



Congleton Town Council

Historic market town

Town Clerk: **BRIAN HOGAN**



14th January 2015

Dear Councillor

Planning Committee Meeting – Thursday 22nd January 2015

You are requested to attend a meeting of the Planning Committee to be held in the Town Hall, High Street, Congleton, on **Thursday 22nd January 2015** commencing at **7 p.m.**

The Public and Press are welcome to attend the meeting. There may be confidential items towards the end of the meeting which the law requires the Council to make a resolution to exclude the public and press.

Yours sincerely

Linda Minshull
Civic Administration Officer

AGENDA

1. Apologies for absence

(Members are reminded of the necessity to give apologies in advance of the meeting and to give reasons for absence)

2. Minutes of Last Meeting

To confirm the minutes of the Meeting of the Committee held on 8th January 2014 (copy enclosed).

3. Declarations of Disclosable Pecuniary Interest

Members are requested to declare both “non pecuniary” and “pecuniary” interests as early in the meeting as they become aware of it.

Congleton
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where friends are made

4. Outstanding Actions

None

5. Planning Applications

To make observations as may be necessary on planning applications submitted to Cheshire East Borough Council.

NOTE i) List for week ending 9th January 2015 (copy enclosed).

ii) Lists for subsequent week will be circulated when received.

6. Planning Appeals

To note or comment as appropriate on planning appeals lodged with Cheshire East Borough Council.

7. Tree Preservation Order – Padgbury Lane

To consider correspondence dated 13th January 2015 from Cheshire East Council in respect of the above.

8. Correspondence from the Department for Communities and Local Government

To receive correspondence dated 6th January 2015 from Brandon Lewis M.P. (copy enclosed).

To: Members of the Council Press 3, Burgesses 4.

CONGLETON TOWN COUNCIL

MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON 8th JANUARY 2015

PRESENT Councillor L. D. Barker - Chairman
G. Baxendale
R. I. Brightwell
G. R. Edwards
Mrs. S. A. Holland
Mrs. A. M. Martin
D. A. Parker
Mrs. J. D. Parry
N. T. Price
Mrs. E. Wardlaw

1. **APOLOGIES**

Apologies for absence were submitted from Councillors P. Bates, Ms. L. Bours, D. T. Brown, J. S. Crowther, G. P. Hayes, D. Murphy, G. S. Williams and Miss R. K. Williams.

2. **MINUTES**

PLN/22/1415 RESOLVED: That the Minutes of the Meeting of the Committee held on 20th November 2014 be approved and signed by the Chairman as a correct record with the addition of apologies from Councillor D. A. Parker.

3. **DECLARATIONS OF INTEREST**

Members were reminded to declare both "non pecuniary" and "pecuniary" interests as early in the meeting as they become known.

Councillor G. Baxendale declared a "non pecuniary" interest due to his membership of Cheshire East Council.

4. **OUTSTANDING ITEMS**

There were none.

5. **PLANNING APPLICATIONS**

PLN/23/1415 RECOMMENDED: That the following comments be made to Cheshire East Borough Council:

Week ended 21st, 28th November, 5th, 12th & 19th December 2014

14/4244C	Astbury Mere Care Home, Newcastle Road, Congleton	NO OBJECTION
14/5380C	57 Bath Vale, Congleton, CW12 2HF	NO OBJECTION
14/5386C	Land Off Manchester Road, Congleton, CW12 2HU	NO OBJECTION

NOTE – Planning Officers to check whether it is possible to have one access to the main road for both applications

14/5388C	Land Off Manchester Road, Congleton, CW12 2HU	NO OBJECTION
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NOTE – Planning Officers to check whether it is possible to have one access to the main road for both applications

14/4391C	2 Bankhouse Drive, Congleton, CW12 2BH	NO COMMENT
14/5566C	Key Green Chapel, Pedley Lane, Congleton, CW12 3QD	NO OBJECTION

Councillors Barker and Parker declared a "non pecuniary" interest in application 14/5566C

Week ended 26th November 2014

14/5762D	Land West of Goldfinch & Kestrel Close, Congleton	NO COMMENT
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Additional Items

14/5540C	Station Yard, Park Lane, Congleton, CW12 3DE	NO OBJECTION
subject to Highways Officers conducting a detailed assessment of this confusing junction and ensuring that improvements are carried out		
14/5246C	16A Lawton Street, Congleton, CW12 1RP	NO OBJECTION
Councillor Edwards declared a "non pecuniary" interest in application 14/5246C		
14/5819C	Waveney, Banky Fields, Congleton, CW12 4BZ	NO OBJECTION
14/5463C	Torridon, 220 Padgbury Lane, Congleton, CW12 4HU	NO OBJECTION

6. PLANNING APPEALS

The following Appeal was noted -

14/3798C – Boundary Villa Farm, 4 Boundary Villa, Congleton –

7. BRIDESTONES DEVELOPMENT

The Town Clerk reported that there has been no progress from Scarborough Developments.

