

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 25th November, 2020 as a virtual meeting.

PRESENT

Councillor J Wray (Chairman)
Councillor S Akers Smith (Vice-Chairman)

Councillors M Benson, J Bratherton, P Butterill, S Davies, A Gage, D Marren,
D Murphy, J Rhodes, L Smith and H Faddes

Also Present

Mr. Daniel Evans- Principle Planning Officer
Mr. James Thomas- Solicitor
Mr. Andrew Goligher- Highways Officer
Miss Helen Davies- Democratic Services

33 APOLOGIES FOR ABSENCE

Apologies had been received from Councillor Kathryn Flavell, Councillor Hazel Faddes attended the meeting as a substitute.

34 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interests of openness and transparency, Councillor Denis Murphy declared an interest as the Ward Councillor under item number five: 20/2470C Hawthorn Cottage, Harvey Road, Congleton, Cheshire, CW12 2PS, and advised that he was not predetermined in any way.

Several Members of the Committee advised they had received an email from the agent in respect of item number five: 20/2470C Hawthorn Cottage, Harvey Road, Congleton, Cheshire, CW12 2PS, but had not engaged with the agent in any way.

35 MINUTES OF PREVIOUS MEETING

RESOLVED-

That the minutes of the virtual meeting held on 28 October 2020 be approved as a correct and accurate record and signed by the Chairman.

36 PUBLIC SPEAKING

RESOLVED-

That the public speaking procedure be noted.

37 20/2470C HAWTHORN COTTAGE, HARVEY ROAD, CONGLETON, CHESHIRE, CW12 2PS- OUTLINE PLANNING PERMISSION FOR 35NO. RESIDENTIAL DWELLINGS (INCLUDING ALL DWELLINGS 100% AFFORDABLE HOUSING), VEHICLE ACCESS FROM GORDALE CLOSE, OPEN SPACE, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE. HAWTHORN COTTAGE TO BE RETAINED.

Consideration was given to the above application.

(Councillor Rob Moreton, the Ward Councillor, Congleton Town Councillor, Amanda Martin, Objector Adam Taylor, and Joe Nugent the Agent for the Applicant attended the virtual meeting and spoke on behalf of the application).

RESOLVED-

That, for the reasons set out in the report, the application be REFUSED for the following reasons:

Refuse for the following reasons:

- 1) The proposal is an inappropriate form of development within the Green Belt, as defined by the Development Plan. The development is therefore contrary to policy PG3 of the Cheshire East Local Plan Strategy and Policy PS7 of the Congleton Borough Local Plan First Review and would cause material harm to the openness of the Green Belt. The proposed development by reason of inappropriateness would be contrary to nationally established policy as set out in NPPF, and as a result would cause harm to the objectives of this guidance. There are no very special circumstances to outweigh this harm.
- 2) The application site is located within the Green Belt and adjacent to a key service centre. The application is not supported by an up-to-date Housing Needs Survey or a thorough site options appraisal which demonstrates why the site is the most suitable to meet identified housing need. Furthermore a development of 35 affordable units would exceed the threshold criteria of 10 units identified by Policy SC6. As a result the proposed development would not comply with all the requirements for Rural Exception housing and constitutes inappropriate development within the Green Belt contrary to Policies SC6 and PG3 of the Cheshire East Local Plan Strategy.
- 3) The proposed submission does not provide the level of detail required to inform a comprehensive assessment of the impact of the development on existing trees and woodland cover, including trees within ancient woodland and those protected by the Congleton Borough Council (Gordale Close) TPO 1983. The submission has therefore failed to demonstrate that the proposed development will not result in the loss of trees contrary to Policy SE5 of the Cheshire East Local Plan Strategy and the provisions of the National Planning Policy Framework.
- 4) The proposed development, as shown on the illustrative layout plan, is likely to result in a significant adverse impact on the adjacent Local Wildlife Site and Ancient Woodland and also Priority Woodland located on site. The application fails to provide sufficient information to determine,

assess, and mitigate any potential impacts on the Local Wildlife Site, Ancient Woodland and Priority Woodland. The proposed development would also result in the loss of an area of Local Wildlife Site quality grassland with a corresponding significant loss of biodiversity. The development would result in the loss of a minor bat roost, whilst mitigation and compensation measures to address this impact have been submitted the proposed development is not considered to be of overriding public interest and not developing this site is considered to be a suitable alternative in this instance.

The application fails to demonstrate that it would contribute positively to the conservation and enhancement of biodiversity. The application therefore fails to comply with the requirements of Policy SE 3 of the Cheshire East Local Plan Strategy and saved Policies NR3 and NR4 of the Congleton Borough Local Plan First Review and the provisions of paras 174-177 of the National Planning Policy Framework.

- 5) Insufficient information has been provided to demonstrate that the proposed development is a sustainable form of development which can achieve an adequate quality of design that would be in keeping with the location of the site adjacent to the Macclesfield Canal Conservation Area. In reaching this conclusion regard was had to the indicative layout, and the proposals are contrary to the Policy SD1, SD2, SE1, and SE7 of the Cheshire East Local Plan Strategy and the Residential Design Guide SPD. 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 Interim Head of Planning has delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Interim Head Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

Should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

S106	Amount	Triggers
Affordable Housing	100% Affordable Housing	In accordance with details to be submitted and approved.
Health	£35,280 (based on 35 dwellings)	Paid prior to first occupation of the development.
Education	£81,713 (based on 35 dwellings)	Staged contribution- 50% upon commencement, 50% on o 1 st occupation.

Indoor Sport	£6500	Paid prior to first occupation of the development.
Outdoor Sport	Formula- £1,000 per family dwelling or £500 per 2 bed space (or more) apartment for off-site provision.	Paid prior to first occupation of the development.
Private management scheme for all POS/Children's Play space on site.		Prior to commencement of development, implementation prior to 1 st occupation.
Towpath upgrade	Amount to be confirmed	Prior to commencement of development
Allotment/growing space/community gardens	If provided off site; £562.50 per family home £281.25 per apartment	Paid prior to first occupation of the development.
Shortfall in provision of Amenity green space and Children's play space	£75 per square metre for any shortfall on site.	Paid prior to the first occupation of the development.

38 20/2569M 58, HAZELWOOD ROAD, WILMSLOW, SK9 2QA- SINGLE STOREY REAR EXTENSION

Consideration was given to the above application.

RESOLVED-

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

- 1) Standard (3 years)
- 2) Approved Plans
- 3) Materials as per application

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

39 PERFORMANCE OF THE PLANNING ENFORCEMENT SERVICE FIRST TWO QUARTERS 2020-2021

The Committee considered the performance of the Planning Enforcement Service for the first two quarters 2020-2021.

RESOLVED-

That the report be received and noted.

The meeting commenced at 10.00 am and concluded at 11.15 am

Councillor J Wray (Chairman)