

NEWHALL PARISH COUNCIL
Minutes of Virtual Meeting of the above Council
Wednesday 14th October 2020, 7.30 p.m.

Present: J. Batho (Chairman), A.G. Lawrence (Clerk), Mrs J. Fenton, E. Forshaw, P. Schofield, Ms R. Spalding, R. Hibbert, C. Britton, Clr R. Bailey.

1. **Apologies:** J.G. Parkin,
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. **Minutes** of Parish Council held 18th August 2020 were confirmed as a true and correct record on the prop., E. Forshaw, sec., R. Hibbert
4. **Matters arising:-**
 - a. Extra Litter Bin in the Village – Woodcott Hill Lane and possibly Sheppenhall Lane/Junction A530. Clerk reported he has a quote of £386.40 + VAT per bin. Agreed to discuss further with R. Hibbert and see if any NNP budget would be available.
 - b. Village Notice Board – await quotes from R. Hibbert
 - c. Phone Box – need to decide what is the best option for this – painting a priority. Again need to look if any NNP budget available. Suggestion of to replace notice board to be considered.

Items 4/A/B/C to be deferred until NNP Financial Balances are concluded

- d. Ragwort – Clerk has contacted ANSA via Cheshire East and has received the following reply – "Ragwort seeds can lie dormant in the soil for up to 20 years before they germinate. If we have Ragwort on CEC owned or Cheshire East Highways land, we will go and pull the Ragwort up on occasion. However, this is usually limited to land adjacent to farm land where livestock could be poisoned. It is up to the landowner to get this sorted. https://www.cheshireeast.gov.uk/highways_and_roads/road-maintenance/weed-control.aspx
- e. **AGM** – Clerk reported clarification from Cheshire East that Coronavirus Regs have removed the requirement to hold Annual Council and Annual Parish Meetings. Chairman remain in post until 2021. This was unanimously approved on the prop., C. Britton, sec., P. Schofield
- f. **Remembrance Service** - Martin Smith - Registration and Civic Services Manager – Cheshire East

Remembrance Sunday plays an important part in the lives of communities across Cheshire East, with dozens of very well attended events being held each year. Coronavirus makes planning for Remembrance Sunday particularly difficult. Events are going to take a very different form in 2020 to previous years. Those organising events and those attending must observe the "Rule of Six"; details can be found at: [https://www.gov.uk/government/publications/coronavirus-covid-19-meeting-with-others-safely-social-distancing](https://www.gov.uk/government/publications/coronavirus-covid-19-meeting-with-others-safely-social-distancing/coronavirus-covid-19-meeting-with-others-safely-social-distancing)

Organisers of all events will need to undertake a robust Covid -19 risk assessment, and at the very least ensure that social distancing is enforced at all times and that high standards of hygiene are in place. Those attending events should be encouraged to wear face coverings. Should the Coronavirus situation still be serious in November, or if things worsen, those organising events may wish to consider options such as virtual Remembrance services, pre-recorded events or live streaming of very small-scale events that are closed to the public.

Poppy Wreaths will still be laid whatever the situation and J. Batho to arrange for Wrenbury and J. Barker for Aston.
- g. **Vermin – Sheppenhall Grove** – reported that the matter is much improved but not eradicated.

5. **Highway matters:**
 - a. Clerk advised that he had reported a broken gully @ Coole Lane.

- b.** Joint Parish Council Group has now been formed re Highway matters and R. Hibbert has offered to represent Newhall on this.
Initial comment:-
The Parish Councils of Marbury and District, Newhall, Sound and District and Wrenbury-cum-Frith have established a Highways Group aimed at discussing highways issues and improving engagement with the highways authority. There is concern about the current lack of engagement from the Borough Council and thus we would welcome the Borough Council identifying a dedicated resource to act as a conduit for any issues and attend meetings where appropriate. We understand that there is an Area Highways Group being held on 19 October, therefore, we would like this matter considering at this meeting. We understand that highways funding is based on the length of highways within an area and as such, these Councils consider that more resources should be allocated to our areas.
Further meeting arranged.
In addition concern was raised over the A530 crossroads junction, in light of recent accident, R. Hibbert agreed to prepare details which Cllr Bailey would then submit to relevant meeting.
Further, P. Schofield raised concern in the same location of overgrown hedges, water leaks and manhole problems.

c. CHESHIRE EAST BOROUGH COUNCIL - NOTICE OF TEMPORARY ROAD CLOSURE

NOTICE IS HEREBY GIVEN that the Cheshire East Borough Council in exercise of its powers under Section 14 (2) of the Road Traffic Regulation Act 1984 and of all other enabling powers issues this notice temporarily to prohibit traffic in the following length of road:-

Sheppenhall Lane, Audlem Ward, Nantwich, from the junction with Hollin Lane to the junction with Whitchurch Road.

The alternative route will be via the following streets: - Sheppenhall Lane, Rookery Lane, Whitchurch Road

Pedestrian access to any premises situated within the temporary closure will be maintained at all times. Cyclists will be required to dismount in order for access to be maintained. Vehicular access will be maintained for emergency vehicles and residents where possible.

