

**MINUTES OF TARPORLEY PARISH COUNCIL EXTRAORDINARY MEETING
HELD IN THE TARPORLEY METHODIST CHAPEL ON MONDAY 28th SEPTEMBER 2015**

Parish Councillors

Chairman - Ken Parker

Elaine Chapman Gill Clough Julie Hall James Kennedy John Millington

Jeremy Mills Gordon Pearson Peter Tavernor Andrew Wallace

Clerk - Ann Wright.

Public - 9

Apologies

Cllr Richard Statham prior commitment.

Cheshire West & Chester Councillor Eveleigh Moore Dutton.

Declaration of Interests

None declared.

Minutes

15/048 Resolved - That the Chairman signs the Minutes, as circulated, of the meeting held on 14th September 2015 as a true and proper record.

Public Participation

A resident raised a query regarding the outcome of the meeting with the developer of the RBL site, it was confirmed that the developer had offered alternative land for both the Bowling Green and Allotments and had also agreed to look at an alternative layout that might retain the bowling green. The plan discussed showed land being donated to the primary school. It was confirmed no decision had been made and no planning application had been submitted to date. It was confirmed the Parish Council has no opinion on the possible loss of the allotments and bowling green as it had not been discussed as a council, the Council would consider the application when submitted and form a view then.

The Chairman read an e-mail from CW&C Councillor Moore Dutton who thanked all those who had worked so hard to produce the Neighbourhood Plan which she stated is a significant achievement and was being power closer to residents.

Neighbourhood Plan

Michael George Chairman of the Neighbourhood Plan steering group introduced the plan. He explained the Consultation Summary is a summary of all the responses received during the last round of consultation and that the Basic Conditions Statement shows the plan is legally sound and in compliance with other legislation including the CW&C Local Plan.

He reported that the draft plan before the Council has been amended since it was presented to the Council however there were no major changes and these were all highlighted in the executive summary circulated to Councillors, pages 64 to 67 of the minutes book.

It was noted the plan includes a review of the settlement boundary in three years, this will include a call for sites allowing services in the village to be relocated outside the boundary and reinforces the strength of the settlement boundary. Any development outside the settlement boundary must bring with it major improvements in facilities.

Councillors were reminded that this would be the last opportunity to make changes to the plan and that once agreed the Council should stand by the policies when considering planning applications.

It was noted the following amendments had been made to the circulated draft on the advice of CW&C

- Neighbourhood Plan para 1.4.1 – last sentence - The comments received from these organisations supported the final SEA Screening Determination. **The SEA Screening determination was also updated to reflect amendments made to the draft Neighbourhood Plan since the original**

screening was undertaken. The conclusion reached remains the same that there are unlikely to be any significant environmental effects arising from the Tarporley Neighbourhood Plan, and therefore a full SEA and / or HRA are not required.

- Para 1.6.1 - Cheshire West and Chester Council will check the **legal and procedural requirements** of the Submission Plan and....
- Para 5.1 - **The legal and procedural requirements of** the submission plan will be checked by Cheshire West and Chester...
- Para 5.2 - Borough Council (not District).

Cllr Pearson had identified a number of grammatical errors in the plan, it was agreed these would be forwarded to Kirkwells for correction. It was noted that it was not clear which council was being referred to in some parts of the plan, CW&C or the Parish Council and this needed to be clarified.

It was identified that there was a need to quantify developer contributions to sporting and recreational facilities in line with other contributions which are described throughout the plan as major, the following amendments were agreed, page 64, Policy TH2, C health, community facilities, open space and sport provision should all be identified as major.

Page 74, Policy TIFC2 , should read 'Development which delivers the provision of major new sports and recreation facilities will be supported.....'.

A discussion took place regarding the High School and supporting possible development on the sports field to fund improved access and bus drop off area. It was noted the school had not proposed any housing development but were aware of its inclusion in the plan, the following wording was suggested, page 57 of the plan, 'Such a proposal would probably include part of the existing playing fields, and could potentially be supported financially by a small amount of housing on part of the site.'

It was noted that the full consultation responses could be requested by the inspector as evidence.

It was noted that Appendix III had been amended and required updating and that these updates need to be reflected in the Housing Section of the plan, page 52m 4.3.2 to show 263 houses had been approved during the plan period and an additional 5 approved before the plan period had been completed as such only 32 homes were required to meet the minimum of 300 homes, this figure needs updating on page 20, 3.3.1 (twice) and page 61. 4.3.30.

The updated appendix shows 15 windfall properties being approved resulting in approx 30 windfall properties being predicted for the plan period again providing a robust evidence base for the boundary settlement, hence page 56, 4.3.11 requires updating, the list of windfall sites be removed and reference Appendix III.

It was highlighted that the plan includes protection for as green spaces for land included on the RBL site and also for the field adjacent to the Manor House and development of these areas would be against the plans policy.

It was noted that the plan also includes an action list for the Parish Council and that when the Council looks at its ways of working these need to be considered along with how they will be monitored.

15/049 Resolved - That the Council approve the Basic Conditions Statement, Consultation Statement and Neighbourhood Plan including the amendments discussed for submission to CW&C.

Payments

15/050 Resolved - That the Council pay Kirkwells for finalisation of the draft neighbourhood plan, consultation tables, consultation statement and basic conditions statement and proof reading £1680.00 (inc vat).

Meeting closed 8.05pm.

Next Parish Council Meeting

Monday 12th October, 7pm, Tarporley Community Centre Committee Room.

