

OF THE PLANNING & ENVIRONMENT WORKING GROUP MEETING HELD AT 8.00PM ON MONDAY 17TH MAY 2021 VIA TEAMS MEETING.

PRESENT

Chairman: Cllr L A Clarke

Councillors: K Booth, S Lees, Mrs J Saunders and Ms H Whitaker (joined at item 8).

Officers in attendance: H Barlow (Clerk), K McDowell (Deputy Clerk)

1. Recording of meeting

The Chair confirmed that the meeting is recorded for the purpose of minute taking and the recording is deleted when draft minutes are approved. There were no other declarations of a recording.

2. Questions from members of the public

There were no members of the public in attendance.

3. Apologies for absence

Cllr M Beanland, Cllr T Swatridge

4. Declarations of disclosable pecuniary or other interests

Cllr S Lees declared an interest in 21/2250M, 207 Coppice Road and

Cllr H Whittaker declared an interest in 21/1887M, 18 Shrigley Road North and will both abstain from discussions and voting.

Deputy Clerk, K McDowell, declared an interest in 21/2385M, 30 Woolley Avenue and will not Clerk the item or any related action points.

5. To consider the action log for 2020-2021 and agree recommendations to the Clerk for action under delegated authority

Members reviewed the action log. Further information is required on the ongoing issue of tyres dumped on land off Middlewood Road as there has been no response from Cheshire East to date.

RESOLVED: That the action log for 2020-2021 was received. That the Clerk should pursue the issue of the s215 untidy notice relating to the tyres at Middlewood Road prior to the next committee meeting was agreed (NC)

The Chair requested that a draft record was taken of this working group meeting and displayed on the Town Council Website, for the purposes of public record and transparency. The Clerk advised that the minutes from the last Planning & Environment Committee meeting will be on the Agenda for the next Committee Meeting post 21st June 2021.

6. To receive and consider the Cheshire East Strategic Planning Update for May 2021.

Main item of business is that Cheshire East have submitted the SADPD document to the relevant government department and an inspector will be appointed to examine it. No action by the Town Council is required until the Inspector's report is received.

RESOLVED: That the report was received (NC)

It was proposed that agenda item 7 was postponed for discussion for when Cllr H Whittaker joined the meeting.

RESOLVED: That agenda item 7 is postponed until Cllr H Whitaker joins the meeting (NC)

8. To consider the planning issues identified by residents at King Pool Place, off South Park Drive, Poynton (formerly The Grange) and agree recommendations to the Clerk for action under delegated authority.

The Chair confirmed that the company developing this site has gone into liquidation and they have allegedly not paid the S106 monies and the residents have highlighted that the communal areas have not been completed. Cllr Saunders confirmed that this was the case and there has been no update from Cheshire East to date on the issues the residents have made. The residents had written to Cheshire East back in December and the matter had subsequently been escalated to Cllr Saunders and the Clerk who referred it to Judith Cosgrove at the Cheshire East Planning Department, who was going to send a letter to the developers. The residents are concerned that they are being asked to form a management committee to look after the common parts that have not been finished. If they take it on at the moment it may incur liabilities for the residents and also for the Town Council as the S106 monies haven't been paid. Cllr Saunders has written again to Peter Hooley and Judith Cosgrove and also asked for sight of the letter from Cheshire East to the developers so that can be shared with the Residents.

RESOLVED: The Clerk to draft a letter regarding the two strands mentioned above, to be approved under S051, to the Chief Executive, Lorraine O'Donnell cc Peter Hooley, Dave Malcolm and Cllr Mick Warren, at Cheshire East and ask that urgent attention is given to the situation and that it is overseen by a Senior Officer to its conclusion and to bring the legal and planning strands together (NC)

Cllr H Whittaker joined the meeting.

7. To receive and consider an update from the Clerk on enforcement action in relation to land between 4-6 Shrigley Road North and the responses from Cheshire East Planning Enforcement regarding breaches of planning at the site. To agree recommendations to the Clerk for action under delegated authority.

