

**MINUTES OF TARPORLEY PARISH COUNCIL EXTRAORDINARY MEETING  
HELD IN THE MAIN HALL, TARPORLEY COMMUNITY CENTRE  
ON MONDAY 27<sup>TH</sup> MARCH 2017**

Parish Councillors

Chairman – Ken Parker

Elaine Chapman      Gill Clough              Bill Mather              John Millington      Jeremy Mills

Gordon Pearson      Nigel Taylor              Andrew Wallace

Clerk - Ann Wright.

Projects Coordinator – Abigail Webb

CW&C Ward Councillor Eveleigh Moore Dutton

Public – 35

Press - 2

Apologies

Cllr Julie Hall – Personal Commitment.

Cllr Richard Statham – Personal Commitment.

Cllr Peter Tavernor – Family Commitment.

Welcome

Cllr Clough opened the meeting with a powerpoint presentation explaining the aim and purpose of the meeting. Also details of where members of the public can comment on the planning application was shared along with the final date for comment.

Declaration of Interests

There were no declarations of interest.

Public Participation

The following comments were made by members of the public

2 ½ Storey Properties

The issue regarding the height of the properties being more than 2 stories high and this contravenes what is stated in the Neighbourhood Plan. The elevation of these properties at what is one of the highest points of the village will completely change the aesthetics of the area.

Pitch of the Roof

The pitch of the roof on the properties are too steep. The grey roofs of the property will have a detrimental impact on the view from the High Street.

Increased Traffic on Tarporley High Street

There will be a marked increase on the amount of traffic on the High Street as potentially 20 cars will require access to and from the new development and this will cause further congestion and increase risk to road safety along the High Street.

Footpath from school to car park

Concerns were raised regarding the footpath from the Primary School to the car park from a health and safety perspective. The hedge along the footpath will make it very difficult for drivers to see children coming out of the footpath until they are in the car park. Concerns were also raised about what type of material will be used for the footpath and how will this be marked out.

Access to the Bowling Green and Allotments

James Blackford, Allotments Committee Chairman stated that on behalf of the Allotment Committee, they supported the application in principle as long as the issues of access were addressed. There is concern that if the fence is erected along the road, this would limit vehicle access to both the Bowling Green and Allotments. This causes a health and safety concern should emergency service and refuse collection vehicles require access to either site. James went on to say

that if the road could curve around at the top end, this would allow better access for vehicles to manoeuvre.

#### Turning Circle

The location of the turning circle should be moved to the end of the road as this would allow more room for vehicles to access both sites plus it would have a positive impact on health and safety for school children using the footpath to and from school.

#### s106 Funding

The s106 statement needs to clearly say that Tarporley Parish Council will be gifted the land of the Bowling Green and Allotments in perpetuity.

The s106 money should pay for hard standing behind the Bowling Green to allow access, particularly for elderly people to use to park their vehicles.

#### Unadopted Road

The issue was raised about ownership of the road and if it remained unadopted, who will be responsible for maintenance and street lighting?

#### Special Circumstances

In response to the Neighbourhood Plan requiring 'special circumstances' for properties to be built in an area designated as green space, the question was asked what are the 'special circumstances' for this development?

#### Reduction of allotment space

Due to the reduction in the size of gardens in new properties in Tarporley, the demand for allotments has increased and therefore any loss of allotment space will have a detrimental impact on the community.

#### Planning

**17/208 Resolved** - The Council can accept in principle the planning application 17/00760/FUL, Demolition of RBL club hall and erection of 10 dwellings, car park, access road and ancillary works however we cannot support the application as submitted for the following reasons:

#### Height of Properties

The Council has serious concerns regarding the height of the proposed properties, some of which are 2½ storeys, contravening the Neighbourhood Plan policy TEH4.

Policy TEH4 B states “The height of dwellings, away from the High Street, should not be more than 2 storeys.”

In addition, the steep designs of the roofs of the proposed properties are not in keeping with the character of the area and are of poor urban design.

As such the application is also contrary to Cheshire West and Chester Local Plan Part 1 (CW&CLP1) policy ENV2 and ENV6 as the development fails to take full account of the characteristics of the site and its relationship with the surrounding area or the views into, over and out of the site.