8. CORRESPONDENCE FROM 10 DOWNING STREET

Correspondence dated 4th December 2014 was received.

L. D. Barker (Chairman)

Planning Applications Registered Weekly List
Week Ending 09.01.2015

SOUTH AREA

1

	App No	Registration Date	Case Officer	Ward
18.02.15 - Strategic Planning Board	14/5383C	16 December 2014	Susan Orrell	Brereton Rural
Applicant	Mr Adam Scott			
Agent	Gerald Eve LLP			
Location	LAND OFF, GIANTSWOOD LANE, HULME WALFIELD, CHESHIRE			
Proposal	Outline planning application for up to 150 residential dwellings, the construction of a temporary access road to Giantswood Lane and associated works, with all matters reserved, except means of access.			
Comments Deadline	05 February 2015			

2 *

	App No	Registration Date	Case Officer	Ward
Delegated Agenda	14/5674C	17 December 2014	Adam Barnes	Congleton East
Applicant	Ian Chesworth			
Agent	GDA Design Associates Ltd			
Location	9 , Linksway, Congleton, Cheshire, CW12 3BS			
Proposal	Proposed two storey rear extension, front first floor extension and pitched roof to replace existing front elevation dormer flat roof.			
Comments Deadline	29 January 2015			

3 *

	App No	Registration Date	Case Officer	Ward
	14/5695C	15 December 2014	Nick Hulland	Congleton East
Applicant	Mr S Collins			
Agent				
Location	1A, CRAYFORD AVENUE, CONGLETON, CW12 2BW			
Proposal	Loft conversion - one bedroom one bathroom resubmission of 14/2027C			
Comments Deadline	26 January 2015			

4 *

	App No	Registration Date	Case Officer	Ward
	14/5798C	18 December 2014	Nick Hulland	Congleton East
Applicant	Mr P Turner			
Agent				
Location	14, WHARFEDALE ROAD, CONGLETON, CW12 2BP			
Proposal	Two Storey Side Extension			
Comments Deadline	28 January 2015			

Planning Applications Registered Weekly List
Week Ending 09.01.2015

5 *

	App No	Registration Date	Case Officer	Ward
Delegated Agenda	14/5805C	19 December 2014	Robert Law	Congleton West (2011)
Applicant	Mr & Mrs Robert Pedley			
Agent	VWB Architects			
Location	NEW BANK FARM, FOL HOLLOW, ASTBURY, CHESHIRE, CW12 4HT			
Proposal	Proposed single storey rear extension to create orangery			
Comments Deadline	04 February 2015			

6

	App No	Registration Date	Case Officer	Ward
Delegated Agenda	14/5822C	11 December 2014	Nick Hulland	Congleton East
Applicant	Mr Andrew Yates			
Agent	JAY ASHALL ASSOCIATES			
Location	WOOD FARM, WOOD LANE, CONGLETON,			
Proposal	Conversion of barns to residential use.			
Comments Deadline	05 February 2015			

7 *

	App No	Registration Date	Case Officer	Ward
Delegated Agenda	14/5827C	19 December 2014	Nick Hulland	Congleton West (2011)
Applicant	HSBC Corporate Real Estate			
Agent	AXIS Architecture			
Location	15, HIGH STREET, CONGLETON, CHESHIRE, CW12 1BJ			
Proposal	Replacement of external ATM, Proposed ATM to be equality act compliant			
Comments Deadline	26 January 2015			

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

TOWN AND COUNTRY PLANNING ACT 1990
As amended by the Town and Country Planning (Tree Preservation) (England)
Regulations 2012

CHESHIRE EAST BOROUGH COUNCIL (CONGLETON -- PADGBURY LANE No.3)
TREE PRESERVATION ORDER 2015

THIS IS A FORMAL NOTICE to let you know that on 13th JANUARY 2015 the Council made the above Tree Preservation Order.

