

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 15th October, 2014 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor H Davenport (Chairman)
Councillor G M Walton (Vice-Chairman)

Councillors Rachel Bailey, D Brickhill, D Brown, J Hammond, D Hough,
P Hoyland, J Jackson, B Murphy, D Newton, L Smetham, S Wilkinson and
J Wray

OFFICERS IN ATTENDANCE

Mr N Curtis (Principal Development Officer), Ms S Dillon (Planning Lawyer),
Mr D Malcolm (Principal Planning Officer), Mrs P Radia (Senior Planning
Officer) and Mr P Wakefield (Principal Planning Officer)

62 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor D Newton for the
morning session.

63 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 14/2291W, Councillor
J Hammond declared that whilst he had no involvement in discussions
relating to the application, his position as a Director of the Board of Ansa
Environmental Services Ltd who deliver Waste Management Services on
behalf of the Authority could give the public perception that the Company
of which he was a Director of has a pecuniary interest. In the interests of
total openness and transparency he declared that he would leave the
room whilst the application was being determined.

In the interest of openness in the same application, Councillor D Hough
declared that he was a Board Member of TSS.

It was noted that Members had received correspondence in respect of
application 14/2247N.

64 MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 17 September 2014 be approved as a correct record and signed by the Chairman subject to the inclusion of a wheel washing condition in respect of application 14/3371M.

In addition the following wording was included at the end of Minute No.61:-

‘[Note: Details of which will be held on the confidential part of the Enforcement file].’

(This item was considered at the end of the meeting).

65 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

66 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 W AND S (SANDBACH) LTD

Consideration was given to the above application.

(Councillor S Corcoran, the Ward Councillor, Town Councillor Bill Scragg, representing Sandbach Town Council, Anthea Buxton, an objector and Cliff Anderson and Simon Artiss 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 verbal update to Board the application be approved subject to the completion of a Section 106 Agreement securing the following:-

- Financial contribution towards primary education of £292,850
- Financial contribution towards secondary education of £539,309
- Contribution of £10,000 (air quality mitigation) towards the implementation of Air Quality Action Plan in Sandbach
- The provision of a NEAP facility (comprising a minimum of 8 items of equipment) and a minimum of 4000sqm of open space to be provided on site. One

area shall be a minimum of 2000 sqm.

- Management details for the maintenance of all amenity greenspace / public open space, public footpaths and greenways within the site, play areas, and other areas of incidental open space not forming private gardens or part of the adopted highway in perpetuity.
- Provision of 15% affordable housing with 50% to be provided as social rent and 50% provided as intermediate tenure
- Phasing of affordable housing
- Area of land across wildlife corridor transferred to Highway Authority
- Financial contribution of £500,000 towards bridge to cross wildlife corridor
- Clawback mechanism (in the event additional monies become available)

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. Updated contaminated land Phase II report to be submitted
13. Noise mitigation details to be submitted with reserved matters
14. Submission of residential and business travel plans
15. Energy from decentralised and renewable or low-carbon energy sources
16. Scheme to limit the surface water runoff to be submitted
17. Scheme to manage the risk of flooding from overland flow of surface water
18. Scheme to dispose of foul and surface water to be submitted
19. Wildlife corridor buffer zone to be provided
20. Site to be drained on a separate system

21. Provision of electric car charging points
 22. Reserved matters application to incorporate public right of way routes
 23. Provision for pedestrians and cyclists to be included with reserved matters
 24. Submission of arboricultural details
 25. Written scheme of archaeological investigation to be submitted
 26. Hedgerow retention and enhancement
 27. Details of phasing of whole development and associated roundabout to be submitted
 28. Provision of pedestrian crossing to Old Mill Road
 29. Provision of footway/cycleway to south side of Old Mill Road
 30. Existing footway to north side of Old Mill Road to be upgraded to footway / cycleway
 31. Provision of pedestrian refuge to aid crossing of Old Mill Road near to Congleton Road junction
 32. Details of public access to wildlife corridor to be submitted
 33. Provision of cycleway / footway from site to High St along Old Mill Road
 34. No more than 50 dwellings shall be occupied until the roundabout which is the subject of planning permission 14/0043C has been completed in accordance with the details approved under that permission.
 35. Proposals for public right of way to be submitted and approved
 36. No more than 50% of the dwellings shall be occupied until 25% of the non residential (commercial) land has been serviced*. No more than 75% of the dwellings shall be occupied until 50% of the non residential (commercial) land has been serviced*. No more than 90% of the dwellings shall be occupied before an access road is provided from the new roundabout access on Old Mill Road to within 20m of the south western boundary of the site. All services / access roads shall be carried out in accordance with a scheme of details which has first been submitted to and approved in writing by the Local Planning Authority.
- *For the purposes of this condition "serviced" is defined as the provision of access, electricity and / or gas, water, drainage and telecommunications.

