



# Congleton Town Council

Historic Market Town

Chief Officer: David McGifford CiLCA

Date 9th November 2023

Dear Councillor

## **Planning Committee Meeting – Thursday 16<sup>th</sup> of November 2023**

You are summoned to attend a meeting of the Planning Committee on **Thursday 16<sup>th</sup> November 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](mailto:info@congleton-tc.gov.uk) [www.congleton-tc.gov.uk](http://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 19<sup>th</sup> October 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.

None

**5. Questions from Members of the Public Maximum 15 Minutes**

A maximum of 5 mins is allowed for each application / subject.

**6. Urgent Items**

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

**7. Committee guidance notes for applications that include trees (Enclosed)**

To approve the amended guidance notes for applications that include trees

**8. Planning Enforcement**

To receive any updates on enforcement matters

<b>7.9.23 Astbury Place /Congleton park bridge Section 106 – Briefing note from David Malcolm CEC Planning</b>
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No further updates since 7.9.23
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**9. Planning Applications Section 1**

To note or comment as appropriate on planning applications lodged with Cheshire East Council. Section 1 is for members of the public who are wishing to comment about specific applications at the meeting.

**10. Neighbourhood Plan (to follow )**

To receive an update on the progress of the Neighbourhood Plan

**11. Planning Appeals**

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

**12. Licensing Applications**

To note or comment as appropriate on Licensing Applications lodged with Cheshire East Council.

**13. 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 19<sup>th</sup> October 2023

**Please note – These are draft minutes and will not be ratified until the next meeting of the Council.**

In attendance:

<u>Committee Members: Councillors</u>	Amanda Martin (Chair) Robert Brittain (Vice Chair) Suzie Akers Smith Robert Douglas Suzy Firkin
Ex Officio	Kay Wesley (Deputy Mayor)
Non-Committee member:	Glen Williams
Town Council Officer	David McGifford Chief Officer
Member of the press	1
Members of public	7

### AGENDA

**1. Apologies for Absence**

Apologies for absence were received from Dawn Allen, Charles Booth, David Brown, Robert Moreton (Town Mayor)

**2. Minutes of Previous Meetings**

**PLN/16/2324 Resolved to** approve the minutes of the meeting 14<sup>th</sup> September 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.

**7.9.23 Astbury Place /Congleton park bridge Section 106 CEC Planning**

Representation was made by a resident of Astbury Place who advised that there were many residents in support of the bridge being built to access the park and was actually one of the reasons why they moved there.

It was noted that the walk to the park via Brook Street was dangerous for children and parents with prams.

Should the bridge not be built it was suggested the budget for the bridge should be allocated to open space on the estate or improvements to the pavements on Brook Street.  
It was suggested by a committee member that the residents looks to get a petition signed by like-minded residents

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

Captured in item 4

6. **Urgent Items**

Cllr Douglas requested that we request current Section 106 agreements and Cils for Congleton

7. **Planning Applications Section 1**

Application 23/3506c was brought forward as there were 4 residents making representations about this application

8. **Neighbourhood Plan**

The Chief Officer advised that the development of the plan was progressing towards the consultation phase in early 2024

9. **Planning Appeals**

There were no Planning appeals .

10. **Tree Policy Proposal**

**PLN/17/2324 Resolved to** approve the Tree Policy document noting that it was advisory and was suggested that for ease of use the key points for consideration were drawn together into bullet points

**Action** Cllr R Douglas to update accordingly

11. **Licensing Applications**

APPLICATION FOR A PREMISES LICENCE LICENSING ACT 2003

Burns Garages Limited have applied on 2nd October 2023 to Cheshire East Council in respect of the premises known as Burns Garages Limited, Canal Street, Congleton, CW12 2JG for a premises licence to provide the following licensable activity:

Supply of Alcohol – Monday – Friday – 09:00 AM – 17:30 PM, Saturday – 10:00 AM – 16:00 PM

Representations shall be made in writing to the below address on or before the following date: 30 October 2023.

