



Congleton Town Council

Historic Market Town

Chief Officer: David McGifford CiLCA

Date 7th September 2023

Dear Councillor

Planning Committee Meeting – Thursday 14th September 2023

You are summoned to attend a meeting of the Planning Committee on
Thursday 14th September 2023 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

David McGifford
Chief Officer

Congleton
beartown
where friends are made

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

Tel: 01260 270350

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



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 Previous Meetings

To approve the minutes of the meeting 17th August 2023

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.

14.3.23 Astbury Place /Congleton park bridge Section 106 – Briefing note from David Malcolm CEC Planning

Following various false starts and lack of action from Morris Homes (including threats of legal action), momentum was finally achieved in 2022 and the Council held several meetings with Morris Homes to understand the options for retrospective installation of the footbridge, alongside agreeing the necessary Licenses, Agreement for Lease and Heads of Terms. Formal site investigations were completed in summer 2022, which resulted in a package of technical information alongside a suite of documents including the bridge designs and a programme of works submitted towards the end of last year. A number of further queries arose from that information which Morris Homes responded to in February this year.

It is evident that when the footbridge was proposed on the original planning application (and included in the legal agreement) that no significant details of the bridge and its construction were considered (other than what it might look like). Notwithstanding this, there is a breach of the legal agreement and the homes have now been constructed, and therefore it is the recently submitted information that provides the level of detail and the understanding as to the impact of construction.

Access

The construction of the bridge and the plant (vehicles, cranes etc) required to transport/construct the bridge can only take place from the Congleton Park side. Investigations of a lighter bridge solution are not possible due to the span required.

Loss of Trees

While some tree loss was expected as part of the original approval, the extent of tree removal alongside the embankment is significant and of potential concern and would require significant mitigation (space to do this?).

Park and Pitches

Construction access via the park would lead to a significant closure of the park itself, with an estimated programme period of 35 weeks. There would also need to be a proposed haul road across the rugby

pitch(s) and its subsequent remediation which would have an impact on the use of the rugby pitch for at least one season possibly 2.

River Dane

This river system is notably active in terms of erosion and riverbank stability and the introduction of a new asset into this river system may also bring with it new, future maintenance liabilities from a flood hazard and public risk perspective. Removal of trees along this embankment may also affect stability without appropriate safeguards.

Approvals and Consents

It is noted that various permissions and licences will be required from the Council and other Governing bodies (e.g. the Environment Agency) both to install the bridge and for its maintenance over the parkland in perpetuity. Further consideration will be given to this once a scheme is agreed and finalised.

Suitable Alternatives

Should the cost / benefit impacts of the bridge not support its construction then it may be that through negotiation with Morris Homes an alternative solution for s106 monies could be facilitated as mitigation – such as other local pedestrian/accessibility improvements. This would ultimately be a committee decision as a variation to the original planning permission. Officers are now waiting for a response as to whether this is something that Morris Homes would consider and/or the nature of the contribution.

You will appreciate the sensitivities/uncertainties, particularly around the potential impact on the park and the pitches, and therefore until there is further certainty on the direction of travel and discussions with Morris Homes, I would be grateful if you could just keep this information to yourselves for now. I will send an update to the Town Council and some local residents but without some of the specifics.

Next steps

Once I receive an update from Morris Homes I can arrange a further briefing to hopefully provide greater certainty on either moving forward with the bridge or prepare papers for an alternative option.

Tree Protection order at the Church House – CEC update 7.9.23

Further to your initial report on 13th August 2021 an Officer attended site on the same week and spoke to the Manager of The Church House who confirmed that they were redeveloping the area where the Ash was located to create more outside seating. Part of that revamp had included removal of the Weeping Ash. However, Robinsons brewery acknowledged they had miscalculated the reaction of the local people and were apparently shelving the idea while they considered alternatives, therefore the risk of the tree being removed was considered to have subsided.

Due to its location to the road frontage with Buxton Road the tree was found to offer high public amenity and be of good vitality at the time of the first assessment in 2021. There had been several large limbs removed which had resulted in large, partially occluded wounds. There was noted to be evidence of die-back to small diameter branches in the canopy which is very typical of this variety of Ash. Weeping Ash are not a particularly long-lived species and are prone to carrying dead wood and branch break out, and that is without the added prevalence of Ash Dieback (*Hymenoscyphus fraxineus*) which is pretty much considered endemic to Cheshire East now. The suitability of applying formal protection to a tree which is over mature for a grafted Ash, with the species characteristics described above, in an area which the public have access to, and given its anticipated limited future

growth potential are all factors which have been instrumental in not making a Tree Preservation Order to date.

