



Congleton Town Council

Historic Market Town

Chief Officer: David McGifford CILCA

25th September 2019

Dear Councillor

Planning Committee Meeting – Thursday 3rd October 2019

You are requested to attend a meeting of the Planning Committee to be held in the Town Hall, High Street, Congleton, on **Thursday 3rd October 2019** commencing at **7 p.m.**

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 5th September 2019 (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.

4. Outstanding Actions

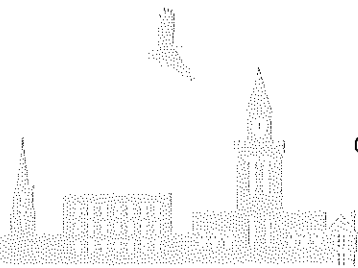
Meeting with CEC to discuss section 106 and enforcement control (target September)

Congleton
beartown
where friends are made

Congleton Town Council, Town Hall, High Street, Congleton, Cheshire CW12 1BN

Tel: 01260 270350

Email: info@congletontowncouncil.co.uk www.congleton-tc.gov.uk



5. Questions from Members of the Public

To receive any questions from Members of the Public relevant to the meeting agenda.

6. Planning Applications

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

i) List for week 2nd, 9th and 16th September 2019 (copy enclosed).

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

7. Planning Appeals

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

8. Licensing Applications

To note or comment as appropriate on licensing applications lodged with Cheshire East Borough Council.

9. Planning Enforcement Issues

To discuss any planning enforcement issues.

10. Response to the Cheshire East Council Consultation on the draft Site Allocations Policies Document (SAPDP)

To consider and comment on the above Consultation (information attached).

To: All Members of the Council Press 2, Burgesses 3.

CONGLETON TOWN COUNCIL

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE
HELD ON 5th SEPTEMBER 2019**

Please note These are draft minutes and will not be ratified until the next meeting of the Planning Committee

PRESENT

Councillor P Duffy – Chair
S Akers Smith
D Amies
M Amies
D T Brown
R Chadwick
S Firkin
R Hemsley
S A Holland
A Martin
R Moreton
D Murphy
J D Parry
M Rogan
J Smith
K Wesley

1. APOLOGIES

Apologies for absence were submitted from Councillors R Douglas, M Gartside and G Hayes

2. MINUTES

PLN/12/1920 RESOLVED: That the Minutes of the Meeting of the Committee held on 8th August 2019 be approved and signed by the Chairman as a correct record.

3. DECLARATIONS OF INTEREST

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

Councillors Akers Smith, Brown, Holland, Moreton and Murphy declared a “non pecuniary” interest due to their membership of Cheshire East Council.

Councillor Duffy declared a “non pecuniary” interest in any discussions relating to Galloway Green.

4. OUTSTANDING ITEMS

A meeting will be arranged to discuss S106 and enforcement issues – target date the end of September.

5. QUESTIONS FROM MEMBERS OF THE PUBLIC

None received

6. **PLANNING APPLICATIONS**

PLN/13/1920 RESOLVED: That the following comments be made to Cheshire East Borough Council:

Planning Ref	Location	Declaration of Interest	Comments
1 19/3624C	Land To The East Of Black Firs Lane And To The South Of, BACK LANE, SOMERFORD		<p>There were two Questions</p> <ul style="list-style-type: none"> • Can Bellway confirm they are planting trees to replace each of those lost as this was not clear from the plans? • Can Bellway consider the flood risk of the pond on the development and reassure the council about this? <p>REJECT due to the following – Objections to the proposal due to the inadequacy of the Travel Plan. We recognise that the Travel Plan was well-written and comprehensive, but in some areas it falls short of the standard we require in terms of walking/cycling provision and public transport. We would like to see the following:-</p> <ol style="list-style-type: none"> 1. The Travel Plan Co-ordinator should provide printed bus timetables and maps to residents, not just a web link, and actively encourage bus use. 2. Bellway should work with bus companies to get at least one bus per hour re-routed via Back Lane, much closer to the development. 3. Bellway should work with bus companies (and perhaps other developers in the area) to provide a NEW direct bus service to Congleton Station to sync with trains to Manchester and Stoke-on-Trent 4. The Travel Plan and Residents' Pack should include information about buses to Holmes Chapel Station 5. Bellway should commit to providing an improved, segregated cycleway and footpath along Back Lane to Congleton Town Centre 6. All shared space on the development where vehicles/pedestrians/cycles will mix should be 20mph zones

