

MINUTES OF THE PLANNING & ENVIRONMENT COMMITTEE MEETING
HELD AT 8.00PM ON MONDAY 20TH FEBRUARY 2023 AT THE CIVIC HALL

PRESENT

Chairman: Cllr L A Clarke

Cllrs: M Beanland, K Booth, S Lees and T Swatridge

Officers in attendance: Haf Barlow (Town Clerk)

157. Recording of meeting

The shorthand assistant 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.

158. Questions from members of the public

There were no members of the public present.

159. Apologies for absence

Cllrs Mrs J Saunders and P Oakes.

160. Declarations of disclosable pecuniary or other interests

There were no declarations of disclosable pecuniary or other interests

161. To approve the minutes of the Planning and Environment Committee meeting on 30th January 2023

RESOLVED: That the Minutes of the Planning and Environment Committee meeting held on 30th January 2023 were approved with the addition of page numbers (1abs)

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

Members considered the action log. There were no further updates.

RESOLVED: That the action log be received (NC)

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

The Chairman drew the members attention to planning application 22/1122M.Garden to Beech Trees, Mill Hill Hollow Poynton SK12 1EJ. Refused by Cheshire East mainly on Green Belt grounds. A member questioned application 17/4928M. The Chairman confirmed that the application was out of date and the process would have to start again.

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

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

RESOLVED: That the Town Council reply to the Harlequin Group stating that unfortunately the Town Council is unable to identify a suitable site. (NC)

165. To receive, consider, and agree a response to the planning appeal for application 21/1331M 9 Pochard Drive, Poynton SK12 1NT

The Planning Inspectorate only require a response if the Town Council's position has changed since its original submission.

RESOLVED: That the Town Council take no further action (4 for, 1 abs)

166. To receive a report from the Clerk on the Community Infrastructure Levy

It was noted that no CIL money had been received in respect of the planning application in black. The Clerk continues to check on progress of developments in the Town.

RESOLVED: That the report from the Clerk on Community Infrastructure Levy is received and that the CCSO's be asked to check if work has started on the various planning applications listed. (NC)

167. To consider the quotation for the Cheshire East Environmental Impact Assessment (EIA) screening application for the Poynton Pool Spillway proposal.

At the last planning meeting the Clerk was requested to obtain a quotation for a second opinion on the EIA screening application. The Clerk had contacted John Knight who had declined to undertake the work as this is not his area of expertise. Subsequently the Clerk had made enquiries with a number of other planning companies and had spoken to a planner with some experience in EIA screening applications.

The Clerk had been advised that there is no right of appeal for EIA screening applications and she was unsure what could be achieved by getting a second opinion. In any event, the documents which would make up an EIA would have to be submitted as part of the planning application process.

The Tree Protection officer had contacted the Clerk to say they had taken advice from the legal services team at Cheshire East. The advice from the legal services team was that the affected trees would derive any benefit from a TPO given that any such order would have no application to the cutting down, topping, lopping or uprooting as proposed works would be an exception to the TPO control. The opinion stated that any works would be allowed as they are in compliance with an obligation imposed under an Act of Parliament or alternatively that as the work is to allow the Environment Agency to carry out works, again the felling of the trees would be an exception to a TPS.

The Clerk had drafted a response explaining that although work to the Spillway is an obligation imposed under an Act of Parliament, how the work is carried out and the cutting down of the trees has not been mandated. In addition it is not the Environment Agency who are requesting this work is carried out but the works are required by Cheshire East Council as the owner of the reservoir.

The full response was shared with the committee.

RESOLVED: That the proposed text be sent to Cheshire East (NC)

168. To receive a verbal report from Councillors Simon Lees and Mike Beanland on their meeting with the footpaths officer at the Hazelfields Development and to agree any recommendations.

At the site meeting some concerns were identified around possible erosion. The builders, Elan have committed to building up the banks in these areas with rocks. The Town Council should ensure that they monitor that this work is carried out. The management structure of the site post completion had been outlined by Elan and responsibility for the site would be transferred to a management board which residents would run.