67 WITHDRAWN BY OFFICERS 14/2247N-INSTALLATION OF GROUND MOUNTED PHOTOVOLTAIC SOLAR ARRAYS TO PROVIDE CIRCA 14 MW GENERATION CAPACITY TOGETHER WITH INVERTER STATIONS; SUB STATION; LANDSCAPING; STOCK FENCING; SECURITY MEASURES; ACCESS GATE; AND ANCILLARY INFRASTRUCTURE, LAND TO THE NORTH EAST OF, COMBERMERE ABBEY, COMBERMERE PARK DRIVE, DODCOTT CUM WILKESLEY, WHITCHURCH, CHESHIRE FOR INRG (SOLAR PARKS) 13 LTD

This application was withdrawn by Officers prior to the meeting.

68 14/2991W-CHANGE OF USE TO ALLOW THE TRANSFER OF WASTE FROM THE APPLICANTS SKIP HIRE BUSINESS, ANT SKIP HIRE, TURF LANE, MACCLESFIELD FOR MR ANT HENSHAW, ANT SKIP HIRE

Consideration was given to the above application.

RESOLVED

That the application be refused for the following reasons:-

The proposed development would be contrary to the interests of highway safety since it would result in an intensification of the use of Turf Lane and the junction of Turf Lane and Moss Lane which are both sub-standard, contrary to the requirements of Policy DC3 (7) of the Macclesfield Borough Local Plan and Policy SE 12 of the Cheshire East Local Plan Strategy - Submission Version.

(The meeting adjourned from 12.30pm until 1.30pm for lunch).

69 14/1326N-OUTLINE PLANNING PERMISSION FOR UP TO 150 RESIDENTIAL DWELLINGS TO INCLUDE ACCESS. ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION SUBJECT TO AN ENVIRONMENTAL IMPACT ASSESSMENT, LAND TO THE NORTH OF WISTASTON GREEN ROAD, WISTASTON FOR HARLEQUIN (WISTASTON) LTD

Consideration was given to the above application.

(Councillor Mrs J Weatherill, the Ward Councillor and Parish Councillor Mrs Bond, representing Wistaston Parish Council attended the meeting and spoke in respect of the application).

RESOLVED

That the application be refused 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) and RES.5 (Housing in Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan, Policy PG 5 of the Cheshire East Local Plan Strategy – Submission Version and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance. The Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework. As such the application is also contrary to the emerging Development Strategy. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.
2. 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 Nantwich and Crewe, in an area that is also designated as being within the designated Green Belt within

the Local Plan Strategy Submission Version and would adversely affect the visual character of the landscape 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, Policy PG3 (Green Belt) of the Local Plan Strategy Submission Version and guidance contained within the NPPF.

3. In the absence detailed site survey information the applicant has failed to demonstrate that the proposal will not 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 also 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.
4. Insufficient information has been submitted with the application to determine the impact of the proposal on barn owls. As the Local Planning Authority can demonstrate a 5 year supply of housing land there are overriding reasons for allowing the development. Therefore the scheme is contrary to Policy NE.5 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the NPPF.
5. The proposed development will have an adverse impact on highway safety by virtue of the increase in traffic from the development contrary to Policy BE3 of the Crewe & Nantwich Local Plan.'

In order to give proper effect to the Board's intentions and without changing the substance of the decision, authority is delegated to the Head of Strategic & Economic Planning, in consultation with the Chair (or in his absence the Vice Chair) of Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

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 Principal Planning 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.

S106 Heads of Terms:

A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:

- The numbers, type, tenure and location on the site of the affordable housing provision to include pepper potting
- The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing
- The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
- The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced

2. Provision of POS and a LEAP with 5 pieces of equipment and a scheme of management in perpetuity

3. Commuted Sum payment in lieu of primary education provision £292,850

4. Commuted Sum payment of £2000 in lieu of ecological mitigation for loss of grassland

(During consideration of the application Councillors D Brown and D Newton arrived to the meeting, however they did not take part in the debate or vote on the application).

70 14/2685C-OUTLINE APPLICATION FOR DEVELOPMENT OF LAND FOR UP TO 70 DWELLINGS AND ASSOCIATED WORKS (RESUBMISSION), LAND SOUTH OF, HOLMES CHAPEL ROAD, SOMERFORD FOR MR MARC HOURIGAN, HOURIGAN CONNOLLY

Consideration was given to the above application.