A copy of the Order is enclosed. In simple terms, it prohibits anyone from cutting down, topping or lopping any of the trees described in the First Schedule and shown on the map without the Council's consent.

Some explanatory guidance on Tree Preservation Orders is given in the enclosed leaflet *Protected Trees: A Guide to Tree Preservation Orders*, produced by the Communities and Local Government

The Council have made the Order:

- (a) In the interests of maintaining the amenity of the area in which the trees stand, in that they are considered to be long-term amenity features.
- (b) Such amenities are enjoyed by the public at large and without the protection the Order affords; there is a risk of the amenity being destroyed.
- (c) To maintain the landscape setting and historic character of a Grade II listed building.
- (d) The trees have been assessed in accordance with the Council's Amenity Evaluation Checklist, and it is considered expedient in the interests of amenity to make provision for the trees' long-term retention.
- (e) To enable the Local Planning Authority to fulfil its statutory duty under Section 197 of the Town and Country Planning Act

The Order took effect, on a provisional basis, on 13th JANUARY 2015.
It will continue in force for a further six months or until the Order is confirmed by the Council, whichever first occurs.

The Council will consider whether the Order should be confirmed, that is to say, whether it should take effect formally. Before this decision is made, the people affected by the Order have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the Order.

If you would like to make any objections or other comments, please make sure we receive them in writing by 20th FEBRUARY 2015.

COPY OF REGULATION 6 OF THE TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS 2012

Your comments must comply with Regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012, a copy of which is provided overleaf. Send your comments to me at the address below. All valid objections or representations are carefully considered before a decision on whether to confirm the Order is made.

The Council will write to you again when that decision has been made. In the meantime, if you would like any further information or have any questions about this Notice, please contact Mrs Emma Hood, Heritage and Design, Cheshire East Council, PO Box 606, Municipal Buildings, Earle Street, Crewe, CW1 9HP (Tel: 01270 686719).



Date: 22/12/15 2015

Caroline Simpson

Director of Economic Growth and Prosperity
Cheshire East Council
Westfields
Sandbach
Cheshire
CW11 1HZ

OBJECTIONS AND REPRESENTATIONS

6.(1) Subject to paragraph (2), objections and representations:

(a) shall be made in writing and:

- (i) delivered to the Authority not later than the date specified by them under Regulation 5(2)(c); or
- (ii) sent to the Authority in a properly addressed and prepaid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;
- (b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which the objections or representations are made; and
- (c) in the case of an objection, shall state the reasons for the objection.

(2) The Authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.

Town and Country Planning Act 1990
CHESHIRE EAST BOROUGH COUNCIL
(CONGLETON – PADGBURY LANE No.3)
TREE PRESERVATION ORDER 2015

SCHEDULE
Specification of trees

Trees specified individually (encircled in black on the map)		
Reference on map	Description	Situation
T1	Oak	Standing in a hedgerow to the south west of Brooklands House Grid ref: 383,750- 362,678
T2	Alder	Standing on the north bank of Loach Brook Grid Ref: 384,191 – 362,233
T3	Birch	Standing to the west of the garden of 206 Padgbury Lane Grid Ref: 384,235 – 362,236
T4	Cherry	Standing on Padgbury Lane on the boundary with 206 Padgbury Lane

Trees specified by reference to an area (within a dotted black line on the map)		
Reference on map	Description	Situation
	None	

Groups of trees (within a broken black line on the map)		
Reference on map	Description	Situation
G1	16 Oak of various ages	Standing to the North of Loach Brook Grid Ref: 383,877 – 362,439

Woodlands (within a continuous black line on the map)		
Reference on map	Description	Situation
W1	Native broadleaved oak woodland of various ages	Located around pond area and adjacent to properties on Manor House Lane Grid Ref: 383,874 – 362,439

The Cheshire East Borough Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

This Order may be cited as **CHESHIRE EAST BOROUGH COUNCIL (CONGLETON – PADGBURY LANE No.3) TREE PRESERVATION ORDER 2015**

1.Interpretation

2.— (1) In this Order "the authority" means the Cheshire East Borough Council.

