

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 22nd March, 2017 in The Capesthorpe Room - Town  
Hall, Macclesfield SK10 1EA

## **PRESENT**

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

Councillors B Burkhill, S Edgar(Substitute), T Fox, S Hogben, D Hough, J Jackson,  
J Macrae, M Sewart, L Smetham and J Wray

## **OFFICERS IN ATTENDANCE**

Mr A Crowther (Principal Planning Officer), Ms P Evans (Planning and Highways  
Manager of Legal Team), Mr A Fisher (Head of Planning (Strategy), Mr P Griffiths  
(Infrastructure Delivery Manager), Mr S Hannaby (Director of Planning & Sustainable  
Development), Mr P Hurdus (Highways Development Manager), Mr D Malcolm (Head  
of Planning (Regulation)), Mr R Taylor (Principal Planning Officer) and Mr P  
Wakefield (Principal Planning Officer)

## **99 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor S Pochin.

## **100 DECLARATIONS OF INTEREST/PRE DETERMINATION**

In the interest of openness in respect of applications 16/1824M and 16/4318N,  
Councillor J Hammond declared that he was a Director of ANSA who were  
consultees, however he had not made any comments nor been in any  
discussions relating to the application.

In the interest of openness in respect of agenda item 10 the 'Minerals & Waste  
Development Plan Document-Issues Paper;. Councillor J Hammond declared he  
was a Director of ANSA who deliver waste management services on behalf of the  
Authority but he had not been involved with the compilation of the report.

In the interest of openness in respect of applications 16/1824M and 16/4318N,  
Councillor S Hogben declared that he was a Director of ANSA who were  
consultees, however he had not made any comments nor been in any  
discussions relating to the application.

In the interest of openness in respect of agenda item 10 the 'Minerals & Waste  
Development Plan Document-Issues Paper;. Councillor S Hogben declared he  
was a Director of ANSA who deliver waste management services on behalf of the  
Authority but he had not been involved with the compilation of the report.

In the interest of openness in respect of application 17/0223N, Councillor D  
Hough declared that he was a member of the Board of TSS who had provided  
financial contributions towards bus stops.

It was noted that all Members had received correspondence from the Emmerson group in respect of application 16/5678M.

101        **MINUTES OF THE PREVIOUS MEETING**

**RESOLVED**

That the minutes of the meeting held on 22 February 2017 be approved as a correct record and signed by the Chairman.

102        **PUBLIC SPEAKING**

**RESOLVED**

- (1) That the public speaking procedure be noted.
- (2) That a speaker who had registered out of time in respect of application 16/5678M be allowed to speak.

103        **16/1824M-DEMOLITION OF THE EXISTING BUILDING AND AN OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS FOR A MIXED USE DEVELOPMENT COMPRISING RESIDENTIAL DWELLINGS (USE CLASS C3) AND EMPLOYMENT DEVELOPMENT (USE CLASSES B1, B2 AND B8) INCORPORATING AN ELEMENT OF LEISURE USES (USE CLASSES A3 AND A4), TOGETHER WITH ASSOCIATED WOODLAND BUFFER, ECOLOGICAL MITIGATION AND ENHANCEMENTS, OPEN SPACES AND INFRASTRUCTURE, LAND TO THE NORTH OF THE EXISTING RADNOR, LAND AT BACK LANE, CHESHIRE FOR JOHN BROOKS, AINSCOUGH STRATEGIC LAND-**

Consideration was given to the above application.

Prior to the Officer's presentation, Members were informed that the application should make reference to the Radnor Park Trading Estate in Congleton and that reference in the proposal to leisure use should be removed, as A3/A4 Uses are Food and Drink Uses.

(Jon Suckley, 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 report to the Board, the application be approved subject to referral to Jodrell Bank, subject to a Section 106 Legal Agreement securing the following:-

- 17.5% of the dwellings to be affordable at 80% discounted market sale.
- Affordable Homes should be pepper-potted (in clusters is acceptable)
- Provision of POS consisting of 6,600sqm Amenity Green Space split into two sites either side of the CLR and a NEAP (1000sqm) standard play facility on each site.

- A commuted sum of £1,343,369 in lieu of Primary, Secondary and SEN education.

Commencement of phase 1 to be restricted until the Council has entered into a construction contract for the full construction of the Congleton Link Road.