**PLN/18/2324 Resolved to** note no objection

12. **Planning Applications Section 2** (Enclosed)

**PLN/19/2324 Resolved to approve the comments made against the applications below**

<b>Comments from the meeting of the Congleton Town Council Planning Committee 19.10.23</b>				
1	23/3310M	Construction of new dwelling	Land Off, MOSS LANE, EATON	<b>Objection</b> and supporting the comments made by Eaton Parish Council
2*	23/3384C	Porch to front.	9, GALBRAITH CLOSE, CONGLETON, CW12 4WG	<b>No Objection</b>
3*	23/3427C	Lawful Development Certificate for a proposed dormer over the existing kitchen	142, ST JOHNS ROAD, CONGLETON, CW12 2EH	<b>No Objection</b>
4*	23/3441C	Variation of Condition 2 on approval 22/4635C for single storey rear extension	44, CHESTNUT DRIVE, CONGLETON, CW12 4UB	<b>No Objection</b>
5	23/3450D	Discharge of Condition 12 on approval 16/2189C	Land West Of, PADGBURY LANE, CONGLETON	Noted that the travel plan was totally inadequate
6*	23/3495C	Change of use from shop (Class E) to cocktail / wine bar serving food	6-12, LITTLE STREET, CONGLETON, CHESHIRE, CW12 1AR	<b>No Objection</b>
7*	23/3496C	Listed building consent for change of use from shop	6-12, LITTLE STREET, CONGLETON, CHESHIRE, CW12 1AR	<b>No Objection</b>
8	23/3506C	Proposed Dwelling.	Grange Cottage, 150, CANAL ROAD, CONGLETON, CW12 3AT	<b>Objection on the grounds of –</b> <ul style="list-style-type: none"> <li>• <b>Layout and density of proposed development</b></li> <li>• <b>Inadequate space for parking</b></li> <li>• <b>Width of road is not adequate</b></li> <li>• <b>More risk with increase of vehicle movements</b></li> <li>• <b>No actual turning point</b></li> <li>• <b>Access and egress issues onto canal road with highway safety issues</b></li> </ul>

				<b>with large vehicles having to reverse out</b>
9	23/3518T		25, ISIS CLOSE, CONGLETON, CHESHIRE, CW12 3RT	<b>No Objection</b>
10	23/3534T	Oak tree sited in front garden - requires trimming - 25% reduction	27, WOBURN DRIVE, CONGLETON, CW12 3SS	<b>No Objection</b>
11	23/3535T	T1 Cherry - fell..	23, PARK LANE, CONGLETON, CW12 3DG	<b>Objection to cutting down tree, should be trimmed instead as within the conservation area</b>
12*	23/3543D	Discharge of Conditions 6, 8 & 10 on 18/6255C	Land Off, THE MOORINGS, CONGLETON	<b>No Objection</b>
13*	23/3544D	Discharge of conditions 13, 14 & 27 on application 13/3517C:	LAND WEST OF GOLDFINCH CLOSE, CONGLETON, CHESHIRE	<b>No Objection</b>
14*	23/3558C	Proposed single storey rear and side extension.	39, THAMES CLOSE, CONGLETON, CW12 3RL	<b>No Objection</b>
15*	23/3562C	Single storey rear extension, first floor alterations to rear and new front porch.	43, THE PARKLANDS, CONGLETON, CHESHIRE, CW12 3DS	<b>No Objection</b>
16	23/3572T	Removal of two conifers, which have grown extremely tall and are in very close proximity to the house	75, PARK LANE, CONGLETON, CHESHIRE, CW12 3DD	<b>No objection but replace with 6 native trees in the garden if possible. Any that can't fit into the garden should be donated to Trees for Congleton Congleton Town Council 01260 270350</b>
17	23/3597D	Discharge of conditions 5 & 6 on application 22/2417C:	35-37, HIGH STREET, CONGLETON, CONGLETON, CHESHIRE, CW12 1AX	<b>No Objection</b>
18*	23/3608C	Non-Material amendment to approval 20/5760C for Permission in	Land Off Back Lane, BACK LANE, CONGLETON	<b>No Objection</b>

