

MINUTES OF THE PLANNING & ENVIRONMENT COMMITTEE MEETING HELD AT 8.00PM ON MONDAY 30th JANUARY 2023 AT THE CIVIC HALL

PRESENT

Chairman: Cllr L A Clarke

Cllrs: K Booth, P Oakes, S Lees, Mrs J Saunders and T Swatridge

Officers in attendance: Haf Barlow (Town Clerk)

145. Recording of meeting

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

146. Questions from members of the public

There were three members of the public present regarding planning application 23/0211M 5 Clifford Road, Poynton, SK12 1HY.

147. Apologies for absence

Cllrs M Beanland, Ms H Whittaker

148. Declarations of disclosable pecuniary or other interests

There were no declarations of disclosable pecuniary or other interests

149. Amendment to agenda order

The Chairman proposed that planning application 23/0211M at 5 Clifford Road Poynton SK12 1HY is moved up the agenda.

RESOLVED: That planning application 23/0211M at 5 Clifford Road, Poynton, SK12 1HY is the next matter to be discussed (NC)

150. Planning application 23/0211M 5, Clifford Road, Poynton, SK12 1HY

The Chairman gave a summary of the planning application. A member of the public spoke of the impact the proposed extension would have on their property. The Chairman urged the members of the public and their neighbours to write to, or email, the planning department and if possible, to include photographs.

Recommendation: A section of the proposed side extension bordering 3 Clifford Road appears to have a gap less than 1 metre from the site boundary. If this is correct, then then the Town Council objects to this application as this is a breach of Poynton Neighbourhood Plan, the Cheshire East Local Plan and the Strategic Allocations and Development Plan (SADPD). A proposal to extend right up to the site boundary conflicts with planning policies.

The Town Council also notes that the proposed raising of the height of the roof on the northern side of the property will increase shadowing of 3 Clifford Road and may be out of character to neighbouring properties. The proposals appear to be unneighbourly and overbearing causing significant loss of light to adjoining properties. Overall, the application appears to conflict with the following planning policies:

- Cheshire East Local Plan: SE1: Design and SD2: Sustainable Development.
- Poynton Neighbourhood Plan policies HOU11 (Design), HOU13 (Extensions) and HOU14. There is no gap of 1 metre to the site boundary as required by policy HOU14.
- Cheshire East Site Allocations and Development Policies Document policies HOU11 (Extensions and Amenities), HOU12 (Amenity) and HOU13 (Residential Standards). Policy HOU13 requires that “each building should normally be set back at least 1 metre from the side boundary”.

The Town Council would urge the planning officer to undertake a detailed site inspection (NC)

151. To approve the minutes of the Planning and Environment Committee meeting on 9th January 2023

RESOLVED: That the minutes of the Planning and Environment Committee meeting held on 9th January 2023 were approved (NC)

152. To receive and consider the action log 2022-2023

Members considered the action log.

A meeting has been arranged at the Hazelfields development regarding the footpath diversion 43 and 46.

Regarding the possible new burial grounds, the Clerk contacted the consultations team at Cheshire East and they have forwarded the message onto the Green Spaces team.

RESOLVED: That the action log be received (NC)

153. To note the planning decisions made by Cheshire East Council

RESOLVED: That the planning decisions made by Cheshire East Council be received (NC)

154. To receive and consider the email from the Harlequin Group regarding site allocations for the installation of telephone masts

The Chairman pointed out that the site allocations on London Road South are residential areas and are unlikely to have public support. The Church and War Memorial are listed buildings and the view of a listed building cannot be obscured.

A member suggested that the Town Council ask what type of mast would be installed and would it be for 5G.

RESOLVED: That the Town Council seeks further information regarding the telephone masts (NC)

155. To receive, consider and agree a response to the planning appeal for application 21/5810M, 64 Dickens Lane, Poynton, SK12 1NT

RESOLVED: That the Town Council responds to the planning appeal to reaffirm the Town Councils objections and to state that the Town Council does not believe it is materially different from the previous scheme on the site which was a rejection upheld on appeal (NC)

156. Planning applications received for consideration.

Application No: 22/5036M

Location: Land off the Coppice, Poynton

Proposal: Outline planning permission with some matters reserved for erection of single detached dwelling (dormer bungalow)

Recommendation: The proposed development and associated use would cause substantial harm to the character, openness and appearance of the area and in particular cause harm to the North Cheshire Green Belt within which the application site lies.

