

**MINUTES OF TARPORLEY PARISH COUNCIL MEETING
HELD IN THE CRAVEN ROOM, TARPORLEY COMMUNITY CENTRE
ON MONDAY 12TH DECEMBER 2016**

Parish Councillors

Chairman - Ken Parker

Elaine Chapman Gill Clough John Millington Jeremy Mills

Gordon Pearson Peter Tavernor Nigel Taylor Andrew Wallace

Clerk - Ann Wright.

Projects Coordinator – Abigail Webb

Public – 4

Apologies

Cllr Julie Hall – work commitment

Cllr Richard Statham – personal commitment

Declaration of Interests

Councillors declared their regular interests which include dispensations granted to Councillors Chapman, Millington, Pearson and Tavernor in relation to the Brook Road sports field.

Public Participation

Community Centre Grit

Tony Yeates asked if the Parish Council will continue to provide grit for use around the Community Centre, it was agreed the Council would consider this later in the meeting.

Bowmere Road Hedges

A compliant was raised about several hedges along Bowmere Road which are overhanging the pavement and have been reported previously, the Chairman agreed to inspect the hedges in question.

Nantwich Road Pavement

It was stated that the pavement surface from the Catholic Church along Nantwich Road past the houses (left hand side when travelling out of the village) has deteriorated and has in many places become a trip hazard. CW&C Councillor Moore Dutton agreed to photograph and report the pavement, the Clerk will also report to CW&C.

Councillor Co-Option

Mr Mather who wished to be considered for co-option to the Council introduced himself and answer several questions from Councillors.

Co-Option of Councillor

16/168 Resolved - That the Council co-opts Mr William Mather, Mr Mather signed the acceptance of office and joined the meeting.

Minutes

16/169 Resolved - That the Chairman signs the Minutes of the Parish Council meeting held 14th November as a true and proper record.

Minutes of Working Groups and Other Meetings

16/170 Resolved – That council note the minutes of working groups as circulated, pages 261 to 267 of the Minutes, including the notes taken at the meeting regarding the Royal British Legion site on Monday 5th December.

Planning

i) Planning Register and Applications

Councillors noted the planning register, page 24, as circulated, noting application 15/04565/S73 has now been approved.

16/171 Resolved - That the Council submit the following observations:

16/04813/FUL, Sibcas Jackcabin, Tarporley C Of E Primary School Park Road Tarporley CW6 0AN, No objection.

ii) Update on RBL Site & Agree Future Actions

The Clerk circulated revised plans for the RBL site which had been circulated to Councillors earlier that day which showed the following changes from plans discussed on the 5th December: -

- Number of houses was reduced to 10
- Car parking spaces increased to 31
- Pathways have been adjusted
- A pathway has been created across the car park directly into the school pedestrian access to provide safe access to the school
- An additional 3m has included in the allotments area by moving the development closer to the High Street
- A vehicle track had been created allowing access down the side of the bowling green.
- The road has been moved further away from the rear of number 27 and additional landscaping proposed.

Public Participation

RBL Site

It was asked what had been discussed regarding the future of the allotments, bowling green and car park at the 5th December meeting. It was confirmed gifting of the sites to the Parish Council had been discussed and at the January meeting of the Council this would be considered without prejudice by the Parish Council.

It was noted that the reduction of the houses to 10 will mean there is no requirement to provide affordable housing.

Allotments holders stated the proposed track would result in the loss of additional allotments, it was suggested that moving the vehicle reversing roadway from the middle to the allotment end of the site would make access onto the track much easier, it was also stated that the proposal equates to a loss of 38% of allotment land.

It was confirmed that the proposed house were expected to be 2 to 2.5 storey properties although it had been stressed that the site levels are high and that these could dominate the area and that neighbouring developments including Torr Rise and Oathills Close had been restricted to bungalows.

It was noted that the current proposal was a substantial reduction to what had been originally proposed. It was confirmed that there was no loss of land to the bowling green but the allotments were losing approximately 38% of their land, about 15 allotments.

Update on RBL Site & Agree Future Actions, cont'd

The Council considered, without prejudice, the revised proposals. The Chairman reported he had wanted to see definite benefits to the village and that the reduction in the number of houses, the gifting of the car park, allotments and bowling green so they can be protected for perpetuity could be regarded as benefits to the village and that these benefits need to be weighed in accordance with the Neighbourhood Plan policies.