Some concern was expressed that residents could not be expected to undertake significant environmental work on the river. The developer had stated that the deeds showed that the company were responsible for the river up to the opposite side of the river bank. It is likely that this would be a riparian situation where land owners either side of the river would be responsible up to the middle of the river

The Chairman asked if the builders were taking over the contaminated land. Cllr Lees confirmed that they were going to fence it off and it was going to stay untouched. A member of the Village Working Group has been in correspondence with Elan regarding a new pathway from the railway station

to the school and the new development. The member of the Village Improvement Working Group has done a lot of work with other Councils regarding contaminated land and footpaths.

The Clerk confirmed she would need to contact Elan and the Footpaths officer to confirm that the Town Council is happy with the diversion.

RESOLVED: That the report from Cllr Lees and Cllr Beanland is received. That the Clerk writes to the Cheshire East footpaths officer to confirm that the Town Council is happy with the diversion provided that the work to the banks including rocks to prevent erosion are undertaken. That the Clerk asks the Footpaths Officer to take action with regard to the collapse of the riverbank further along the footpath (NC)

169. Planning applications received for consideration

Application No: 23/0283M

Location: 1 Smithfield Cottages, Coppice ROAD, Poynton SK12 1SP

Proposal: The erection of a single 3-bed detached house in the grounds of 1 Smithfield Cottages.

Recommendation: Poynton Town Council recommends that this application be rejected for the reasons below.

- 1. The proposed development would result in inappropriate development in the Green Belt. It would result in a large additional dwelling, causing a loss of openness and urbanisation and does not meet the criteria and exceptions outlined in the Local Plan and the NPPF. There are no considerations of sufficient weight that would clearly outweigh the harm to the Green Belt and very special circumstances do not exist. The proposed development would therefore fail to comply with Policy PG3 of the Local Plan and the NPPF. Domestic gardens are not regarded as Brownfield land.**
- 2. Policy PG10 of the Cheshire East Site Allocations and Development Policies Document (SADPD) includes 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 as shown on the Local Plan Adopted Policies Map 2022 and therefore the development does not represent limited infilling in a village. The proposal is also contrary to Poynton Neighbourhood Plan policy HOU1 (Higher Poynton).**

3. 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
SE13 Flood Risk and Water Management
CO1 Sustainable travel and transport

4. 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
ENV16 Surface Water Draining and Flood Risk
HER1 Heritage assets
HER7 Non-designated heritage assets
HOU12 Amenity
HOU13 Residential Standards

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

EGB1 Surface Water Management
EGB3 Natural and historic environment
EGB8 Protection of rural landscape
EGB15 Heritage Assets
EGB21 Protecting and Enhancing non-designated Heritage Assets
HOU1 Higher Poynton
HOU6 Housing mix
HOU7 Environmental considerations
HOU8 Density and site coverage
HOU11 Design
HOU15 Backland and tandem development

6. Highways and Road Safety - The proposed plans do not include detailed plans of the vehicular accesses to either 1 Smithfield Cottages or the new house and both entrances appear to lack visibility splays. Coppice Road is a busy road and bus route that carries significant traffic to Pott Shrigley and Bollington. The plans suggest that vehicles from both properties will have to reverse onto Coppice Road to exit the site.

7. **No Coal Mining risk assessment has been supplied, despite the Coal Authority interactive map appearing to show that the site is in a high-risk area for shallow coal workings.**
8. **Flood Risk – Building on the existing garden area will inevitably reduce absorption and increase run-off of rainwater. Poynton suffered serious flooding in 2016 and 2019. No information has been provided in relation to the impacts of the proposed development on flooding and drainage, contrary to Policy SE13 of the Local Plan and the NPPF and Policy ENV16 (Surface Water Draining and Flood Risk) of the SADPD and Policy EGB1 of the Poynton Neighbourhood Plan.**
9. **The roofline of the proposed new house is significantly higher and would overwhelm the view of 1 Smithfield Cottages, a Heritage Site listed in the Poynton Neighbourhood Plan. It is of a much more recent design than Smithfield Cottages, which are shown on the 1875 Ordnance Survey map. By virtue of scale, design and height, the proposed additional dwelling would damage the historic character of the site and will not enhance the historic street scene at this location. The proposals are contrary to policies SD1, SD2 and SE1 of the Cheshire East Local Plan, policies HER1 and HER7 of the SADPD and policies HOU11 (Design), EGB15 and EGB21 of the Poynton Neighbourhood Plan.**
10. **This proposed development in the Green Belt, on a restricted plot overlooking open farmland and close to nearby houses is also contrary to Poynton Neighbourhood Plan policies EGB3 (Natural and historic environment), EGB8 (Protection of rural landscape), HOU7 (Environmental Concerns), HOU8 (Density), HOU11 (Design) and HOU15 (Back land and tandem development).**
11. **The proposed development would result in loss of light to 299 Coppice Road's side elevation windows by virtue of positioning and overshadow and overlook the gardens of 299 Coppice Road and 1 Smithfield Cottages. It is therefore unneighbourly and cramped and intrusive, contrary to Policies SD2 and SE1 (Design) of the Cheshire East Local Plan and Policy HOU12 (Amenity) of the SADPD.**
12. **The close relationship between the proposed dwelling and 1 Smithfield Cottages may breach the separation distances between houses required in policy HOU13 of the SADPD and detailed in Table 8.2.**
13. **Accessibility - The nearest shops are on School Lane near the centre of Poynton, over a mile away. Access to the proposed development would be by private car. In view of its rural location this development is inaccessible and unsustainable and is therefore contrary to Cheshire East Local Plan Policy SD1 and Local Plan policy CO1 (Sustainable travel and transport).**

