

Date 10<sup>th</sup> November 2021

**Dear Councillor** 

# Planning Committee Meeting - Thursday 18th November 2021

You are summoned to attend a meeting of the Planning Committee on **Thursday 18<sup>th</sup> November 2021** commencing at **7.00 pm.**The meeting will be held in the Town Hall, High Street, Congleton, Cheshire, CW12 1BN

- The Public and Press are welcome to attend the meeting, please note There will be
  15 minutes at each meeting to receive any questions from Members of the Public,
  either verbally or at the meeting, including those which have been received in writing
  7 days prior to 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 in accordance with Section 100 (B) (2) of the Local Government Act 1972.

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 (Enclosed)

To approve and sign the minutes of the Planning Committee Meeting held on 14<sup>th</sup> October 2021.

#### 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

To review any outstanding actions from previous meetings and to provide an update on any work in progress.

#### 5. Questions from Members of the Public

There will be 15 minutes at each meeting to receive any questions from Members of The Public, either verbally at the meeting including those which have been received in writing 7 days prior to the meeting.

#### 6. Urgent Items

Members may raise urgent items related to this committee but no discussion or decisions may be taken at the meeting.

### 7. Planning Applications Section 1

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

For members of the public who are wishing to comment about specific applications.

#### 8. Planning Appeals

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

#### 9. **Licensing Applications**

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

9.1	5 Little Street, Congleton, CW12 1AR	
9.2	Capitol Walk, High Street, Congleton, CW12 1WB	

#### 10. Section 106 Updates

To receive any updates on Section 106 agreements.

#### 11. **Planning Enforcement**

To receive any updates on Planning Enforcement and agree any actions.

#### 12. Neighbourhood Plan

To receive updates for the progress for the Neighbourhood Plan.

#### Footpath Diverson - Bridleway No 1 and Footpath No 6 13.

To make comments on the proposed footpath/bridleway diversion - see correspondence from Cheshire East dated 7<sup>th</sup> October 2021.

#### Astbury Street, Congleton - Notice of Proposal 14.

To make comments on the above notice of proposal – see information and map.

#### Planning Applications Section 2 (Enclosed) 15.

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

To:

Planning Committee Members

Cllrs:

Paul Duffy (Chair), Amanda Martin (Vice Chair)

Duncan Amies, Robert Douglas, Suzy Firkin, Robert Hemsley, Jean Parry,

Mark Rogan, James Smith & Kay Wesley

Ex Officio: Cllr Denis Murphy (Town Mayor), Cllr Margaret Gartside (Deputy Mayor)

Ccs:

Other members of the Council for Information, Police, Honorary Burgess (3), Press (3), Congleton Library, Congleton Information Centre.

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#### **CONGLETON TOWN COUNCIL**

### Minutes of the meeting of the Planning Committee held on Thursday 14<sup>th</sup> October 2021

<u>Please Note</u> – These are draft minutes and will not be ratified until the next meeting of this Committee

For the papers discussed at the meeting, please see the <u>Meeting Agenda & Papers of the Planning</u> Committee 14th October 2021

In attendance:

Committee members: Councillors Amanda Martin (Vice Chair) - In the Chair

Duncan Amies Robert Douglas Suzy Firkin Robert Hemsley Jean Parry Mark Rogan Kay Wesley

Also present: Congleton Town Council Officers: David McGifford (Chief Officer),

Linda Minshull

1 x Member of the press 5 x Members of the public

#### Minutes

#### 1. Apologies for absence

Apologies for absence were received from: Committee Members: Cllr Paul Duffy and James Smith Ex Officio Members Denis Murphy and Margaret Gartside

#### 2. Minutes of Previous Meetings

PLN/11/2122 Resolved to approve and sign the minutes of the Planning Committee held on 9<sup>th</sup> September 2021.

#### 3. Declarations of Interest

None declared.