Councillors agreed that the following points should be raised with the developer/landowner: -

- That more detail was required on the track including access and layout.
- The Council would like to look again at the layout of the car park with the developer to see if an alternative layout can achieve further spaces, possibly using some of the green space on the plan as well as having more detail on the size of spaces created, it was agreed that the Council would like to seek the advice and involvement of CW&C on this matter.

Community Infrastructure & Development

i) The Clerk confirmed she had received a draft of a CW&C call for sites, it was agreed that Councillors Millington, Pearson, Tavernor and Taylor would review the letter and work on a suitable

letter to be circulated to land owners by the Parish Council in 2017 after approval by the Borough Council.

ii) It was reported that Cllr. Parker, the Projectors Coordinator and Clerk had met with Mr D Rowell who had agreed to draw up a draft scheme and costings for the car park extension behind the Rising Sun Car, which it was suggested may accommodate up to 50 additional cars. He had confirmed at this point he would not charge for the work but should the scheme move forward to a full design there would be a charge.

It was agreed that the creation of a car park should not set a precedence in planning terms for other developments on green field land and that after use it should be returned to agricultural land rather than be regarded as brown field, it was agreed advice should be sought on this matter from CW&C planners.

Community Land Trust

The Clerk confirmed she had contacted National Community Land Trust Network (<http://www.communitylandtrusts.org.uk/>) and was awaiting a response. It was agreed that a meeting should be organised with neighbouring parishes to get a full understanding of how land trusts work and the process for establishing one.

It was noted that homes owned by a land trust are not subject to the Right To Buy.

CW&C Special Expenses

The Council agreed to submit the following comments, that the Special Expenses system is not satisfactory and that CW&C should look to devolve money to Parish Councils to undertake services in a similar way that Chester City Council provided Parish Councils with grants.

It was agreed that the Clerk should contact CW&C to discuss a way of removing the Christmas Special Expense in Tarporley allowing the Parish Council to manage the provision of Christmas lights more easily.

Public WC Maintenance

The Clerk reported that she had contacted 6 cleaning companies following the Council's June meeting and had received responses from 2 who had stated they would not be interested in tendering for the work as such it was agreed to contact CW&C and confirm the Council was not willing to take over the future cleansing on the public WCs.

Accounts

16/172 Resolved - That the Council approve the accounts and payments as listed on page 29 of the Cash Book noting that the Groundworks invoice is still outstanding.

16/173 Resolved - That the Council approve the following payments: -

Handy Man service for November £75.00

BSB (Sound) Ltd – sound system for Christmas Lights switch on £150.00 (inc vat).

Bowland Ecology Ltd /Groundwork – ecology survey for Brook Road planning application subject to the satisfactory responses to the following points: -

The Council considered the below at their meeting last night and have raised a number of questions/issues: -

- 1) Confirmation that the Bowland quote will satisfy the requests made by CW&C and that we will not need to commission additional surveys.
- 2) That the quote be forwarded to the officer handling the information to confirm all the work required has been included
- 3) That the Council sees all three quotes to confirm they are all like for like.
- 4) Explanation is provided why AvianEcology was not asked to quote for the work as suggested as they have undertaken surveys on the surrounding land.
- 5) Confirmation whether Bowland (if confirmed) will be employed and paid by Groundwork or by the Parish Council and be paid directly by the Council.

The Council agreed to supply Tarporley Community Centre with grit free of charge for use on paths and steps around the Community Centre.

ii) Council considered the draft budget and predicted year end as circulated, this will be revisited at the Council’s January meeting when setting the precept.

Budget Consultation

It was agreed to advertise the fact that the Council will set its precept at the meeting on 9th January and that members of the public are welcome to attend and speak on the precept.

It was agreed that the February Tarporley Talk should include an article explaining the precept and how the figure has been agreed.

Website

It was reported that work is being done to enter community groups and organisations on to the Council’s website, the next step is to include information about commercial enterprises and businesses, this would allow the website to promote Tarporley and encourage tourism which is an action included in the Neighbourhood Plan.