(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

3.— (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 13th day of JANUARY 2015

The Common Seal of Cheshire East Borough Council

was affixed to this Order in the presence of—

S. A. WILKINS

Signed on behalf of the Cheshire East Borough Council

Authorised by the Council to sign in that behalf

CONFIRMATION OF ORDER

This Order was confirmed by Cheshire East Borough Council without modification on the day of

OR

This Order was confirmed by the Cheshire East Borough Council subject to the modifications indicated by on the day of

Signed on behalf of the Cheshire East Borough Council

Authorised by the Council to sign in that behalf

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by Cheshire East Borough Council on day of

Signed on behalf of the Cheshire East Borough Council

Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the Cheshire East Borough Council on the day of by a variation order under reference number attached a copy of which is

Signed on behalf of the Cheshire East Borough Council

Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by the Cheshire East Borough Council on the day of

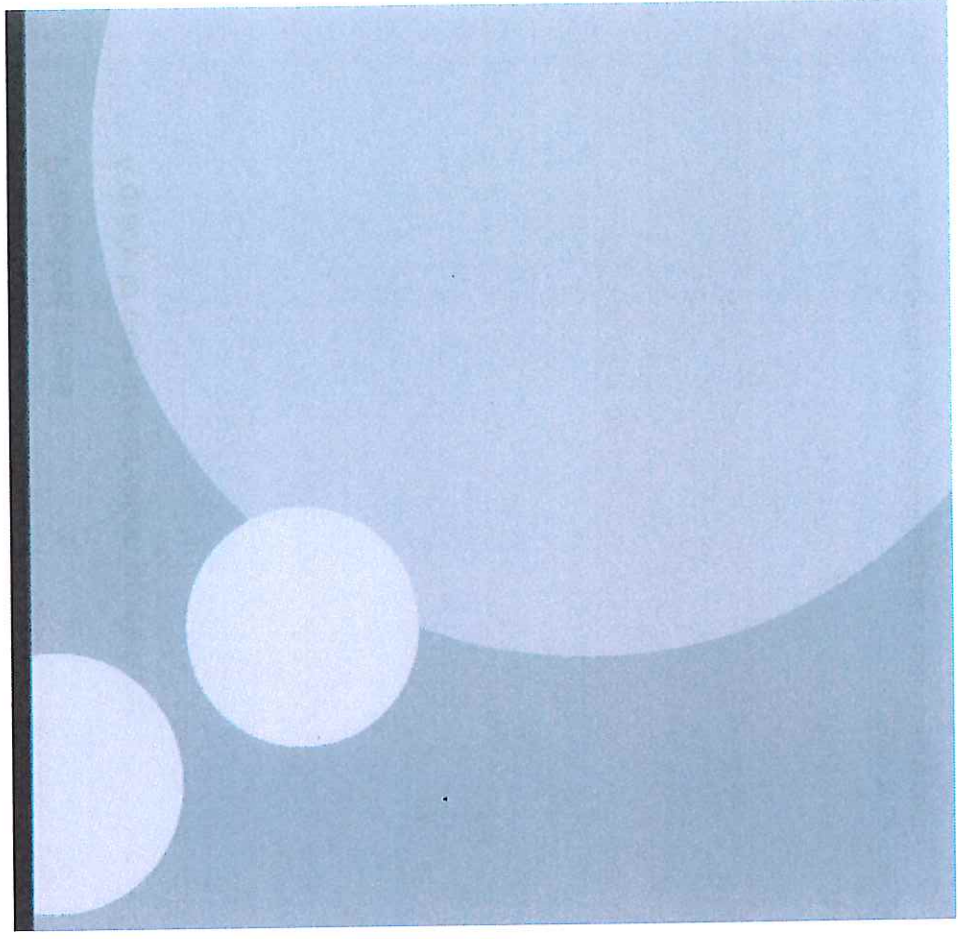
Signed on behalf of the Cheshire East Borough Council

Authorised by the Council to sign in that behalf



Protected trees

A guide to tree preservation procedures





Protected trees

A guide to tree preservation procedures

April 2012
Department for Communities and Local Government

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This document/publication is also available on our website at www.communities.gov.uk

Any enquiries regarding this document/publication should be sent to us at:

Department for Communities and Local Government
Eland House
Bressenden Place
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SW1E 5DU
Telephone: 030 3444 0000

April, 2012

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Protected trees:

A guide to tree preservation procedures

Introduction

This leaflet is written for tree owners, their neighbours and local community groups, and answers some of the most common questions about tree preservation procedures in England. It is for information only and you should consult a solicitor if you are unsure of your legal rights or obligations.

Please note that new tree preservation legislation came into force on 6 April 2012 which affects all existing and new tree preservation orders. This leaflet updates the leaflet published in 2010, which is now cancelled.