## 4. Outstanding actions

Date	Planning Application Number	Action	Progress
27.4.2021		Awaiting update from Cllr S Akers Smith	22.7.2021 – The Chief Officer reported that there had been some investigatory work done on the park side of the proposed bridge 4.8.2021 – No further updates

# 5. Questions from Members of the Public

There were no questions from members of the public.

## 6. Urgent Items

Councillor Douglas queried the procedure for using Section 106 funds in Congleton. The Chief Officer will investigate the details.

## 7. Planning Applications Section 1

PLN/12/2122 RESOLVED that the following comments be made to Cheshire East Council:

20/5865C Overedge, Brookhouse Lane, Congleton, CW12 3QP	The applicant spoke to support the application and a member of the public spoke in objection  REJECT DUE TO —  - Overbearing, overlooking and loss of privacy - Intrusion into the green belt, harmful to the openness of the greenbelt - Noise and disturbance from use - Vehicular access, access to site very narrow - Intrusion into privacy of neighbours, no screening
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#### 8. Planning Appeals

The following Planning Appeals were noted -

20/3339 C – Congleton Autos, Newcastle Road – Change of Use – Appeal against decision to refuse planning permission

19/5793C - Nobanno Restaurant, Astbury Lake, Newcastle Road, Astbury, CW12 4HL

#### 9.

#### **Licensing Applications**

The following licensing applications were noted.

9.1	Miam Miam, 26 A Lawton Street, Congleton, CW12 1RS	
9.2	Higher Ground Café Bar, 56 High Street, Congleton, CW12	
	1BB	
9.3	Congleton RUFC, 78 Park Street, Congleton, CW12 1EH	

#### 10. Section 106 Updates

The Chief Officer advised that there was still no response from the Cheshire East Council officer with regards to historic S106 agreements.

**Action** the Chief Officer to contact Congleton's Cheshire East Ward Councillors to request the relevant information and to write to the CEC Portfolio holder on the same matter.

#### 11. Planning Enforcement

There were no Planning Enforcement updates received.

#### 12. Neighbourhood Plan

The Chief Officer reported that there had been no progress since the last meeting.

Action to arrange a meeting with the Planning Consultant to agree next steps and timescales for the Regulation 14 Consultation

#### 13. Tree Preservation Orders

Councillor Douglas presented his report on Tree Preservation Orders.

#### PLN/13/2122 RESOLVED -

Town Councillors and Officers to consider whether they too should apply for Tree Preservation Orders for trees on their land or nearby and to actively encourage residents to apply for Tree Preservation Orders. This proposal also calls for Congleton Town Council via all means including greater prominence given to TPO.s in the Council's website, in Bear

Necessities, on the Council's Facebook pages, newspaper articles and letters and on other social media outlets to encourage our residents to apply for Tree Preservation Orders.

## 14. December Meeting Date

## PLN/14/2122 RESOLVED -

To change the date of the December Planning Committee to

Tuesday 14<sup>th</sup> December – 7 p.m. – Congleton Town Hall.

# 15. Planning Applications Section 2

PLN/15/2122 RESOLVED that the following comments be made to Cheshire East Council:

Application	Location	Declaration	Comments
Number		of Interest	
21/4567C	CHURCH HOUSE INN, BUXTON ROAD, CONGLETON, CONGLETON, CHESHIRE, CW12 2DY		No Objection Subject to Repairs to the boundary hedge
21/4395D	CROSSLEY HALL, PEOVER LANE, CONGLETON, CHESHIRE, CW12 3QH		No Objection
21/4703D	Land To The East Of Black Firs Lane And To The South Of, BACK LANE, SOMERFORD		No Objection
	LAND OFF, LAMBERTS LANE,		No Objection Subject to
21/4786C	CONGLETON, CHESHIRE		the bridge being protected
21/4767C	23, ASTBURY LANE ENDS, CONGLETON, CHESHIRE, CW12 3AY		No Objection
20/1211C	LONDIS, The Huub Building, MANCHESTER ROAD, CONGLETON, CW12 1NP		No Objection
21/4696T	25, ISIS CLOSE, CONGLETON, CHESHIRE, CW12 3RT		No Objection
21/4651C	7, MALVERN CLOSE, CONGLETON, CW12 4PD		No Objection
21/4854C	Land Off, MANCHESTER ROAD, CONGLETON		No Objection
21/4860C	Land to the East Of Black Firs Lane And To The South Of, BACK LANE, SOMERFORD		No Objection

