

NEWHALL PARISH COUNCIL

Minutes of the Meeting of the above Council

held on Monday 7th October 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, P. Schofield, J. Barker, Ms R. Spalding, and one member of the public.

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

1. **Apologies:** Clr R. Bailey,
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.

The Chairman reported that there has been a complaint from a member of the public to the Monitoring officer at Cheshire East that a member of Newhall parish Council failed to declare an interest in a Planning Application and took active part in this discussion. The Chairman re-iterated that all councillors must be aware of the regulations in place regarding such matters. He will report further if/when there is anything further to say with regard to the matter.

R. Hibbert felt that the Newhall Neighbourhood Plan, to be adopted, overrides all planning matters, it states planning policies for the parish, and with all involved no one can have a conflict of interest in any planning matter for the Parish. This was 2nd by Mrs J. Fenton and agreed by a majority of 6 with two abstentions – J. Batho and C. Britton

3. **Minutes** of Parish Council held 27th August 2019 were confirmed as a true and correct record on the prop., E. Forshaw, sec., J. Barker

4. **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 reports from Ian Darlington, Highways Technology Manager | Cheshire East Highways "Further to the response sent earlier I have just been informed that we also have a significant fault at this location.
The fault affects columns 8 to 19 on Whitcurch Road in Aston. This is an electricity board fault. It has been previously been reported to the board and we have chased it up again today – 30th August".
- 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 has written to Roy Cook at Cheshire East again and he is chasing this further to ascertain definitive responsibility

- c. 30 MPH Signs on approach form Wrenbury - Clerk reported that the issue that they are not visible due to overgrown vegetation has been reported Reference 3372070. One has been ut back through hedgecutting by the landowner the other remains obscured
- d. Extra Litter Bins in the Village – Woodcott Hill Lane and Cross Roads by BT Box. Further to Clr R. Bailey advising 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 reported that he has ascertained that ANSA are happy to empty any such bins providing they are accessible adjacent to a suitable highway, as per the following from Caroline Griffies - Senior Team Leader Street Cleansing.

CEC no longer purchases additional waste bins.

CEC will empty new waste bins purchased and erected by parish councils.

When the bins are being placed, a risk assessment will need to be undertaken in order that operatives can empty the bins in a safe environment.

Dog poo would need to be bagged and placed in the waste bin. The authority will not empty additional dog waste bins.

Further he has approached Audlem P/C re funding and they have replied

Thank you for your email. I will speak to Rachel Bailey and revert as soon as possible with how she wishes to take this forward.

5. Highway matters:

- a. Road by Wigmore Hall is in a terrible condition – Clerk has reported again
The reference number for this report is: **3372428**
- b. Junction of Back Coole lane and Sheppenhall Lane – Clerk has reported
The reference number for this report is: **3372430**
- c. P Schofield reported that the footpath between HJ Lea Oakes and Sandy Lane is muddy. The meeting felt that a working party of residents to rectify such problems, like other villages such as Audlem, would be the best way forward to tackle such instances.
- d. J Barker reported that the footpath at the end of Flag Lane is not accessible due to nettles and undergrowth. It is not the homeowners land/responsibility. On the prop., J. Batho, sec., J. Barker the Clerk was asked to contact PROW.
- e. Reported that the visibility for motorists when leaving Sheppenhall lane to join the A530 is hampered in both directions by overgrown hedges – Clerk to report
- f. Street Light – E Forshaw reported that, as previously minuted, and not been able to resolve, that street light number 17 is missing on Wrenbury Road. Clerk to try and resolve again.

6. Correspondence

- a. **Cheshire East:**
 - i. Economic Strategy for Cheshire East - Consultation & Engagement
- b. **Councillors:**
 - i. Remembrance Sunday. It was agreed that J. Batho would lay the poppy wreath at Wrenbury Church, and J Barker at Aston Chapel.
- c. **Parishioners:** none
- d. **Other:**
 - i. Clerks and Councils Direct
 - ii. ChALC's e-bulletin

7. Accounts

- I. **Income received since last Meeting:**
 - 1. Cheshire East Precept – 2nd instalment £1925.00
- II. **Accounts paid since last meeting:** none

III. Accounts to pay at meeting:

1.	Chq No 000504 A.G. Lawrence – Clerk Salary – July - September 2019	£371.88
2.	Chq No 000505 HMRC – July - September 2019	£93.00
3.	Chq No 000506 A.G. Lawrence – Clerk Expenses – July - September 2019	£75.94

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

8. Planning Applications

I. Applications received since last meeting:

a.

Notification of Appeal

Application No: **19/1956N**
Location: **The Rowans, WHITCHURCH ROAD, ASTON, CW5 8DJ**
Proposal: **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.**

No further comments submitted by Parish Council but reported that local residents have advised of their further comment, as follows;-

Please find attached our response to the appeal, which we have uploaded to the planning inspectorate's website this morning.

