

MINUTES OF THE PLANNING & ENVIRONMENT COMMITTEE MEETING HELD AT 8.00PM ON MONDAY 12TH JUNE 2023 AT THE CIVIC HALL

PRESENT

Chairman: Cllr L A Clarke

Cllrs: K Booth, L Podmore, J Saunders and T Swatridge

Officers in attendance: Clerk, Haf Barlow

16. 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.

17. Questions from members of the public

A representative from Abode attended the meeting for agenda item 11.

18. Apologies for absence

Cllrs M Beanland and S Lees

19. Declarations of disclosable pecuniary or other interests

There were no disclosures of disclosable pecuniary or other interests.

20. Amendment to agenda order

The Chair proposed that the agenda is re-ordered to move planning application 23/1971M and the notice regarding the former Vernon Infants School as the next items.

RESOLVED: That the agenda is so ordered (NC)

21. Application No: 23/1971M

Location: 64 Dickens Lane, Poynton SK12 1NT

Proposal: Demolition of existing detached dwelling and the erection of five detached dwellings including associated access and landscape works.

A representative from Abode (applicants) attended the meeting and explained that they had now consulted widely with neighbours and hope that the plans are now more acceptable to

residents and the Town Council. The application no longer contains apartments but consists of five detached properties.

The Members expressed the following concerns:

- The density of the development. Abode confirmed that the as a minimum they looked to have a path of 1m at the side of each property.
- Protected Trees. Abode confirmed that whilst there are some trees that will be removed the Oak with the Tree Protection Order will remain.
- Highways access. The developers hope that the new arrangements will improve access. It was noted by the Committee that they did not believe that a visibility display had been submitted as part of the planning application.
- The parking bays should meet the Cheshire East minimum requirements both in terms of how many and the size.
- Bin collection – concerns over wheelie bins being left on the Dickens Lane pavement. This is a busy road well used by both vehicles and pedestrians.
- Abode confirmed that the property will not be gated.
- Fire engine access to the houses at the back of the site

Whilst members didn't feel able to recommend approval at this stage due to the queries and concerns that the Town Council has, it was felt that the application was an improvement on the previous applications, specifically the elimination of the three-storey apartment block.

Members were referred to the report prepared by the Chair.

Other issues of concern include:

- Compliance with planning policies
- Loss of large garden and impact on biodiversity
- Backland development
- Impact on neighbours
- Flooding

Members agreed to approve the proposed recommendations set out in the report.

Recommendation: Poynton Town Council remains concerned that whilst the latest plans avoid some of the issues of height and bulk caused by the block of flats included in rejected applications 21/5810M and 21/0264M, the latest proposal for five large, detached houses on a relatively small site continues to present issues of over-intensification and high density that is inappropriate for the immediate area.

The Planning Inspector who rejected the appeal into application 21/0264M (see Appeal Reference: APP/R0660/W/21/3271202), made the following comments that remain relevant to the latest application:

“The appeal site’s context is visually pleasing, owing in part to the mature street trees, soft landscaping and brick boundary walls. Properties are architecturally different which creates visual interest and irrespective of plots in the area that have been subdivided, the immediate context is one of moderately sized houses that are set in equally generous plots which creates a sense of spaciousness. The symbiosis of the mature landscaping and the spacious urban form gives Dickens Lane its attractive character.”

In terms of planning policy, it is the Town Council's view that the proposed development is contrary to the prevailing Planning policies for the area which are at national, Borough and local level. Therefore, the application should be refused for the following reasons:

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 housing area.
2. It would have the effect of significantly damaging the appearance and environment of an attractive area, removing the existing sense of spaciousness. The development would have a harmful effect on the character and appearance of the area, contrary to Policies SD2 (Sustainable development), SE1 (Design) and SE4 (Landscape) of the Cheshire East Local Plan and Policy HOU11 of the Poynton Neighbourhood Plan which, amongst other things, seek development that incorporates appropriate landscaping and makes a positive contribution to the character of the area.
3. 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. This house and its neighbours form an area of lower density housing, separating areas of higher density along Dickens Lane and providing a contrasting environment with larger gardens and a significant number of trees. 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)".
4. This application fails to address the detailed concerns of the Planning Inspectors on previous applications 21/5810M and 21/0246M. Issues including site density, the impact on neighbouring properties and the street scene and risk to protected trees have not been resolved. The Inspector's conclusion on 21/0246M that "The development would have a harmful effect on the character and appearance of the area, on the living conditions of neighbouring and prospective occupiers and on existing trees" continues to apply to the current application.
5. The proposed development is contrary to the Development Plan for the Poynton area as set out in Cheshire East Local Plan 2017, the Poynton Neighbourhood Plan and the Site Allocations and Development Policies Document (SADPD) 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.
6. The proposed development is in conflict with the following up-to-date Development Plan policies of the Cheshire East Local Plan:
MP1 Presumption in favour of sustainable development

SD1 Sustainable development in Cheshire East
SD2 Sustainable development policies
SC4 Residential mix
SE1 Design
SE2 Efficient use of land
SE4 Landscape
SE5 Trees, Hedgerows and Woodlands
SE13 Flood Risk and Water Management

- 7. 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
ENV16 Surface Water Draining and Flood Risk
HOU10 Backland Development
HOU12 Amenity
HOU13 Residential Standards

- 8. 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
EGB2 Open Spaces
HOU6 Housing mix
HOU7 Environmental considerations
HOU8 Density and site coverage
HOU11 Design
HOU15 Backland and tandem development

- 9. The proposed development is contrary to relevant policies of the Poynton Neighbourhood Plan 2019. 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), HOU15 (backland and tandem development) and EGB 2 (open spaces).**

- 10. 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.