A final evaluation of the trees health and appearance will be carried out over the next few weeks, and if you are able to provide advice as to whether you have received any recent information that leads you to believe the tree is once again at imminent risk of removal, this will be taken into account within the final assessment.

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 Council.

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

8. Neighbourhood Plan (Enclosed)

To receive notes from the meeting of the Neighbourhood Plan Development Working Group and Urban Imprint

9. Planning Appeals

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

10. Licensing Applications

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

Application from: The Wharf Inn, 121 Canal Road, Congleton, CW12 3AP
Requesting: a premises licence to provide the following licensable activities:

Recorded Music & Supply of Alcohol – Sunday – Thursday – 10:00 – 00:00, Friday – Saturday – 10:00 – 01:00 AM

Officer comment: Several local residents have already expressed a variety of concerns about this licencing application. Main concerns are based around concerns about public nuisance and the negative impact on the health of residents living in close proximity to the pub.

Councillors can make representations on licensing activities based on the following four areas (1) The prevention of crime and disorder (2) Public safety (3) The prevention of public nuisance (4) The protection of children from harm.

11 Planning Applications Section 2 (Enclosed)

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

To: Planning Committee Members

Cllrs: **Amanda Martin (Chair), Robert Brittain (Vice Chair)**

Suzie Akers Smith, Dawn Allen, David Brown, Charles Booth
Robert Douglas, Suzy Firkin.

Ex Officio: Rob Moreton (Town Mayor) and Kay Wesley (Deputy Mayor)

Ccs: Other members of the Council for Information, Police, Honorary Burgess (5), Press (3), Congleton Library, Congleton Information Centre.

CONGLETON TOWN COUNCIL

Minutes of the Planning Committee Meeting held on 17th August 2023

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

In attendance:

Committee Members: Councillors Amanda Martin (Chair)
Robert Brittain (Vice Chair)
Charles Booth
David Brown
Suzy Firkin

Ex Officio Rob Moreton (Mayor)

Non-Committee member: None

Congleton Town Council Officer David McGifford (Chief Officer)

0 Members of the press

0 Members of public

1. Apologies for Absence

Apologies for absence were received from Committee Members: Suzie Akers Smith, Dawn Allen, Robert Douglas and Kay Wesley (Ex Officio)

2. Minutes of Previous Meetings

PLN/7/2324 Resolved to approve and sign the [minutes of the Planning Committee meeting held on the 27th July 2023](#)

3. Declarations of Disclosable Pecuniary Interest

Declarations of “non-pecuniary” (NP) and “pecuniary” (P) interests were received from Councillors: David Brown and Robert Moreton (Mayor – Ex officio)

4. Outstanding Actions

Date	Reference	Issue	
17.8	Astbury Place /Congleton park bridge Section 106	Developer delaying installation of an agreed bridge linking Astbury Place to Congleton Park	No progress made since the last meeting Cllr Rob Moreton to continue to follow up
17.8	Tree Preservation Order Church House Public House on Buxton Road	Request for a TPO to be placed on the largest tree at the front of the Church House.	No progress since the last Meeting Cllr David Brown to try and get some guidance from CEC re timescales

5. Questions from Members of the Public

There were no questions from members of the public

6. Urgent Items

There were no urgent items

7. Neighbourhood Plan update

PLN/8/2324 Resolved to receive the update on the Neighbourhood Plan which advised that there will be a meeting of the working group on Wednesday 23rd August - Jackie MacArthur will be the lead officer

8. Planning Applications Section 1

There were no applications brought forward to Section 1

9. Planning Appeals

No planning appeals noted

10. Licensing Applications (5)

PLN/9/2324 resolved to respond to CEC Licensing as shown in column 4

1	<p>The Orange Tree Congleton, West Road, Congleton, CW12 4EY</p> <p>Comments by 24 -8-23</p>	<p>Update the plans following a change of layout</p> <p>Amend the hours for the licensable activities to 10:00-01:00 Mondays to Sundays</p> <p>Amend the opening hours to 09:00-01:00 Mondays to Sunday</p> <p>Remove conditions 4 & 5</p> <p> Replace Challenge 21 with Challenge 25</p>	<p>Opening hours may need to slightly differ from the licensable activities hours to allow drinking up time.</p> <p>Consideration should be given to door staff for late-night opening.</p> <p>No knowledge of conditions 4 and 5 so unable to comment on these</p> <p>Please encourage a representative from the premises to join Congleton Pub Watch.</p>
2	<p>The Spar Shop 48 West Street Congleton, CW12 1JR</p> <p>31-8-23</p>	<p>Change the sale of alcohol for consumption off the premises, Monday to Sunday 0800hrs to 2300hrs</p>	<p>Other premises have been permitted licences to sell alcohol until 23.00 hours. No objection. Request to be mindful of neighbours.</p>
3	<p>2 Swan House, Swan Bank,</p>	<p>Recorded Music (Indoors) Monday to Thursday 11.00 to 23.00 Friday & Saturday</p>	<p>This is next to another two bars and Rumba is licensed until 2.30 am so it is reasonable that this property is open</p>

