

NEWHALL PARISH COUNCIL

Minutes of the Meeting of the above Council

held on Monday 5th August 2019 at Aston Chapel at 7.30 p.m.

Present: J. Batho (Chairman), A.G. Lawrence (Clerk), R. Hibbert, Mrs J. Fenton, E. Forshaw, C. Britton, J.G. Parkin, Ms R. Spalding, Clr R. Bailey, and three members of the public.

Opportunity for Parishioners to speak (maximum of 10 minutes will be allocated for this item). None

1. **Apologies:** none
2. **Declaration of Interest** – if a member is present at a meeting of the authority, and they have a disclosable pecuniary in any matter to be considered or being considered at the meeting, they cannot take part in any discussion of the matter at the meeting or vote on it. They should disclose the interest to the meeting and follow the Council's Code of Conduct.
3. Co-option to vacancy Newhall Parish Council
On the prop., C. Britton, sec., Ms R. Spalding, Peter Schofield was unanimously, and duly co-opted to fill the vacancy on Newhall Parish Council. He completed
 - a. Declaration of Acceptance of Office: Declaration of Acceptance form was returned to the Clerk, and he will file these, display on website and send to Cheshire East Council
 - b. Code of Conduct for Members: Code of Conduct form have been distributed to all Parish Councillors, and they were advised that they must follow this Code at all times in relation to Parish Council business. By completing their Declaration of Acceptance form all Parish Councillors state that "I undertake to observe the code as to the conduct based on the Cheshire East Council Model" as per item 3 above.
 - c. Register of Members Interest: General Notice of Registrable Interest forms were returned to the Clerk, and he will file these, display on website and send to Cheshire East Council
 - d. GDPR: GDPR form was duly completed and given to Clerk for filing
4. **Minutes** of Parish Council held 20th May 2019 were confirmed as a true and correct record on the prop., R. Hibbert, sec., Mrs J. Fenton.
5. **Matters arising** from last minutes:-
 - a. As per last Minutes Clerk reported - street lighting on the A530 from the crossroads to column 19 is out of action The reference number for this report is: **3359165**. Following an inspection it has been determined that responsibility for this matter rests with a utility company. We have passed on your enquiry for them to investigate and we will consider this matter resolved.
Clr. Bailey asked for the information to be forwarded to her so she could liaise this matter.
 - b. As per last Minutes - Footpath at the ford – GR 60.85.4760. The footpath has been eroded by the river, and this now leaves a very narrow path with a drop into the river on the Aston side of the bridge. Clerk reported. There has been discussions re who's responsibility this is with PROW saying it is a Highway matter. Latest reply from Roy Cook, Cheshire East, Highways is "Just to keep you informed on my progress so I can get to the bottom of who's responsible for the up keep and maintenance of the un made footpath above the ford. I have emailed our Assets Management Team who deal with all adoption enquires to check the extent of adopted highway and confirm where liability falls. Also I have emailed our Structure Team as the footbridge does show as a Cheshire East Structure which falls under their authority with that in mind I have asked the question does the embankment to the un made footpath form part of the structure, awaiting a reply at the moment. There was some concerns raised over an exposed pipe in the embankment but having checked all the utility stats it came back showing no services present, this I will still have to investigate as there's definitely a pipe there. Soon as I know more I will let you know". Clerk advised he had not received any further reply re this matter.

- c. E. Forshaw reported that Mark Vyse is proving to be very helpful e the G. Heath site – he is making checks and keeping everyone informed of the situation.

6. Highway matters:

- a. Clerk reported the following email he has received from DAVID Hariison:-

"I live at Coole Barns, Coole Lane, in a recently converted development of five properties.

My concern, like that of my new neighbours, is the speed at which vehicles travel along the lane. Most of the new owners have young children - as do my neighbours at Top House Farm and their neighbours, the Robinsons.

There have already been several pet fatalities here on the road outside our houses in the past year but our greatest fear is that the next road death is not an animal.

The increase in new housing in Audlem appears to have led to an increase in vehicles and there are far more holidaymakers following the expansion of Overwater Marina and Sunnyside Caravan Park. While this is great news for the tourist economy, the effects could be horrendous for the well-being of our residents and their youngsters.