It was agreed that Councillors Pearson and Taylor would consider how this should be best approached, and will report at the Council’s February meeting.

Parish Meeting

It was agreed that the Parish Meeting be held on Saturday 13th May 2017, 10am until noon and take the form of stalls for different organisations in Tarporley.

16/174 Resolved - That the Council move into Part 2 and ask all members of the press and public to leave the meeting.

PART 2

Play Area Repairs

16/175 Resolved - That the Council appoint Ace Play to undertake the repairs to the play area as listed.

Meeting closed 9.30pm.

Next Parish Council Meeting

Monday 9th January 2017, 7pm, Tarporley Community Centre Craven Room.

Signed

Dated

Tarporley Parish Council

Minutes of Working Groups and Other Meetings

December 2016

	<u>Pages</u>
Informal Meeting with Andrew Jamieson, CW&C 17-11-16	
Informal Meeting with CW&C Planners 28-11-16	
Informal Meeting regarding Former RBL Site 05-12-16	

**Informal Meeting with Andrew Jamieson, CW&C.
Thursday 17th November 2016, Tarpurley Community Centre Committee Room.**

Present:

Parish Council - Gill Clough, Elaine Chapman, John Millington, Ken Parker (Chairman), Peter Tavernor.

CW&C - Andrew Jamieson.

Clerk - Ann Wright, Projects Coordinator Abigail Webb

The following points were raised during discussions: -

- 1) Infrastructure – estimated costs against development.

It was suggested that in most cases doctors' surgeries do not require cross funding and support themselves, they make up part of an active investment market.

Funding for a hospital such as the cottage hospital is different, there are different scenarios which could take place gifting land, gifting hospital building, renting the building etc.

Any developer when offering a facility should be asked to provide a viability study which assesses the return on the properties being developed.

It was noted a government white paper is expected imminently which is expected to put more pressure on local authorities to deliver housing.

- 2) Call for Sites – Letter Contents

It was agreed this should be raised with Fiona Hore at CW&C.

- 3) Car Park – Design and scoping of Car Park

Several contacts were discussed to contact regarding this work.

- 4) Compulsory Purchase- Process and Options

Only the principle authority can undertake a compulsory purchase, however this would need to be funded.

- 5) Entrance to Sports and Recreation Field (Brook Road)

It was believed that the right of access for the sports field should have been included in the transfer document, if not that can be agreed.

Mr Jamieson agreed to investigate funding available to construct the access road noting this would be needed for the future construction of the affordable homes.

Ann Wright
21st November 2016

**Informal Meeting with CW&C Planning Officers
Monday 28th November 2016 - Tarporley Community Centre.**

Present :

Parish Council - Elaine Chapman, Gill Clough, Ken Parker (chairman),
Gordon Pearson, Richard Statham.
CW&C Planning Officers – Nial Casselden & Steven Holmes.
Projects Coordinator – Abigail Webb
Clerk - Ann Wright.

The following points were raised during informal discussions: -

The Neighbourhood Plan (NP) gives green space a high degree of protection, without the NP the allotments and bowling green would have been lost to development.

The current proposal to develop the site retaining the bowling green, relocate the Car Park and retain part of the Allotments.

CW&C confirmed that they 'maybe' able to support the application as it stands, although it was noted Highways have not had enough detail to judge the application.

It was noted that NP policies are the starting point for judging applications but not necessarily the end point as other factors and policies must be taken into account and weighed in the balance.

It was noted that the allotments, car park and bowling green are all on private land.

A possible benefit of the application is that the above would be 'gifted' however no detail has been provided on how or who they could be gifted to. Gifting could protect these assets for perpetuity.

The details of the gifting would be included as a condition in the planning application and would be part of a legal agreement.

It was noted that the legal agreement would need to be agreed before any works took place on the site (permission subject to legal agreement).

It was noted there is still a short fall in housing delivery in Tarporley (very small) as such the delivery of housing is a material consideration.

The planning officers agreed that it would be beneficial if the Parish Council was involved in the gifting decisions and should also be a signatory on any legal agreement.

Planners confirmed they would want any legal agreement to be resolved and finalised as soon as possible and not delay the development, as such any permission would include a deadline by which the agreement would need to be finalised if this was not achieved the application would be refused.