		principle/technical details consent.		
19*	<u>23/3614D</u>	Discharge of condition 6 on approval 22/2469C:	Threeways, PEDLEY LANE, CONGLETON, CW12 3QD	<b>No Objection</b>
20	<u>23/3697C</u>	The works will cover: a new intake structure on the south bank of the River Dane edge of Congleton Park.	Eastern bank of the River Dane adjacent to Congleton Park Weir	<b>No Objection</b> – on the basis that felled trees in the 2 groups are replaced on a 3 to 1 basis . Any that can't fit into the area should be donated to Trees for Congleton Congleton Town Council 01260 270350 Also the visual and heritage impact needs to be considered (Garden Trust)
21	<u>23/3700C</u>	Prior approval of larger home extension	34, BACK LANE, CONGLETON, CW12 4PY	<b>No Objection</b>
22	<u>23/3374C</u>	Change of use of building into an independent low carbon dwelling.	Oak Cottage, MOSS LANE, EATON, CW12 2NA	<b>Objection</b> as this is a retrospective application. It's in open countryside on a very quiet lane which is not adequate for vehicles thus becoming unsafe for residents
23*	<u>23/3818C</u>	Single storey rear extension	12, MEADOW AVENUE, CONGLETON, CW12 4BX	<b>No Objection</b>
24	<u>23/3829C</u>	Single and two storey extensions including internal alterations	12, HEATH ROAD, CONGLETON, CW12 4LF	<b>No Objection</b>
25*	<u>23/3833C</u>	Certificate of lawful proposed development for garage conversion adding a window to the side elevation.	123, KESTREL CLOSE, CONGLETON, CW12 3QX	<b>No Objection</b>
26	<u>23/3842C</u>	Alterations to Listed Building to form new salon	52, HIGH STREET, CONGLETON, CONGLETON, CHESHIRE, CW12 1BA	<b>No Objection</b>
27*	<u>23/3866C</u>	Variation of conditions 2, 4, 8 & 11 - plans and discharge conditions	SIDARN, ASTBURY STREET, CONGLETON, CW12 4EQ	<b>No Objection</b>



		6 & 10 on approval 23/2584C.		
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**CONGLETON TOWN COUNCIL**

**COMMITTEE REPORTS AND UPDATES**

<b>COMMITTEE:</b>	Planning		
<b>MEETING DATE AND TIME</b>	16 <sup>th</sup> November 2023 7.00 pm	<b>LOCATION</b>	Town Hall
<b>REPORT FROM</b>	Cllr Robert Douglas / Chief Officer David McGifford		
<b>Agenda item</b>	Agenda item 7 Planning Committees Tree Guidance		
<b>Background</b>	<p>The positive impact of trees and shrubs on our environment and communities cannot be overstated and include :</p> <ul style="list-style-type: none"><li>• Countering climate change by absorbing carbon dioxide.</li><li>• Trapping through their leaves toxic pollutants and microscopic particles.</li><li>• Tempering severe weather with their capacity to attenuate heavy rains and floodwater.</li><li>• Moderating temperatures with their ability to evaporate water, reflect sunlight and provide shade.</li><li>• Helping prevent soil erosion through their intricate root systems which act as filters.</li><li>• Reducing noise as they act as sound barriers.</li><li>• Providing increased biodiversity by supporting many species of fungi, lichens, mosses and plants as well as birds, invertebrates and other animals. The nuts, seeds and fruits of our trees and shrubs are essential food sources for British wildlife. Many species of wildlife are threatened and becoming rarer.</li><li>• Delivering a range of health benefits including improving the air for asthma sufferers, lowering the risk of skin cancer and creating positive impact on mental health and wellbeing.</li></ul> <p>In December 2022, a groundbreaking study by Forest Research and Defra as part of National Tree Week estimated the economic value of individual trees planted outside of our forests and woodlands at about £3.8 billion. By quantifying their significant value, this report helps incentivise councils, land managers and local communities to plant more trees outside of woodlands for the varied and numerous benefits which they provide.</p> <p><b>Congleton Town Council's Planning Committee has demonstrated the importance it attaches to planning applications which affect trees because since May 2019 no planning application relating to the pruning, pollarding or felling of trees can be "starred". This means that all such applications relating to trees have to be considered by and voted on by the Planning Committee.</b></p>		