21/4838C	19 NORFOLK ROAD,	No Objection
	CONGLETON, CW12 1PA	
21/4822C	Land Off, BIGGS WAY, CONGLETON	No Objection
21/4808C	9, WOBURN DRIVE, CONGLETON, CHESHIRE, CW12 3SS	No Objection
21/4651C	7 MALVERN CLOSE, CONGLETON, CW12 4PD	No Objection
21/4958C	101, NEWCASTLE ROAD, CONGLETON, CHESHIRE, CW12 4HL	No Objection
21/4964C	29, GIANTSWOOD LANE, CONGLETON, CW12 2HG	No Objection
21/4891C	Privately owned land to the south of, MIDDLE LANE, CONGLETON CW12 3PZ	No Objection
21/4889C	10, ANNAN CLOSE, CONGLETON, CW12 3RZ	No Objection
21/4898C	179, ST JOHNS ROAD, CONGLETON, CHESHIRE, CW12 2EJ	No Objection
21/4841C	Former Dane Bridge Mill Site, MILL STREET, CONGLETON	REJECT – due to the following  - Building too tall for its location  - Inadequate amount of car parking spaces  - Highway and safety issues due to the dangerous road junction  - Loss of trees  - No landscaping
21/5079C	34 Brook Street, Congleton, CW12 1RH	No Objection Subject to there being a clear gap between the buildings
21/5059C	39, HIGH STREET, CONGLETON, CONGLETON, CHESHIRE, CW12 1AU	No Objection
21/5065C	70, BIDDULPH ROAD, CONGLETON, CW12 3LG	No Objection
21/5066T	22, BOSLEY VIEW, CONGLETON CW12 3TU	No Objection
21/5166C	7 Cedar Court, Congleton, Cheshire, CW12 3JP	No Objection
21/5183C	1 Trinity Place, Congleton, CW12 3JB	No Objection

21/4921C	Tall Ash Farm, 112 Buxton Road, Congleton, CW12 2DY	No Objection
21/4933C	Congleton Fire Station, West Road, Congleton, CW12 1LE	No Objection
21/4977C	Congleton Wastewater Treatment Works, Barn Road, Congleton, CW12 1LJ	No Objection Subject to the trees being replaced with similar trees not shrubs

Cllr Amanda Martin (Vice Chair in the Chair)

# Planning Committee - 18th November 2021

# **Outstanding Actions**

Date	Planning Application Number	Action	Progress
27.4.2021		Information from Cllr S Akers Smith	22.7.2021 – The Chief Officer reported that there had been some investigatory work done on the park side of the proposed bridge 4.8.2021 – No further updates 1.11.2021 - the rotary bore holes works went ahead last week as planned. Updated report due early next week – this will facilitate structural engineers to produce the appropriate foundation detail. Timescales to receive foundation designs uncertain but further updates will be provided as soon as possible.



Public Rights of Way
Cheshire East Council
2nd Floor, Old Building
Municipal Buildings
Earle Street
Crewe
Cheshire CW1 2BJ

Phone: 01270 686 077 marianne.nixon@cheshireeast.gov.uk

DATE: 7th October 2021 OUR REF: PROW/MN 090D/597

Dear Consultee

PROPOSED DIVERSION OF PUBLIC BRIDLEWAY NO 1 AND FOOTPATH NO 6 IN THE PARISH OF CONGLETON HIGHWAYS ACT 1980 S119

An application for the diversion of parts of the above footpath and bridleway has recently been submitted by Mr P Chadwick, Moreton Meadows Farm, Waggs Road, Congleton, Cheshire CW12 4DA.