Questions and answers

1. What is a tree preservation order?

It is a written order made by a local planning authority (e.g. a borough, district or unitary council or a national park authority) which, in general, makes it an offence to cut down, top, lop, uproot, wilfully damage or wilfully destroy a tree protected by that order without the authority's permission.

2. What is the purpose of a tree preservation order?

To protect trees which bring significant amenity benefit to the local area. This protection is particularly important where trees are under threat.

3. What type and species of trees can a tree preservation order protect?

All types, but not hedges, bushes or shrubs. An order can protect anything from a single tree to all trees within a defined area or woodland. Any species can be protected, but no species is automatically protected by a tree preservation order.

4. How can I find out if a tree is protected by a tree preservation order?

Contact the local planning authority. Details of tree preservation orders will be available for inspection at its offices.

An official search of the local land charges register can also be made before you buy a property. This should reveal the existence of an order and whether a property is in a conservation area (see question 18). Make sure your legal adviser tells you if any trees are protected.

22. What happens to tree preservation orders made before 6 April 2012 under old procedures?

On 6 April 2012 the Town and Country Planning (Tree Preservation)(England) Regulations 2012 introduced a single set of procedures for all trees covered by tree preservation orders. Consequently:

- orders made before 6 April 2012 continue to protect the trees they cover and answers to earlier questions apply;
- the legal provisions listed in orders made before 6 April 2012 have been automatically cancelled and replaced by the provisions in the new regulations. Only the information necessary to give these orders legal effect and identify the trees they protect is retained;
- there is no need for existing orders to be remade, amended or reissued.

Further information

You can find out more about felling licences in the Forestry Commission's booklet *Tree Felling – getting permission* (www.forestry.gov.uk or telephone 0161 495 4845).

You can find out more about tree preservation orders in the Town and Country Planning (Tree Preservation) (England) Regulations 2012, which are available through www.legislation.gov.uk or TSO (telephone 0870 600 5522) and some public libraries.

You can also find more information about the tree preservation order and planning systems on the Planning Portal (www.planningportal.gov.uk).

You may also find it helpful to refer to the local planning authority's website for information on tree protection in the local area.

There is guidance on selecting a tree expert at www.tree-care.info/findanarb.

Claims should be sent to the local planning authority within 12 months of its decision, or within 12 months of the Secretary of State's decision if you appealed.

18. How are trees protected in a conservation area?

Normal tree preservation order procedures apply if a tree in a conservation area is already protected by a tree preservation order. But if a tree in a conservation area is not covered by an order, you have to give written notice (by letter or email) of proposed work to the local planning authority, describing what you want to do, at least six weeks before the work starts. This gives the authority an opportunity to consider protecting the tree with a tree preservation order.

You do not need to give notice of work on a tree in a conservation area less than 7.5 centimetres in diameter, measured 1.5 metres above the ground (or 10 centimetres if thinning to help the growth of other trees).

The answer to question 14 also applies to trees in conservation areas, so if you are not sure about what you should do, check with the local planning authority.

19. How are trees on development sites affected?

They can be protected by a tree preservation order or by a condition attached to a planning permission, or both. A planning condition may also require trees to be planted, which may then be protected by a tree preservation order.

20. Can I stop planning permission being granted – or prevent approved development being carried out – by getting a tree preservation order imposed on trees on the site?

No. A tree preservation order does not prevent planning permission being granted. But a local planning authority will consider the risk to protected trees when deciding planning applications.

Once detailed planning permission is granted, felling that is directly required to enable the development to go ahead may be carried out.

21. Can I carry out work on protected trees which are in the way of proposed development?

You can only cut down or cut back protected trees if they are directly in the way of development which is about to start and for which detailed planning permission has been granted.

If you have outline planning permission or if the development does not require planning permission (a small home extension, for example) you must still apply to the local planning authority for permission under the tree preservation order in the normal way.

If you are in any doubt about what is required, check with the local planning authority (see question 14).

5. If I see work being carried out on a protected tree, how can I find out if the owner has permission?

Check with the local planning authority, which will have a register of applications and decisions that you can look at.

6. There are trees which I think should be protected by a tree preservation order. What can I do?

Contact the local planning authority, giving details of the trees and the reasons why you think the trees should be protected.

7. When does a tree preservation order come into effect?

Provisional protection comes into effect as soon as the local planning authority makes the order. The authority will then need to confirm the order to provide long-term protection.