14. 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”.

Application No: 23/0384M

Location: 20 Maple Avenue, Poynton SK12 1PR

Proposal: Proposed single storey side & rear extensions

Recommendation: No Objection, but the Town Council would suggest that the new side windows facing 22 Maple Avenue are glazed in obscured glass.

Application No: 23/0330M

Location: Mendota, Middlewood Road, Poynton SK12 1TX

Proposal: Addition of entrance porch to the front of the house, with new full height glazing on the front elevations. Rebuilding of the garage to the same footprint. Glazing and patio doors added to the rear elevation including solar panels added to the dining room at the rear.

Recommendation: No Objection, providing the Planning Officer is satisfied that the proposed new windows, including the full height glazing on the front elevation, do not reduce the privacy of neighbouring properties.

Application No: 23/0522M

Location: 48 Shrigley Road North SK12 1TE

Proposal: Proposed front porch, single storey rear extension & new pitched roof to existing rear flat roof.

Recommendation: No objection, providing the Planning Officer is satisfied that the proposed new single-storey rear extension will not cause an excessive loss of light or be unneighbourly to 46 Shrigley Road North.

Application No: 23/0500M

Location: 9 Derbyshire Road, Higher Poynton, SK12 1TZ

Proposal: Prior approval of an additional storey to a maximum height of 8.62m

Recommendation: Poynton Town Council notes that 9 Derbyshire Road is in the Green Belt. The Town Council urges that this application is subject to a detailed review, to ensure that the proposal complies fully with the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

We note that, Clause AA.3 (11) allows the local planning authority to require the applicant to submit information on “impacts or risks”. Higher Poynton is a former coal mining area, and the Coal Authority’s interactive map shows a former mine entry close to the site, plus the site is in or very close to a high-risk area for shallow coal workings. The proposed additional storey will increase significantly the weight of the building which may impact on any former coal workings beneath the site. Cheshire East should require the applicant to provide a Coal Mining risk assessment.

Clause AA.2(3)(a) states “before beginning the development, the developer must apply to the local planning authority for prior approval as to—

- (i) impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light; ...”

The Town Council is concerned about the impact on neighbouring properties, in particular 7 Derbyshire Road, with regard to overlooking, privacy and the loss of light. A full analysis should be supplied regarding these issues.

Application No: 23/0431M

Location: 80 London Road North, Poynton, SK12 1BY

Proposal: Proposed construction of Orangery to rear of property. Dimensions 3.6 metres width x 3.6 metres depth.

Recommendation: No objection

170. Communication Messages

- Cheshire East have rejected a planning application to build a house in an overgrown former garden on Mill Hill Hollow on Green Belt grounds. As recommended by Poynton Town Council
- Poynton Pool and the trees
- Smithfield Cottages 23/0283M

RESOLVED: That the above communication messages are approved.

Meeting end time:

Signed.....

Dated.....

169. Communication Messages

**RESOLVED: Cheshire East have rejected a planning application to build a house in an overgrown former garden on Mill Hill Hollow on Green Belt grounds. As recommended by Poynton Town Council
Poynton Pool and the trees
Smithfield Cottages 23/0283M**

Meeting end time:

Chair

Dated.....