



## DOCUMENT PACK FOR PLANNING COMMITTEE MEETING

on 25<sup>th</sup> April 2023 at 7pm in the Village Hall Lounge

### Agenda

1. **Declarations of Interest**
2. **Apologies for Absence**
3. **To approve the Minutes of the Meeting of 31<sup>st</sup> March 2023.** [View Draft Minutes.](#)
4. **Planning Applications:** To consider and agree comments on the following planning applications:
  - a) **To receive and consider the following planning applications:**

[23/1176C](#) 140, MAIN ROAD, GOOSTREY, CW4 8JR. Single storey rear extension to replace existing conservatory. First floor front dormer extended with gable to replace hipped roof. General refurbishment and replacement of windows and finishes. Comments deadline 26<sup>th</sup> April 2023.

[23/1322C](#) 128, MAIN ROAD, GOOSTREY, CREWE, CHESHIRE, CW4 8JR. Two story side extension, single story rear extension, amendments to front porch and associated external works Comments deadline 2<sup>nd</sup> May 2023

[23/1375C](#) WOODSIDE COTTAGE, CROSS LANE, GOOSTREY, CW4 8DG. Proposed Replacement Dwelling. Comments deadline 10<sup>th</sup> May 2023
  - b) To ratify the comments made by the Clerk for the following applications which were received after the agenda for the meeting on 31<sup>st</sup> March was issued and with comments deadlines before the next meeting:

[23/1187C](#) 154 Main Road. Submitted comment: No comment.

[23/1222C](#) 23 Willow Lane. Submitted comment: No comment.
- Motion:** The Planning Committee resolves to approve the comments made regarding planning applications 23/1187C and 23/1222C by the Clerk under delegated authority according to Standing Order 25b in order to meet the deadline for comments.
5. **Correspondence:** To consider any correspondence received since the last meeting
  - a) Response to Complaint Number 19541281 regarding planning application ref. 21/2569C. **See page 2.**
  - b) Response to Enforcement Number 23/0154E regarding Holly Bank Farm, 65, MAIN ROAD, GOOSTREY, CW4 8JR – erection of a detached garage. **See page 6.**
6. **Minor Items and Items for the next meeting.**
7. **Applications received after the agenda for this meeting was issued** – review of applications to be added to the next Planning Meeting Agenda.
8. **Date of the Next Meeting:** Tuesday 23<sup>rd</sup> May 2023.

# ENCLOSURES

## Item 5 a Correspondence



Complaints Team  
Floor 1, Macclesfield Town Hall  
C/O Municipal Buildings  
Earle Street  
Crewe  
Cheshire  
CW1 2LL

0300 123 5038

Date: 14 April 2023  
Our Reference: 19541281

Dear Mrs Bambrook

### **RE: COMPLAINT NUMBER 19541281**

I refer to your recent complaint made on 14 March 2023 concerning a planning matter. Thank you for taking the time to bring this matter to our attention.

The comments below have been provided by Peter Hooley, Planning & Enforcement Manager.

I write further to your correspondence dated 29 December 2022 in relation to planning application ref. 21/2569C, which I am dealing with under Stage 1 of the Council's Complaints Procedure.

My understanding of your complaint is:

>You believe that Cheshire East Council has approved the wrong diagrams, in which they approved the original Revision A instead of Revision E.

>Ward Councillor Les Gilbert sent GPC a copy of the 'Revocation of Planning Permission', which outlines the conditions under which it is possible to revise

the decision notice once issued. GPC forwarded this to Daniel Evans on the same day but there was no response.

>You have also outlined the lack of response from Planning after making several attempts to contact Mr Malcolm concerning this issue.

>You would like formal confirmation from Cheshire East Council that the wrong drawings were approved and for the Council to determine if the development has been completed and, if it has not been completed, to revoke or modify the approval.

Firstly, I would like to apologise for the lack of response from Mr Malcolm. Mr Malcolm had requested Mr Evans, Principal Planning Officer, respond on behalf of the planning service and therefore correspondence between Mr Evans and the Parish Council was undertaken.

I refer to the email from Mr Evans, to the Parish Council on 8 December 2022, the contents of which are set out below.

*'I have had another look into this decision. During the course of the application the scheme was reduced down in terms of the height and level of accommodation provided. The original plan Rev A shows first floor accommodation in the form of a one-bedroom residential annex and a later plan (Rev E) shows the existing games room and en-suite at first floor level with the addition of a store room. The original case officer left the employment of CEC during the course of the application and it appears that the new case officer referred to the earlier plan (Rev A) within the decision notice rather than the later plan (Rev E). It had been the intention to approve plan Rev E and not Rev A. I can only apologise for this.*

*Having said that, as you are aware CEC has taken a proactive role in resisting applications where there would be harm caused to the efficiency of the telescope. This has been demonstrated at a number of planning appeals including public inquiries. Each application is determined on its own merits and although the wrong plan was referred to in this case, the Council will continue to defend applications which harm the efficiency of the telescope.'*

It is clear from the email of Mr Evans, that it has already been acknowledged by the Council that the incorrect drawing numbers were referred to in granting planning permission and an apology has been made. Revised drawings were negotiated during the course of the planning application to

reduce the development and the decision was intended to be made on that basis.

Unfortunately, the decision was incorrectly issued referring to the original drawings. The local planning authority is aware of the powers of revocation, but this is not a case where we will be using those powers. We have acknowledged and apologised for this mistake, but we do not consider that the consequences of this individual and limited permission are so significant to warrant a revocation of planning permission.

Cheshire East Council has taken the leading role in ensuring planning decisions are made with the protection of Jodrell Bank Observatory in mind, and this has been reflected in the significant resource we have devoted to defending refusals of planning permission at public inquiries, hearings, written representations appeals, legal cases, creating planning policy and supporting JBO in securing world heritage status. I am also familiar with these issues on a personal, professional level having defended the policy to protect the telescope under cross examination in the Royal Courts of Justice.

The Parish Council can be reassured that the mistake with the drawing numbers for this permission does not provide any precedent or change of policy and each application continues to be considered on its merits and must take account of the importance of the protection of the telescope. Please accept our apologies again for the error that was made and thank you for drawing this matter to our attention.

At Cheshire East we take customer satisfaction very seriously, however we apologise in this instance if this is not the outcome that you were hoping for. If you have any further questions or concerns, please don't hesitate to contact us.

If you remain dissatisfied with our response you may request your complaint, be considered under stage 2 of the complaint procedure. You should notify the Complaints Team, in writing within 20 working days of the date of this letter. You should specify what aspects of your complaint you remain dissatisfied with, and what outcomes you are seeking from the process. Where possible we always seek to resolve complaints locally and your response will assist in identifying whether there are any further actions we can take at this stage to resolve your complaint.

Yours sincerely,

Alan Ward  
Complaints Manager  
Cheshire East Council

## Item 5 b Correspondence

Dear Emma Bambrook,

With regards to the above case, I have carried out a site inspection and it is evident that no breach of planning control has occurred.

The ancillary structure in question conforms to the permitted development criteria and does not require planning permission. In these circumstances no enforcement action is necessary, and the case will be closed.

Yours sincerely

Taff Wilcox

Planning Enforcement Officer

Cheshire East Council