit for submission of reserved matters
4. Approved Plans
5. Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays and Bank Holidays
6. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays
7. Prior to the commencement of development a Phase I Contaminated Land Assessment shall be submitted to the LPA for approval in writing.
8. Details of external lighting to be submitted and approved
9. Dust control measures to be submitted and approved
10. Prior to the development commencing, an Environmental Management Plan shall be submitted and agreed by the planning authority.
11. A scheme for the acoustic enclosure of any fans, compressors or other equipment for the proposed retail store

12. A detailed scheme of glazing, ventilation mitigation measures and acoustic screening fences, should therefore be prepared and submitted at the Reserved Matters application stage
13. Travel Plan provision
14. Electric vehicle Infrastructure
15. The submission of a ground dissolution/brine extraction related risk assessment and proposals regarding suitable foundations designed to overcome the potential effects of brine pumping related subsidence.
16. A scheme to limit the surface water run-off from the site
17. A scheme to manage the risk of flooding from overland flow
18. The provision of a buffer to the water course
19. Provision of bird and bat boxes
20. Works should commence outside the bird breeding season
21. Access point to Booth Lane to be provided in accordance with the approved details prior to first occupation. No access for construction traffic from Warmingham Lane.
22. No development shall take place within the area until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.
23. Reserved matters application to include details of existing and proposed levels
24. Tree protection
25. Tree retention
26. Arboricultural Method Statement to be submitted at the Reserved Matters stage
27. If the Reserved Matters application results in the loss of any ponds replacements should be provided.

Informative:

1. The applicant is advised that they have a duty to adhere to the regulations of Part IIA of the Environmental Protection Act 1990, the National Planning Policy Framework 2012 and the current Building Control Regulations with regards to contaminated land. If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective works carried out in relation to this application shall be carried out to agreed timescales and approved by the LPA in writing. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

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.

- 202 **WITHDRAWN BY THE OFFICER-13/4219C-OUTLINE PLANNING FOR THE DEVELOPMENT OF LAND TO THE WEST OF PADGBURY LANE, CONGLETON, FOR UP TO 120 DWELLINGS, UP TO 180 SQ. M OF HEALTH RELATED DEVELOPMENT (USE CLASS D1), COMMUNITY FACILITIES AND ASSOCIATED INFRASTRUCTURE, LAND WEST OF PADGBURY LANE, PADGBURY LANE, CONGLETON FOR LOUISE WILLIAMS AND KATHLEEN FORD**

This application was withdrawn by the Officer prior to the meeting.

- 203 **WITHDRAWN BY THE OFFICER-13/4216C-OUTLINE PLANNING FOR THE DEVELOPMENT OF LAND TO THE WEST OF PADGBURY LANE, CONGLETON, FOR UP TO 180 DWELLINGS, COMMUNITY FACILITIES AND ASSOCIATED INFRASTRUCTURE, LAND WEST OF PADGBURY LANE, PADGBURY LANE, CONGLETON FOR NORTHERN PROPERTY INVESTMENT COMPANY LTD**

This application was withdrawn by the Officer prior to the meeting.

- 204 **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 Geoff Bell, representing Somerford Parish Council, Nigel Buckley, representing SPRAG (Somerford Parish Residents Action Group), Helen Borough, an objector and David Stentiford, 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 written and oral update to Board the application be referred to the Secretary of State under the terms of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 with a recommendation that the application be approved subject to the completion of a Section 106 Agreement securing the following:-

- 30% of the dwellings to be affordable.
- The tenure split of the affordable housing required is 25% social or affordable rent, 75% intermediate tenure.
- Affordable Homes should be pepper-potted (in clusters is acceptable) 25% of the affordable dwellings to be built to meet Lifetime Homes standards, and these properties should be bungalows, maisonettes or adaptable houses. The affordable dwellings should be built to meet Code for Sustainable Homes Level 3.
- The affordable homes to be provided no later than occupation of 50% of the market dwellings unless the development is phased, in which case 80% of the market dwellings can be occupied.
- Provision of a LEAP with 5 pieces of equipment specification to be submitted and agreed and in accordance with that set out in the Greenspaces Officer consultation response.
Management plan for all open space in perpetuity (including, inter alia, the LEAP, allotments if provided, woodland, general amenity openspace, village green, nature conservation area, drainage areas, ponds and any other areas of incidental open space not within private gardens or the adopted highway).
- Commuted sum of £55, 610 to be used to deliver off-site habitat creation/enhancement as per the report
Committed sum of £165,405 in lieu of primary education
Committed Sum of £145,000 towards Quality Bus Stop Infrastructure and improvements to service frequency and the provision of additional bus service and frequency to serve this development and the local area.