8. How will I know when a local planning authority makes a tree preservation order?

The authority will write to those who may have a right to work on the tree, generally the tree owner and sometimes others, such as tenants and neighbours. Copies of new orders are also available for inspection at the planning authority's offices.

9. How can I object to or express support for a new tree preservation order?

Write to the local planning authority within the period it allows for comment (usually 28 days), identifying the tree or trees in question and giving your reasons.

The authority will take your comments into account when deciding whether or not to confirm the order. The authority can also modify an order when it confirms it, for example to exclude some of the trees.

10. Does the local planning authority become responsible for looking after protected trees?

No. Owners remain responsible for trees covered by tree preservation orders, their condition and any damage they may cause. But the authority's permission is usually required before any work is carried out to the trees (see questions 11-14).

The authority may be able to offer help and advice on how the trees should be managed.

11. What if I want to work on a tree covered by a tree preservation order?

Apart from special exceptions (see questions 13-15) you (or your agent) must seek permission from the local planning authority by submitting a standard application form to it. The form is available from the Planning Portal (www.planningportal.gov.uk) or the authority. It is important to clearly specify

the work you want done and provide information to support your case (such as professional advice on the health of the tree and, in cases of alleged subsidence, professional evidence on the soil, the structure affected and the tree).

Before making an application you may find it helpful to consult a tree surgeon or arboricultural consultant to help you clarify what you need to do. Information on selecting a tree expert can be found at www.tree-care.info/findanarb.

You may also find it helpful to refer to the local planning authority's website for information on tree protection in the local area.

12. Do I need a Forestry Commission felling licence to fell protected trees?

You do not need a licence to fell trees in gardens. However, for trees outside of gardens, you may need to apply to the Forestry Commission for a felling licence, whether or not they are covered by a tree preservation order.

You can find out more about felling licences from the Forestry Commission (see *Further information* at the end of this leaflet).

13. Do I always need the local planning authority's permission to work on a tree covered by a tree preservation order?

Yes, except for:

- 1) cutting down trees in accordance with one of the Forestry Commission's grant schemes, or where the Commission has granted a felling licence (see question 12);

- 2) cutting down or pruning a tree:

- which presents an urgent and serious safety risk – however you must give written notice (by letter or email) of the proposed work to the local planning authority as soon as practicable after the work becomes necessary;
- which is dead – however you must give at least five working days written notice (by letter or email) of the proposed work to the local planning authority;
- which is directly in the way of development that is about to start for which detailed planning permission has been granted (see questions 20 and 21);
- in a commercial orchard, or pruning fruit trees in accordance with good horticultural practice;
- to prevent or control a legal nuisance (you may find it helpful to check first with a solicitor);
- in line with an obligation under an Act of Parliament;

- by or at the request of certain organisations listed in the regulations (see *Further information* at the end of this leaflet).

- 3) removing dead branches from a living tree

If you are in any doubt about what needs permission, check with the local planning authority (see question 14).

14. What happens if I carry out work on a protected tree without permission?

If you deliberately destroy a protected tree, or damage it in a manner likely to destroy it, you could be liable to an unlimited fine. You could also be fined if you cause or permit such work. Other offences can lead to fines of up to £2,500.

15. When will I have to plant a replacement tree?

You will have to replant:

- 1) if you cut down or destroy a protected tree:
 - in breach of a tree preservation order, or
 - because the tree is dead or dangerous;

- 2) if the local planning authority gives you permission to cut down a protected tree but makes replanting a condition of its consent;

- 3) in most cases where the Forestry Commission grants a felling licence.

Local planning authorities have legal powers to ensure that you plant a replacement tree when required.

16. What if my application to carry out work under a tree preservation order is refused, or I object to the conditions imposed by the local planning authority?

You can appeal to the Secretary of State for Communities and Local Government in writing within 28 days of receiving the local planning authority's decision. The authority will give you the address. The Secretary of State may allow or dismiss the appeal, or vary the original decision.