	Congleton CW12 1AH 4-9-23	11.00 to 02.00 Sunday 11.00 to 23.00 The Supply of Alcohol for Consumption On the Premises Monday to Thursday 11.00 to 23.00 Friday & Saturday 11.00 to 01.30 Sunday 11.00 to 23.00	until 1.30am. It is normal for Congleton that late-night Friday and Saturday evening venues have door staff, so this could be a requirement. Please encourage a representative to attend Congleton pub watch
4	Central Co-op, 74 Manchester Road, Congleton CW12 2HT 6-9-23	Supply of Alcohol – Monday – Sunday – 07:00 – 22:00	No objection. Other stores sell alcohol until 23.00 hours.
5	Capital Walk, High Street, Congleton, CW12 1WB 12-9-23	Sale and supply of alcohol, recorded music The proposed new times will be: Friday and Saturday 09:00 to 01:00	In line with other properties in the area. With later opening if Capital Walk does not have door staff this should be a consideration as part of the licensing. Please encourage a representative to attend Congleton pub watch

11. Planning Applications Section 2

PLN/10/2324 that stars be removed from applications 2 & 12 and that the remaining applications with stars being Resolved noted as no objection

1	23/2575C	Demolition of existing dwelling and erection of replacement dwelling including detached garage and associated landscaping.	Bullmoor Farm, WEATHERCOCK LANE, CONGLETON, CW12 3PZ	Objection as the committee believe that the information is misleading as there is an excessive increase in the size of the actual footprint
2	23/2713C	Reserved matters approval for application 16/1824M:	Land north of the Congleton Link Road ('CLR') known as Somerford Green, Congleton	The committee supports the views of the residents and feel that the issues they raised should be investigated
3	23/2771T	The identified trees are highlighted in the document, yellow. We wish to seek a qualified tree surgeon to commence work to crown thin the trees identified in this document to allow more sunlight into the garden and to prevent any branches falling. There	19, LONGDOWN ROAD, CONGLETON, CW12 4QH	Objection due to inadequate information being provided and the decision needs to defer to the CEC Tree Officer

		are a number of rough branches hanging off them which I fear will break in the wind due to the growth and age of them. One of them appears to have a disease and the leaves have black spots on it.		
4	23/2790C	Proposed single storey rear extension.	60, CHESTNUT DRIVE, CONGLETON, CW12 4UB	No objection
5	23/2810C	Proposed dwelling	Plot 28, Land At, FORGE LANE, CONGLETON	Objection due to the unsatisfactory relationship between the house and the trees and to ensure there is protection of a significant strip of woodland
6	23/2815C	Prior approval of single storey rear extension extending 4.1m beyond the rear wall, 3.15m maximum height and eaves height of 2.95m	3, CAMPION PLACE, ASTBURY, CW12 4GX	Defer to the planning officer
7*	23/2829C	Certificate of lawful proposed development for a single storey rear extension, 3m projection with 2.3m eaves and 3.5m ridge.	4, BANKHOUSE DRIVE, CONGLETON, CW12 2BH	No objection
8*	23/2915C	Non Material Amendment to application 16/1824M:	Land to the north of the existing Radnor, Land at Back Lane, Congleton	No objection
9*	23/2924D	Discharge of conditions 3, 4 & 6 of existing permission 21/2555C;	23-25 West Street, CONGLETON, CW12 1JN	No objection
10*	23/2925D	Discharge of Condition 5 on 16/1824M.	Radnor Park Industrial Estate, BACK LANE, CONGLETON	No objection
11*	23/2926D	Discharge of Conditions 12 & 34 on 16/1824M.	Radnor Park Industrial Estate, BACK LANE, CONGLETON	No objection

