

**MINUTES OF TARPORLEY PARISH COUNCIL EXTRAORDINARY MEETING
HELD IN THE CRAVEN ROOM, TARPORLEY COMMUNITY CENTRE
ON FRIDAY 30th JUNE 2017**

Parish Council

Chairman – Cllr Gordon Pearson

Cllr Elaine Chapman

Cllr Gill Clough

Cllr Bill Mathers

Cllr John Millington

Cllr Andrew Wallace

Clerk – Abigail Webb

CW&C Ward Councillor Eveleigh Moore Dutton

Public – 4

Press – 0

Apologies

Cllr Julie Hall – Work Commitments

Cllr Jeremy Mills – Personal Commitments

Cllr Richard Statham – Personal Commitments

Cllr Peter Tavernor – Personal Commitments

Cllr Nigel Taylor – Work Commitments

Delia Cox – Clerk

Declarations of Interest

No interests declared.

Public Participation

Footpath

One resident stated that the revised planning application was welcomed with regards to the road of the left of the allotments and the fence being relocated to the east side. The footpath was causing concern as the path lead in between two car park spaces. Unless there was a difference in height, this could be a serious safety issue. The resident suggested that the pathway should be relocated to the side of the car park running adjacent to the house and dog leg round so that children would be walking along the perimeter of the car park as oppose to through it.

Height

The height of the properties is still a concern and under the new planning application.

Plot 1,2 & 3 - there was no change to the height.

Plot 4,5,6 & 7 - the pitch of the roof was shallow compared to previous application.

Plot 8,9 & 10 – 300 mm lower than in the previous application.

Primary School - the height of these houses is 1.2 meters above the top of the school and 4 meters about the extension roof. The height contravenes the Neighbourhood Plan section TEH4 however there has been no attempt to reduce this.

Conservation

P354

The Conservation Officer has completed a report and the bio-diversity officer is waiting for further information to be received relating to

Reptile survey

Barn Owl survey

Hedgerow protection

Vegetation study.

It is anticipated that CWAC planning team will approve this application subject to the bio diversity reports meeting the right conditions.

Chairman of the Allotment Committee stated that the report was fair however suggested that there were 10 vacant plots on the allotment. Mr Blackford confirmed that there is a waiting list for allotments but the new size of plots will not cause too much of an issue for members. Mr Blackford also mentioned that if this application is not approved, the landlord may change the conditions altogether which may result in less desirable outcomes for all parties.

Cllr Moore Dutton said that the landlord may have changed enough for the planning application for it to be approved by CWAC planning team however strongly recommended that the Council should manage the car park, bowling green and allotments.

Affordable Homes

Following the adoption of the CWCLP the Government subsequently produced guidance which states that there are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. One of these circumstances is where development proposes 10 or less dwellings and which would have a maximum combined gross floor space of no more than 1,000 square metres (gross internal area). It has come to light within the last couple of days (due to an omission from the Planning Officer) that the combined gross floor space of this development exceeds more than 1,000 square metres and therefore, this development will need to provide 30% of the properties as affordable housing to local people. The question was asked whether Tarporley needs any additional affordable housing and a viability study needs to take place to make sure that the properties being built are fit for need.

Small area of land next to allotments

The plans show a small section of land adjacent to the allotments however it is not clear who owns and will maintain this piece of land.

Resolved 17/ 287 That the Clerk contact Steven Holmes, CWAC Planning team for clarification.

Public Participation Closed.

4. To consider revised submissions relating to Planning Application 17/00760/FUL - Demolition of RBL club hall and erection of 10 dwellings, car park, access road and ancillary works, Legion Hall, High Street, Tarporley, CW6 0AR

Resolved 17/288 That Tarporley Parish Council support in principle the development of the former Royal British Legion site but cannot support the amended application as submitted for the following reasons; -

Height of Properties

P355

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.”

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 policy DM40 of the emerging Local Plan Part 2.

Access

We note the improved access to the bowling green and allotments which is acceptable if ownership of the boundary hedge and land immediately to the east of Plot 10 is transferred, together with the bowling green and allotments, to ensure that access is maintained (see shaded area on attached plan).

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 and Tarporley Parish Council from future liability for the maintenance of the access road.

For the avoidance of doubt, the maintenance of the road in front of plots 1 – 10 shall be the responsibility of the property owners.

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 (see suggested location marked on attached plan). This would also allow for the footpath to be formed by

p356

a raised pavement or by delineating the road crossing possibly by a change in road surface to warn drivers.

Traffic calming measures should be put in place along the road to ensure that the speed of vehicles 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 vehemently opposes any application which does not transfer 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. The maintenance of the road in front of plots 1 – 10 shall be the responsibility of the property owners.

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.

Meeting closed at 9.10pm