Committed Sum of £755,000 -

- for the widening of the West Road/A34 roundabout western arm
- for design fees associated with the widening of the West Rd roundabout western arm.
- for the upgrade and necessary alterations to the existing signalised pedestrian crossing on the western arm approach to the West Rd roundabout.
- Contribution to the provision of a MOVA system upgrade at the signalised junction at Rood Hill/A34.

Or other measures eg link road that will provide similar congestion relief benefits to the A34 corridor through Congleton

And subject to the following conditions:-

1. Standard Outline
2. Submission of reserved matters – all except access
3. Plans
4. Development to be in accordance with Parameters Plan (p49 Design and Access Statement)

5. Submission of design and construction plans for the internal road infrastructure of the development. The plans will inform the Section 38 agreement for formal adoption
6. Submission of design and construction plans for all off site highways works.
7. The hours of construction of the development (and associated deliveries to the site) shall be restricted to: Monday – Friday 08:00 to 18:00 hrs Saturday 09:00 to 14:00 hrs Sundays and Public Holidays Nil
8. Reserved matters to include retention of area of woodland to south of site
9. Submission of construction details for access / roads
10. All Piling operations shall be undertaken using best practicable means to reduce the impact of noise and vibration on neighbouring sensitive properties. 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
11. Submission of a Contaminated Land Phase II investigation.
12. Submission of Construction and Environmental Management Plan
13. Reserved Matters to include details of bin storage.
14. Reserved matters to include 10% renewable provision
15. Updated badger survey and revised ecological mitigation strategy to be submitted with reserved matters application.
16. Detailed design of ponds to be submitted with reserved matter application
17. Archaeological programme of works
18. Details of all street lighting
19. Car charging point for each residential unit
20. Each Phase of development to include travel plan
21. Reserved Matters to include Arboricultural Implication Study (AIS) in accordance with para 5.4 of BS5837:2012 Trees in Relation to Design, Demolition and Construction -Recommendations , Constraints and Tree Protection Plan and Arboricultural Method Statement
22. Submission / approval and implementation of boundary treatment
23. Submission / approval of landscaping
24. Implementation of landscaping
25. Important hedgerows and trees, including those outside red edge on Black Firs Lane, to be retained and to be incorporated within reserved matters layout
26. Submission of tree and hedgerow protection measures
27. Implementation of tree and hedgerow protection measure
28. Reserved Matters to include details of bin storage.
29. Breeding Bird Survey for works in nesting season
30. Provision of 40 bird/bat boxes throughout site
31. Submission / approval and implementation of Construction management plan
32. Scheme to limit surface water runoff and overland flow
33. Provision and implementation of Travel Plan
34. Sewer easement as detailed in United Utilities response
35. Buffer zone of 20m between houses and play space

- 36 All the affordable dwellings should be provided no later than occupation of 80% of the open market dwellings
- 37 Development to be in accordance with principles set out in Design and Access Statement
- 38 Submission of Statement Design principles to take into account, the Master Plan and the Parameters Plan and to include the principles for:
- determining the design, form, heights and general arrangement of external architectural features of buildings including the roofs, chimneys, porches and fenestration;
 - determining the hierarchy for roads and public spaces;
 - determining the colour, texture and quality of external materials and facings for the walls and roofing of buildings and structures;
 - the design of the public realm to include the colour, texture and quality of surfacing of footpaths, cycleways, streets, parking areas, courtyards and other shared surfaces;
 - the design and layout of street furniture and level of external illumination;
 - the laying out of the green infrastructure including the access, location and general arrangements of the children's play areas, open space within the site
 - sustainable design including the incorporation of decentralised and renewable or low carbon energy resources as an integral part of the development
 - ensuring that there is appropriate access to buildings and public spaces for the disabled and physically impaired.
 - scale parameters for 2.5 storey buildings on key parts of the site
 - SUDS details to be submitted
 - provision of locally relevant boundaries in hedging and stone
- 39 Maximum no of units to be 170
- 40 Bungalows to back on to existing bungalows
- 41 Phasing of development at reserved matters
- 42 Two storey only