Poynton Town Council recommends that planning permission be refused for the following reasons:

1. The National Planning Policy Framework (NPPF) advocates a presumption in favour of sustainable development and also indicates that development should be restricted in certain cases including land designated as Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and the essential characteristics of Green Belts are their openness and their permanence. The whole application site is designated as lying within the North Cheshire Green Belt. A key function of this part of the Green Belt is to maintain the character, openness and rural appearance. The proposal for the redevelopment of an area of open land for residential purposes is considered to constitute inappropriate

development in the Green Belt which would be detrimental to its character and openness whilst conflicting with the purposes of including land within it. The plans as submitted to date are inadequate, as they do not show the position of the proposed house within the site, its relationship to neighbouring properties or how traffic will access the site.

2. The case put forward by the applicant to justify inappropriate development in the Green Belt does not constitute very special circumstances sufficient to outweigh the harm by reason of inappropriateness and any other harm to the Green Belt. Accordingly, the proposal is contrary to the NPPF through conflict with national policy for the potential redevelopment of previously developed land (PDL) and for sustainable development through an up to date Development Plan led approach to development as is required.

3. Policy PG3 of the Cheshire East Local Plan Strategy (CELPS) seeks to control new development within the Green Belt and does not support the construction of new buildings within it, except for one of the exceptions set out in the policy. One such exception is limited infilling in villages. Policy PG10 of the SADPD outlines a list of areas that are deemed as infill villages. Section 4 of this policy states outside of the village infill boundaries shown on the policies map, development proposals will not be considered to be 'limited infilling in villages' when applying LPS policies PG 3 and PG 6. Poynton is a Key Service Centre and therefore is not deemed as an infill village. The application site falls outside of the settlement boundary of Poynton and the infill village of Higher Poynton and therefore the development does not represent limited infilling in a village.

The proposed development would therefore not comply with Policy PG3 (Green Belt) of the Cheshire East Local Plan, Policy PG10 (Infill Villages) of the Site Allocations and Development Policies Document and Paragraph 149 of the National Planning Policy Framework.

For the above reasons, the application does not represent limited infilling in a village, failing to accord with the requirements of Policy PG3 of the CELPS and the NPPF and the proposals are therefore unacceptable in principle.

4. The proposed dwelling by virtue of scale and design, would result in an over scaled, suburban addition. The loss of landscaping and probable lack of active frontages would detract from the character and appearance of the rural setting. The proposed development would therefore fail to respect the character and appearance of the surrounding area, contrary to Policies SE1 (Design) and SD2 (Sustainable Development Principles) of the Cheshire East Local Plan and Policy GEN1 (Design Principles) of the Site Allocations and Development Policies Document (SADPD).

The applicant's Planning Support Statement contains the inaccurate statement that the site "... lies less than 2.5km to the west of the centre of the settlement of Poynton." It is actually to the east of the centre of Poynton. Despite the application describing the proposed building as a "bungalow", it appears to be a two-storey house.

5. The proposed development is in conflict with the following up-to-date Development Plan policies of the Cheshire East Local Plan Strategy 2017:

**MP1 Presumption in favour of sustainable development
PG3 Green Belt
SD1 Sustainable development in Cheshire East
SD2 Sustainable development policies
SE1 Design
SE2 Efficient use of land
SE3 Biodiversity and Geodiversity
SE6 Trees, hedgerows and woodlands
SE13 Flood Risk and Water Management
CO1 Sustainable travel and transport**

6. The proposed development is in conflict with the following up-to-date Development Plan policies of the Site Allocations and Development Policies Document (2022):

**GEN1 Design Principles
PG10 Infill Villages
ENV1 Ecological network
ENV2 Ecological implementation
ENV3 Landscape character
ENV5 Landscaping
ENV6 Trees, hedgerows and woodland implementation**

7. The proposed development is in conflict with the following up-to-date Development Plan policies of the Poynton Neighbourhood Plan 2019:

**EGB8 Protection of rural landscape
HOU6 Housing mix
HOU7 Environmental considerations
HOU8 Density and site coverage
HOU11 Design
HOU15 Backland and tandem development**