We've made it clear that the "re-submission" in fact contains significant new changes when compared with versions of the planning applications that have been submitted in the past. These centre primarily around the re-design of the cafe - now covering ground AND first floor of the building (with no mention of where the office will now reside), and also replacement external windows to the building. There is also the interesting detail that the site is now being referred to as Longman Farm on planning drawings, rather than The Rowans. Whether there is any significance to this, we're not sure, but we had to note it.

II Results of previous applications:

a.
19/1462N
The Royals, WHITCHURCH ROAD, ASTON, CW5 8DJ
Proposed erection of new farmstead buildings with new vehicular access and associated landscaping.
approved with conditions
b.
19/3055N
Plas Tirion, SHEPPENHALL LANE, ASTON, CW5 8DE
The proposed development of 9 dwellings with associated,
and demolition of stable building and partial demolition of garage.
Withdrawn

c.
19/2641N
HOLLIN GREEN FARM, HOLLIN GREEN LANE, NEWHALL, NANTWICH, CHESHIRE, CW5 8AZ
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.
Withdrawn

III Applications/Planning matters before this meeting:

a.

Application No: **19/1122N**
 Proposal: **Construction of stable block and manege for private dwelling and formation of access track**
 Location: **The Royals, WHITCHURCH ROAD, ASTON, CW5 8DJ**

After examination of the plans, on th prop., E. Forshaw, sec., R. Hibbert it was unanimously agreed to support the application.

b.

Application No: **19/1123N**
 Proposal: **Proposed residential extension and domestic garage.**
 Location: **The Royals, WHITCHURCH ROAD, ASTON, CW5 8DJ**

After examination of the plans, on th prop., E. Forshaw, sec., R. Hibbert it was unanimously agreed to support the application.

IV Neighbourhood Plan: R. Hibbert reported that the Plan is now with the Examiner, as per the following :-

NEWHALL NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Newhall Neighbourhood Plan (the Plan) for examination, I would like to clarify several initial procedural matters.

1. Examination Documentation

I can confirm that I am satisfied that I have received a complete submission of the draft Plan and accompanying documentation, including the Basic Conditions Statement, the Consultation Statement and the Regulation 16 representations, to enable me to undertake the examination.

Subject to my detailed assessment of the draft Plan, I have not at this initial stage identified any very significant and obvious flaws in the Plan that might lead me to advise that the examination should not proceed.

2. Site Visit

I intend to undertake a site visit to the Plan area prior to Friday 4 October 2019. This will assist in my assessment of the draft Plan, including the issues identified in the representations.

The site visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process.

3. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should a matter(s) come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

4. Further Clarification

After my site visit I may have a number of questions seeking further clarification on aspects of the Newhall Neighbourhood Plan.

5. Examination Timetable

As you will be aware, the intention is to examine the Plan (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within 4-6 weeks of submission of the draft Plan.

However, if after my site visit, I do have questions, I must provide you with sufficient opportunity to reply. Consequentially, the examination timetable would be extended. Please be assured that I will aim to mitigate any delay as far as is practicable. The IPe office team will seek to keep you updated on the anticipated delivery date of the draft report.

If you have any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure a copy of this letter is placed on the Parish Council and local authority's website.

Andy Mead - Examiner

And further

NEWHALL NEIGHBOURHOOD PLAN EXAMINATION

Further to my letter of 25 September 2019, I have some questions on which clarification from Newhall Parish Council and Cheshire East Council would assist me in my examination of the Newhall Neighbourhood Plan (the Plan). May I request the submission of responses to my questions below within **two** weeks of the date of this letter, although an earlier response would be most welcome.

Policy HER1 considers proposals for development affecting any heritage asset and appears to include non-designated heritage assets (NDHA) within that description. Paragraph 9.1 of the Plan notes that, in addition to the 17 Listed Buildings, there are 12 important features of historical interest listed in the Cheshire Historic Environmental Record which are then listed in Figure M of the Plan. Paragraph 9.3 lists 9 more properties which make a "vital contribution to the integrity of the Aston Conservation Area". Paragraph 9.4 also refers to smaller features such as the cast iron "finger signs" and the "Cheshire Rails" which should be protected. Paragraph 9.5 then states that these heritage assets should be protected from inappropriate development and, where possible, enhanced.

Questions:

1. Are the buildings and features referred to in Paragraph 9.3 and Figure M intended to be defined as NDHA to be considered under Policy HER1?
2. Have they already been included on a local list by Cheshire East Council?
3. Was guidance in "Local Heritage Listing: Historic England Advice Note 7" used in compiling the list?

In the interests of transparency, may I prevail upon you to ensure a copy of this letter is placed on the Parish Council and local authority's website.

Andy Mead - Examiner

Clerk reported he is making arrangements for a link from the Parish Council Website to <https://www.newhallcommunity.com/neighbourhood-plan>

- 10. Police Matters:** Chairman reported:- a new Rural Policing Unit will be established in Cheshire and PC S. Marsden will be leaving her current role to join this. A replacement for local level has not yet been appointed.
- 11. Next scheduled meeting of the Parish Council** – Monday 16th December

Meeting Closed