The Clerk confirmed that, despite attempts by Residents, the Town Council and Cheshire East Ward Councillors to obtain information in relation to the enforcement action at 4-6 Shrigley Road North regarding (a) the garages that have allegedly been built without planning permission and (b) the height of the buildings is allegedly

substantially higher than stated in the planning permission, little information has been provided. Cheshire East's enforcement officers seem unwilling to take any action in relation to the garages which have been built illegally and seem to be just waiting for a retrospective planning application to be submitted, despite it being previously rejected by the Inspectorate.

Cllr H Whittaker confirmed the neighbours have written to Andy Cush at planning enforcement several times and have recently contacted David Rutley MP about the situation and are awaiting a response.

On the latest application the plans now include a fourth bedroom and a study, when the original plans were just three bedrooms.

Allegations have also been made of attempts to describe this development as coming under the self-build rules. If this is indeed the case, there will be no infrastructure levy but the individuals would need to live in the property for three years.

RESOLVED: The Clerk to draft a letter with Cllr H Whittaker regarding the above, to be approved under S051 to the Chief Executive, Lorraine O'Donnell cc Peter Hooley, Dave Malcolm and Cllr Mick Warren, at Cheshire East and ask that urgent consideration is given to the situation and that it is overseen by a Senior Planning Officer to its conclusion and to bring the strands (planning enforcement and self-build) together (NC)

The Clerk suggested that she draft one letter including all enforcement issues from item 7 and 8 and 9 below, rather than three separate letters.

RESOLVED: The Clerk to draft one letter, to be approved under SO51 for all three issues. (NC)

9. To consider the alleged breach of planning at Kettleshulme Way Poynton and agree recommendations to the Clerk for action under delegated authority.

Details of this breach should be included in the Clerks letter to Cheshire East.

A neighbour is alleging that work has started on these properties without planning permission.

RESOLVED: The Clerk should include this issue in the letter to Cheshire East Planning Enforcement as noted above (NC)

10. To note the response from Stockport Metropolitan Borough Council in relation to the Town Council's Freedom of Information Act Request and agree recommendations to the Clerk for action under delegated authority

An FOI request was submitted by the Council for sight of the Road Safety Audit on the A555 (A6 to Manchester Airport Relief Road). Stockport Metropolitan Borough Council have responded and advised that if a report is unfinished then they do not need to disclose it as part of an FOI request. However, the Clerk notes this document was submitted as a final document when the road was opened and no further changes will be made and therefore she feels that the document should be released as it is not a draft document. Members discussed the issue and would like this to be appealed.

RESOLVED: The Clerk to appeal to Stockport Metropolitan Council and ask for all reports, including the ones they deem unfinished to be released under the Freedom of Information request. (NC)

11. To receive a report from the Chair on the outcome of the Northern Planning Committee decision in relation to planning application 20/5087M 207 Coppice Road.

The Chair referred to the short report he submitted prior to the meeting and confirmed that the Cheshire East Northern Planning Committee approved the application, which was very disappointing as the site is in the Green Belt and there are serious concerns re highways and road safety. One issue, highlighted by a local resident, was that there were two sets of plans shown at the Northern Planning meeting, showing clear differences in the house and access locations and concern the highways issues.

RESOLVED: The Clerk to draft a letter, for approval under SO51, to the Director of Planning cc the Chair of the Northern Planning Board, Cllr J Nicolas, to point out the Council is concerned about the decision made as there were two differing sets of plans submitted with the inaccuracies stated in the Chair's report which affect the highways issues and ask which set of plans are now valid. (NC)

12. To receive and consider the notice from Cheshire East of the submission of the SADPD to the Secretary of State for Housing, Communities and Local Government. To agree recommendations to the Clerk for action under delegated authority.

The Chair confirmed this was in relation to the SADPD and we are awaiting the outcome of the Inspector's review of the SADPD document.

RESOLVED: That the notice is received (NC)

13. To receive and consider the notice from Cheshire East regarding the Final Draft Houses in Multiple Occupation Supplementary Planning document ("HMO SPD") and the Draft Housing Supplementary Planning Document ("Housing SPD"). To agree recommendations to the Clerk for action under delegated authority.