In the event of any changes being needed to the wording of the Board's decision (such as to delete, vary or addition conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Interim Planning and Place Shaping Manager, in consultation with the Chairman of the Strategic Planning Board is delegated the authority to do so, provided that he does not exceed the substantive nature of the Board's decision.

(Prior to consideration of the following application, Councillor D Brown left the meeting and did not return).

205 **13/3688N-OUTLINE APPLICATION FOR DEVELOPMENT OF UP
TO 170 NO. DWELLINGS AND ASSOCIATED INFRASTRUCTURE AND
OPEN SPACE PROVISION, LAND TO NORTH OF MOORFIELDS,
WILLASTON FOR RICHBOROUGH ESTATES**

Consideration was given to the above application.

(Ian Cowap, an objector attended the meeting and spoke in respect of the application. In addition a statement was read out by the Interim Planning & Place Shaping Manager on behalf of Councillor B Silvester, the Ward Councillor).

RESOLVED

That the Board be minded to refuse the application for the following reasons:-

1. The proposed residential development is unsustainable because it is located within the Open Countryside contrary to Policies NE.2 (Open Countryside), NE.12 (Agricultural Land Quality) and RES.5 (Housing in the Open Countryside) of the Crewe and Nantwich Replacement Local Plan, Policy PG5 of the emerging Cheshire East Local Plan Strategy – Submission Version and the principles of the National Planning Policy Framework, which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use. As such it and creates harm to interests of acknowledged importance. The Local Planning Authority can demonstrate a 5 year supply of housing land in accordance with the National Planning Policy Framework and consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.
2. The proposal would result in loss of the best and most versatile agricultural land and given that the Authority can demonstrate a housing land supply in excess of 5 years, the applicant has failed to demonstrate that there is a need for the development, which could not be accommodated elsewhere. The use of the best and most versatile agricultural land is unsustainable and contrary to Policy NE.12 of the Borough of Crewe and Nantwich Replacement Local plan 2011 and the provisions of the National Planning Policy Framework.
3. In the opinion of the Local Planning Authority, the proposed development would cause a significant erosion of the Green Gap between the built up areas of Willsaton and Rope which would significantly and demonstrably outweigh the benefits of the scheme notwithstanding a shortfall in housing land supply. The development is therefore contrary to Policy NE4 (Green Gaps) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the NPPF.

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.

206 **13/4121C-FULL PLANNING PERMISSION FOR THE DEMOLITION OF ALL EXISTING BUILDINGS AND THE CONSTRUCTION OF A NEW RETAIL FOODSTORE; PARKING AND CIRCULATION SPACES; FORMATION OF NEW PEDESTRIAN AND VEHICLE ACCESSES; LANDSCAPING AND ASSOCIATED WORKS (RE-SUBMISSION OF 12/0800C), FORMER TWYFORD BATHROOMS LTD, LAWTON ROAD, ALSAGER, STOKE-ON-TRENT, CHESHIRE FOR SAINSBURY'S SUPERMARKETS LTD & LAGAN (ALSAGER)**

(During consideration of the application, Councillor C Thorley left the meeting and returned. He did not take part in the debate or vote on the application).

Consideration was given to the above application.