Congleton Town Council fully supports the project, Trees for Congleton, a group of volunteers, which aims to plant 30,000 trees in the Congleton area by the end of 2025. This small group was set up under the umbrella of the Congleton Sustainability Group with the support of Cheshire Wildlife Trust and the advice of an experienced landscape architect to plan and manage the project. Trees for Congleton is working with our Council's Streetscape team and with Congleton Rotary.

Congleton Town Council actively encourages our residents to protect our trees by obtaining a Tree Preservation Order (TPO), which protects all types of trees. Anyone can apply for a TPO and importantly, the applicant does not have to own the land upon which the tree is situated. There is no charge to apply for a TPO. Applications for a TPO in Cheshire East should be sent to [PlanningTrees@cheshireeast.gov.uk](mailto:PlanningTrees@cheshireeast.gov.uk) with details of the tree(s), their location and why they should be considered for a TPO.

There are special rules regarding the protection of trees in designated Conservation areas of which there are three in Congleton – Lawton Street/Moody Street, Park Lane and West Street.

In view of their significant environmental and economic benefits, this Council urges those submitting planning applications for new developments to include as many additional trees and shrubs as is feasible.

Felling any tree will have implications for people and wildlife and any decision to fell a tree should be a decision of last resort. Where tree(s) are causing a real problem, this Council urges residents to talk to a tree adviser or consultant about how to best manage a problem tree. This Council urges residents to find a quality assured tree surgeon if major work is to be carried out, such as pollarding and pruning which can remove dangerous hanging branches or reduce the weight or impact of a tree without killing it.

However, sometimes it is necessary to fell a tree where a tree poses a risk to safety owing to its location or condition or is shown to be damaging a property. In line with the recommendations of the Woodland Trust, this Council's policy is for planting replacement trees at a ratio of at least three to one, but even at this replacement rate, it will take years for the replacement trees to match the benefits of a felled tree.

Replacement trees should be native trees and the size of the replacement trees should reflect both the trees removed and the local ecosystem. This Council urges residents to talk to a tree adviser or consultant about the native trees best suited for their locality. Once established, native trees should require little maintenance or special treatment and they should thrive naturally if planted in favourable conditions. Furthermore, as native trees have adapted to our weather conditions, they require far less water.

In the event that circumstances, such as a lack of space, prevent an applicant from replacing a felled tree at the ratio of three to one, this Council requests that the applicant gives the replacement trees that cannot be planted to the Trees for Congleton project **or to a similar local Community project** so that they can be planted in a suitable alternative location.