12	23/2928D	Discharge of conditions 6 & 31 on application 16/1824M	Land to the north of the Congleton Link Road, Radnor Park	Objection as there is existing hedgerow and trees and there is a need for a Woodland management plan
13*	23/2930D	Discharge of condition 35 on application 16/1824M -	Land to the north of the Congleton Link Road. Radnor Park	No objection
14*	23/2951D	Discharge of conditions 22, 23 and 33	Land to the north of the Congleton Link Road, Radnor Park	No objection
15*	23/2952D	Discharge of condition 11 on application 16/1825M -	Land to the north of the Congleton Link Road. Radnor Park	No objection
17*	23/2958C	Rear facing single storey extensions	14, PARK LANE, CONGLETON, CHESHIRE, CW12 3DG	No objection
18*	23/2982C	Extension to industrial unit (Class B)	UNIT 7 CONGLETON TRADE CENTRE, Radnor Park Industrial Estate, RADNOR PARK,	No objection
19*	23/3018C	Proposed internal alterations and heighten of garage roof	38, AYRSHIRE WAY, CONGLETON, CW12 3TN	No objection
20*	23/3039D	Discharge of Conditions 9 & 19 on 16/1824M	Radnor Park Industrial Est	No objection
21*	23/3043D	Discharge of Conditions 7 & 8 on 20/1934C	20, 20a, 22, 22a Mill Street, Cross Street	No objection
22*	23/3095D	Discharge of condition 8 on application 21/5642C	The Robin Hood, BUXTON Rd	No objection
23*	23/3107C	Proposed single storey rear extension.	78, ST JOHNS ROAD, CONGLETON, CW12 2AX	No objection
24*	23/2973D	Discharge of Condition 8 on approval 10/4480C	Former Valley Manufacturing Site,	No objection

Congleton Group Neighbourhood Plan Development Working Meeting

NOTES OF MEETING

Date: Wednesday 23 August 2023

Location: Bridestones Suite

Time 3pm – 5pm

Present: Cllr Suzy Firkin, Cllr Kay Wesley, Cllr Amanda Martin, Cllr David Brown, Jo Gregory Urban Imprint, Mark Waleczek Urban Imprint, Jackie MacArthur CTC

Item	What was discussed / description	Actions	By whom	By when
1.	Apologies	Cllr Sally Holland, Cllr Liz Wardlaw, Cllr Heather Pearce, David McGifford		
2.	<p>Introduction – Everyone introduced themselves and their relationship/involvement with the Neighbourhood Plan. Cllr David Brown and Cllr Amanda Martin involved for many years.</p> <p>Noted after the examiner recommended withdrawal for changes in Feb 2019, the Neighbourhood Plan lost momentum due to elections, COVID-19 and other priorities. The Town Council still committed to completing a Neighbourhood Plan.</p> <p>Noted the disappointment of councillors present that we have not progressed further and are still not in a position to progress to consultation.</p> <p>Jo explained that Urban Imprint has assisted with 35 Neighbourhood plans – including Wilmslow and Knutsford and have a great deal of experience of developing and using planning policy.</p>	No actions from introductions.		
3.	<p>Feedback from Urban Imprint</p> <p>Urban Imprint was commissioned to carry out a review of the latest Congleton Neighbourhood Plan Policies. They completed a detailed health check evaluation of each of the current policies based on the criteria which included the values that an examiner would look for. It was hoped this would need a couple of days of additional work to pull into shape so that the document could be designed and put out to Reg 14 consultation late Oct/ early November</p>	<p>Detailed review sent to Councillors on the Working Group List of Policies in the Feb 23 version and Feb 19 version sent to Councillors</p> <p>Request for a copy of all the current policies to be shared with Councillors (Feb 23)</p>	Jackie	Both Sent pre-meeting 6/9

