

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 3rd April, 2024 in the Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor J Bratherton (Chair)

Councillors L Buchanan, A Burton, J Clowes, L Crane, A Gage, S Gardiner,
R Moreton, M Muldoon and J Wray.

OFFICERS IN ATTENDANCE

Dan Evans, Principal Planning Officer
Andrew Goligher, Highways Officer
Andrew Poynton, Planning and Highways Lawyer
Rachel Graves, Democratic Services Officer

72 APOLOGIES FOR ABSENCE

Apologies were received from Councillors R Bailey and A Kolker.
Councillors J Clowes and S Gardiner attended as substitutes.

73 DECLARATIONS OF INTEREST/PRE DETERMINATION

There were no declarations of interest.

74 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting held on 6 March 2024 be approved as a
correct record.

75 PUBLIC SPEAKING

The public speaking procedure was noted.

76 19/5211N - LAND SOUTH OF MONKS LANE AND WEST OF CHESTER ROAD, ACTON: RESIDENTIAL DWELLINGS AND ASSOCIATED GARAGES & CAR PARKING, PUBLIC HOUSE WITH ANCILLARY ACCOMMODATION & CAR PARKING, VEHICULAR ACCESSES INCLUDING LINK ROAD BETWEEN MONKS LANE & CHESTER ROAD, FOOTPATHS, VILLAGE GREEN & ASSOCIATED CAR PARKING, LANDSCAPING & DRAINAGE AND ASSOCIATED DEVELOPMENT

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:

Burland and Acton Parish Councillor Sue Stott, Dr Deb Ravenscroft (objector), Claire Lewis-Jones (objector) and Philip Percival (supporter).

RESOLVED:

That the application be REFUSED for the following reasons:

1. The proposed development is unsustainable because it is located within the Open Countryside and does not meet any of the exceptions noted for development within Open Countryside. The proposed development would also cause harm to the open countryside/local landscape through urbanisation and countryside encroachment contrary to Policies SE1 (Design), PG6 (Open Countryside), SD1 (Sustainable Development in Cheshire East) & SD2 (Sustainable Development Principles), SE2 (Efficient Use of Land) of the Cheshire East Local Plan Strategy, GEN1 (Design) and the principles of the SADPD, ENV3: Open Countryside, DEV1 Design for New Development, DEV3 Location of Housing of the AEHNDP, 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.
2. The proposed development by reason siting, design and appearance would cause harm to the setting/character/appearance of the Conservation Area, Listed Buildings and Historic Registered Park. This harm would be at the lower to middle end of less than substantial harm when considered individually, however cumulatively the impact on all the heritage assets would be considerable which leads to a conclusion that the harm would be on the higher end of less than substantial. This harm is not considered to be outweighed by the public benefits and is therefore contrary to Policies SE1 (Design), SD1 (Sustainable Development in Cheshire East) & SD2 (Sustainable Development Principles), SE7 (Historic Environment) of the CELPS, HER3 (Conservation areas), HER4 (Listed buildings), HER5 (Registered parks and gardens) of the SADPD, Policy ENV2: valued Features and Characteristics, HER1 Heritage Assets, HER2 Acton Conservation Area, HER3 Chester Canal Conservation Area of the AEHNDP the NPPF, Conservation Area Character Appraisal and Management Strategy 28th June 2007 and Enabling Development and Heritage Assets 30th June 2020.
3. The proposed development does not provide the required level of Public Open Space to create a sustainable development. The proposed development is contrary to Policy SD1 (Sustainable Development in Cheshire East) & SD2 (Sustainable Development

Principles), SE6 (Green Infrastructure) of the Cheshire East Local Plan Strategy.

4. The submitted ecological surveys/assessments are out of date given the time passed since they were undertaken and the Biodiversity metric calculation submitted with the application uses an outdated version of the metric spreadsheet and should be based upon an updated UK Habitats survey and condition assessment. In absence of this insufficient information has been provided in support of the application to consider the full ecological impacts associated with the development. The proposal would also have an adverse impact upon an area of Wood Pasture and Parkland priority habitat with a corresponding significant loss of biodiversity. As a result, insufficient information has been provided to consider the full ecological impacts associated with the proposal contrary to Policies SE3 (Biodiversity and Geodiversity) of the CELPS, ENV 1 (Ecological network) & ENV 2 (Ecological implementation) of the SADPD, ENV5 Habitats and Wildlife Corridors of the AEHNDP and the NPPF.
5. No information has been provided in support of the application to consider the location and tenure of the policy required affordable housing. As such insufficient information has been provided to demonstrate compliance with Policies SC5 (Affordable Housing) of the CELPS, HOU1 (Housing Mix) of the SADPD, EV4 Type and Mix of Housing of the AEHNDP and the Housing SPD.
6. The proposed development would result in the creation of poor quality living environment for the future occupiers given the insufficient internal space for some of the plots and insufficient information has been submitted to demonstrate an acceptable housing mix with a lack of 1 bedroom units. The proposal is therefore contrary to Policies SE1 (Design), SD1 (Sustainable Development in Cheshire East), SC3 (Health and Well-Being) of the Cheshire East Local Plan Strategy, SADPD Policies HOU8 (Space, accessibility and wheelchair housing standards), The Cheshire East Design Guide (part 2 Page 95 para vii 22) the NPPF and the Nationally Described Space Standards.

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) 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	30% on site provision	In accordance with phasing plan and detailed of location and tenure
Education	$8 \times £17,959 \times 0.91 = £130,741.52$ (secondary) $1 \times £50,00 \times 0.91 = £45,500$ (SEN) Total education contribution: £176,241.52	To be paid prior to the occupation of the 25th dwelling
NHS	2 bed x8 – £5,760 3 bed x 29 – £29,232 4 bed x 15 – £18,900 5 bed x1 – £1,728 Total 53 units – £55,620	To be paid prior to the occupation of the 25th dwelling
POS	Combined amenity and play £3,000 per dwelling Recreation & Outdoor Sport £1,000 per dwelling Allotment/food growth £562.50	To be paid prior to the occupation of the 25th dwelling
Enabling Works	Enabling Development Scheme to link application 19/5211N - Applicant will open a separate bank account, with statements from the bank account being sent to the Council for transparency - The Applicant will enter into a bond to cover the amount of the works - The Council has access to the details of the sale/charging of land to check the amount of money raised by the sites - Applicant to agree a Schedule of works in priority order, when the works are to be undertaken and by when - A technical specification of proposed works for each of these main work areas shall be submitted an approved.	

**77 24/0066M - 72 FENCE AVENUE, MACCLESFIELD, SK10 1LT:
WIDENING OF DRIVEWAY AND ACCESS, GROUND WORKS,
LANDSCAPING AND ASSOCIATED WORKS**

Consideration was given to the above planning application.

RESOLVED:

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

- 1 Time (3 years)
- 2 Plans
- 3 Materials as per application.

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

The meeting commenced at 10.00 am and concluded at 11.13 am

Councillor J Bratherton (Chair)