The safety of walkers, tourists, horse riders and cyclists are paramount too on a lane that is fast becoming unsafe

Can the parish council apply pressure on the relevant authority to put speed restrictions in place, as well as placing warning signs at strategic points on Coole Lane before it is too late"?

The meeting unanimously agreed that J. Bathos hold take the matter to the next meeting of the Police Cluster Group, and also highlight that in addition to the above the road is also a designated cycle route.

- b. Sheppenhall Lane, by Wigmore. J. Batho reported that a gulley has sunk and an extensive pothole has been created.
- c. 30 MPH Signs on approach form Wrenbury - Mrs J. Fenton reported they are not visible due to overgrown vegetation

7. Correspondence

- a. **Cheshire East:** none

- b. **Councillors:** none

- c. **Parishioners:** none

d. Other:

- i. Clerks and Councils Direct
- ii. ChALC's e-bulletin
- iii. Mid Cheshire Footpath Soc Walks Programme
- iv. Councillors raised re the possibility of Extra Litter Bins in the Village – Doddcott Hill Lane and Cross Roads by BT Box. Clr R. Bailey advised that there is some funding held with Audlem Parish Council which was given for 'Clean Street'. However it is also necessary to ensure that ANSA will take on the responsibility of emptying them. Clerk to make further enquiries.

8. Accounts

- I. **Income received since last Meeting:** none

- II. **Accounts paid since last meeting:** none

III. Accounts to pay at meeting:

1. Chq. No. 000497
Neighbourhood Plan
Cheshire Community Action £350.00
2. Chq. No. 000498

	Neighbourhood Plan Cheshire Community Action	£1400.00
3.	Chq No 000499 A.G. Lawrence – Clerk Salary – April – June 2019	£372.07
4.	Chq No 000500 HMRC – April – June 2019	£92.80
5.	Chq No 000501 A.G. Lawrence – Clerk Expenses – April – June 2019	£232.36
6.	Chq. No. 000502 Neighbourhood Plan Ian Wilkinson - expenses	£514.66

The above account(s) were unanimously approved for payment on the prop., of E. Forshaw, sec., Ms R. Spalding.

9. Planning Applications

I. Applications received since last meeting:

a.

AMENDED PLANS

Application No: **19/1462N**

Proposal: **Proposed erection of new farmstead buildings with new vehicular access and associated landscaping.**

Location: **The Royals, WHITCHURCH ROAD, ASTON, CW5 8DJ**

No further representation made

b.

Notification of Appeal

Application No: **18/4756N**

Location: **The Willows, WHITCHURCH ROAD, ASTON, CW5 8DJ**

Proposal: **Construction of a manege 40m x 25m and external lighting**

No further representation made

c.

Notification of Appeal

Application No: **18/2051N**

Location: **Coole Acres, COOLE LANE, NEWHALL, CW5 8AY**

Proposal: **Variation of conditions 18 & 29 on approval 09/0819N for change of use from agricultural to fish rearing & angling centre, formation of ponds & lakes, erection of buildings and provision of access & parking**

No further representation made

d.

Notification from Cheshire East of Tree Preservation Order placed on tree located on western roadside boundary of Whitchurch Road and adjacent to Highway approx. 25m to west of Holly Croft

On the prop R. Hibbert, sec., J. Batho it was agreed to accept a question from a member of the public:- "In relation to 9/b above there had been no comment made from the Parish Council". It was advised that all comments previously made by the parish Council would automatically be sent to an Appeal.

II Results of previous applications:

a.
19/1993N
Woolleys Farm, HOLLIN LANE, ASTON, CW5 8DU
Agricultural building
Determination - apprvl with conds stg2
b.
19/1720N
1, Maiden Estate, WHITCHURCH ROAD, NEWHALL, CW5 8DN
Conservatory to the rear
approved with conditions
c.
4, Maiden Estate, WHITCHURCH ROAD, NEWHALL, CW5 8DN
Non material amendment to 18-6391N to show the phasing of the project for the two dwellings.
approved
d.
19/1956N
The Rowans, WHITCHURCH ROAD, ASTON, CW5 8DJ
Resubmission of planning application 18/4857N for the Change of Use of existing commercial buildings to form a new shop selling local produce with butchery and bakery as well as cafe, together with toilets and staff facilities.
Extension of one building and alterations to others together with the installation of children's play equipment and other associated works.
refused
e.
19/1586N
CHERRY TREE FARM, COOLE LANE, AUDLEM, CW3 0ER
variation of condition 2 (approved plans) on existing permission 18/5625N
approved with conditions
f.
19/1007N
MANOR FARM LIVERY, MANOR FARM, COOLE LANE, AUDLEM, CW3 0ER
Formation of covered horse exercise area
approved with conditions

III Applications/Planning matters before this meeting:

a.