- £5,000 for the making of any Traffic Regulation Orders on Chelford Road or Black Firs Lane in support of a 7.5t weight limit on the section of Back Lane between the CLR roundabout and Chelford Road.
- A contribution of £15,000 per dwelling towards the Congleton Link Road in lieu of the full Affordable housing provision (To be provided at 17.5%) as provided for in the submitted Local Plan Strategy (in accordance with Policy 5.235a). The maximum contribution will be linked to the number of houses approved at reserved matters. A minimum or 'floor' condition of £3,090,000 has been agreed with the applicant irrespective of the minimum number of houses delivered.

And subject to the following conditions

1. Commencement of development (3 years) or 2 from date of approval of reserved matters
2. Reserved matters to be approved
3. Approved Plans
4. Materials
5. Landscaping
6. Implementation of landscaping
7. Tree/Hedgerow Protection Measures
8. Occupation of Phase 1 to be restricted until the sectional completion of the length of the Back Lane improvements highlighted in Blue on plan Ref SCP/15116/F02 (or as otherwise agreed in writing with the LPA) has been completed and open for public use.
9. Prior to the occupation of Phase 1 the roundabout as approved in the Congleton Link Road Planning Application will be delivered via a S278 agreement, unless already delivered by the CLR scheme.
10. Prior to commencement of Phase 1 a scheme for the provision of a suitable highway link between the existing Radnor Park estate and new Back lane roundabout be approved by the LPA and implemented prior to first occupation.
11. The full development hereby approved shall not commence until the full CLR is completed and open to public use, to the satisfaction of the LPA.
12. Delivery of footpath linkage to the site boundary adjacent to the Russell Homes site prior to occupation of 50% of the dwellings in this southern parcel.
13. Construction and Environmental Management Plan to be submitted prior to commencement, to include dust control measures.
14. Travel Plan to be submitted prior to occupation of the first dwelling.
15. Delivery of Local Traffic Management Scheme along the section of Back Lane between the CLR roundabout and Chelford Road prior to the bringing into use of any of the employment uses.
16. A scheme for the provision of a footway/cycleway access to the proposed CLR bridge crossing of the River Dane shall be submitted and approved by the LPA. This access link should be provided prior to occupation of 50% of the dwellings of Phase 1.
17. A scheme for the improvement of the existing access track down to the River Dane on the south eastern boundary of the site, shall be submitted and approved by the LPA. The land required to deliver this track and the delivery of the access improvements will be required prior to occupation of 50% of the dwellings of phase 1.

18. Arboricultural Impact Assessment in accordance with Section 5 of BS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations which shall include a Tree Protection Scheme
19. Submission of a management plan for the Woodland (including the Ancient Woodland) and Local Wildlife Site.
20. Submission of an updated Badger Survey as part of and reserved matters application.
21. Hedgehog gaps in fencing.
22. Updated GCN mitigation strategy as part of and reserved matters application.
23. Approval of lighting associated with the leisure and commercial uses.
24. Air pollution damage cost calculation and associated mitigation works.
25. Submission of a low emission strategy and timetable for implementation.
26. Electric Vehicle Charging points.
27. Submission of a Residents Travel Information Pack.
28. Measures to minimise impacts from the CLR.
29. Submission of a post demolition Phase II ground contamination and risk assessment together with a remediation report.
30. Control of soils brought onto site.
31. Measures to address contamination should it be expectantly be found during works.
32. Jodrell Bank mitigation measures.
33. Programme of archaeological work as outlined in section 9.67 of Chapter 9: Archaeology and Cultural Heritage of the Environmental Statement.
34. Approval of levels.
35. Submission of a Flood Risk Assessment.
36. Drainage strategy/design in accordance with the appropriate method of surface water drainage chosen.
37. Foul and surface water drained on separate systems.
38. Broadband provision

Informative: As part of the overall development a footbridge should be provided.

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 Head of Planning (Regulation), 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.

104      **16/4318N-OUTLINE PLANNING PERMISSION FOR UP TO 100 RESIDENTIAL DWELLINGS TO INCLUDE ACCESS. ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION, LAND OFF PARK ROAD, WILLASTON FOR MR BROWN, STRETTON WILLASTON LTD**

Consideration was given to the above application.

(A statement was read out on behalf of Councillor S Pochin, the Ward Councillor).

**RESOLVED**

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

1. The proposed residential development is unacceptable 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 - 2016 and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance. 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.

