

Tarporley Parish Council

**Informal Meeting with Nial Casselden, CW&C Planning Manager
Friday 8th January 2016, Tarporley Community Centre Committee Room.**

Present :

Parish Council - Gill Clough, Elaine Chapman, Ken Parker (chairman), Gordon Pearson, Richard Statham, Peter Tavernor.

Cheshire West & Chester Council - Cllr. Eveleigh Moore Dutton, Nial Casselden Planning Manager.

Allotment Holders Association - Isla Roberts, Bobbie Nancarrow.

Bowling Club - Mike Guest.

Clerk - Ann Wright.

The following points were raised during discussions:-

Royal British Legion (RBL) Site

Mr Casselden confirmed there had only been tentative discussions regarding the development of the site and there had been no formal pre-application discussions. Initial discussions were in 2014 and CW&C would have expressed the policy stance at that time, that has now changed due to the approval of the CW&C Local Plan and the development of the Neighbourhood Plan.

The site benefits from a number of protections although it is within the settlement boundary:-

The Bowling Green and Allotments are protected as 'green space' and are protected by the retained Vale Royal Plan and the Neighbourhood Plan.

There is also no pressing need for large sites to come forward in Tarporley as it is near its 300 homes allocation.

These Green Spaces will be covered in more detail by the CW&C Local Plan Part 2 which is currently being developed, there are no radical proposals to change these protections, the Plan and policies will be subject to public consultation and examination.

Policy not only states that facilities have to be replaced but that their loss must be justified.

It was noted the car park and building are not protected as Green spaces and would be classified as brown field, but are covered by the Conservation Area protections, also policies exist to protect community facilities.

It was noted the latest proposal received by the Parish Council included land for the school, some housing, retirement apartments and retention of the bowling green. It was noted these plans will have been discussed with the school and CW&C Education Department, 'without prejudice'. It was noted the school and education team have no power in the planning system. It was suggested it would be the dereliction of her duty if the headmistress had not had discussions with the developer. It was noted the Primary school is identified for expansion/development and has funding earmarked.

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It was asked whether the sites protection extended to if the site was locked so that the allotments or bowling green could not be accessed. It was stated it would not and that access could be determined by the land owner however it would still be regarded as allotments and bowling green and as a community facility even if not in use as its use is designated in the Vale Royal Plan and Neighbourhood Plan.

Mr Casselden emphasized that he could not provide legal advice.

It was noted if the site was left to become overgrown and in a poor condition legislation exists to force the landowner to keep the site in a reasonable condition.

It was noted the proposed use of the site was intensive and poor access. Traffic movements would be consider in terms of current and proposed use and would include a study of not just the number of vehicle movements but also the time of these movements. It was noted there is limited scope to alter the access due to neighbouring properties.

It was noted there is no overwhelming need to retirement properties in Tarporley.

It was believed the sale of the land had been finalised in September 2015.

Mr Casselden confirmed he would double check officers had not discussed this site without his knowledge and would also investigate the ownership of the site through the Land Registry and forward and findings to the Clerk.

It was noted that Laurence Herring (RBL) had told the Parish Council at a meeting in March/April 2015 that they had discussed the possibility of developing a number of their sites in the CW&C area. Mr Casselden confirmed that this was true.

It was noted there had been meetings with Local RBL members and the Parish Council in 2014 about keeping the club open, it had closed at the end of December 2014.

It was reported by the Allotment holders that there was a waiting list for the allotments and that the developer had agreed the Association would manage this list, however there are now six plots empty with people ready to take them however the developer is now not letting them take them up until he had had a number of meetings in January. It was believed he can not be compelled to let the plots.

It was noted the allotments holders had been offered another site which they had visited but was not suitable due to its location/access among other reasons.

Aldi Site

Mr Casselden confirmed Aldi had spoken to planning officers in 2014 regarding a number of possible sites in the CW&C area. He confirmed that CW&C had not identified the proposed site for development by Aldi, all the sites were problematic.

There are a number of issues regarding the Tarporley Site:-

- 1) It is outside the retail area as defined in the Vale Royal Plan, however it was noted it is on the edge of the area. They would have to produce a sequential test showing that more suitable sites were not available in the retail area.

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2) A large part of the proposal is outside the settlement boundary and therefore in the open countryside.

3) It will be a large building possibly the largest in Tarporley and is next to the conservation area and a number of listed buildings. It was noted that the loading bay and machinery are next to a graveyard. Character will be a big issue as Aldi have a corporate model that they base applications on, a large store with a car park in front. Issues would be around size, scale, design and layout.

4) The area is protected as a green open space in the Neighbourhood Plan. It was suggested it would be more acceptable as a 'frontage development' although it was noted this was not supported by residents and shop owners who want the car park as near to existing shops and the High Street as possible.

The starting point for any application is whether it is against policy and whether this can be overcome.

It was noted that in the consultation the Parish Council undertook regarding the proposed Aldi store there was huge concern regarding the access and congestion on the High Street. It was noted the developer would have to produce a detailed traffic assessment. To stop an application on Highways grounds you must prove 'severe detriment'.

It was noted that at the PC's consultation 80% of Tarporley residents opposed the proposal, it was asked what weight this would have in the planning process. It was stated policy is always the starting point however the view of the local community has more weight now than previously in the planning system. It was noted that Aldi had mailed out to 7000 households.

It was asked what weight would be given to things offered by the developer for example if they offered to build a bus park for the High School. It was stated this would have no weight in the planning process as and could not be secured by condition. Since the NPPF¹ developers can only be asked to provide things essential to the development, planning gain no longer exists. If the developer offered something it would need to be secured by a legal agreement separate to the planning application.

It was noted that Tarporley is a Key Service Centre (CW&C Local Plan part 1) and as such would it be identified as a location for stores like Aldi to serve the wider area. It was noted there is no pressing need for any supermarkets in the area according to the CW&C retail study

http://inside.cheshirewestandchester.gov.uk/find_out_more/publications/strategies_plans_and_policies/planning_policy/local_plan/key_social_economic_and_environmental_planning_evidence_base/retail_studies

In terms of sustainability the argument that people would not travel so far to a store if a store was built in Tarporley would carry very little weight.

It was asked whether planning took into account the economic benefits to the Council (rates etc) if the development goes ahead. It was stated the Council 'serves

¹ National Planning Policy Framework

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its residents' and as such that outweighs the benefit of additional rents and income. CW&C strategic policies do support growth and prosperity, it does not support growth at any cost.

It was noted that there was alternative sites outside Tarporley which would be more suited to a Store, one of which was a brown field site, it was suggested this might be harder to get planning permission on as it would be against the policy of new stores being built in the retail area, however each case has to be looked at on its own merits.

It was noted that proposals supported by the Neighbourhood Plan will carry a lot of weight in planning.

As a result of the discussions which had taken place it was agreed it would be helpful to have a second meeting with Mr Casselden to discuss the Neighbourhood plan and the aspirations behind it so that CW&C and the Parish Council have a common understanding of a vision for Tarporley regarding future development, the medical centre, parking etc.

Ann Wright
9th January 2016