			We would like the TPC to report against targets to Congleton Town Council as well as Cheshire East Council, please.
2 19/3909C	Land Off Manchester, MANCHESTER ROAD, CONGLETON		No Objection
3 19/3927T	27, PARK LANE, CONGLETON, CHESHIRE, CW12 3DG		No Objection
4 * 19/3931C	37 & 39, HEATH ROAD, CONGLETON, CW12 4LF		No Objection
5 19/3770C	80, HOLMES CHAPEL ROAD, CONGLETON, CW12 4NX		No Objection
6 * 19/3884C	97, HOLMES CHAPEL ROAD, CONGLETON, CW12 4NU		No Objection
7 19/3692T	12, Ryedale Way, CONGLETON, Congleton, Cheshire East, CW12 3SX		REJECT due to the following – The pruning is excessive and would leave the tree unbalanced Advice should be take from a qualified tree officer
8 * 19/3813C	Land at BACK LANE, CONGLETON	For Information - Application Approved	No Objection
9* 19/4023C	31 , Somerset Close, Congleton, CW12 1SG		No Objection
10* 19/3978C	Meadowside Medical Centre, MOUNTBATTEN WAY, CONGLETON, CW12 1DY		No Objection
11 * 19/4058D	Fir Tree Cottage, TUNSTALL ROAD, CONGLETON, CW12 3QB		No Objection

12 19/4016C	11, BERKSHIRE DRIVE, CONGLETON, CHESHIRE, CW12 1SB	Pecuniary Int R Moreton – he left the room and did not vote	No Objection Subject to – Concerns regarding foul water drainage being addressed
----------------	--	---	---

7. **PLANNING APPEALS**

None to Report

8. **LICENSING APPLICATIONS**

The following application was noted –

Morrisons, Market Street, Congleton – No objections

9. **PLANNING ENFORCEMENT ISSUES**

As noted in item 4 above - A meeting will be arranged to discuss S106 and enforcement issues – target date the end of September. There was a discussion regarding this item and the Chair will discuss the details with the Chief Officer. There was a request for training and copies of Policies. Councillor Brown updated on Section 106 funds and Community infrastructure Levy.

Councillor Akers Smith updated on the following –

Astbury Place – the developers have been sent legal correspondence in connection with the condition to provide a bridge into the Park.

Seddon Homes development (Goldfinch Close) – a path has now been completed

Bovis Homes development – Sandbach Road/Holmes Chapel Road – a path has been started

Councillor P Duffy - Chair

List for 2nd, 9th & 16th September 2019

<p>1 * 19/4221D</p>	<p>Discharge of conditions 5, 6 & 7 on approval 18/6251C for change of use for creation of new Artificial Grass Pitch (AGP)</p>	<p>Eaton Bank Academy, JACKSON ROAD, CONGLETON, CW12 1NT</p>	
<p>2 * 19/4211C</p>	<p>Non Material Amendment to approved application - 14/4451C Erection of up to 137 dwellings with associated infrastructure (Phase 1)</p>	<p>Westlow Heath, MANCHESTER ROAD, CONGLETON</p>	
<p>3 19/4152C</p>	<p>Replacement dwelling (Re-submission of previously approved application 16/2148C)</p>	<p>Threeways, PEDLEY LANE, CONGLETON, CW12 3QD</p>	
<p>4 19/3886D</p>	<p>Discharge of condition 6 of 18/6319C - Refurbishment and extension of existing leisure centre to include demolition of existing swimming pool and auxiliary buildings, new build pool including reception and changing areas, plus refurbishment of existing sports hall and gym areas.</p>	<p>CONGLETON LEISURE CENTRE, WORRALL STREET, CONGLETON, CW12 1DT</p>	
<p>5 19/4104D</p>	<p>Discharge of conditions 3, 12 & 18 of 18/6319C - Refurbishment and extension of existing leisure centre to include demolition of existing swimming pool and auxiliary buildings, new build pool including reception and changing areas, plus refurbishment of existing sports hall and gym areas.</p>	<p>CONGLETON LEISURE CENTRE, WORRALL STREET, CONGLETON, CW12 1DT</p>	

