

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 26th August, 2015 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor H Davenport (Chairman)
Councillor J Hammond (Vice-Chairman)

Councillors Rachel Bailey, D Brown (Substitute), B Burkhill, T Dean,
L Durham, D Hough, J Jackson, S McGrory, D Newton, S Pochin and J Wray

OFFICERS PRESENT

Tim Driver (Lawyer)
Daniel Evans (Principal Planning Officer)
David Malcolm (Head of Planning (Regulation))
Paul Hurdus (Highways Development Manager)
Emma Williams (Principal Planning Officer)
Ben Haywood (Major Applications – Team Leader)
Gaynor Hawthornthwaite (Democratic Services Officer)

42 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M Sewart and
G Walton.

43 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 15/0446C, Councillor J Hammond declared that he was a Director of ANSA Environmental Services who had been a consultee on the application and that he had not made any comments on the application or taken part in any discussions.

In the interest of openness in respect of application 12/0705W, Councillor J Hammond declared that he was a member of Cheshire Wildlife Trust who had been a consultee on the application and that he had not made any comments on the application or taken part in any discussions.

In respect of application 14/5824N, Councillor S Pochin declared that she had pre-determined the application and would leave the room prior to consideration of the application.

In the interest of openness in respect of application 12/0705W, Councillor R Bailey declared that she knew the applicant and would leave the room prior to consideration of the application.

44 MINUTES OF THE PREVIOUS MEETING

RESOLVED

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

45 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

46 15/0553C-RESERVED MATTERS APPLICATION FOR RESIDENTIAL DEVELOPMENT OF 80 HOMES, (24 AFFORDABLE), THE CREATION OF AN AREA OF PUBLIC OPEN SPACE AND CHILDREN'S PLAY AREA AND ASSOCIATED WORKS (OUTLINE APPROVAL 13/0041C), LAND OFF, MIDDLEWICH ROAD, HOLMES CHAPEL FOR NIALL MELLAN, PERSIMMON HOMES NORTH WEST

Consideration was given to the above application.

(The Head of Planning (Regulation) read out a representation from Councillor L Gilbert (Ward Councillor), who had registered his intention to address the Committee, but was unable to attend the meeting).

(Niall Mellan, 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. Amended / Approved Plans
2. Accordance with submitted Affordable Housing Scheme
3. Materials to be submitted and approved
4. Updated Public Open Space Management Plan to be submitted
5. Implementation of the tree and hedge protection measures as proposed
6. Adherence to the submitted Arboricultural method statement
7. Adherence to the submitted Tree Protection Scheme
8. Construction Method Statement to be submitted
9. Updated noise mitigation to be submitted. Development to be carried out in accordance with agreed mitigation
10. Dust control measures
11. Phase II contaminated land investigation to be submitted
12. Removal of permitted development rights classes A-E

13. Obscured glazed on selected plots with no further openings to be created

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 Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) 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.

47 15/0446C-ERECTION OF 154 TWO STOREY DETACHED, SEMI DETACHED AND MEWS DWELLINGS LANDSCAPING, FORMATION OF COMMUNITY PARK, OPEN SPACE, PARKING AND ASSOCIATED WORKS, LAND SOUTH OF MIDDLEWICH ROAD AND EAST OF, ABBEY ROAD, SANDBACH FOR NEIL ARKWRIGHT, REDROW HOMES LTD & ANWYL HOMES

Consideration was given to the above application.

(The Head of Planning (Regulation) read out a representation from Councillor G Merry (Ward Councillor), who had registered her intention to address the Committee, but was unable to attend the meeting).

(Councillor B Moran, (Ward Councillor), Ms T Maguire (objector), Mr G Allen (on behalf of supporters) and Mr T Astle (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 the written update to the Board, the application be APPROVED subject to the following conditions:

1. Time scale
2. Scheme to be built in accordance with Approved Plans
3. Accordance with submitted Affordable Housing Scheme
4. Materials to be submitted and approved
5. Surface water run-off to not exceed the undeveloped site
6. Scheme for overland flow of water
7. Archaeological report
8. Construction Method Statement to be submitted
9. Obscured glazed on selected plots with no further openings to be created
10. Landscaping details to be submitted
11. Implementation of approved / submitted landscaping details
12. Landscaping buffer along the eastern boundary of the site in accordance with submitted plans and timetable
13. Details of external lighting to be submitted, approved and implemented

14. Prior to the commencement of development details of the proposed play area (minimum of 8 pieces of equipment to be submitted to the LPA for approval in writing.
15. Scheme of management to the buffer to the Park Lane Boundary.
16. Prior submission of boundary treatment details for the whole site.
17. Provision of a 1.8m brick wall extending from the front elevations of the dwellings at 168 and 174 Middlewich road to the rear boundaries of those properties (details in consultation with Ward Members).
18. Bin storage details.
19. Vehicle tracking plans to be submitted.