Application No: **19/3055N**
Proposal: **The proposed development of 9 dwellings with associated, and demolition of stable building and partial demolition of garage.**
Location: **Plas Tirion, SHEPPENHALL LANE, ASTON, CW5 8DE**
National Grid Ref: **361236 346378**

On the prop., E. Forshaw, Mrs J. Fenton, sec., it was unanimously agreed to respond as follows:-

Newhall Parish Council & Newhall Neighbourhood Plan response to planning application;

19/3055N – Plas Tirion, Sheppenhall Lane, Aston

REVIEW SUMMARY

The village of Aston cannot accommodate any more property development over and above minor (2 or 3) property developments in suitable infill areas. This policy is set within the Newhall Neighbourhood Plan (now at regulation 15 status) policy HOU1 and aligns to the Cheshire East Local Plan Allocations policies document (SADP) policy PG10 and PG6.

This application seeks to obtain planning consent to construct 9 new houses in the village of Aston with the justification of meeting the needs of the area. It has been assessed and scored against all Neighbourhood Plan Policies and the relevant CEC policies.

There are several concerns about this application that individually would give sufficient reason to question the application however, collectively, these concerns result in a full rejection of the application.

This application cites that there is no neighbourhood plan in existence.

- This is incorrect, the Newhall Neighbourhood Plan is very well published and supported and is presently at regulation 15 status.
- The plan represents the view of c776 community residents and opposes high scale development requiring only small developments in future of 2 to 3 properties.
- The plans seeks to address concerns re traffic volumes and road safety, pedestrian safety and amenities / infrastructure for this area.

The Neighbourhood Plan has not assigned this parcel of land to any protection category EG green space, but the plan does exceed the volume of housing for a single infill development by 6. A reduced volume might be considered.

However the village infrastructure (flooding, sewerage overflow, poor communications) and the village safe passage (lack of pavements and safe footpaths) raise considerable concern for any development in this specific location. Please see specific detail below.

Against a maximum score of 59 the application, as currently scoped, scores minus 32 and is therefore rejected.

NEWHALL NEIGHBOURHOOD PLAN & ALIGNED CHESHIRE EAST POLCY SCORING

Scoring – positive contribution score 1, awaiting detail scores 0, negative impact score minus 1

POLICY	PERFECT ACTUAL		COMMENTARY
NNP HOU1 New Housing	1	-1	Over capacity / allocation
CEC PG2 Settlement Hierarchy	1	-1	
CEC PG6 Open Countryside	1	0	
CEC PG10 Infill classification	1	-1	
NNP LC1 Character & Design	1	-1	Not compliant with plan
CEC SD1 Sustainable Development	1	1	
CEC SD2 Sustainable Principles	1	1	
CEC SE2 Efficient use of land	1	1	
CEC SE1 Design	1	0	
NNP LC2 Landscape character	1	-1	Detrimental to trees and open land
CEC PG6 Open countryside	1	-1	
CEC SE4 Landscape	1	-1	
NNP NEGS1 Natural environment	1	-1	Detrimental to trees and open land
CEC SE3 Bio and Geo diversity	1	-1	
CEC NE5 Nature conservation	1	-1	
NNP NEGS S2 Local green space	1	0	Does not provide additional value
CEC SE6 Green infrastructure	1	-1	
NNP NEGS3 Recreation & play	1	-1	Does not provide any new facility
CEC SC1 Leisure & recreation	1	-1	
CEC RT1 Open space protection	1	0	