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

RESOLVED

That the application be refused for the following reasons:-

1. The proposed residential development is unsustainable because it is located within the Open Countryside, contrary to Policy PS8 and H6 of the Congleton Borough Local Plan First Review 2005, 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, to the emerging Development Strategy and the principles of the National Planning Policy since 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 inefficient and contrary to Policy SE2 of the emerging Cheshire East Local Plan Strategy - Submission Version and the provisions of the National Planning Policy Framework.
3. The proposed residential development, by virtue of the adverse impact that the proposals would have on the local landscape character thereby failing to recognise the intrinsic character and beauty of this site and the contribution to the wider landscape setting is contrary to Policies GR5, GR3 of the Congleton Borough Adopted Local Plan First Review 2005 and policies SE4, SE5 and SE6 of the emerging Cheshire East Local Plan Strategy - Submission Version and the provisions of Paragraph 17 of the National Planning Policy Framework
4. Insufficient information has been submitted to demonstrate that the proposal will have an acceptable impact upon the operation of the highway network in the vicinity in terms of safety and congestion impacts and lack of data in the Transport Assessment contrary to Policies GR9 and GR10 of the Congleton Borough Adopted Local Plan First Review 2005
- 5 Insufficient information has been submitted to demonstrate that the scheme would provide for the retention and protection of existing trees of amenity value and no assessment of historic hedgerows has been provided therefore the applicant has failed to demonstrate that the proposal complies with Policies GR1 and NR1 of the adopted Congleton Borough Local Plan First Review 2005 and policy SE3 and SE5 of the emerging Cheshire East local Plan 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 Principal Planning 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 Principal Planning 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 to secure:-

- Affordable housing:
 - 30% of all dwellings to be affordable (65% social or affordable rented and 35% intermediate tenure to be pepper potted)
 - A mix of 1, 2, 3 bedroom and other sized properties to be determined at reserved matters
 - units to be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration.
 - constructed in accordance with the Homes and Communities Agency Design and Quality Standards (2007) and should achieve at least Level 3 of the Code for Sustainable Homes (2007).
 - no more than 50% of the open market dwellings are to be occupied unless all the affordable housing has been provided, with the exception that the percentage of open market dwellings that can be occupied can be increased to 80% if the affordable housing has a high degree of pepper-potting and the development is phased.
 - developer undertakes to provide the social or affordable rented units through a Registered Provider who are registered with the Homes and Communities Agency to provide social housing.
- Provision of minimum of 1680m2 sqm and of shared recreational open space and children's play space to include a LEAP with 5 pieces of equipment
- Private residents management company to maintain all on-site open space, including footpaths and habitat creation area in perpetuity
- Commuted Sum (to be negotiated) towards improvement of the Waggon and Horses Junction and the improvements at Barn Road roundabout or other measures that will provide similar congestion relief benefits to the A34 corridor through Congleton – amount to be confirmed
- Commuted sum of £40,000 to upgrade existing Puffin Crossing to Toucan Crossing
- Commuted Sum payment of £68,000 in lieu of health related provision in accordance with the NHS Health Delivery Plan for Congleton

(Prior to consideration of the following item, Councillor B Murphy left the meeting and did not return).

71 14/3034C-OUTLINE PLANNING FOR RESIDENTIAL DEVELOPMENT OF SITE TO ACCOMMODATE UP TO 100 DWELLINGS, AMENITY AREAS, LANDSCAPING, AND ASSOCIATED INFRASTRUCTURE

**(RESUBMISSION OF 14/0132C), SALTERSFORD FARM,
MACCLESFIELD ROAD, HOLMES CHAPEL FOR RUSSELL HOMES
(UK) LIMITED, G.J & M.J P**

Consideration was given to the above application.

(Abbie Little, representing Save Somerford Corner and Jonathan Vose, agent for the applicant attended the meeting and spoke in respect of the application. In addition a statement was read out on behalf of Councillor L Gilbert, the Ward Councillor).

RESOLVED

That the application be refused for the following reasons:-

1. The proposed residential development is unsustainable because it is located within the Open Countryside, contrary to Policy PS8 and H6 of the Congleton Borough Local Plan First Review 2005, 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, to the emerging Development Strategy and the principles of the National Planning Policy since 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 inefficient and contrary to Policy SE2 of the emerging Cheshire East Local Plan Strategy - Submission Version 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 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.

- Affordable housing:
 - 30% of all dwellings to be affordable (65% social or affordable rented and 35% intermediate tenure)
 - A mix of 2 , 3 bedroom and other sized properties to be determined at reserved matters
 - units to be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration.
 - constructed in accordance with the Homes and Communities Agency Design and Quality Standards (2007) and should achieve at least Level 3 of the Code for Sustainable Homes (2007).
 - no more than 50% of the open market dwellings are to be occupied unless all the affordable housing has been provided, with the exception that the percentage of open market dwellings that can be occupied can be increased to 80% if the affordable housing has a high degree of pepper-potting and the development is phased.
 - developer undertakes to provide the social or affordable rented units through a Registered Provider who are registered with the Homes and Communities Agency to provide social housing.
- Provision of minimum of 2,380 sqm of shared recreational open space and the provision of on site children's play space to include a NEAP with 8 pieces of equipment
- Private residents management company to maintain all on-site play space, open space, including footpaths, hedgerows and green spaces in perpetuity
- The payment of £96,907 for the provision of health care within Holmes Chapel Medical Centre – upon commencement of development

(Prior to consideration of the following item, Councillor Mrs R Bailey left the meeting and did not return).

The meeting commenced at 10.30 am and concluded at 4.45 pm

Councillor H Davenport (Chairman)