The Chair commented that there are not many Houses in Multiple Occupation in Poynton. Cllr Saunders confirmed there are a lot of these properties in Crewe and some are used as "hot beds" and it is causing issues.

RESOLVED: That the Clerk asks John Knight to draft responses on behalf of the Town Council to the Houses in Multiple Occupation and Draft Housing Supplementary Planning Documents, to be considered by a future meeting of the Working Group or Committee (NC)

14. To note the response received from Cheshire East in relation to the Town Council's concerns regarding Highways Officer Reports for some planning applications.

The Chair stated concern that the reply does not really deal with all the points raised. Members discussed the matter and noted that Cheshire East have confirmed they will take more notice of public footpaths in future and that they cannot comment on the boarding kennels application as it may prejudice an appeal. The Chair noted a previous application had missed the issue of size of parking spaces as set down in the Local Plan and this lack of detail is an ongoing issue.

RESOLVED: That the report is received and the Town Council will follow up on the next application of concern (NC)

15. To receive and consider the NALC request for evidence in relation to the Electronic Communications Infrastructure. To agree recommendations to the Clerk for action under delegated authority.

Members discussed the request, and it was noted that most people will be accessing the internet via Wi-Fi in the future and the council does not wish Poynton to be left behind.

It was noted any masts or boxes will be installed on existing sites and that most people want to be better connected. However, many of the proposed comments in the NALC document would require detailed technical knowledge to challenge.

RESOLVED: That the Clerk responds stating the Town Council support the current NALC policy (NC)

16. To receive and consider the planning decision list

RESOLVED: That the report is received (NC)

17. To receive and consider the following appeals and agree recommendations to the Clerk for action under delegated authority.

- a) 20/5504M, Domek, 48 Towers Road, Poynton, Erection of two detached homes
- b) 20/2775M, 16 Fir Close, Poynton, Erection of 1no. Detached bungalow
- c) 21/0264M, 64 Dickens Lane, Poynton, Full planning application for the demolition of the dwelling and the erection of three detached dwellings and apartments and associated landscape and access works.

Members noted that all appeals were as a result of non-determination by Cheshire East.

RESOLVED: That the Clerk writes in each case to the inspectorate and reiterates the town council's original objections (NC)

18. Planning applications received for consideration:

Application No: 21/1586M

Location: Land at Fruit Farm, Coppice Road, Poynton,

Applicants Name: Mr Kay

Proposal: Change of use of land from agricultural for a dog exercise enclosure

Recommendation:

Poynton Town Council does not object to the proposed change of use of land to a dog exercise enclosure, providing that:

- a) The Planning Officer confirms that the proposed use is in accordance with the Green Belt status of the land.
- b) The Public Rights of Way Officer confirms that there will be no risk to users of Footpath 44, which appears to pass close by the western edge of the site.
- c) The Environmental Health Officer confirms that the sound of dogs barking will not unduly disturb residents of nearby roads, including Coppice Road, Waterloo Road and The Coppice.

Application No: 21/1846M

Location: "Domek", 48 Towers Road, Poynton, SK12 1DE

Applicants Name: Mr Thomas Ratcliffe & Michael Sochaczewski

Proposal: Erection of two detached homes

Recommendation: Poynton Town Council are particularly concerned at the proposed diversion of the culvert that flows through the grounds of "Domek". The new route would introduce several bends. This will increase the risk of the culvert becoming blocked, as debris is more likely to build up and cause obstruction at bends. We note that the Environment Agency's Flood Risk map shows a high risk of surface water flooding in the fields to the east of Towers Road, directly opposite the site. We would also query the Applicants' reply of "no" to the question in Section 11 of the Application Form regarding the presence of a watercourse within 60 metres of the site. The Town Council urges that this application is subject to a detailed review by the Council's Flood Risk Officer. The applicants have failed to provide a Flood Risk Assessment.