It was suggested that compensation should be provided for the loss of part of the allotments, it was noted there is policy support for this however the applicant may argue that is not possible due to economic or financial viability.

It was noted the applicant must provide a viability appraisal with the application which is scrutinised by CW&C.

It was discussed that the viability of a smaller application would be different e.g. development of the hut only. The officers confirmed that they can only judge what is submitted and not suggest alternative proposals.

It was clarified that the viability appraisal does not justify the scale of the development but determines S106 contributions etc.

It was agreed there would need to be a legal agreement to protect access to the allotments and bowling green.

The detail and standard of the car park would be conditioned including provision for some future maintenance for a limited period.

Clarification was sort regarding what the benefit was to the community when they already have the allotments and bowling green, it was noted these sites although currently used by the public could be closed and no access allowed.

It was noted the draft proposal includes visitor parking which was seen as very important. Officers confirmed that the development will require a minimum of 2 off street parking spaces per house.

It was thought that the developer would seek to have the road adopted by CW&C.

The Pedestrian access to the school would be conditioned in any approval.

It was noted that any development of 10 or more houses is required to provide 30% affordable housing although this was subject to the contents of the viability appraisal.

The Chairman thanked both planning officers for attending the meeting.

Ann Wright
29 November 2016.

**Informal Meeting regarding Former Royal British Legion Site.
Monday 5th December 2016 - Tarporley Community Centre.**

Present :

Parish Council - Gill Clough (GC), Ken Parker (KP) (chairman),
Tarporley Allotments Association Chairman – James Blackford (JB)
Tarporley Bowling Green Vice-Chairman – Clive Wilson (CW)
CW&C Planning Officer – Steven Holmes (SH).
Enlightened Developments – Mike Mattocks (MM)
Richard Lee Project Planning – Richard Lee (RL)
Clerk - Ann Wright.

Mr Lee provided an overview of the current proposals providing copies of a draft plan for the site which included the following information and discussion : -

- Removal of the club house and creation of a car park in that area retaining the access to the school.
- Upgrade access off the High Street (facilitated by the removal of the club house).
- Create a road through the site to access the development, bowling green and allotments.
- Loss of some allotment land
- 12 houses with two off road parking spaces each. Although the number of houses on the plan was only indicative.
- It was confirmed a topographical survey had been done on the site excluding the allotments and bowling green.
- Highways consultants are now looking at the site in detail, re. access, road, and car park and will have discussions with CW&C highways.
- The car park currently has 29 spaces and one disabled space. The proposed car park will retain the same number of spaces the current design being considered will allow vehicles to drive round in a circle rather than having the turn round which will also assist with children being dropped off at the primary school.
- It was suggested that the existing PROW which runs up the side of the site could be incorporated into the site as this would be more user friendly. It was understood the path including hedge is 2m wide.
- **JB** confirmed he had raised this with CW&C planning officer Nial Casselden who was going to investigate ownership of the path.
- It was suggested that some form of footway/pavement would exist at the front part of the site but where the development begins there would be a shared surface for pedestrians and vehicles.
- It was noted a large number of people including children walk through the site to access the High Street and Primary School.
- It was noted that a balance had to be achieved between just developing the frontage of the site and developing more of the site but having to provide more infrastructure plus gifting the allotments, bowling green and car park.
- **JB** stated the pavement provided in the car park for access to the Primary School should be constructed on Primary School land.
- It was confirmed that no detailed discussions had taken place regarding provision of affordable houses on the site, noting that the pre-application discussions are at an

early stage and that the number of dwellings may change. Discussions are also required with the Conservation Officers about house designs etc.