- 11. Loss of Trees contributing to Amenity – The proposed development by virtue of its size and siting would result in the direct loss of existing trees which are of amenity value to the area. There are Tree Preservation Orders covering part of this property and all of the garden of the next-door house, 66 Dickens Lane. The roots of these trees could be damaged by development at 64 Dickens Lane. The**

development is therefore contrary to Local Plan Policy SE5 (Trees, Hedgerows and Woodlands).

- 12. 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.
- 13. Backland Development:** The proposal represents an undesirable form of backland development without proper road frontage. The houses at the rear of the site would be accessed by a narrow road off Dickens Lane, passing very close to 62 Dickens Lane. The application would cause harm to the amenity of local residents, would not be equal or subordinate in scale to nearby houses and would be unsympathetic to the character and appearance of the surrounding area, so is contrary to Policy HOU10 of the SADPD and HOU15 of the Poynton Neighbourhood Plan.
- 14. Development 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. The proposed wheelie-bin store right by the boundary with 62 Dickens Lane is unneighbourly, as such facilities often smell in warm weather and attract vermin, so is contrary to Policy HOU12 of the SADPD.
- 15. 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. This part of Dickens Lane 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.
- 16. It is not clear from the plans that the two houses at the front of the site will each be at least 1 metre from the boundary between them, this concern also applies to the three houses at the rear of the site. All the houses should meet the separation distances prescribed in Table 8.2 of SADPD Policy HOU13 (Residential Standards).**
- 17. Loss of privacy.** The position of the proposed development, in relation to adjoining residential properties, may result in an unacceptable reduction in the level of privacy presently enjoyed by the occupiers of those properties by reason of overlooking. The proposed access road to the rear of the site will pass very close to the boundary with 62 Dickens Lane. This may also breach policy HOU12 (Amenity) of the SADPD.
- 18. Highways Issues:** The Town Council urges that a qualified Highways Engineer visits the site to conduct a full review of the highway issues. The proposed

development may pose a threat to highway safety. Unlike the previous plans, the current proposals will retain two vehicular access off Dickens Lane:

- a) **Increased Turning Movements - Access to the site is onto Dickens Lane, a busy road, with many vehicles and pedestrians travelling to the three nearby schools: Vernon Primary, St. Paul's Primary and Poynton High Schools.**
- b) **The new estate of 150 houses currently under construction at Sprink Farm, further up Dickens Lane will greatly increase existing traffic volumes. The site is near a Zebra crossing and the busy junction with Clumber Road and is close to a blind bend.**
- c) **Inadequate Visibility – The applicants do not appear to have provided visibility splays for the two accesses from Dickens Lane.**
- d) **There may not be sufficient space for manoeuvring vehicles within the site, particularly to avoid the need for cars and service vehicles leaving the site to reverse out onto Dickens Lane. A “swept path” analysis should be provided, showing that vehicles can exit the site using forward gear.**
- e) **Inadequate Service Provision – the lack of parking for visitors and tight internal layout will lead to internal congestion and inadequate provision for service vehicles to load and unload, resulting in increased parking on Dickens Lane and a risk to highway safety.**
- f) **It is not clear that the rear of the site will be fully accessible for large vehicles such as the dustcart or a fire engine. The proposal to allow wheelie bins to be left on the pavement – up to ten bins – would be a danger to pedestrians. At this point the footway is no more than 1.5 metres wide, and when the wheelie bins are put out, users of prams, buggies and wheelchairs will be forced to use the road. The Town Council believes this is a serious threat to road safety and will discourage pedestrians, leading to increased car travel.**

19. Car Parking - It is not clear from the plans that car parking provision is adequate and complies with Cheshire East Local Plan Appendix C. Dwelling houses with two or more bedrooms must have at least two car parking spaces each, with a requirement that “Standard parking bays are to be provided at a size of 4.8m x 2.5m.” It is not clear that the proposed spaces meet these dimensions.

20. Flood Risk - the applicants have not provided a flood report. The loss of garden area will reduce absorption of rainfall and increase run-off into Poynton Brook, which flooded in 2016 and 2019. The Town Council urges Cheshire East to seek the advice of their LLFA Flood Risk Team to ensure compliance with the National Planning Policy Framework (paragraph 167, footnote 55), policy SE13 (Flood Risk and Water Management) of the Cheshire East Local Plan, policy ENV16 of the SADPD and policy EGB1 of the Poynton Neighbourhood Plan (NC)

21. To receive and consider the email from Lee Beckett, Cheshire East Council, regarding the proposed disposal of the former Vernon Infants School.

