

**MINUTES OF AN EXTRA-ORDINARY MEETING OF HANKELOW PARISH COUNCIL  
HELD AT HANKELOW METHODIST CHURCH, HANKELOW ON 14 FEBRUARY 2019**

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**PRESENT:** Councillor G Foster Chairman  
Councillor C Ainley  
Councillor G Cope  
Councillor I Jones  
Councillor A Lee

**IN ATTENDANCE:** Paula Cottrell (newly-appointed Clerk to the Council)

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**72 DECLARATIONS OF INTEREST**

Members were invited to declare any non-pecuniary or disclosable pecuniary interest (DPI) which they had in any item of business on the agenda, the nature of that interest, and in respect of disclosable interests to leave the meeting prior to the discussion of that item.

Councillor Colin Ainley declared a personal interest in planning application 19/0393N on the basis that he was in discussion with the developers about a boundary dispute, but that this interest did not prevent him from forming an unbiased opinion on the planning application.

No other declarations were made.

**73 PUBLIC QUESTION TIME**

In accordance with the Parish Council's Standing Order No. 1, members of the public were able to ask a question or to make a statement.

There were no members of the public in attendance.

**74 PLANNING APPLICATION**

**19/0393N – Lodge Farm Industrial Estate, Audlem Road, Hankelow  
Release from legal obligation 14/4300N – Outline planning application with some matters reserved for redevelopment of the site to provide up to 22 dwellings and an area of public open space**

The Parish Council was invited to comment on planning application 19/0303N by 18 February 2019. The application sought to release the developer from a legal obligation to provide affordable housing (three dwellings) on the site.

Members expressed their concern, generally, about this application as there appeared to be a national campaign which allowed developers (within the National Planning Policy Framework) to build fewer affordable homes by utilising a legal loophole. This was the 'viability assessment' whereby if a developer could demonstrate that its profits would fall below 20% on the whole project, it could be exempted from this requirement.

**RESOLVED:** That the following comments be submitted to Cheshire East Council in respect of planning application No. 19/0393N:

(a) The Parish Council considers itself constrained to a degree as there was insufficient information available for Members to make informed observations. It is unclear if the developer is using the 'viability assessment' as the reason for requesting removal of the requirement to provide affordable housing;

(b) The developer has failed to make sufficient attempt to advertise the affordable homes for sale;

(c) Affordable housing has featured in this scheme from its inception; moreover, the development, which is on a brownfield site, was controversial. It was the only site suitable for

large-scale development and the community was willing to support it partly because of the provision of affordable housing;

(d) The proposal to remove affordable housing from the scheme is contrary to the emerging Neighbourhood Plan which includes provision for affordable homes;

(e) The Parish Council is concerned about what appears to be a national campaign to exploit a legal loophole which permits developers to avoid their obligations to provide affordable housing by using the 'viability assessment' argument;

(f) If the Borough Council is minded to remove the legal obligation, the developer should be required to wait for a period of at least three years before selling on the open market; three months is inadequate; and

(g) The Parish Council would be interested to be informed of changes made since approval of the S.106 agreement requiring affordable homes to be built on this site.

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.....Chairman

The meeting commenced at 7.00 pm and concluded at 7.35 pm