The Town Council reiterates its previous objections regarding the proposed development of this site:

1. The proposed development is an inappropriate form of development on this site and in this location as it is not sympathetic to the site, immediately adjoining properties or the character or the surrounding low-density housing area. The development fails to meet national Planning Guidance as set out in the relevant sections of the National Planning Policy Framework 2019 (sections 11 and 17 concerned with the efficient use of land and design) and as set out in the National Design Guide October 2019.

Policy 122 (d) of the National Planning Policy Framework (NPPF) requires that: *"Planning policies and decisions should support development that makes efficient use of land, taking into account ... d) the desirability of maintaining an area's prevailing character and setting (including residential gardens)"*.

2. The applicants have failed to address the Inspector's concerns in the appeal into the previous application (ref. 19/4443M and appeal ref. APP/R0660/W/20/3251771). As with the earlier application, the proposed development would have a negative impact on the character and appearance of the area, with the new houses forming a dominant and intrusive feature in the street scene.

3. The proposed development is contrary to the Development Plan for the Poynton area as set out in Cheshire East Local Plan 2017 and the Macclesfield Borough Local Plan 2004 (Saved policies) and should be refused. There are no material circumstances justifying otherwise. Any benefits arising do not outweigh the many adverse impacts which would cause substantial harm to the amenities of the local community and cannot be mitigated against.

4. Planning permission should be refused as the development fails to comply with the following up-to date Development Plan policies: MP1, SD2, SE1, SE5, SC3 and SC4 of the Cheshire East Local Plan 2017 and the following Saved policies of the Macclesfield Borough Council Local Plan 2004: H11, H12 (low density housing), DC3, DC6, DC8, DC37, DC38, DC41, RT1 and RT2.

5. The proposed development is contrary to relevant policies of the Poynton Neighbourhood Plan 2019 as the local and up to date part of the Development Plan. As a cramped and intrusive form of development on the northern entrance into the town, the development would fail to meet the following policies of the Neighbourhood Plan: HOU 6 (housing mix), HOU 7 (environmental considerations), HOU 8 (density and site coverage), HOU 11 (design), HOU 15 (back land and tandem development) and EGB 2 (open spaces).

6. The proposed development fails to address the Supplementary Planning Guidance set out in the Cheshire East Borough Design Guide SPD 2017 both in terms of content of the application and the approach to be taken to preparing the application. The SPD is a material Planning consideration in its own right and is also a supporting document to the Cheshire East Local Plan Strategy 2017. The Town Council notes that land previously used as a garden does not qualify as a "brownfield" site for planning purposes.

7. Impact on Wildlife: Large gardens provide an essential habitat for endangered species such as bats, badgers, frogs, toads, newts, butterflies, moths and hedgehogs. Even if boundary trees are retained, the loss of garden space and increased proximity of new housing will drive away wildlife. Increased artificial illumination is a particular threat to bats and disrupts the breeding cycles of frogs and toads. Moths and glow-worms are especially impacted by bright artificial lights. Failure to protect the garden habitats in low density housing areas is also contrary to the Habitats and Biodiversity Chapter (Policies 174, 175, 176 and 177) of the NPPF.

8. Development is Unneighbourly - The proposed development, by virtue of its size, design and position relative to adjoining property, would be unduly dominant when viewed from adjoining property, causing an unacceptable loss of light to the detriment of the residential amenities of the occupiers of that property.

9. Cramped development. The proposal by reason of scale, form and design would result in a cramped and intrusive form of development out of keeping with the character of the existing properties in the area. The proposed houses are significantly higher than the nearby properties of "Isморus House" and the "Charter House". This section of Towers Road and Poynton Park has some houses with large rear gardens and the proposed development would change this character very much

to the detriment of the appearance of this area and would set a dangerous precedent – also contrary to policy 122 of the NPPF.

10. Loss of privacy. The position of the proposed development, in relation to adjoining residential properties, would result in an unacceptable reduction in the level of privacy presently enjoyed by the occupiers of those adjoining properties by reason of overlooking.

11. Flood Risk - the applicants have not provided a flood risk assessment, despite recent serious flooding across Poynton in June 2016 and July 2019. There was significant flooding in the fields of the east of Towers Road, adjacent to the site. Loss of garden areas to development will reduce absorption of rainwater and increase run-off.