Informative:

1. Brine Board Requirements

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 Planning (Regulation), in consultation with the Chairman (or in his absence the Vice Chairman) 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.

During consideration of this item Councillor Newton left the meeting for 5 minutes and did not take part in the debate or vote.

Having made a declaration, Councillor R Bailey withdrew from the meeting prior to consideration of the next item and did not return.

48 **12/0705W-PROPOSED ANAEROBIC DIGESTION AND COMBINED HEAT AND POWER PLANT, FORMER FUEL STORAGE DEPOT, TWEMLOW LANE, TWEMLOW FOR MR R BROWN, C.R.E.S BIOGAS LTD**

Consideration was given to the above application.

(The Head of Planning (Regulation) read out a representation from Councillor L Gilbert (Ward Councillor), who had registered his intention to address the Committee, but was unable to attend the meeting).

(Councillor M Tomkinson, (representing Twemlow Parish Council), Ms J Lardner-Burke (on behalf of objectors) and Mr R Brown (the applicant) attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report and the written update to the Board, the application be REFUSED for the following reasons:

1. The development does not represent an acceptable land use for this site, having regard to the approach of National Planning Policy for Waste and Cheshire Replacement Waste Local Plan as the odour from within the site is likely to have an unacceptable impact on the amenity of nearby sensitive receptors. As such the proposals conflict with policy 26 of Cheshire Replacement Waste Local Plan, and paragraphs 1 and 5 and 7 of National Planning Policy for Waste.
2. Insufficient information has been provided to demonstrate that the proposal would not present adverse impacts on human health which conflicts with policy 12 of Cheshire Replacement Waste Local Plan and paragraphs 1 and 5 and 7 of National Planning Policy for Waste
3. Insufficient information has been provided to demonstrate that the proposal will not have an unacceptable direct or indirect impact on any nature conservation assets; which is contrary to policy 17 of Cheshire Replacement Waste Local Plan and the approach of the National Planning Policy for Waste.

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, authority be delegated to the Head of Planning (Regulation) 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 Head of Planning (Regulation) 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.

49 14/3371M-CHANGE IN USE OF LAND AND THE CONSTRUCTION OF A SINGLE-STOREY BUILDING TO CREATE A GOLF DRIVING RANGE WITH ASSOCIATED CAR PARKING AND NEW ACCESS, LAND NORTH OF, CHELFORD ROAD, OLLERTON FOR MR BRIAN COUTTS

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Commencement of development (3 years)
2. Submission of samples of building materials

3. Landscaping - submission of details
4. Landscaping(implementation)
5. Submission of additional landscape details
6. Submission of landscape/woodland management plan
7. Retention of existing trees
8. Construction of access
9. Vehicular visibility at access (dimensions)
10. Development in accord with approved plans
11. Implementation of ecological report
12. Protection for breeding birds
13. Layout of car park
14. Extraneous matter
15. No ancillary uses
16. Lighting
17. Control over additional lighting
18. Fencing/Netting
19. Opening times
20. Development in accordance with Badger Survey including provision of a 30 buffer zone
21. Ecological enhancements to be agreed and implemented

At this point in the meeting, there was an adjournment for lunch from 12.45 pm to 13.30 pm.

50 14/4950N-RESERVED MATTERS APPROVAL FOR PHASE 2B - RESIDENTIAL DEVELOPMENT OF 223 DWELLINGS, FOLLOWING OUTLINE ELEMENT OF APPLICATION 11/1879N, LAND NORTH OF, PARKERS ROAD, LEIGHTON, CREWE, CHESHIRE FOR SHERRIE SHAW, BLOOR HOMES LTD - NORTH WEST

Consideration was given to the above application.

RESOLVED

That for the reasons set out in the report and the written update to the Board, the application be APPROVED subject to receipt of amended plans and the following conditions:

1. Standard
2. Approved plans
3. Materials

4. Boundary treatment
5. Landscape scheme
6. Landscape implementation
7. A revised tree protection scheme plan
8. Adherence to the approved tree protection scheme and the submitted Arboricultural Method Statement.
9. A schedule of tree works to be submitted/ approved/implemented.
10. Special construction techniques for hardstandings within Root Protection Areas.
11. An internal layout drawing submitted by the applicant illustrating the tracking movements of a refuse vehicle.