Members noted the contents of the email. The Poynton Neighbourhood Plan addressed development at this site and made proposals. The representative of Abode confirmed that they had also expressed an interest in the site to Cheshire East.

It was noted that these plans were opposite to what had been proposed by the Neighbourhood Plan which was to use the rear of the playing fields to build, provide access through George's Road West and to leave the front of the site as a 3G pitch. It was noted that there is a significant lack of sports pitches in Poynton and no 3G pitches at all.

RESOLVED: That the email from Cheshire East is received. That the Town Clerk writes to Cheshire East asking them to consider the Neighbourhood Plan proposals for the site and requesting that Cheshire East Council have a public exhibition in the Civic Hall so that members of the public can view the proposals to sell the land. Cllr Lee Podmore will provide the Clerk with the information about the Neighbourhood Plan proposals (NC)

23. To approve the minutes of the Planning and Environment Committee meeting on 22nd May 2023

RESOLVED: That the Minutes of the Planning and Environment Committee meeting held on 22nd May 2023 were approved (NC)

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

Members considered the action log.

RESOLVED: That the action log be received (NC)

25. To note the SO51 decision to appoint Cllr Laurence Clarke to speak on behalf of Town Council at the Cheshire East Economy and Growth Committee meeting on the 6th June 2023 regarding Poynton Pool

RESOLVED: That the action under SO51 is noted (NC)

25. To note the advice from Cheshire East and John Knight regarding reviewing the neighbourhood plan and to agree whether to commence the review.

Members discussed the advice received and noted that planning legislation was still being discussed by Parliament.

RESOLVED: That the advice from Cheshire East and John Knight is received. That the Town Clerk investigates what funding is available to review the Neighbourhood

Plan. That a review of the plan is initiated once the new planning legislation has been through Parliament (NC)

26. To note and receive the planning decisions from Cheshire East Council
The decisions made by Cheshire East planning were reviewed by members.

RESOLVED: That the decisions made by Cheshire East Planning Department were noted. (NC)

27. Planning Applications received for consideration:

Application No: 23/1949M

Location: 67 Clumber Road, Poynton SK12 1NW

Proposal: Proposed two storey rear extension.

Recommendation: No Objection, providing the Planning Officer is satisfied that there will be no significant loss of light to neighbouring properties, including 65 Clumber Road.

Application No: 23/1975M

Location: Ground Floor, 83 Park Lane, Poynton SK12 1RD

Proposal: Fitting of sliding glazed doors to side elevations and bi-fold glazed doors to front of existing glazed canopy.

Recommendation: No objection

Application No: 23/1811D

Location: "The Workshop", 3 Shrigley Road North, Poynton, SK12 1TE

Proposal: Discharge of condition 6 on existing permission 18/5737M

Recommendation: Poynton Town Council notes the application and urges that the windows concerned are reglazed with obscured glass before the property is occupied.

Application No: 23/1837D

Location: Towers Yard Farm, Towers Road, Poynton, SK12 1DE

Proposal: Discharge of conditions 5, 10 & 11 on approval 20/3061M

Recommendation: Poynton Town Council has no objection to these conditions being discharged, providing the relevant specialist council staff confirm that the requirements of the original planning consent have been satisfied.

Regarding Condition 5, we note that the site is in the Green Belt and adjacent to several Listed Buildings (ref. 1232304; Rose Cottage, Southside and Towers Yard Farm). The proposed windows and doors should be compatible with that status. Regarding Conditions 10 and 11, the site has previously been in agricultural use and before that was the centre of the former Poynton Colliery operations. This may have led to contamination of the soil, and it is important that the Remediation Strategy is confirmed to have been implemented fully.

Application No: 23/1536D

Location: Hollowbrook Cottage, Mill Hill Hollow, Poynton, SK12 1EJ

Proposal: Discharge of conditions 4, 7 & 10 on approval 20/0744M.

Recommendation: Poynton Town Council has no objection to these conditions being discharged, providing the relevant specialist council staff confirm that the requirements of the original planning consent have been satisfied.

Regarding Condition 4, we note that the site is in the Green Belt and the proposed brickwork and roofing materials should be compatible with that status.

Compliance with Condition 7 should be reviewed by Cheshire East’s Wildlife Officer.

Regarding Condition 10, this is of particular importance as the site borders Poynton Brook and increased runoff could raise flood risks. The proposed solution should be reviewed by the LLFA Flood Risk Team. Paragraph 5.4 of the applicant’s report refers to “Severn Trent”, but the water and sewerage company covering Poynton is United Utilities.

28. Communication Messages

RESOLVED: 64 Dickens Lane, former Vernon Infants School Playing Fields (NC)

Meeting end time: 20:50PM

Chair

Dated.....