Signed

Dated

Ann Wright
29/09/15

Neighbourhood Plan Executive Summary - Where are we in the NP process

The below graphic indicates that we're now at the submission stage in the making of the Tarporley NP hence once the PC members are happy with the version it will be submitted to CWaC for the final consultation and examination. Depending on the examiners recommendations there may be some changes that we'll be required to make and then we'll move to a referendum and if a majority vote in favour the plan will be 'made' and hence carry full weight in planning law. **Note:** Once this version has been submitted we will not be able to make any additional alterations to the plan other than those recommended by the examiner.

Key Changes Since the Last Version

Green Spaces

An extensive review of the proposed Green Spaces has been undertaken by the Environment and Heritage group to ensure that they will stand up to scrutiny during the examination (Malpas was asked to remove a large number of their proposed spaces). The output of this review has been the subject of a full debate by the Steering Group with the final list of spaces to be included as follows:

- Burton Square, High St
- Daffodil Field, off High St
- Woodland area, off Park Rd
- Wooded area between the Dome Room and High St
- Bowling Green
- Allotments
- Community Centre Playing Field
- Land East of Brook Rd
- Field between the Manor House and Hall Livesey Brown Accountants – **Note:** this is a new addition and has been included on the basis that it's character and properties are in the main the same as those of the Daffodil Field

The following spaces have been removed from the list:

- The green at Oswalds Way
- Trees and open space at junction of Lime Close and Woodlands Way
- Garden area and land around the Dome Room
- Tarporley Park Land between Park Rd and Cobblers Cross
- Land West of the Baptist Church
- Woodland area at what was Brook Rd Farm's 'adventure playground'

Former RBL Site

The policy (TH1 / 1 – *page 62*) surrounding the former RBL site has been re-written to help provide greater clarity around any proposed development as follows:

The site of the Royal British Legion Hall and associated car park as shown on (Map 9 - *page 63 and below*) is allocated for new development. Proposals should include an appropriate mix of the following uses:

- Housing development
- Car parking – Car parking is a significant issue for the community so no loss in the number of spaces from the existing car park would be permitted to maintain safe vehicular access to the Tarporley Church of England Primary School, bowling green and allotments;
- Education use – Consideration should be given to supporting a possible expansion of the Tarporley Church of England Primary School.

Note:

- As the Bowling Green and Allotments have been classified as Green Spaces they do not fall within the scope of this policy.

Development Numbers and Settlement Boundary Review

- We received a number of challenges, including one from CWaC, around our ability to incorporate a minimum of 300 houses (an additional 33 over what has already been approved / built) over the plan period without any changes to the development boundary. In response to this we have provided a more robust justification for maintaining this approach based on the following reasons:

Evidence of Small Windfall Sites

- Since the beginning of the plan period (2010) there have been 10 ‘windfall’ dwellings. Projected forward over the next 12 years small scale windfall proposals are likely to provide around 24 new houses

Site allocation – Former RBL site (car park and building)

- The plan supports the redevelopment of the site for a number of houses and a car park (retaining as a minimum the current number of spaces)

High School

- The representation submitted by the High School included the proposed use of part of the grounds for improved access and a school bus drop off area. Such a proposal would probably include part of the existing playing fields, and could be supported financially by a small amount of housing on part of the site. The Plan supports such an approach, but proposals are at a very early stage of discussion.

Partial Review of the NP

- The Parish Council supports, in principle, the proposed relocation of major health and community facilities to a new site as part of wider investment plans in local provision. Discussions are at an early stage, and it would be premature to identify a site at this point in time.
- The relocation of such facilities would provide an opportunity for the former site to be considered for redevelopment for housing. A degree of enabling development i.e. market housing, on the new site would support the financial viability of providing major new community and health facilities. Such a site should be on land adjoining the existing settlement boundary.
- It is proposed that interested land owners and agents will be invited in due course to submit sites for consideration for the proposed new site for health and major community facilities. The process for determining the site has not yet been agreed, but it is proposed that it will involve considerable community engagement and consultation.
- Therefore it is proposed that the Submission Plan should include a proposal for an early partial review of the Plan which includes a review of the settlement boundary. This would be in tandem with the identification of a suitable site to be brought forward under a Community Right to Build Order / Neighbourhood Development Order / other appropriate community led mechanism and would take place within 3 years of the Plan being made.

Additional Supporting Documentation

Consultation Statement

The Consultation Statement has been prepared in accordance with The Neighbourhood Planning (General) Regulations 2012 which defines a “consultation statement” as a document which –

(a) contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;

(b) explains how they were consulted;

(c) summarises the main issues and concerns raised by the persons consulted; and

(d) describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan

Basic Conditions Statement

This document sets out how the neighbourhood plan meets the "Basic Conditions." These are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. In order to meet the Basic Conditions, the neighbourhood plan must:

- *Have regard to national policies and advice contained in guidance issued by the Secretary of State*
- *Contribute to the achievement of sustainable development*
- *Be in general conformity with the strategic policies of the development plan for the area; and*
- *Be compatible with and not breach European Union (EU) obligations and human rights law*

The Basic Conditions Statement document also sets out how the plan meets the various legal requirements under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990: ie

- *It has been prepared and submitted for examination by a qualifying body*
- *It has been prepared for an area that has been properly designated by the Local Planning Authority*
- *It specifies the period during which it has effect*
- *It does not include provisions and policies for excluded development*
- *It does not relate to land outside the designated neighbourhood area.*

The most significant role of the Examiner is to consider whether the plan meets the basic conditions.

Tarporley Parish Council

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