As you may know under the Highways Act 1980, an appropriate authority is empowered to make a Public Path Diversion Order where it appears to be expedient in the interests of the owner, lessee or occupier of the land crossed by the path or of the public. In addition, in order that the Order is capable of confirmation, the authority must be satisfied that the path will not be substantially less convenient as a result of the diversion and regard must be paid to the effect of the diversion on public enjoyment of the path as a whole. The Council believes that in this case, these tests are met. If a diversion order is made, existing rights of access for the statutory undertakers to their equipment and apparatus are protected.

To provide security and privacy to the applicant's property, the proposed diversion route for Congleton Footpath No.6 would take path users away from the applicant's garden, and the proposed diversion route for Congleton Bridleway No.1 would rectify a mapping anomaly by moving the bridleway section several metres to the north along a similar alignment so that it is recorded as the same alignment currently used by the public.

Diversion of Congleton Footpath No.6

The section of Congleton Footpath No.6 proposed for diversion starts at point A and follows a south westerly direction over an unmade path to the garden of Moreton Meadows Farm which it then enters and exits via pedestrian gates at points B and C. From point C, it bears in a south, south westerly direction over a pasture field to terminate at a field boundary (point D).

The proposed new route of Congleton Footpath No.6 would also start at point A but would then run in a southerly direction towards a stream (point F). It would then follow alongside the stream in a west, south westerly direction to point G and then in a south, south westerly direction passing via a kissing gate into a pasture field. It would then run through this field between a fence and the eastern hedged boundary of the field, to terminate at point D.

The footpath section would be 2 metres wide where unenclosed and 2.5 metres wide where enclosed between the fence and hedge, although it is anticipated that the enclosed section would be wider. A 1 metre wide stone surface (sand and hardcore) would be installed along the diversion route due to the presence of boggy areas. It is also the intention to drain the boggy areas as far as practicable. At point D, a steel kissing gate would be installed.

In summary, the proposed new footpath route would follow a line that would:

- Be significantly more enjoyable for users as it would pass through more open landscape and avoid the need to walk through a private garden.
- Would be easier to navigate.
- · Would afford improved privacy and security for the applicant.

#### Diversion of Congleton Bridleway No.1

From its crossing point with Congleton FP6 (point A), the section of Congleton BR1 proposed for diversion follows a westerly direction along an enclosed unmade track for approximately 68 metres to terminate at point E.

The proposed new route would start at point A and would also run in a westerly direction but would be aligned to the north of the current route, and parallel to it such that it would align along the route used by walkers and riders today, and would terminate at point E.

The new section of bridleway would be enclosed to a width of 3 metres.

The diversion of the footpath and bridleway would be made in the interests of the landowner.

I invite you to submit any comments you may have in relation to the proposal by **Thursday** 18<sup>th</sup> November 2021. If I have not heard from you by this date, I will assume that you have no objection to the proposal.

Should you want to consider the proposal but are unable to do so by this date, would you please Inform me as soon as possible.