The closure is necessary to enable BT to access underground network for gully and cabling works.

It is anticipated that the works will take place on the following date(s): Wednesday 11th November 2020 to Thursday 12th November 2020.

On the prop., C. Britton, sec., J. Batho agreed Clerk should display on Sheppenhall Lane Notice Board.

AND

Sheppenhall Lane/Rookery Lane, Dodcott cum Wilkesley

From the junction with Back Coole Lane to the junction with Whitchurch Road

The alternative route will be via Sheppenhall Lane, Whitchurch Road and visa versa which is considered the most suitable route.

This order will come into operation on Monday 12th October 2020 and will continue in force for 18 months or for such less time as is necessary to complete the work to be executed in the highway, although it is anticipated that the works will be completed by Friday 23rd October 2020.

- d.** Gritting Routes: Cllr Rachel Bailey - Audlem Ward reported:-

"You will be aware that proposed 'cuts' to the winter gritting programme were challenged earlier in the year. The local Area Highway Groups, are now to consider responses of a streamlined consultation during October. I am aware that Audlem have received notification and email to ensure your inclusion. My view is that school routes, such as Coole Lane, continue to be gritted, but your input is key".

The provision of Salt Bins and Salt was raised but it was advised that this would have to be at the expenditure cost of the Parish Council.

On the prop., J. Batho, sec., R. Hibbert it as agreed that the parish Council should outline their concerns re this:-

Newhall Parish Council wish to raise serious concerns over any consideration of reduced gritting routes in the rural areas. Rural Roads take up a huge percentage of the highway and need to be maintained as any other roads in Cheshire East. Coole Lane is a busy daily commute road, it services an old people's home, Café, marina and 3 touring caravan parks, it is also a school bus route for two schools. As such it is imperative that it be maintained at

all times and especially so during the winter months. Comments to be forwarded to Clr Bailey.

- e. 30MPH Signs on approach from Wrenbury – reported that the one on the left is now completely visible but the other is overgrown by uncut hedge

6. Correspondence

a. Cheshire East:

- i. Covid19 updates

b. Councillors:

- i. J. Batho reported that ADCA are still active, and the Chairman of each Parish Council are hoping to meet in some format to look at ways of how it is best to work forward to cover all parishes, and identify sustainable funding streams.

- c. **Parishioners:** none

d. Other:

- i. Clerks and Councils Direct
- ii. CHALC newsletters

7. Accounts

I. Income received since last Meeting:

- 1. Cheshire East 2nd Precept payment £2,000.00

II. Accounts paid since last meeting: none

III. Accounts to pay at meeting:

- 1. Chq No 000528 Purchase Order 16
A.G. Lawrence – Clerk Salary – July – September 2020 £378.95
- 2. Chq No 000529 Purchase Order 17
HMRC – July – September 2020 £94.80
- 3. Chq No 000530 Purchase Order 18
A.G. Lawrence – Clerk Expenses – July – September 2020 £78.71
On the request of C. Britton the Clerk outlined how this was figure was concluded, and the Chairman advised that this was always checked by himself, as well as being submitted to Internal Audit.
- 4. Chq No 000531 Purchase Order 19
Bates Office Services - Purchase Order Book £15.74 (VAT £2.62)
- 5. Chq No 000532 Purchase Order 20
Royal British Legion – Poppy Wreaths £50.00

The above account(s) were unanimously approved for payment on the prop., of J. Batho sec., E. Forsahw

IV. Annual Audit: CH0183: Receipt of documents – notification of exempt status, 2020

This is an automated message to notify you that we have received and logged the notification of exempt status for the year ended 31 March 2020 submitted to us for Newhall Parish Council. By notifying us that Newhall Parish Council has claimed exemption there is no review to be performed and consequently no auditor certificate and report, or any other closure documentation, will be issued by us for this reporting year.

Unless we receive any correspondence from local electors during the period for the exercise for public rights that requires us to contact you, you will not hear from us again, except to chase any outstanding fees, until the planning for the 2020/21 review year gets underway.

SBA Team - For and on behalf of PKF Littlejohn LLP

- V. **Internal Audit – Engagement Letter between Newhall Parish Council and JDH Business Services Ltd.** On the prop., J. Batho, sec., R. Hibbert it was unanimously agreed to appoint JDH Business Services under the terms of the agreement

8. Planning Applications

I. Applications received since last meeting:

a.