(Councillor R Fletcher, the Ward Councillor, Town Councillor Derek Longhurst, representing Alsager Town Council, Honorary Alderman Derek Bould, representing ARAG. (Alsager Residents Action Group), Mr Stephen Hughes, an objector, Sue Helliwell, a supporter, Gwen Bailey, a Supporter and Joanne Hawley, 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 update to Board the application be referred to the Secretary of State with a recommendation to approve subject to the completion of a Section 106 Agreement securing the following:-

- £5,000 Travel Plan Monitoring
- £25,000 for the upgrade of two local bus stops to quality partnership standards sum to be paid prior to commencement of development
- £198,000 for the provision of the agreed new bus service for the site sum to be paid prior to commencement of development
- £30,000 for identified local traffic management issue sum to be paid prior to commencement of development

And subject to the following conditions:-

1. Standard Time – 3 years
2. Approved Plans
3. Prior to the commencement of development details of existing and proposed land levels to be submitted to the LPA for approval in writing
4. The development hereby permitted shall not be commenced until such time as; a scheme to limit the surface water runoff generated by the proposed development, has been submitted to and approved in writing by the local planning authority.
5. The development hereby permitted shall not be commenced until such time as; a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to and approved in writing by the local planning authority
6. The development hereby permitted shall not be commenced until such time as a scheme to install underground tanks associated with the petrol filling station has been submitted to, and approved in writing by, the local planning authority.
The scheme shall include the full structural details of the installation, including details of: excavation, the tanks, tank surround, associated pipework and monitoring system. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing, by the local planning authority.
7. The development hereby permitted shall not be commenced until such time as a scheme to dispose of surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.
8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
9. Contaminated Land
10. Construction hours, and associated construction 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.
11. 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
12. Construction Management Plan
13. External Lighting Details
14. Hours of Deliveries to the Store and Biomass Boiler to be submitted and agreed
15. Hours of Operation of the Biomass Boiler
16. Details of Fixed Plant and Equipment
17. Scheme of security barriers for the proposed car park

18. A written schedule of maintenance for the Biomass Boiler which shall include removal of ash, inspection and maintenance of particulate arrestment equipment, boiler servicing and stack cleaning.
19. The biomass boiler shall only be operated using clean wood pellets that comply with a recognised fuel quality standard. A statement shall be submitted to the local authority specifying the quality of the wood pellets used in the biomass boiler and the fuel specification in accordance with CEN/TS 14961 or a similar recognised standard.
20. There shall be no changes to the fuel type for the Biomass Boiler, specification or operation of the biomass boiler unless agreed with the LPA
21. The Biomass stack shall comply with the parameter values specified in Table 5-1 of the submitted air quality assessment, report number 410.04063.00001-dated August 2013 with the exception of the stack height which shall not be less than 8.755 metres. Any deviations shall be submitted to and be approved in writing by the Local Planning Authority.
22. Dust mitigation measures during construction
23. Prior submission and approval of materials
24. Prior to undertaking any works between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds. Where nests are found in any building, hedgerow, tree or scrub to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone to be left around the nest until breeding is complete. Completion of nesting should be confirmed by a suitably qualified person and a report submitted to the Council.
25. Nesting Bird Mitigation Measures
26. Mitigation recommendation of the 2014 Badger report to be secured
27. Boundary Treatment Details including details of all retaining structures
28. Tree protection measures
29. Arboricultural Method Statement
30. Implementation of the submitted landscape proposals
31. Cycle Parking Details
32. The net sales area shall be limited to 2,322sq.m
33. 1,975sq.m (85%) of the sales area will be for the display of convenience goods with the remaining 348sq.m for comparison goods.
34. Prior to first development the developer will provide a detailed suite of design and construction plans for the internal road infrastructure to the satisfaction of the LPA.
35. Prior to first use all access roads and car parking will be constructed and formally marked out.
36. Prior to first use the developer will fully construct the off-site highway works: proposed roundabout access junction, the proposed footway/cycleway from the access to the site to the signal junction at the A5011/A50/B5077 cross-roads, the new bus stops on the A5011 and the agreed junction improvement at the A5011/A50/B5077 cross-roads
37. Within 6 months of first operation of the store the developer will provide a formal Travel Plan to the satisfaction of the LPA.
38. Details of the opening of the culvert to be submitted to the LPA for approval in writing.