Yours sincerely

Marianne Nixon
Public Path Orders Officer

Read our Privacy Notice at www.cheshireeast.gov.uk/prow

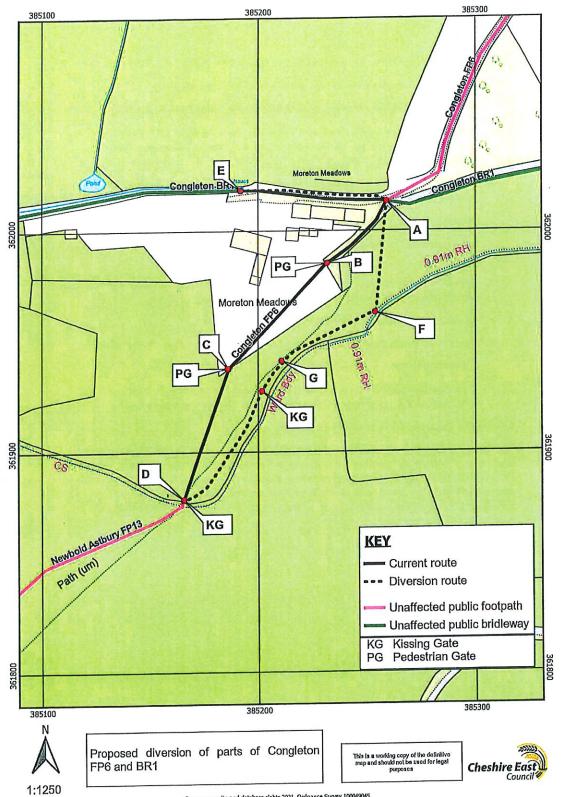
# HIGHWAYS ACT 1980 s119 DIVERSION OF FOOTPATH, BRIDLEWAY OR RESTRICTED BYWAY

Compare the proposed diversion with the present path considering the following-

- Are the end points of the diversion on the same highway or one connected with it?
- Is the diversion substantially longer considering the typical use of the path? For example, as a recreational route or a short cut to shops or a bus stop? If so, by what approximate percentage is the length increased?
- Are walkers exposed to increased dangers from traffic because of the diversion? For example, the exit point has no verge or footway, or is on a bend?
- Is there a significant increase in gradient in using the diversion?
- Is the surface of the proposed diversion at least as good as he original path? If not, how is it
- Does the diversion increase the difficulties for walkers? Do any limitations (i.e. gates or gaps)
   comply with the Equalities Act 2010?
- Would using the diversion deprive the walker of pleasant views?
- Does the diversion provide a satisfactory and safe link to the nearest public right of way?
- Is there loss of historical character or features?
- Iş the diversion a positive improvement to the original route or on an alignment which is only marginally less satisfactory? If not, how could the diversion be made acceptable?

# Ensuring the Diversion Will Be Available for Walkers.

Inspectors should walk the whole length of the path, even when only part is subject to a diversion application. Any faults on the rest of the path, such as it being obstructed or out of repair, should be reported. Whilst these are not valid legal reasons to object to the diversion, they need to be drawn to the attention of the highway authority with a view to ensuring that the diversion route is available to walkers. Similarly, if a path providing a continuation from the diversion is obstructed or out of repair, this should be reported.



# NOTICE OF PROPOSAL CHESHIRE EAST BOROUGH COUNCIL (ASTBURY STREET, CONGLETON) (PROHIBITION OF WAITING) ORDER 2021

Notice is hereby given that the Cheshire East Borough Council proposes to make an Order under Sections 1, 2 and 4, and Part III of Schedule 9 of the Road Traffic Regulation Act 1984, as amended, ("the 1984 Act") and all other enabling powers and in accordance with its duty under Section 122 of the 1984 Act.

1. The effect of the proposed Order will be to introduce a prohibition of waiting by vehicles at all times on all days on the following lengths and sides of road;

Astbury Street (east side) – from a point 14 metres south of its junction with West Street for a distance of 24 metres in a southerly direction.

2. A copy of the draft Order; map showing the restricted areas; a statement of reasons for making the Order and a copy of this public notice are available to view at <a href="https://www.cheshireeast.gov.uk/highways">https://www.cheshireeast.gov.uk/highways</a> and roads/highways-licences-and-permits/traffic-regulation-order-notices.aspx

or by using the QR code below



or, if you do not have access to the internet, please contact 0300 123 5020 for further details or to request paper copies.