51 15/2756N-VARIATION OF CONDITION 34 ON APPROVED 11/1879N - A HYBRID PLANNING APPLICATION SEEKING RESIDENTIAL DEVELOPMENT FOR UP TO 400 NEW DWELLINGS WITH OPEN SPACE; COMPRISING A FULL PLANNING APPLICATION FOR PHASE A OF 131 DWELLINGS AND PHASE B WHICH SEEKS OUTLINE PLANNING PERMISSION FOR UP TO 269 DWELLINGS WITH ACCESS AND ASSOCIATED INFRASTRUCTURE. IN RESPECT OF THE OUTLINE ELEMENT (PHASE B), ONLY ACCESS IS SOUGHT FOR APPROVAL AND ALL OTHER MATTERS ARE RESERVED FOR DETERMINATION AT A LATER DATE, LAND NORTH OF PARKERS ROAD, LEIGHTON, CREWE, CHESHIRE FOR MR MARTIN ASTON

Consideration was given to an application to vary condition 34 on approved application 11/1879N.

That for the reasons set out in the report, the application be APPROVED subject to a Deed of Variation to the Section 106 Agreement to reference the new consent and the following conditions as originally imposed on the consent:

1. Time Limit
2. Standard Outline
3. Reserved Matters
4. Plans
5. Materials
6. Boundary Treatment
7. Landscaping
8. Landscape Implementation
9. Breeding bird survey
10. Breeding bird features
11. Habitat Creation and management plan
12. Design for pond
13. Newt mitigation
14. Bin Storage
15. Archaeological Survey
16. Compliance with Flood Risk Assessment
17. Limit Surface Water runoff
18. Surface water attenuation measures

19. The floor levels of the buildings to be a minimum of 150mm above surrounding ground levels.
20. Design for Surface Water Regulation
21. Site to be drained on a separate system
22. Contaminated Land
23. Travel Plan
24. Air Quality Impact Assessment
25. Hours of construction
26. Details of external lighting
27. Details of phasing / triggers for site access and highway improvements
28. Provision of parking and vehicle turning
29. Submission of Highway Construction details
30. Replacement planting for any trees / hedges to be removed
31. Scheme of Tree protection
32. Implementation of Tree protection
33. Arboricultural Method Statement
34. Assessment of traffic noise
35. Provision of Bungalows in Phase B
36. Highway assessment of Moss Lane

52 14/5824N-OUTLINE PLANNING PERMISSION FOR UP TO 175 RESIDENTIAL DWELLINGS TO INCLUDE ACCESS. ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION, LAND TO THE SOUTH OF PARK ROAD, WILLASTON FOR MR A BROWN, STRETTON WILLASTON LTD

Consideration was given to the above application.

The Major Applications – Team Leader reported a correction to the report in which the second to the last paragraph on page 151 of the report, should be amended to read “On the basis of the above, it is considered that the proposal represents **unsustainable** development and paragraph 14 is not engaged”.

(Councillor S Pochin, the Ward Councillor, attended the meeting and spoke in respect of the application).

Having made a declaration, Councillor S Pochin withdrew from the meeting during consideration of this item.

RESOLVED

That for the reasons set out in the report and the written update, 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) 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. 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 Willaston and Nantwich 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 and guidance contained within the NPPF.
3. The proposal would result in loss of the best and most versatile agricultural land. The use of the best and most versatile agricultural land is inefficient and contrary to Policy NE12 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and Policy SE2 of the emerging Cheshire East Local Plan Strategy - Submission Version and the provisions of the National Planning Policy Framework.
4. Insufficient highway information has been submitted to demonstrate that the proposal will not have a severe adverse impact on traffic congestion in the locality and accordingly the Applicant has failed to demonstrate that the proposal complies with the requirements of Policy BE5 (Infrastructure) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and Policy CO4 of the emerging Cheshire East Local Plan Strategy - Submission Version and the provisions of the National Planning Policy Framework.

RESOLVE to enter into a Section 106

- Affordable housing:
 - 30% of the total dwellings to be provided as affordable housing
 - 65% of the affordable dwellings to be provided as either social rent or affordable rent
 - 35% of the affordable dwellings to be provided as intermediate tenure
 - Affordable housing to be provided on site
 - Affordable rented or Social rented dwellings to be transferred to a Registered Provider

- The affordable dwellings to be provided as a range of property types to be agreed with Housing
 - Affordable housing to be pepper-potted in small groups, with clusters of no more than 10 dwellings.
 - The affordable housing to be provided no later than occupation of 50% of the open market dwellings, or if the development is phased and there is a high degree of pepper-potting the affordable housing to be provided no later than occupation of 80% of the open market dwellings.
 - Affordable dwellings transferred to an RP to be built in accordance with the HCA Design and Quality Standards or the latest standards applied by the HCA.
- Equipped children's play area. for younger children - 5 pieces of equipment including aground-flush roundabout. All equipment needs to be predominantly of metal construction, as opposed to wood and plastic.
 - Private residents management company to maintain all on-site open space, including footpaths and habitat creation area in perpetuity