8. Highways Issues: The proposed development has inadequate access, is in an unsustainable location and would pose a serious threat to highway safety. The plans to date give no detailed information on access to the site or car parking arrangements:

a) Inadequate Visibility – Access to the site is off a narrow one-track private road, known as The Coppice, also Public Footpath 45, whose junction with Coppice Road has poor visibility. This applies especially for traffic heading west along Coppice Road. There is no sight line to the right for traffic exiting The Coppice.

b) Footpath 45 is heavily used by members of the public visiting the Poynton Coppice Local Nature Reserve.

c) There are no streetlights on Coppice Road near this junction, so it is especially dangerous at night. The private road known as The Coppice is totally unlit.

d) Inadequate Service Provision – inadequate provision for service vehicles to load and unload, resulting in a threat to highway safety.

9. Accessibility - The nearest shops are on School Lane, over a mile away. If the development proceeds, access would be by private car. For all the above reasons this development is inaccessible and unsustainable and is therefore contrary to Cheshire East Local Plan Policy SD1, section 17: “Development should wherever possible ... prioritise the most accessible and sustainable locations” and Local Plan policy CO1 (Sustainable travel and transport).

10. Local Wildlife Site and Local Nature Reserve: Poynton Coppice has been designated by Cheshire East as a Local Wildlife Site, also known as a Site of Biological Importance (SBI). It includes areas of Ancient Woodland. A large part of Poynton Coppice is also a Local Nature Reserve, and its environs should be protected from inappropriate development. The Cheshire East website describes the area well: *“Poynton Coppice Local Nature Reserve is an attractive woodland rich in wildlife. It is thought to have been continuously wooded for thousands of years, so is classed as an ancient woodland. Human activities in the past have helped to shape a habitat with a great variety of flora and fauna.”*

<https://www.cheshireeast.gov.uk/leisure, culture and tourism/ranger service/countryside sites/poynton coppice lnr.aspx>

11. Impact on Wildlife: Undeveloped land of this type provides 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 open space and increased proximity of a new house 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 habitats in rural and low-density housing areas is also contrary to the Habitats and Biodiversity Chapter (Policies 174, 175, 176 and 177) of the NPPF and policy SE3 of the Cheshire East Local Plan (Biodiversity and Geodiversity).

12. Urbanisation -The proposed new house would detract from the rural nature of the area and begin a process of urbanisation. Development is therefore contrary to Cheshire East Local Plan Policy SD1, section 14: “Development should wherever possible ... contribute to protecting and enhancing the natural, built, historic and cultural environment”.

13. Environmental Impact - The Adopted Policies Map for the Local Plan shows that most of the site is an Ecological Network Restoration Area, while the southern section is an Ecological Network Corridor. Clearly such sites should be protected from inappropriate development, which would breach SADPD policy ENV 1 (Ecological network).

14. Biodiversity - The plans do not ensure a net gain in biodiversity, as required by SADPD policy ENV2 (Ecological Implementation). The Town Council supports the comments of the Cheshire East Environmental Protection Officer, who has

recommended that the applicant should provide further information on a range of issues, including:

- UK Hab/Botanical Survey Carried out to evaluate all habitats within 50m of the site and the access routes.
- An assessment of all habitats within 50m of the site for the presence of, or suitability for any Biodiversity Action Plan species/habitats, and any rare or protected plant or animal species.
- Where any uncommon, BAP/Priority or protected species are found or suspected, specific surveys should be carried out, by appropriately licensed or experienced surveyors, using appropriate methodology, at the optimal time of year.
- Where BAP/Priority quality habitats are found or suspected each of these habitats must be subject to an NVC survey undertaken at the appropriate time of the year.
- Desk based study including a search of biological records held by the Local Biological Record Centre.
- Identification of all designated sites within the zone of influence of the proposed project and assessment of the potential direct and indirect impacts of the proposed development upon these sites.
- Great Crested Newt survey/assessment of any ponds within 250m.
- A strip of woodland on the southern boundary of the site appears on the national inventory of priority habitats. It must be ensured that this habitat is retained and safeguarded as part of any development proposals.
- Biodiversity net gain: All development proposals must seek to lead to an overall enhancement for biodiversity in accordance with Local Plan policy SE3(5). An assessment in accordance with the Defra Biodiversity 'Metric' version 3.1 or small sites metric must be undertaken and submitted with the application.