3. If you wish to object to the proposed Order, or to any provisions contained in it, or make any other representations, you may do so in writing, and if making an objection you must specify the grounds on which it is made, to Mr R Welch, Cheshire East Highways, Municipal Buildings, Earle Street, Crewe, CW1 2BJ or by email to <a href="mailto:Consultations@cheshireeasthighways.org">Consultations@cheshireeasthighways.org</a> to be received by 2<sup>nd</sup> December 2021.

Director of Governance and Compliance Cheshire East Borough Council 11th November 2021

## CHESHIRE EAST BOROUGH COUNCIL (ASTBURY STREET, CONGLETON) (PROHIBITION OF WAITING) ORDER 2021

#### STATEMENT OF REASONS

#### **Effect**

The effect of the proposed Order will be to introduce a prohibition of waiting by vehicles at all times on all days on the following lengths and sides of road;

**Astbury Street (east side)** – from a point 14 metres south of its junction with West Street for a distance of 24 metres in a southerly direction.

#### Reasons

Astbury Street is residential road near the centre of Congleton, which is accessed via West Street. The residential properties fronting Grangeway are predominantly terraced houses and although some residents have off street parking facilities, there is a significant amount of on street parking.

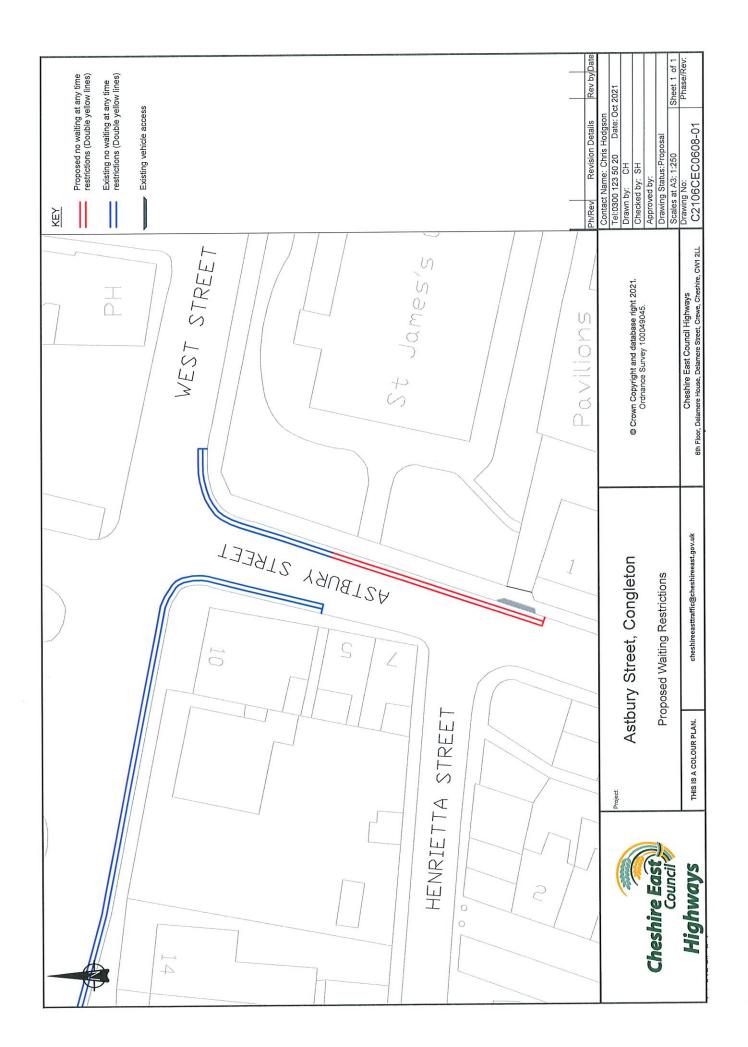
An Auto Parts Shop, Butchers and Church are located close to the junction of Astbury Street and West Street and generate additional on street parking in this area.