6 19/4105D	Discharge of conditions 5, 20 & 21 of 16/6319C - Refurbishment and extension of existing leisure centre to include demolition of existing swimming pool and auxiliary buildings, new build pool including reception and changing areas, plus refurbishment of existing sports hall and gym areas.	CONGLETON LEISURE CENTRE, WORRALL STREET, CONGLETON, CW12 1DT	
7 19/4196C	New detached dwelling in the garden of 11 Berkshire Drive	11, BERKSHIRE DRIVE, CONGLETON, CHESHIRE, CW12 1SB	
8 19/4153T	Removal of three lowest branches to mature sycamore tree in the back garden	16 , Valley View, Congleton, CW12 4EN	
9 * 19/3742C	To erect a wooden shed to be approximately 8ft x 16ft, in the garden at the front of our house.	14, BOUNDARY LANE, CONGLETON, CW12 3HZ	
10 * 19/3915D	Discharge of conditions 7, 10 & 13 on 19/1141C - Development of two semi-detached houses	13, BURSLAM STREET, CONGLETON, CW12 3AF	
11 19/4119T	work to trees as per schedule	HOLY TRINITY CHURCH, BIDDULPH ROAD, CONGLETON, CHESHIRE, CW12 3LZ	
12 * 19/4330D	Discharge of conditions 6,8,9,10,11,12,14,22,24,25 and 26.	Land off Padgbury Lane, Congleton, Cheshire, CW12 4LR	

13 * 19/4322C	Proposed pitched roof to replace existing flat roof, and conversion of existing garage to habitable room	16, MACCLESFIELD ROAD CONGLETON, CW12 1NR	
14 * 19/4223D	Discharge of conditions 2, 3, 4, 6, 7, 11, 12, 13, 15, 16, 18 & 19 of 19/0400C - Variation of condition to 18/0986C for change of use of a care home (C2) to 14 living apartments (C3) with a single-storey rear extension, and parking	Chapel Brook House, 9, MOODY STREET, CONGLETON, CW12 4AN	
15 * 19/4225D	Discharge of conditions 2, 3, 4, 6, 7, 10, 11, 12 & 13 of 19/0401C - Vary condition 2 (approved plans) from approved planning permission 19/0987C to allow for internal alterations only.	Chapel Brook House, 9, MOODY STREET, CONGLETON, CW12 4AN	
16 19/4239T	T1 Horse chestnut - Remove, the tree is over mature and overhangs a listed outbuilding, there are concerns that the tree may start to loose limbs because of it's age	56, SANDBACH ROAD, CONGLETON, CW12 4LW	
17 * 19/4346C	Conversion of garage into bedroom, single-storey rear extension and new pitched roof over	The Bungalow, HERBERT STREET, CONGLETON, CW12 1RE	
18 * 19/4330D	Discharge of conditions 6,8,9,10,11,12,14,22,24,25 and 26	Land off Padgbury Lane, Congleton, Cheshire, CW12 4LR	
19 * 19/4315C	Proposed First Floor Side Extension & Two Storey & Single Storey Rear Extensions & Material Alterations	31, LONGDOWN ROAD, CONGLETON, CW12 4QH	

As a general comment the Town Council continue to be concerned that the SADPD does not address the following issues;

- The increased levels of car ownership in the rural areas and the resultant problems of demand for car parking over and above the Council's outdated standards;
- The construction of garages and car parking spaces on new housing developments which do not accommodate the average family car whose size has increased since the car parking standards were adopted;
- The plan fails to address the impacts of fracking on local communities particularly with regard to environmental safeguards and traffic generation; and
- The plan contains no policies regarding the provision of electric car charging points on every new development notwithstanding the Governments stated objective to support a shift to electric vehicles over the next 20 years.

