

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Northern Planning Committee**
held on Wednesday, 7th December, 2022 in the The Capesthorne Room -
Town Hall, Macclesfield SK10 1EA

PRESENT

Councillor J Nicholas (Chair)
Councillor L Braithwaite (Vice-Chair)

Councillors T Dean, JP Findlow, A Harewood, S Holland, D Jefferay,
I Macfarlane, N Mannion, L Smetham and M Benson

OFFICERS IN ATTENDANCE

Nicky Folan – Planning Solicitor
Paul Wakefield – Planning Team Leader
Gaynor Hawthornthwaite – Democratic Services Officer

38 APOLOGIES FOR ABSENCE

Apologies were received from Councillor J Smith and Councillor M Beanland. Councillor M Benson attended as a substitute for Councillor M Beanland.

39 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interests of openness, the following declarations were made:

Councillor N Mannion in relation to application 21/2866M, declared that he knew Mr J Mattin the agent for the applicant, speaking on the application, in relation to their shared interests in Macclesfield Town Football Club, but had not discussed the application with him.

Councillor J Nicholas in relation to application 21/2866M declared that he knew Mr J Mattin, the agent for the applicant, speaking on the application.

Councillor P Findlow in relation to application 21/2866M declared that he knew Mr J Mattin, the agent for the applicant, speaking on the application.

40 MINUTES OF THE PREVIOUS MEETING

That the minutes of the previous meeting held on 16th November 2022 be approved as a correct record and signed by the Chair.

41 PUBLIC SPEAKING

That the public speaking procedure be noted.

42 20/4065M - LAND AT MOSS LANE, MACCLESFIELD: ERECTION OF 18NO.100% AFFORDABLE APARTMENTS WITHIN 2NO. BLOCKS WITH ASSOCIATED ACCESS, PARKING, LANDSCAPING AND OTHER WORKS FOR COPPERLEAF /JIGSAW HOMES

Consideration was given to the above application.

(Councillor Brian Puddicombe, (Ward Councillor) and Councillor F Wilson (Macclesfield Town Council), attended the meeting and spoke in respect of the application).

RESOLVED

That the application be REFUSED for the following reasons:

1. The principle of the development is not accepted as it would completely preclude the ability to provide protected open space as part of emerging SADPD policies and provide a greenway with ecological network benefits relating to the overarching, longstanding SMDA LPS 13 allocation, where the provision of affordable housing beyond policy requirements argument presented is not considered to provide material circumstances which outweigh the issue with the principle of the development. It is therefore considered that the principle of the development is contrary to policies MP1, SD1, SD2, SC1, SC3, SE1, SE6 and allocation LPS 13 of the CELPS, NE18, RT2, RT5, RT7 and RT8 of the MBLP, INF1 and REC1 of the emerging SADPD, the SMDA 1998 and paragraph 99 of the NPPF.
2. The proposed development represents the overdevelopment of a confined and irregular shaped site which does not present a high-quality residential scheme that responds to local characteristics. The development is therefore considered to be contrary to policies and guidance SD1, SD2 and SE1 of the CELPS, DC35, DC36 and DC41 of the MBLP, GEN1 of the emerging SADPD and the CEDG.
3. There is insufficient information to demonstrate that the layout, specifically regarding the rear block of apartments presents a sustainable relationship with a protected and high amenity tree, T6 Sycamore, a major landscape tree. It is considered that there are no clear overriding reasons for allowing the development noting issues with the principle of the development and there are suitable alternatives to the development with regards to the impact of the development on this protected tree. Due to the open and inclining nature (north east to south west) it is considered that appropriate landscaping could not be achieved in combination with the proposals to mitigate the harm caused by them on the landscape of the site and the major landscape tree. Taking into account these points it is considered the development is contrary to policies and guidance SD1, SD2, SE1, SE4 and SE5 of the CELPS, DC8, DC9,

DC37 and DC41 of the MBLP, ENV5 and ENV6 of the emerging SADPD and the Trees and Development SPD.

4. There is insufficient information presented within the application with regards to the consideration of flood risk and water management for the site and impacts on the immediate surrounding area and watercourses as a result of the development, in an area with existing drainage, flooding and water management problems and to this regard at present the development would be contrary to policies SD1, SD2, SE1, LPS13 and SE13 of the CELPS, DC15, DC16 and DC17 of the MBLP and ENV7, ENV16, ENV17 and INF9 of the SADPD.

In the event of any changes being needed to the wording of the Committee'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 has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

(Prior to consideration of the following item, the meeting adjourned for a short break)

43 21/2866M - HIGHER KINDERFIELDS FARM, HOLLIN LANE, SUTTON, SK11 0NN: CHANGE OF USE OF A GARAGE/WORKSHOP INTO 5 ACCESSIBLE TOURIST UNITS FOR MR MIKE EARDLY

Consideration was given to the above application.

(Councillor A Gregory, (Ward Councillor), and Joe Mattin (Agent) attended the meeting and spoke in respect of the application).

RESOLVED

That the application be REFUSED for the following reasons:

1. The building currently constructed on site does not conform with the 2017 Planning Permission for a replacement garage and store. An identified need for the accommodation has not been demonstrated. The application, therefore, does not benefit from the exception criteria listed within Cheshire East Local Plan Strategy PG6(3)(ii), insofar as it relates to the re-use of existing rural buildings, and policy RUR 8 of the emerging Site Allocations and Development Policies Document.
2. The proposed development will have an adverse impact upon the residential amenity of Kindersfield Edge and of Higher Kinderfields Farmhouse in relation to any noise and disturbance cause by the use and the access arrangements. The approval of the development would

therefore be contrary to Cheshire East Local Plan Strategy Policy SE12, Saved Macclesfield Borough Local Plan Policy DC3, emerging Site Allocations and Development Policies Document Policies HOU10 and RUR8, and Paragraph 187 of the NPPF.

In the event of any changes being needed to the wording of the Committee'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 has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

44 21/6196M - HAWKSHEAD QUARRY, LEEK OLD ROAD, SUTTON, CHESHIRE, SK11 0JB: PROPOSED ADDITIONAL INDUSTRIAL UNITS FOR SMALL SCALE BUSINESSES WITHIN HAWKSHEAD HEAVY INDUSTRIAL & HAULAGE PARK FOR MR STEVE BELL, AM BELL (PROPERTIES) LTD

Consideration was given to the above application.

(Councillor A Gregory, (Ward Councillor) and Mr S Bell (Applicant) attended the meeting and spoke in respect of the application).

RESOLVED

That subject to the following conditions:

1. Staff Travel Plan and onsite parking
2. Contaminated land
3. The occupation of Hawkshead House to remain associated with the operation of Hawkshead Quarry
4. Submission of an ecological mitigation statement in order to minimise the impact on the wildlife
5. Landscaping
6. Nature conservation
7. Forestry
8. Drainage

The Committee was minded to approve the application because of:-

1. Rural Job Creation;
2. The impact on the local economy;
3. The nature and forestry conservation improvements as a result of this application
4. This being a long standing industrial site
5. The site being able to be accessed by a bus route, pedestrian route and cycleway

However, in the opinion of the Head of Planning (Regulation), approval would result in a significant departure from policy, specifically policies PG6, EG2, SD1 and SD2 which protects open countryside.

Therefore, in accordance with its Terms of Reference, the Committee resolved to refer the application to the Strategic Planning Board for determination.

In the event of any changes being needed to the wording of the Committee'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 has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

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

The meeting commenced at 10.00 am and concluded at 12.50 pm