207 **13/4725N-RESERVED MATTERS APPLICATION PURSUANT TO
OUTLINE PLANNING PERMISSION 11/1643N FOR THE
CONSTRUCTION OF 215 DWELLINGS, ASSOCIATED ON SITE
HIGHWAYS INFRASTRUCTURE, CAR PARKING AND
PEDESTRIAN/CYCLE ROUTES, FORMAL AND INFORMAL OPEN
SPACE PROVISION AND ASSOCIATED WORKS, LAND AT
COPPENHALL EAST, STONELEY ROAD, CREWE FOR TAYLOR
WIMPEY UK LTD**

(During consideration of the application, Councillor J Wray left the meeting and returned. He did not take part in the debate or vote on the application. Councillors Mrs R Bailey and P Hoyland also left the meeting but did not return).

(Caroline Simpson, the agent for the applicant and Ian Harrison representing the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the decision be delegated to the Interim Planning and Place Shaping Manager in consultation with the Chairman of the Board subject to the following conditions:-

1. Materials to be submitted to and approved by the LPA
2. Materials as per application with exception of Hanson 'Harvest Village Multi' – which is not approved
4. Landscaping Implementation
5. Ecological Mitigation to be as per submitted Great Crested and Reptile Mitigation Strategy and timetable
6. Hours of construction /piling in accordance with EHO requirements
7. Details of the foundations to be submitted and approved.

In the event of any changes being needed to the wording of the Board's decision (such as to delete, vary or addition conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Interim Planning and Place Shaping Manager, in consultation with the Chairman of the Strategic Planning Board is delegated the authority to do so, provided that he does not exceed the substantive nature of the Board's decision.

208 **13/5290W-PERIODIC REVIEW OF MINERAL PERMISSION
5/97/1502P UNDER THE ENVIRONMENT ACT 1995, LAND AT LEE
HILLS, CROKER LANE, SUTTON FOR R RATHBONE**

Consideration was given to the above proposal.

(Martin Millmore, the agent for the applicant attended the meeting and spoke in respect of the proposal. In addition a statement was read out by

the Interim Planning and Place Shaping Manager on behalf of Councillor Mrs H Gaddum, the Ward Councillor).

RESOLVED

That for the reasons set out in the report and in the written update to Board the Interim Planning and Place Shaping Manager be authorised to:

- Issue a letter of refusal for the postponement request detailed and seek a full periodic review.
- Engage Counsel in the event that any claim for Judicial Review arising from the refusal is pursued.

209 **13/2069N-OUTLINE PLANNING APPLICATION FOR THE CONSTRUCTION OF UP TO 275 DWELLINGS, INCLUDING ACCESS, LANDSCAPING, RECREATION AND AMENITY OPEN SPACE, ASSOCIATED INFRASTRUCTURE, THE DEMOLITION OF 28 CREWE ROAD AND DEMOLITION OF THE SINGLE-STOREY EXTENSION TO 56 CREWE ROAD. PERMISSION IS SOUGHT FOR MEANS OF ACCESS. LAYOUT, SCALE, APPEARANCE AND LANDSCAPING ARE RESERVED FOR SUBSEQUENT APPROVAL, LAND TO THE EAST OF CREWE ROAD, SHAVINGTON CUM GRESTDY FOR TAYLOR WIMPEY UK LTD AND OTHERS**

Consideration was given to the above application.

(Councillor D Brickhill, the Ward Councillor, Councillor D Marren, a neighbouring Ward Council and Parish Councillor William McIntyre, representing Shavington-cum-Gresty Parish Council attended the meeting and spoke in respect of the application).

RESOLVED

That the Board be minded to refuse the application for the following reason:-

The Local Planning Authority considers that the proposed development is unsustainable due to the traffic impact of the development, which would have a severe impact on the local road network when considered with the cumulative impact from the approved developments in the area. The proposed development is contrary to paragraph 32 of the National Planning Policy Framework and Policies BE3 (Access) and BE.5 (Infrastructure) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and Policy CO4 (Travel Plans and Transport Assessments) of the Local Plan Strategy Submission Version.

The meeting commenced at 10.30 am and concluded at 9.10 pm

Councillor H Davenport (Chairman)