	<p><b>In summary, the key points for Congleton Town Council’s Planning Committee are :</b></p> <ul style="list-style-type: none"> <li>• <b>All planning applications concerning trees have to be considered by and voted on by the Planning Committee.</b></li> <li>• <b>Congleton Town Council actively encourages our residents to protect our trees by obtaining a Tree Preservation Order (TPO).</b></li> <li>• <b>This Council urges those submitting planning applications for new developments to include as many additional trees and shrubs as is feasible.</b></li> <li>• <b>Felling any tree will have implications for people and wildlife and any decision to fell a tree should be a decision of last resort.</b></li> <li>• <b>This Council urges residents to find a quality assured tree surgeon if major work is to be carried out, such as pollarding and pruning.</b></li> <li>• <b>Sometimes it is necessary to fell a tree where a tree poses a risk to safety owing to its location or condition, or is shown to be damaging a property. This Council’s policy is for planting replacement trees at a ratio of at least three to one for every tree felled.</b></li> <li>• <b>Replacement trees should be native trees and the size of the replacement trees should reflect both the trees removed and the local ecosystem.</b></li> <li>• <b>This Council requests that when the applicant is unable to plant all the replacement trees, they give them to the Trees for Congleton project or to a similar local Community project.</b></li> </ul>
<b>Environmental</b>	Very Significantly favourable as detailed above.
<b>Equality</b>	Vulnerable groups such as those with breathing difficulties may particularly benefit from this proposal
<b>Financial</b>	None expected in respect of Congleton Town Council itself.
<b>PROPOSAL :</b>	This Committee adopts this Tree Policy when considering planning applications and as a guide to our residents highlighting the significant contribution trees and shrubs bring to our environment and thereby encouraging best practices to maximise the number of suitable trees and shrubs in our community.

**Weekly lists 9.10.23 16.10 23. 23.10 23 30.10.23**

1	<u>23/3763C</u>	Demolition of the existing concrete frame structure currently forming Factory 2 and small single storey toilet block to the right-hand side of the existing office block. Construction of new portal frame unit to replace Factory 2, front and rear portal frame extensions to the existing portal frame structure currently forming Warehouse 1 and reconfiguration and extension of the single storey office block with render and clad exterior façade..	Copeland And Craddock Limited, GREENFIELD ROAD, CONGLETON, CW12 4PX
2	<u>23/3842C</u>	Alterations to Listed Building to form new salon	52, HIGH STREET, CONGLETON, CONGLETON, CHESHIRE, CW12 1BA
3*	<u>23/3910C</u>	Lawful Development Certificate for proposed rear outbuilding	19, BEATTY DRIVE, CONGLETON, CW12 2ER
4*	<u>23/3963C</u>	Single Storey rear extension.	34, BACK LANE, CONGLETON, CW12 4PY
5	<u>23/3977T</u>	26 Ash (Fraxinus excelsior) within woodland setting. Marked with orange and white dots (N side). Fell to ground level	Astbury Mere Country Park, SANDY LANE, CONGLETON
6	<u>23/3996T</u>	Tree work to Silver Birch tree to remove dead branch	4, BUCKTHORN GROVE, 66CONGLETON, CW12 4XQ
7*	<u>23/3999C</u>	Prior approval of a proposed change of use of conversion of empty dog grooming unit to C3 (2b 3p 64.65 M2) comprising ground floor accommodation of Living Room, Hall, Dining Kitchen, Shower Room, Double Bedroom, Single Bedroom, rear yard providing secure cycle store and waste / recycle storage, with pedestrian access to Lawton Street.	56, LAWTON STREET, CONGLETON, CW12 1RS
8*	<u>23/4055C</u>	Non-material amendment to 10/4480C - Demolition of Commercial Storage Building and Erection of 4 No. Dwellings	FORMER VALLEY MANUFACTURING SITE, NORTH STREET, CONGLETON, CW12 1HF
9	<u>23/4077C</u>	New entrance porch and extension at first floor level and erection of part two storey and part single storey rear extension.	10, CONISTON AVENUE, CONGLETON, CW12 4LY
10*	<u>23/4131C</u>	Replacement of existing conservatory for proposed sun room.	Boundary Villa Farm, 4, BOUNDARY LANE,

			CONGLETON, CHESHIRE, CW12 3HZ
11*	<u>23/4159C</u>	Proposed dormer extension with new single storey rear extension.	10, LEEK ROAD, CONGLETON, CW12 3HS