15. Landscape: No information has been provided to date on the proposed landscaping scheme. The development is therefore contrary to Cheshire East Local Plan Policy SD2, section 1.iii: "All development will be expected to ... respect and, where possible, enhance the landscape character of the area. Particular attention will be paid toward significant landmarks and landscape features". It is also contrary to Poynton Neighbourhood Plan Policy HOU 7 and SADPD Policy ENV5 (Landscaping)

16. Forestry: The site includes a number of trees. A strip of woodland on the southern boundary of the site appears on the national inventory of priority habitats. No Arboricultural Statement has to date been posted on the Cheshire East website. The proposed development is contrary to Local Plan Policy SE6 (Trees, hedgerows and woodlands) and SADPD Policy ENV6 (Trees, hedgerows and woodland implementation).

17. Former Mining Area – the whole of Higher Poynton was extensively mined for coal during the nineteenth and early twentieth century. There is a risk of old mine workings at or near the surface. The applicants have not submitted a report from the Coal Authority on whether any such workings are known to exist in the area. The Coal Authority website shows that at least part of the site is in a "development high risk area".

18. Flood Risk - There was extensive flooding in Poynton during July 2019. Poynton Brook, the stream running through the Coppice flooded several properties and

severely damaged the bridge at the southern end of the Coppice (at the top of Dickens Lane). There was extensive flooding of houses and commercial premises further downstream along Poynton Brook. The site is higher up than most of the Coppice area, with a steep drop to Poynton Brook. Increased run-off from the new house would flow rapidly into Poynton Brook, significantly increasing the risk of flooding downstream. Despite this, the applicants have not provided a flood risk report. This is contrary to Cheshire East Local Plan Policy SD2, section 1.vii: “All development will be expected to ... Avoid high risk flood areas, or where necessary provide appropriate mitigation measures” and Policy SE13 (Flood Risk and Water Management).

19. Utilities Public utilities are under strain in the semi-rural area of Higher Poynton. Local residents experience frequent electricity cuts, while residents of Coppice Road have complained of sewage backing up into their houses. Both the electricity and sewer infrastructure are old and struggle to cope with increased development and the conversion of former commercial or agricultural buildings into housing. The applicants make no proposals to address these issues. Development is therefore contrary to Cheshire East Local Plan Policy SD1, section 4: “Development should wherever possible ... provide appropriate infrastructure to meet the needs of the local community including: ... water; wastewater; and energy” (NC)

Application No: 23/0021M

Location: Brook House, Park Lane, Poynton, SK12 1RG

Proposal: An existing garage has been converted into a home office, contrary to condition 5 of approval 11/1338M. The garage is a standalone structure to west of the dwelling house on the application site. The building conversion works include the removal of the garage door and replacing with two windows and brickwork masonry to match the existing.

Recommendation: No objection, but the Town Council urges that a planning condition is imposed to require the new home office shall be used only for domestic purposes incidental to Brook House, Park Lane, Poynton (NC)

Application No: 23/0067M

Location: 52A Clifford Road, Poynton, SK12 1JA

Proposal: Prior approval to return the property back to full residential status only

Recommendation: No objection (NC)

157. The Chairman proposed a matter of urgent business be added to the agenda under SO19

RESOLVED: That a matter of urgent business be added to the agenda under SO19 regarding the proposals for the spillway works (NC)

158. Poynton Pool & Park and the proposed Spillway works request to instruct expert

The Clerk explained that Mike Ellison, the Arborist, had worked out that the site for development, the changes to the dam, instead of being 0.19 hectare, was 1.49 hectare. Under the EIA regulations anything under 1 hectare, the planning authority has to consider whether this should be a full screening. These comments have been submitted to Cheshire East, asking them to reconsider and to change the development plan size which was set

out in the report by Jacobs. Mike Ellison has chased this himself and Cheshire East have reported back disagreeing with his assessment. The Clerk read out the full response. The Friends of Poynton Pool have asked the Town Council if they would consider referring the matter to Planning Consultant. The Clerk suggested contacting John Knight and the Chairman agreed.

RESOLVED: That the matter be referred to Planning Consultant John Knight for his opinion on the matter. The Clerk to update the Friends of Poynton Pool (NC)

156. Communication Messages

**RESOLVED: Planning application, no 22/5036: New Bungalow at Land off The Coppice.
Regular updates on the Poynton Town Council website regarding Poynton Pool Spillway (NC)**

Meeting end time:

Chair

Dated.....