	<p>UI concluded that although there had been lots of brilliant work done on the Neighbourhood Plan, the cull of policies that had taken place following the examination to remove policies that were a duplicate of NPPF or Local Plan or SADPD had lost much of the essence of the plan and prevented the clear thread and link of consultation and concerns of the public and that considerably more work would be needed than a couple of days updated.</p> <p>Recommended that Councillors should reconsider which policies they really want in the document.</p>	<p>Urban Imprint to evaluate how much time / funds needed to carry out a review of the policies from 2018 and what is needed to update.</p> <p>Urban Imprint to pull together a list of the potential Congleton Policies and what the intention is behind each of the policies for the Working Group/Council to consider and how they link to the work already done.</p> <p>Urban Imprint to provide a quote for this work.</p> <p>Jackie to send over the reference documents used for the basis of the Congleton NP Draft Policies. To make sure that we have PDFs of all these documents and add to a new reference library</p>	<p>UI</p> <p>Jackie</p>	<p>6/9</p> <p>6/9</p>
4	<p>Questions/ Feedback from Councillors</p> <p>Can our Neighbourhood Plan integrate with the parishes?</p> <p>Green and Blue Corridors and green spaces are important to Congleton and need to be reflected.</p> <p>Biodiversity in all areas of Congleton is a key theme</p> <p>Accessibility to and from all areas of Congleton – from the new estates to the town, from homes to schools to key attractions – walking, cycling, public transport.</p> <p>Preserving historic buildings – important for the town.</p> <p>Community infrastructure important – but to what level of detail. Do we list all 40 + pubs by name, or just say 40+ pubs</p>	<p>Responses from Urban Imprint</p> <p>Needs to reflect the area designated, but the new residents in the parishes will have an impact on the usage of the town so this needs to be a clear thread throughout the plan.</p> <p>Policies in this area are clear. Worth trying to include all green spaces that are important to people.</p> <p>Can include work already done in Congleton on this area</p> <p>Possible to enhance policies around this area</p> <p>Possible to add specific buildings or areas. Strong heritage policies already written for the plan.</p> <p>Advice to add as much detail as possible. Jackie to update Community Asset list and share with the WG for additional input</p>		

	<p>Design of the Neighbourhood Plan</p> <p>Graphic Designer Becky put together some ideas of how the pages could look – A4 landscape, three columns, maps, pictures, style – this was circulated, but fundamentals on sorting content needs sorted before design so this was not discussed at the meeting Becky has given a menu of options for design tools for consultation</p>	<p>Forward copy of draft design work to Councillors</p> <p>To pull plan together once content starts to firm up for consultation.</p>	Jackie	With Mins
5	<p>Regulation 14 Consultation Plan for Neighbourhood Plan</p> <p>Not discussed at the meeting. Need to get a realistic timescale for the deadline in October will slip. Councillors keen to show that work is progressing and share a plan with Councillors with a realistic timescale.</p> <p>Lots of work needs to be done around a new website. Cathy Dean in the office has set up a new domain name – but this has not been populated. Becky will design consultation pages that are web friendly.</p>	<p>When UI has had a chance to review the work needed costed it and if it is accepted by CTC will need to develop a new plan for consultation to include publications, print, public sessions, group works, social media, press and support material</p> <p>All old NP materials can still be viewed at www.mycongleton.co.uk - The blue writing on this page need to be changed – not possible through the normal logo in.</p> <p>New materials will be added to www.congletonneighbourhoodplan.co.uk A holding front page needs to be added whilst work is carried out to add meaningful content. This will be an important part of the consultation communications.</p>	Jackie/David Jackie Jackie	
	Date of Next Meeting	TBC		

Planning lists 7.8-14.8-21.8-28.8-4.9

1*	23/2901D	Discharge of conditions 10 and 11 of existing permission 21/4051C; Re-plan of plots 143 to 144 and 213 to 216 to allow 7 residential dwellings, garages, driveways and gardens..	Land Off Manchester Road Phase 2, , CONGLETON
2	23/3087C	Conversion of exiting retail unit into a two bedroom apartment to the upper storey with a new retail unit / office to ground floor.	13, MILL STREET, CONGLETON, CHESHIRE, CW12 1AB
3*	23/3107C	Proposed single storey rear extension.	78, ST JOHNS ROAD, CONGLETON, CW12 2AX
4	23/3111C	Single and 2 storey rear extension. First floor front extension and ground floor front extension for bay window and extension to storage/garage with new canopy.	21, LONGDOWN ROAD, CONGLETON, CW12 4QH
5*	23/3122C	Proposed single storey rear extension, demolition of existing garage and new proposed detached garage.	18, DELAMERE ROAD, CONGLETON, CW12 4PA
6	23/3223C	Proposed two storey side extension.	9, HAWTHORNE CLOSE, CONGLETON, CW12 4UF
7*	23/3270D	Discharge of conditions 18,21 and 22 on application 21/0320C: Application for 9no. affordable apartments.	CAR PARK, TOMMYS LANE, CONGLETON
8	23/3317C	Proposed second storey rear extension over kitchen, and rear dormer windows with part raising of the existing ridge	14, BOUNDARY LANE, CONGLETON, CW12 3HZ
9	23/3319T	Please refer to scale diagram image for site of tree The branch that is shown snapped did so spontaneously overnight 31st July/ 1st August 2023. The remaining trunk appears rotten and affected by fungi. We are seeking to fell the tree to prevent the risk of further branch or tree fall.	38, PARK LANE, CONGLETON, CHESHIRE, CW12 3DG