CEC RT3 Provision of open space	1	-1	
NNPHER1 Heritage and conservation	1	0	Largely not relevant here
CEC SE7 Historic environment	1	0	
CEC SD2 Sustainable development	1	0	
CEC SE1 Design	1	0	
NNP LE1 Rural economy	1	-1	No beneficial impact to the community
CEC EG2 Rural economy	1	-1	
CEC SE2 Efficient use of land	1	1	
CEC CO1 Sustainable travel	1	-1	
CEC NE15 Re-use of building	1	-1	
CEC NE13 Rural diversification	1	0	
NNP LE2 Tourism	1	0	No impact expected
CEC EG4 Tourism	1	0	
NNP T1 Footpaths, cycleways	1	-1	No value added but risk increased
CEC SE6 Green infrastructure	1	-1	
CEC CO1 Sustainable transport	1	-1	
CEC RT9 Footpaths	1	-1	
CEC TRAN3 Pedestrians	1	-1	
NNP T2 Sustainable travel	1	-1	No planning evidenced
CEC CO1 Sustainable travel	1	-1	
CEC CO4 Travel planning	1	-1	
NNP T3 Vehicular access	1	-1	Very high risk created
CEC CO4 Travel plans	1	-1	
CEC IN1 Infrastructure	1	-1	
CEC IN2 Developer contributions	1	0	
NNP CF1 Community facilities	1	-1	None provisioned
CEC SC1 Leasire & recreation	1	-1	
CEC SC3 Health & wellbeing	1	-1	
CEC CF3 Retention of community facilities	1	0	
NNP CF2 Community Levy	1	0	Indication made no value assigned
CEC IN1 Infrastructure	1	0	
CEC IN2 Developer contribution	1	0	
CEC SD1 Sustainable development	1	-1	
NNP CF3 Foul and surface water drainage	1	-1	Very high risk increased further
CEC SE13 Flood risk & water management	1	-1	

CEC BE4 Drainage and utilities	1	-1	
NNP CF4 Broadband and telco	1	0	No impact expected, services poor
CEC CO3 Digital comms	1	0	
CEC NE18 Telecoms	1	0	
TOTALS	59	-32	

Summary; the application fails on the majority of policy alignments scoring minus 32 against a perfect score of plus 59.

SPECIFIC DETAIL RELATING TO APPLICATION 19/3055N

NEW HOUSING CAPACITY

Sections 5.3, 5.4 and 5.5 of the application seek to align with CEC Local Plan and National Policies. We wish to ensure that the reality of existing development in this Parish and specifically the village of Aston is taken into account as it is well beyond capacity for new housing development.

Currently there are c.325 houses in the Parish;

- This will increase to 454 houses based on planning approvals by March 2019
- 38 of these properties are under construction with a further 47 already approved but waiting for construction to commence.
- These 78 properties are additional to the 44 that have recently been constructed in the village.
- A village with houses now seeing an increase of yy is well above the anticipated quota

It is important to record that, for the Newhall Parish, this level of development increases housing stock by 40%. **However development is all concentrated on the small village of Aston and this records an overall increase of 60%**

On a proportional count basis, it is the Parish Council's and Newhall Neighbourhood Plan's opinion the village of Aston and Parish of Newhall should have no further developments approved for the life of the Cheshire East Local Plan, having already seen approval for significant over-development prior to the CEC Local Plan being adopted.

SPECIFIC LOCATION

The only access to this development is from Sheppenhall Lane and specifically into the most dangerous, blind corner on this stretch of road. Any proposal to improve visibility and safety would involve the removal of well-established trees and hedges that are privately owned.

Further this lane has no pavements permitting safe passage for the length of the carriageway and zero space available to construct any pavements. The proposed access to this development contains now space for pavements to be established either and would not benefit from the access to the adjacent development (17/0374N) which has not, incidentally, commenced construction. It is also a concern that the land in question may require contaminated land remediation.

It is our opinion that this concern alone is sufficient to reject the application. The precedent set by approval of the adjacent development (ref 17/0374N) where permission was only granted if a pavement were constructed must apply here.

The application planning statement contains further incorrect detail – section 1.6 states there is no flooding risk. The reality is that the area is subject to significant flooding and major sewerage issues leading to sewers leaking waste into properties and gardens. The risk of increasing the problem is very real should this development be approved.