Turning to the plan itself there are a number of policies which impact upon Congleton in particular the provision of employment land and Policy CNG 1. Whilst this additional allocation is welcome there is still a shortfall in the land allocated for employment use in the town which is identified as a key service centre in the settlement hierarchy. Inevitably there has been, and will continue to be a loss of employment land within the town, however this is not being replaced with an equivalent area of new employment land and, in the opinion of the Town Council, notwithstanding the additional allocation of 1.4 ha in policy CNG 1 there is a shortfall of some 20 ha of new employment land over the plan period. The Town Council are of the view that more employment land should be allocated within the Key Service Centre allocation to balance the proposed housing growth over the plan period of in excess of 4150 new houses.

In addition, the Town Council are also concerned about the future shortfall in playing field provision within the Town to cater for its existing and future population. The Council would suggest that in addition to Policy CNG 1 there should be a new policy, CNG 2, that proposes an additional area of a minimum of 20 hectares on the outskirts of the town for playing field provision.

There are a number of other policies that the Town Council would comment upon and they are as follows;

GEN1 Design Principles.

The Town Council suggest that this policy could be clarified. Perhaps more could be made of the adopted Cheshire East Design Guide and emphasis placed on 'sense of place' and the uniqueness and special qualities of the local area in which the development is proposed.

GEN 4 Recovery of infrastructure costs and deferred planning obligations.

The Town Council object to the wording of this policy. The recovery of infrastructure costs is key to any new development and in the Town Council's submission if a development is not 'viable' because of infrastructure costs then that development should not be permitted. It is surely counter intuitive to permit development that cannot fund its own infrastructure as

this will only overload the existing infrastructure to the detriment of the local community. Consequently, no planning obligations, particularly those relating to the provision of infrastructure, should be deferred. If the required infrastructure to serve the development cannot be provided by the applicant then the application should be refused.

ENV 1 Ecological Networks and ENV 2 Ecological Implementation.

The Town Council strongly support these policies and suggest that they could be strengthened by reference to major development projects, and the impact these proposals could have on the very important ecological networks in this part of Cheshire.

ENV 3 Landscape Character

The Town Council strongly support this policy for the reasons set out in ENV 1 and ENV 2 above.

ENV 4 River corridors.

The Town Council strongly support this policy for the reasons set out in ENV 1 and ENV 2 above. The river corridors in Congleton play an important role in the amenity and character of the town and provide important 'green links into the surrounding countryside.

ENV 5 Landscaping.

The Town Council strongly support this policy for the reasons set out in ENV 1, ENV 2, ENV 3 and ENV 4 above. A full understanding of these policies is key to addressing the 'sense of place' set out in Policy GEN 1.

ENV 6 Trees, hedgerows and woodlands.

The Town Council support this policy as these are all very important features in our countryside and more often than not are a crucial part of what is described as local character and setting. Perhaps more emphasis could be made for the retention and protection of trees on development sites and the protection and replacement of hedge rows when access points are created to facilitate development.

ENV 7 Climate Change.

In view of the Government's recent initiatives regarding climate change and the critical requirement that this matter is addressed as a matter of national as well as local importance the Town Council would suggest that this should be the **first policy in the environmental section** of the plan and all of the other policies should be linked to it. Climate change is one of the biggest threats we face and we would suggest that the policy is reworded as follows; 'Development proposals **must** incorporate etc'

ENV 9 Wind Energy, ENV 10 Solar Energy and ENV 11 Battery Energy Storage.

In view of the comments above in relation to ENV 7 the Town Council support the provision of alternative sources of energy subject to the safeguards set out in these policies.

ENV 12 Air Quality.

The Town Council support this policy particularly when there is a notable increase in car ownership across the plan area. Together with the likely impact on air quality of

infrastructure proposals such as the Congleton By Pass and other strategic land releases in the Congleton area.

ENV 14 Light Pollution.