The elevation of the land towards the top of the site, is one of the highest points in Tarporley and these proposed properties are significantly taller than the surrounding properties. This will have a detrimental impact on the aesthetics of the area particularly the view from the Bowling Green and Allotments and the views into the village from surrounding areas.

Bungalows would be more appropriate for the top end of this development and more in keeping with nearby properties at this elevation around the allotment area.

### Conservation Area

The design and height of the proposed properties fails to enhance or protect the adjacent conservation area and as such the application is contrary to ENV 5 of the CW&CLP1 and also policy DM40 of the emerging Local Plan Part 2.

### Access

The proposed east perimeter at the top of the development consists of a “1.8m screen fence to outer edge of the existing hedgerow” ie the bowling green side of the existing hedge, significantly reducing the width of the existing vehicle track along the side of the Bowling Green, which is at an elevation above the track. The track slopes up towards the back of the Bowling Green and is the main access way for maintenance, materials, equipment and emergency vehicles.

It is also noted that the proposed Site Layout Plan actually shows no opening or access to the Allotments or Bowling Green.

Without adequate vehicular access to the Bowling Green and Allotments, they become no longer fit for purpose and their safety and future viability is jeopardised.

The relocation of the turning circle, currently shown between plots 7 and 8, to the end of the road on the Bowling Green side of Plot 10, would enable improved access arrangements.

As the road is proposed to be unadopted, it is requested that a legal agreement is obtained that protects the bowling club and allotment holders from future liability for the maintenance of the access road.

### Car Park Safety

The Council has serious concern for the safety of the children walking to and from school via the footpath across the car park.

The location of the pedestrian exit in the hedge along the south of the site onto the car park area makes it very difficult for people driving through the car park to see children coming into the car park from the hedge access.

As such the Council proposes that the proposed footpath to the primary school is relocated to abut the gable end of the first property, to allow better visibility for both drivers and pedestrians, This would also allow for the footpath to be formed by a raised pavement also the road crossing could be highlighted by a change in road surface to warn drivers.

Traffic calming measures should to be put in place along the road to ensure that the speed of vehicles is kept is kept to a minimum.

### Transfer of Ownership – Allotments, Bowling Green & Car Park

Section 4.2 of the Planning Statement states that ‘’ The proposal will involve the transfer of the proposed car park, retained allotments and bowling club land to an appropriate managing body, possibly Tarporley Parish Council, a management company or similar.’’

Tarporley Parish Council can only support an application which transfers ownership of the car park, bowling green and allotments to the Tarporley Parish Council.

Tarporley Parish Council is the only community organisation in Tarporley that is elected by, and accountable to, the community and is guaranteed in law to continue to exist. Therefore Tarporley

Parish Council strongly believes that this is the only way in which these community assets can be protected in perpetuity.

#### S106 or Legal Agreements

If the above objections and concerns are appropriately resolved and CWAC are minded to approve the application, then Tarporley Parish Council requests that an S106 agreement be finalised before the application is approved and that Tarporley Parish Council are party to it.

The S106 agreement should include the following:

1. Transfers of ownership of the car park, bowling green and allotments to the Tarporley Parish Council
2. Access to the primary school, allotments and bowling green is provided, without restriction, in perpetuity.
3. Protection for Tarporley Parish Council, the bowling club and the allotment holders from future liability for the maintenance of the access road.
4. Provision for a hard-standing area to the rear of the bowling club to allow for some vehicle parking, particularly for elderly people in compensation for the harm due to the relocation of the public car park, down the hill, further away from the allotments and bowling green area.

The Council asks that a construction management plan is submitted which will retain access to the primary school, allotments and bowling green during the construction of any approved application.

Cllr Clough presented Clerk, Ann Wright with flowers and a card and thanked her for all her hard work during her time as Clerk to Tarporley Parish Council and wished her well in her new job.

Meeting closed at 8.43pm

Next Parish Council Meeting  
Monday 10<sup>th</sup> April at 7pm, Craven Room, Tarporley Community Centre.