12. Culvert: There is a culverted stream running under the site. As noted above, the plans propose a diversion of the culvert which will introduce several bends where debris may accumulate and obstruct the flow of water, possibly leading the flooding. The Town Council urges Cheshire East to seek the advice of their Flood Risk Team.

13. Archaeology: The bungalow occupies much of the site of the former Poynton Towers, a partly Elizabethan building which the former Macclesfield Rural District Council disgracefully allowed to fall into ruin and be demolished in the 1950's. A full archaeological excavation should take place before any new building commences

Application No: 21/1887M

Location: 18 Shrigley Road North, Poynton, SK12 1TE

Applicants Name: Mr Ben Forrest

Proposal: Renovate upgrading insulation and build rear extension with solar panels

Recommendation: Poynton Town Council has no objection to this application, providing it does not exceed the limit for extensions in the Green Belt. However, if the total floor area of the extension does exceed 30 per cent of the original floor area of the property, the Town Council objects on the grounds that the proposed extension breaches retained policy GC12 of the Macclesfield Local Plan.

The Highways Officer should be asked to confirm that the extended property will have sufficient car parking spaces. Shrigley Road North has serious problems with traffic congestion, especially at weekends and on bank holidays.

Application No: 21/2128M

Location: 55 Chester Road, Poynton SK12 1HB

Applicants Name: Andrew Ferguson

Proposal: Single storey rear extension

Recommendation: No objection.

Application No: 21/2185M

Location: "Glasfryn", Woodford Road, Poynton, SK12 1ED

Applicants Name: Mr Kevin Jacob

Proposal: Single storey rear extension

Recommendation: No objection

Application No: 21/2221M

Location: Land between 4 and 6 Shrigley Road North, Poynton SK

Applicants Name: Urban Imprint

Proposal: Erection of single storey side extensions to each of the two detached properties (approved via 19/3950M) to create a garage and utility room.

The Town Council urges Cheshire East to reject this application as contrary to policy PG3 of the Cheshire East Local Plan. We note that an Inspector upheld the refusal of application 20/0772M (Appeal Ref: APP/R0660/W/20/3260051).

The Inspector commented:

“The larger dwellings now proposed would have a significantly greater massing and a more substantial form than previously approved. Moreover, the dwellings would be positioned up to the boundaries with No 4 and 6, thus largely filling the width of their plots and consequently eroding the space to the side. This would result in an almost continuous built-up frontage along this stretch of the highway and the built form would appear cramped, thus failing to reflect the spacious characteristics of the area.”

The Town Council believes that the latest plans do not address the concerns of the Inspector. The application should be rejected, and all works done without planning consent demolished.

The Town Council is also concerned about this site and the fact that the applicants have gone ahead and built the garages, despite the fact these were not permitted in the first place, and under revised plans were rejected and this decision was upheld on appeal. The neighbours also wish to highlight that a 4th bedroom and study appear on the latest application but not in prior applications.

Application No: 21/2228M

Location: “Trees”, 32 Towers Road, Poynton, Stockport SK12 1DD

Applicants Name: Mr & Mrs Holt

Proposal: Part two storey / first floor extension to front of property. First floor extension over existing garage. Single storey extension to rear.

Recommendation: No Objection, providing the Trees Officer is satisfied that there will be no risk to protected trees in or near the site.

The Town Council supports the comments and recommendations made by the Public Rights of Way Officer and the Flood Risk Officer.

Application No: 21/2288M

Location: 5 Nelson Avenue. Poynton SK12 1RR

Applicants Name: Mr & Mrs Jee

Proposal: Proposed single storey side extension

Recommendation: No objection, providing the Highways Officer is satisfied that sufficient parking spaces will remain within the site after the garage is converted into living accommodation.

Application No: 21/2314M
Location: 8 Nelson Close, Poynton, SK12 1RT
Applicants Name: Mr Richard Wright
Proposal: Proposed first floor rear extension
Recommendation: No objection

Application No: 21/2323M
Location: 107 Dickens Lane, Poynton, SK12 1NT
Applicants Name: Mr Burl
Proposal: Remodelling of front garden including construction of bin and bike stores, new permeable paving and driveway

Recommendation: No objection, providing the Highways Officer is satisfied that the proposed new parking area will permit safe access to and from Dickens Lane.