Section 1.8 of the application confirms that this is grade 2 agricultural land. It is not scrubland and has been actively used for a considerable time. Conversion to housing would be detrimental to the local ecology and environment. Finally the location will create significant detriment to surrounding properties

AMENITIES

With 60% increase to housing already approved (up to March 2019) for the village of Aston, we have to note that open space, recreation and green space or amenities have not seen any increase at all.

Aston has a single pub and one Methodist Church with hall. The village is home to a cricket club but that faces a threat to its existence due to property development.

Amenities do exist in neighbouring service centres – Wrenbury and Audlem. However safe passage to these is only possible by private vehicle – there are no pavements or footpaths linking Aston to these centres. Therefore new residents will only add to the current dangerous volumes of traffic passing through unclassified roads that are not capable of serving such capacity safely.

SAFE PASSAGE TO AND FROM THE LOCATION

Newhall Parish has very few safe footpaths and very few pavements. The village of Aston has no safe pedestrian services.

The main road (A530) has limited pavement areas, those that exist are below the required size and place pedestrians in a highly dangerous position vis a vis traffic, much of which is commercial and HGV. Indeed the village is sad to report that recently a resident killed whilst walking along these dangerous pavements.

None of the new housing developments have yet catered for increased safety and we do not wish to increase this risk with any further property development until we have new safe pavements and footpaths established.

The developer (Crabtree Homes) cites access to services and amenities as both well established and accessible. This is not correct other than by use of motor vehicles.

The developer also cited an existing pavement on Sheppenhall Lane that this development will access. This is incorrect, there are no pavements leading to any useful place on Sheppenhall Lane.

SAFE ACCESS TO AND FROM THE LOCATION

The access to and from this proposed development is directly into a blind corner. Road safety is a major concern should this development be granted approval. The application proposes to remove trees which will significantly damage the character and ecology of the area.

The plan submitted appears misleading showing incorrect access details.

The village is also sad to reflect on the recent multiple deaths from a major collision in the village. One of many on the road recently cited as the fifth most dangerous in the UK. Again, until further investment in safety is secured, we cannot entertain increases to local traffic over and above that already approved.

PUBLIC TRANSPORT

Train services do run from Wrenbury station however parking is limited to 4 vehicles and there is no safe or well established footpath linking Aston to Wrenbury therefore no safe passage is possible year round.

- Buses are reduced to 3 per day with very limited round trip options.
- Therefore any increase in housing will demand an equal increase in traffic volumes.

COMMUNITY BENEFIT

There is no benefit to be derived from this development. No new jobs, no improved infrastructure or amenities. No investment in safe walkways, only an increase to traffic through a high risk access point.

CONCLUSION

Therefore Newhall Parish Council's request to Cheshire East Planning is to reject this application as presented. The Parish, via its Neighbourhood Planning sub-committee, would welcome further interaction with any party in order to assist where possible.

Should this be required. This can be arranged via the Parish Council or direct to the sub-committee chair Richard Hibbert on 07918 682055

b.

Application No: **19/2641N**

Proposal: **The construction of a slurry lagoon, 47m x 47m x 3m deep. A hardstanding area in front of the lagoon to accept and allow turning of tractors and slurry spreading machinery. A 1.5m wire fence is proposed around the perimeter with lockable gates.**

Location: **HOLLIN GREEN FARM, HOLLIN GREEN LANE, NEWHALL, NANTWICH, CHESHIRE, CW5 8AZ**

National Grid Ref: **363895 345323**

On the prop., E. Forshaw, sec., R. Hibbert, it was agreed, by a vote of 5 for, 2 abstentions and one objection to support the application.

- IV Neighbourhood Plan:** R. Hibbert reported:- an excellent meeting had been held with Cheshire East and the plan has now been submitted and gone for final consideration – Regulation 16. A decision will be announced, and when approved the plan will carry material weight in future matters relating to the Parish. There will then be a referendum in December/January and this will then see the Plan formally adopted. The Chairman wished to record the congratulations of the meeting to everyone involved.
- 10. Police Matters:** Chairman reported:- 2 sheds have been broken into recently in Wrenbury Road, Aston and vigilance is required.
- 11. Next scheduled meeting of the Parish Council** – Monday 7th October.

Meeting Closed