Complaints have been received regarding vehicles parking on both sides of Astbury Street, near its junction with West Street, in the vicinity of the local shops and Church. It has been reported that this parking causes problems for vehicles turning into Astbury Street who need to stop to give way to oncoming vehicles, leading to sudden braking and, at times, congestion backing up onto West Street.

The proposed waiting restrictions will prevent parking along both sides of the highway in this area, which will improve access, visibility and the free movement of traffic.

The Ward Members, Parking Services and Police support this proposal.

In respect of section 122 of the 1984 Act the Authority is seeking to secure the expeditious, convenient and safe movement of traffic through the provision of waiting provisions whilst also keeping the restrictions to a minimum to take into account its duty to provide suitable and adequate parking on street.



# Planning Committee - 18th November 2021

Planning Applications lodged with Cheshire East Borough Council for weeks commencing:

- 11th, 18th & 25th October 2021
- 1st & 8th November 2021

Planning Application Number		mber Details
1.	*	29, THE CRESCENT, CONGLETON, CW12 4BQ
	21/5215	Rear extension 2 storey at one side (gable end) dropping into single storey on
2.		Land off MIDDLE LANE, CONGLETON
	21/5240	Change of Use of land to a gypsy/traveller site for one family with two pitches including access track, hardstanding and bio-disc sewage treatment plant
3.	*	9, ASCOT CLOSE, CONGLETON, CHESHIRE, CW12 1LL
	21/5217	the state of the s
4.	CONTRACTOR S	20 RUTLAND CLOSE, CONGLETON, CW12 1LT
	21/5245	Rear facing single storey extension
5.	*	21, HIGH STREET, CONGLETON, CW12 1BH
٥.	21/5254	Advertisement consent for 2 x Fascia sign comprising of individually applied
		Wall plaque
6.		Land To The East Of Black Firs Lane And To The South Of, BACK LANE, SOMERFORD
	21/5234	Non-material amendment to approved application 19/3624C - Approval of matters reserved in outline application 16/1922C; appearance, landscaping, layout and scale pursuant to outline planning permission for the erection of 200 dwellings
7.	*	26, MEAKIN CLOSE, CONGLETON, CW12 3TG
	21/5303	A fence (1.8m high) has been erected down the side and rear of our property
8.	* 21/5314	Cleveland, 50, BIDDULPH ROAD, CONGLETON, CW12 3LG Proposed porch with internal alterations
9.	*	Land Off, GOLDFINCH CLOSE, CONGLETON
	21/5422	Discharge of condition 10 on application 18/6250C - Erection of 14 dwellings (including 30% affordable housing) and open space with associated landscaping and infrastructure.
10		Land West of, CONGLETON EDGE ROAD, CONGLETON
10.	21/5161	
11.	* 21/5590	

# Planning Committee – 18th November 2021

Planning Applications lodged with Cheshire East Borough Council for weeks commencing:

- 11<sup>th</sup>, 18<sup>th</sup> & 25<sup>th</sup> October 2021
- 1st & 8th November 2021

		Non material amendment to planning application 18/2049C - Approval of the
1		reserved matters; Appearance, Landscaping, Layout and Scale for the
		development of 236 dwellings
12.		CONGLETON LEISURE CENTRE, WORRALL STREET, CONGLETON, CHESHIRE,
		CW12 1DT
	21/5530C	Variation of condition 2 on approved application 21/0059C - Variation of
		Condition 2 on approval 18/6319C for refurbishment and extension of existing
		leisure centre
13. *		2, HILLESDEN RISE, CONGLETON, CW12 3DR
	21/5497C	Addition of a single storey glass roof located on the rear elevation of the
		property in the private garden.
14. *	24/50500	Springfields, Newcastle Road, Astbury, Congleton, CW12 4HS
	21/5656C	Proposed loft conversion
15. *	21/5659C	55, HOWEY HILL, CONGLETON, CW12 4AF
		Proposed two storey side extension.