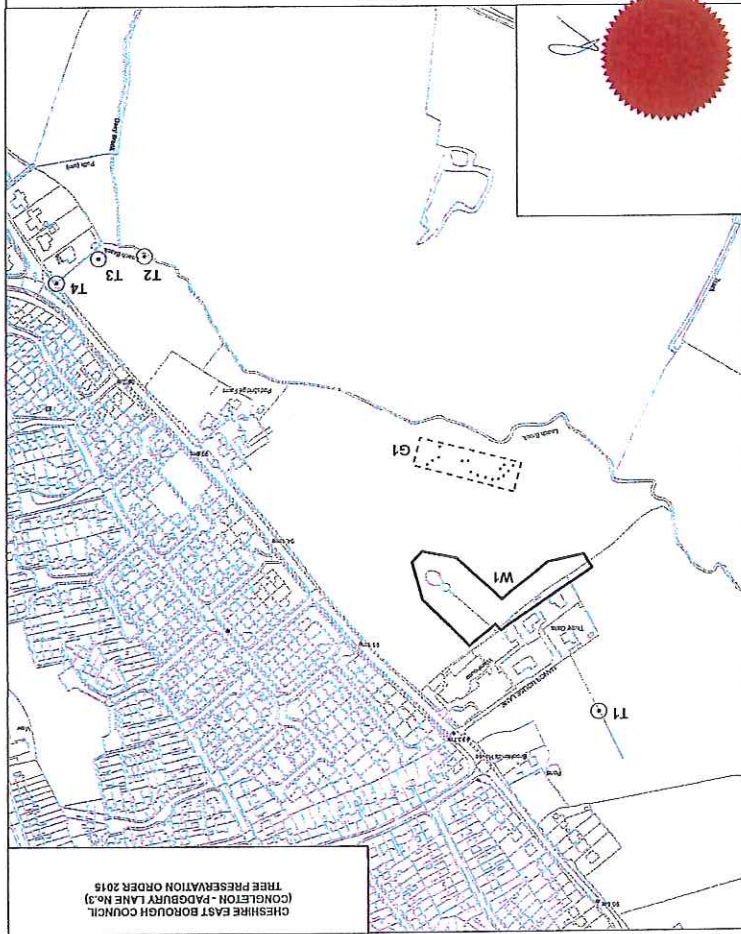
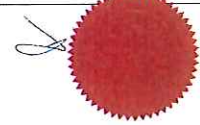
Further information about tree preservation and tree replacement appeals is on the Planning Portal (www.planningportal.gov.uk).

17. Can I get compensation if my application to carry out work under a tree preservation order is refused or conditions are imposed?

In certain circumstances which are set out in the legislation (see *Further information*) you can seek compensation from the local planning authority for loss or damage which results from the authority refusing consent or granting consent with conditions. However, the legislation sets limitations and strict criteria that must be met. See question 11 regarding the need for adequate information to support your case.



SS30(6.5)



CHESHIRE EAST BOROUGH COUNCIL
(CONGLETON - PADGURRY LANE No.3)
TREE PRESERVATION ORDER 2015



**Department for
Communities and
Local Government**

Brian Hogan
Town Clerk
Congleton Town Council
Town Hall
High Street
Congleton
Cheshire
CW12 1BN

Brandon Lewis MP
Minister of State for Housing and Planning

**Department for Communities and Local
Government**
Fry Building
2 Marsham Street
London
SW1P 4DF

Tel: 0303 444 3430
E-Mail: brandon.lewis@communities.gsi.gov.uk

www.gov.uk/dclg

Our Ref: 568806

06 JAN 2015

Dear Brian

Thank you for your letter of 21 November to the Prime Minister regarding planning in Cheshire East. I have been asked to reply on his behalf as planning falls within my Ministerial remit at the Department for Communities and Local Government.

Through all its reforms this Government has put plans and communities at the heart of planning. Plans set the framework in which decisions on particular planning proposals are taken locally and are therefore of critical importance in engaging communities in determining what development is appropriate and where.

I welcome that Cheshire East's Local Plan has recently progressed to examination and that a period of abeyance has been agreed in order to enable the Council to undertake further work in support of its approach. I am sure you will appreciate, however, that my role in the planning system prevents me from commenting on particular plans or proposals, or indeed from agreeing to your request to meet on this matter.

I would set out, however, that it is entirely possible to bring forward neighbourhood plans in advance of an adopted and up-to-date Local Plan. Our guidance encourages close working between neighbourhood planning organisations and the local council in this circumstance to ensure objectives are aligned.

I very much appreciate that there are challenges in doing so, but there are a growing number of examples of communities that now have completed plans in place and a range of resources to help those going through the process. Further information including guides and case studies can be found at <http://mycommunityrights.org.uk/neighbourhood-planning/>.

I am copying this response to Fiona Bruce MP.


BRANDON LEWIS MP