Application No: 21/2376M
Location: 30 Lostock Hall Road, Poynton, SK12 1DP
Applicants Name: Andrew Garside
Proposal: Loft conversion including introduction of roof windows to front and rear roof slopes.

Recommendation: No objection

Application No: 21/2384M
Location: 19 Abbey Court, Poynton, SK12 1WW
Applicants Name: N Waller
Proposal: Proposed demolition of existing bay window construction in rear garden and construction of new single storey sunroom with pitched roof
Recommendation: No objection

Application No: 21/2502M
Location: 30 Swan Close, Poynton SK12 1HX
Applicants Name: Caroline Crotty
Proposal: Garage conversion and single storey front extension to hallway

Recommendation: No Objection, providing the Highways Officer is satisfied that sufficient parking spaces will remain within the site.

Application No: 21/2330M
Location: 35 Shrigley Road North, Poynton SK12 1TE
Applicants Name: Mr Shippen
Proposal: Prior approval of a conversion of office space to residential flat.

Recommendation: No Objection

Application No: 21/2250M
Location: 207 Coppice Road, Poynton SK12 1SW
Applicants Name: Mr Averell, for Linear Construction Ltd.

Proposal: Prior approval of a single storey rear extension extending 6.00 metres beyond the rear wall, maximum height of 3.00 metres and eaves height of 3.00 metres

Recommendation: Poynton Town Council objects to this application for the following reasons:

- a) The proposed extension will probably exceed the limit set by Policy GC12 in the Macclesfield Local Plan.
- b) This application, together with application 21/1996M, will have virtually the same effect as 20/5444M, which was rejected by Cheshire East as a breach of Policy GC12. It should not be possible to evade the limit by splitting the proposed extensions between two planning applications. If 21/966M is granted, then the latest application will certainly exceed the limit is Policy GC12.
- c) The proposed extension is unneighbourly, as it projects for 6 metres from the rear of the house and runs right along the site boundary. It is therefore contrary to Policy SD2 of the Cheshire East Local Plan, Policies HOU11 and HOU14 of the Poynton Neighbourhood Plan, and retained Policies DC1, DC2 and DC43 of the Macclesfield Local Plan.
- d) The Town Council are concerned at the possible impact on the large pond at the rear of the property. We would also draw the attention of the Planning Officer to comments submitted regarding application 20/5087M by the Cheshire East LLFA flood risk management team regarding surface water drainage. As this effectively covers the same site, similar conditions should also be considered for this application.

Application No: 21/2385M

Location: 30 Woolley Avenue, Poynton SK12 1XU

Applicants Name: A House

Proposal: Certificate of lawful development for Rear Extension - To have a similar footprint with the same rear projection as the existing structure, with eaves at 2.35m and ridge at 3.5m. Porch - To have a similar footprint with 2.4m external floor area, with eaves at 2.1m and ridge at 3m.

Recommendation: No objection

Two urgent items were requested to be added to the agenda under S016.

Resolved: The two matters for urgent business were added to the Agenda under SO16 (NC)

Application for changes to the base station for the mobile phone mast at Sovereign House, Poynton. This was a pre planning application, so a response was required by the end of the week, or the Council can wait for the full Planning application and comment then. Members discussed and noted that there were no plans given but would not want to support any increase in height.

Resolved: That the Town Council would wait for the full planning application to be submitted before commenting (NC)

Community led housing – A letter has been received asking if the Town Council would like to nominate a Councillor to attend a webinar on the topic on 25th May 2021 at 2pm.

Resolved: That the opportunity to be offered to the full Council to see if any Councillor would like to attend (NC)

19. Communication messages arising

- 3 planning appeals, inviting comment and closing date.
- After Planning enforcement letter has been agreed, a simplified message should be agreed for Social Media.

Resolved: That the communication messages are agreed (NC)

Meeting ended at 9.00pm