The Town Council are increasingly concerned about light pollution in their area which is likely to increase with the scale and nature of development proposed. They are pleased to note that the policy has been strengthened, to require the use of 'the most energy efficient lighting possible' which links into policy ENV 7 Climate Change.

ENV 16 Surface Water Management and Flood Risk.

The Town Council strongly support this policy especially in light of climate change and the increase in surface water run off and consequent flood risk likely to arise with all the new developments proposed, and the current wording of Policy Gen 4.

ENV 17 Protecting water resources.

The Town Council fully support this policy especially in relation to Climate Change and Policy ENV 7.

HER 2 Heritage at risk

The Town Council support this policy but would suggest that it needs strengthening by the inclusion of the 8 criteria in the guidance published by English Heritage.

RUR 12 Residential Curtilages in the open countryside and Green Belt.

The Town Council support this policy and suggest that it should be strengthened to state that such extensions into open countryside, green gaps and green belt will be resisted. Exception bullet points (ii) and (iii) are acceptable but exception (i) will be very difficult to control without a definition of what constitutes a "reasonable sitting out area", a term that is not defined in national guidance or the CELPS.

HOU 1 Housing Mix

The Town Council support this policy, particularly in those areas where there are neighbourhood plans, and as part of that plan an up to date housing need survey has been undertaken. The policy should provide for new development that meets the local housing need and not a development of 4 and 5 bed housing with no regard to local character and design.

HOU 2 Specialist housing provision

The Town Council support this policy particularly when such specialist provision meets an identified local need. Across Cheshire and in the Congleton area there is a need for older persons accommodation which at present is not being met, particularly by the volume housebuilders.

HOU 3 Self and custom build houses.

Whilst supporting this policy the Town Council are of the view that it needs to cross refer to the other policies in the plan, in particular GEN 1.

HOU 6 Accessibility, space and wheelchair housing standards.

The Town Council fully support this policy. Without such standards being incorporated into new housing how will the Council ensure that all new housing is suitable and accessible for all members of the community and we respond to climate change.

HOU 8 Backland development.

The Town Council object to this policy that will allow backland development. In our experience this leads to the overdevelopment of sites, 'urban 'cramming which is contrary to the character of our rural areas and issues of overlooking and loss of amenity.

HOU 11 Residential Standards

The Town Council fully supports this policy which should be read in conjunction with GEN 1.

HOU 12 Housing Density.

The Town Council object to the imposition of a minimum net density of development as a blanket requirement across the Borough that takes no account of location, character or size of the existing settlement. As drafted this policy appears at odds with Policy GEN 1.

REC 1 Green/open space protection.

Whilst the Town Council support this policy it is felt that it should be extended to include a definition of all green spaces, including green gaps, not just school playing fields. Nearly every settlement in the Borough has substandard green space provision and this policy presents an opportunity to ask for more green space rather than just the protection of that which already exists.

REC 3 Green space implementation.

The Town Council support this policy and would suggest that it could be expanded to include the provision of more local green space (see REC 1 above) together with the improvement of links between existing and proposed green spaces.

REC 5 Community facilities.

The Town Council are strongly of the view that all community facilities should be retained whether the contribution is positive or not. On the whole every community facility makes a positive contribution not only to the community within which it is located but to the wider area. Too many community facilities are being lost with the consequent detrimental effect upon the local community.

INF 1 Cycleways, bridleways and footpaths.

The Town Council support this policy but would suggest that it should go further to include proposed standards of construction, materials to be used etc.

INF 3 Highway Safety and Access.

This policy needs strengthening in the Town Council's view and should read; 'Development proposals **must:**' etc. This would strengthen the Highway Authorities position at appeal where in recent years they have either not come forward to support the planning refusal or agreed a substandard scheme with developers ignoring the concerns of the local community.

INF 8 Telecommunication Infrastructure.

The Town Council support this policy but with reservations, in particular where any infrastructure may impact on a local skyline or an important view within the town. There is a general need to improve the telecommunication network across the town.

INF 9 Utilities

The Town Council fully support this policy.