

Application No: 19/1972M

Location: Sprink Farm, Land at Dickens Lane, Poynton, SK12 1NU

Applicant's Name: Mr Matthew Shipman

Proposal: Application for reserved matters approval (appearance, landscaping, layout & scale) for the erection of 150 dwellings, landscaping, public open space, associated infrastructure and parking

Concerns are raised at this stage about the following matters:

1. Lack of publicly available section 106 agreement for outline planning permission 17/ 4256 approved 27 November 2018 for the same site.

Planning obligation contributions as required by local planning authorities should be made publicly available This is confirmed in National Planning Practice Guidance para 012 Ref ID 23b-012- 20190315 dated 15 March 2019. This planning submission is for Reserved Matters pursuant to the grant of outline planning permission by the Borough Council in November 2018. Local planning authorities are required to keep a copy of any planning obligation together with details of any modification or discharge of the planning obligation and make these publicly available on their [planning register](#).

There are a number of references within the submission documents accompanying this application which refer to a section 106 agreement. There is currently no such agreement on the Cheshire East website for this current application. In this absence of a copy of the section 106 agreement, it is not possible for the Town Council to comment on the infrastructure impacts of the proposed development which have consistently been a major concern to the Town Council and the Poynton community throughout recent years since this site was confirmed as a housing development site following the adoption of the Cheshire East Local Plan in July 2017.

2. Request for extension of time for public comments in view of absence of the relevant section 106 agreement.

In view of the failure to comply with national planning guidance, the Town Council requests that the period for public consultation is re-started from the date the completed Section 106 is posted on the Council website. It also requests that all addresses and consultees previously notified of the application for Reserved matters 19/1972M be re-notified with a revised date for consultation in accordance with the relevant legislation.

3. Failure to address Town Council concerns set out in objections to the outline application.

The Town Council objections to the outline application 19/1972M were made in two parts: Part 1 set out the reasons why the Council recommended the refusal of the outline planning application while Part 2 set out a series of planning considerations which the Council requested should be taken into account in considering that and any future applications for this site.

A viewing of the current submission documents confirms that many of the matters listed by the Town Council as being of local and continuing concerns have not been addressed in this submission for Reserved Matters. The Town Council has noted that the applicant and agents at that time (Hourigan Connolly) no longer appear to be involved in the development of this site. There is however a copy of the latest Town Council representation at that outline stage on that application website (reference 17/4256M). A further copy of those comments are included in this submission and the Town Council would request a response to the matters raised in particular in Part 2 of that representation. The document can be found here:

<https://doc.cheshireeast.gov.uk/NorthgatePublicDocs/07923703.pdf>

4. Failure to recognise and assess the submission proposals against the Poynton Neighbourhood Plan currently at examination from April 2019.

The examination into the Poynton Neighbourhood Plan commenced in early May 2019, the Plan having completed all its previous stages of policy development and consultation by the local community. At 5.35 of the Planning Statement (dated April 2019) accompanying this current application (19/1972), it states as follows:

5.35 The draft Neighbourhood Plan hasn't been subject to independent examination yet,

and is still subject to objections / comments. Having regard to paragraph 48 of the Framework, only limited weight can be afforded to the draft NP in decision-making at the current time.

Firstly, this statement is incorrect as the independent examination into the Neighbourhood Plan had already started and this was set out and confirmed on the Town Council website as at April 2019. Secondly, there is within the Planning Statement a short summary of the factors relevant to the development of this site as set out in policy HOU 10 of the Neighbourhood Plan and which apply to this site only. There is no attempt to assess the factors identified by the local community as being of concern and set out in policy HOU 10 of the Neighbourhood Plan.

The Town Council would refer to para 45 of NPPF 2019 which sets out the following guidance:

Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The Poynton Neighbourhood Plan at examination is therefore clearly of some weight but has been ignored in this submission.

5. The objection of the Public Rights of Way Team to the application and supports the comments relating to footpaths running along estate roads.

6. The emergency access and how Cheshire East will ensure that the access is used for emergencies only and not as an estate access.

Conclusion

Given the importance of this application to the Poynton community, the Town Council therefore formally requests the following actions:

- The Borough Council to post a copy of the completed section 106 agreement for the outline planning application 17/4256M on the application website;
- The Borough Council to extend the period of public consultation to allow a public viewing of the completed section 106 agreement;
- The applicants respond to the Town Council's previous concerns as set out in part 2 of their representation on the outline planning application 17/4256M;
- The applicants recognise and assess the submission proposals against the Poynton Neighbourhood Plan currently at examination from April 2019;
- The Town Council reserves the right to respond in more detail to the Reserved Matters application consultation on this application in due course.