For the purposes of the appeal, a Section 106 Legal Agreement be entered into in order to secure the following:

1. 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
- 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 a contribution of £290,640 towards Secondary Education and a SENs school place

3. Provision of POS and a LAP/LEAP and a scheme of management

4. Private management company to maintain all on-site open space, including footpaths and habitat creation area in perpetuity

In addition it was agreed that the possibility of a further reason for refusal on the grounds of spatial distribution should be delegated back to the Head of Planning (Regulation) in consultation with the Chairman and Vice Chairman of the Strategic Planning Board for investigation.

In order to give proper effect to the Board's intentions and without changing the substance of the decision, authority is delegated to Head of Planning (Regulation), in consultation with the Chairman of the 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.

(The meeting adjourned for lunch between 12.35pm until 1.15pm).

- 105        **16/5678M-DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF FIVE UNITS TO BE USED FOR CLASS A1 (NON-FOOD RETAIL) PURPOSES AND TWO UNITS TO BE USED FOR USE CLASS A1 (NON-FOOD RETAIL OR SANDWICH SHOP) AND/OR USE CLASS A3 AND/OR USE CLASS A5. CREATION OF CAR PARK AND PROVISION OF NEW ACCESS FROM EARL ROAD, TOGETHER WITH LANDSCAPING AND ASSOCIATED WORKS. (RESUBMISSION 15/0400M), LAND AT JUNCTION OF EARL ROAD AND EPSOM AVENUE, HANDFORTH FOR ORBIT INVESTMENTS (PROPERTIES) LTD**

Consideration was given to the above application.

(Nicole Roe, representing Peel Holdings, objecting and Graham Bee, the agent for the applicant attended the meeting and spoke in respect of the application).

#### **RESOLVED**

That the application be deferred in order to allow the application to be considered by the Strategic Planning Board at the same time as other live applications for retail development in the local area.

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

- 106        **17/0223N-FULL APPLICATION FOR A PROPOSED NEW WAREHOUSE UNIT WITH ANCILLARY OFFICE/ WELFARE, ASSOCIATED LANDSCAPING, PARKING, SERVICE YARD AND ACCESS. EXTERNAL WORKS TO EXISTING 'CREWE 2' UNIT TO SOUTH OF SITE, LAND SOUTH OF, WESTON ROAD, CREWE FOR MR PAUL COOK**

Consideration was given to the following application.

#### **RESOLVED**

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

1.        £5,000 towards the monitoring of the Travel Plan

And subject to the following conditions:-

1.        Time (3 years)
2.        Plans

3. Materials as per application
4. Prior approval of detailed design, management and maintenance of surface water drainage
5. Prior submission / approval of staff travel plan
6. Electric charging points for cars
7. Land contamination
8. Landscape – Details
9. Landscape – Implementation
10. Boundary treatment – Details
11. Development in accordance with FRA
12. Sustainable drainage management/surface water drainage
13. Nesting birds
14. The development hereby approved shall not commence until the great crested newt mitigation scheme (as detailed within the GCN Mitigation Strategy prepared by TEP dated March 2017 or as otherwise varied by a subsequent Natural England license) has been carried out and implemented and retained in full.  
*Reason: To safeguard protected species in accordance with the NPPF.*
15. Breeding birds
16. Habitat management plan
17. External lighting
18. Construction Management Plan
19. Bus stop upgrades
20. Levels – existing and proposed including site sections
21. Scheme of protection for retained trees

Informative: Contaminated Land

(Councillor D Hough requested it be minuted that he was delighted to see that in respect of this application existing employment sites could be included in the Local Plan).

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 Head of Planning (Regulation) 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 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.

107      **CHESHIRE EAST LOCAL PLAN: COMPLIANCE WITH SECTION 35 OF THE PLANNING AND COMPULSORY PURCHASE ACT 2004 AND REGULATION 34 OF THE TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) REGULATIONS 2012**

Consideration was given to the above report.

**RESOLVED**

1. That the Portfolio Holder for Housing and Planning be recommended to approve the Cheshire East Local Plan Authority Monitoring Report for 2015/16 for publication.

2. That a report on the Conservation Area Assessment be brought to a future meeting of the Board.

108      **MINERALS & WASTE DEVELOPMENT PLAN DOCUMENT -  
ISSUES PAPER**

Consideration was given to the above report.

**RESOLVED**

That the Portfolio Holder for Planning and Housing be recommended to give his approval for consultation on the Minerals and Waste Development Plan Document Issues Paper, alongside a 'call for sites' to inform the allocation of any sites for development within the MWDPD.

The meeting commenced at 10.00 am and concluded at 3.40 pm

Councillor H Davenport (Chairman)