- **GC** stated the gifting of the car park, allotments and bowling green was very important and that possibly the Parish Council could look to purchase the sites for a nominal fee (£1) so that the Parish Council would own the sites and the current associations could continue to run them. Any agreement would include a covenant to prevent the future development of these areas of land. **MM** concurred with these suggestions.
- **SH** confirmed that planners would want to see the above areas protected from development for perpetuity.
- **GC** confirmed it is a priority for the Council to retain at least the same sized car park as is currently available.
- **JB** confirmed that it is the Allotments Association's position that the land is used as efficiently as possible and that the development of the site makes a reasonable profit, while acknowledging the need to retain parking and the possible loss of some allotments land. The allotment holders would be keen to negotiate ways the land could be better used and the boundary for the allotments could be moved further down the slope towards the High Street and less allotment land lost. He believed the current boundary between the allotments and development was arbitrary and should be based on profitability. He accepted the need to gift land for the car park but questioned whether it was the responsibility of the developer to surface the area, and that allotment land should not be lost to development to fund the car park surfacing.
- **GC** stated if unfinished land was gifted for the car park the Parish Council would be unable to fund its surfacing which would effectively mean the loss of the car park to the community.
- **KP** stated that it was important that the Parish Council can identify the benefit to the community of the loss of the Protected Green Space as stated in the Neighbourhood Plan. He stated that the car park and possible additional spaces would be a benefit to the community as parking is one of the community's highest priorities plus the gifting and future protection the remaining allotments and bowling green.
- **MM** stated although the detail of the proposal may change including the number of houses the area the houses will be built on is 'set in stone' and that the boundary to the car park and allotments will not change.
- **JB** confirmed he would be keen to negotiate of the delivery of affordable homes on the site as if no affordable homes were included the number of properties built could be reduced resulting in the loss of less allotment land.
- **SH** confirmed that affordable homes would only be required if the scheme included 11 or more houses, and that a viability study would only be triggered by the inclusion of affordable housing.
- It was noted that on the previous scheme parking had been included at the top of the site for visitors which would be good for the allotments holders and bowlers to use, the parking was not included in the new scheme. It was suggested that vehicle access could possibly be established to the rear of the bowling green which is currently overgrown to create a members' car park.
- **MM** confirmed he would be willing to meet JB and CW to investigate the possibility of this further.
- It was noted that the design of the dwellings should take into account the flood lights used by the bowling club to prevent them disturbing new residents.
- **SH** confirmed that the planning officers when considering the application would consider the impact on neighbouring properties including on No. 27 which has little or no rear garden and currently opens out onto the allotments.

- It was also highlighted that if the PROW is incorporated into the site it would mean residents would have vehicles above their rear gardens due to height differences and the removal of the hedge.
- It was noted that due to the height of the site in comparison to neighbouring developments the building of 2.5 or 3 storey properties would be overly dominant.
- **MM** confirmed he was considering 2 and 2.5 storey properties of varying heights and sizes with period appearances reflecting varied styles in Tarporley. It was suggested that the developments adjacent to the Rising Sun Car park and Millfield are good examples of new developments in Tarporley.
- It was confirmed that the gifting of the land would be via an S106 legal agreement the heads of terms of which would need to be presented to the planning committee for consideration.
If the Parish Council is gifted the land they would need to be a signatory to the agreement.
- It was agreed that the Parish Council will consider without prejudice whether it would be happy to be gifted (i.e. sold for £1) the bowling green, allotments, and car park at its January 2017 meeting.
- **SH** confirmed that CW&C planners' priority is that the car park, bowling green and allotments are protected for the future rather than who owns them. Although he stated "gifting" to the Parish Council is the obvious solution.
- **MM** confirmed he hopes to submit a full planning application sometime up to February 2017.
- It was asked if the road would be adopted, MM stated that the first section may be adopted. However due to the expected low usage of the road through the development to the rear of the site, this section may not be.
- If the road is not adopted concerns were raised that in the future the allotment holders, bowling green members and Parish Council could be responsible for contributing to the road's future maintenance.
- **GC** asked whether the notice to quit issued to allotment holders could be rescinded. **MM** stated there are 8 vacant plots to the rear of the site and that discussions could take place for allotments holders whose plots are to be lost to relocate to the vacant plots. He suggested that these discussions could take place in January. It was stressed that these discussions should take place as soon as possible as the plots need to be worked and maintained.
- **MM** confirmed he will need to hold discussions with the Primary School and the CW&C Education team to discuss access for their construction vehicles to the Primary School.

The Chairman thanked Mr Mattocks and Mr Lee for attending the meeting. It was agreed that the Clerk should be the point of contact for Mr Mattocks and that she will circulate information to interested parties.

Tarporley Parish Council

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