Application No: **20/2074N**
Proposal: **Remodel the existing property to form one & half storey dwelling, together with associated alterations**
Location: **ROSEDENE, WHITCHURCH ROAD, ASTON, CW5 8DB**

No representation

And 8/III/b as below

II Results of previous applications:

a.
20/2733T
9, SHEPPENHALL GROVE, ASTON, CHESHIRE, CW5 8DF
T7 Oak Reduce Crown by 1 - 2m branch length
Consent for wrks in TPO with conditions
b.
20/2074N
ROSEDENE, WHITCHURCH ROAD, ASTON, CW5 8DB
Remodel the existing property to form one & half storey dwelling, together with associated alterations
approved with conditions

III Applications/Planning matters before this meeting:

a. SADPD – Cllr Bailey to reported on:

Parish Council have received:- from Jeremy Owens | Development Planning Manager:-

Town and Parish Councils have taken a close interest in the development of the Council's Local Plan so I wanted to let you know that, yesterday, a report recommending the next steps with the second part of the Council's Local Plan, the Site Allocations and Development Policies Document (SADPD) was published for consideration by the Council's Strategic Planning Board (SPB) on 23 September, ahead of a decision being taken by the Council's Cabinet on 6 October. The report recommends that a number of changes are made to the version of the SADPD published in 2019, and that it is republished so that further representations can be made about it ahead of its submission for examination by a Planning Inspector.

At this stage, these are only officer recommendations but as this information is now in the public domain it may generate some local interest. If the Cabinet agrees to the recommendations, all Town and Parish Councils will be invited to make representations about the revised SADPD.

Here is a link to the SPB agenda (The SADPD is Item 11): <http://modern.gov.cheshireeast.gov.uk/ecminutes/ielistdocuments.aspx?CIId=279&MIId=8020>

And further

The Document has been approved with the following wording – there is a soundness to the housing land supply, no conflict within policies of NP's and further explanation on why there is further safe guarding land ie Prestbury, Bollington and Disley

On the prop., J. Batho, sec., E. Forshaw it was unanimously agreed that Newhall Parish Council should voice their following concerns:- The removal of sites from the SADPD is hugely concerning, as the recent appeals in the locality testify, this means that housing quota supply is once more no longer sufficient. Without known allocated sites this risks opening up areas of land to developers to fill the quota and override Neighbourhood Plans and their policies.

b.

20/4181N

Station Yard, Wrenbury Road, Aston

This application is for a change of use from mixed storage and retail to B2 along with the provision of replacement concrete plant

ADJOINING PARISH – Clr Bailey has asked that Newhall are included in this application process, and has also requested, via Clr S. Davies, that the application is taken to Committee

E. Forsahw and Mrs J. Fenton both declared an interest in this application.

Comments from NNP re this application

Introduction

Strictly this is a matter for Wrenbury Parish if one considers only the locational based aspects of the planning application. However there are many serious aspects of the application that will impact Newhall and directly contravene our Neighbourhood Plan Policies, and quite seriously.

Therefore we need to draft and register direct (on behalf of Newhall) an objection formally and comprehensively. We also propose registering a joint objection with Wrenbury.

Finally we wish to consider investing some funds in expert advice relating to the application and air pollution aspects. This would use funds from NNP and would represent correct use within the allocation rules of our NNP funding.

Detail

There is such a weight of emotion and many practical objections to Graham Heath's application to expand its business operations that our Parish response has to be a comprehensive objection against.

We share so many of the issues with Wrenbury who are, of course, the primary local authority objector, that we believe we should make an individual Newhall objection and a joint objection with Wrenbury.

Designing these will take a lot of hours work over the next week.

What are the Newhall concerns?

1. Air pollution – a huge problem to health and businesses
2. Noise – increased production noise for extended hours and days in the week
3. HGV movements – noise, increased damage to roads, high risk to pedestrians
4. Road safety – vehicular and pedestrian
5. Employment - existing businesses moving away as a consequence of this plan being approved just as Ambit was when the original plans were approved.
6. Detrimental to the local economy and service industry as fewer employees equates to less spent in the area. Equally this rural area will see a fall in property values and tourism – including that associated with the CEC cycle route – will reduce due to increased HGV risk.
7. It is also important to reflect that Heath has started construction and the site is almost ready to commence production without planning permission. Indeed the application was only made after a Planning Officer visited recently.

WE HAVE TO OBJECT

Each of these points for objecting align to policies within the Newhall Neighbourhood Plan. Now that plan is formally adopted and owned by the Parish we have to act in line with those policies as opposed to making decisions purely on personal and collective opinions.

INVESTMENT

The most professional response would be crafted by an industry expert. To engage one would incur expense. Our proposal to Newhall Parish is to consider (not finally approve) sharing the cost with Wrenbury Parish. This would be done from our NNP war chest left surplus due to the Covid 19 impact upon planned public events.

ACTIONS

Therefore two asks for our Parish meeting;

1. To object and to do so jointly with Wrenbury
2. To consider funding professional advice – and approve a group to make the final decision on that once requirements are confirmed with

For further context I have included commentary from other personal analysis as follows: Objection to GH Planning Application 20/4181

I object in the strongest possible terms to this planning application for the following reasons :-

1. This company is already the cause of many complaints from local residents since 2008 concerning noise, paint fumes and operating on Bank Holidays, and, from 2012 onwards, dust contamination from the concrete panel production, which started in that year.
2. This company has a terrible track record of non-compliance with planning conditions and therefore any planning conditions imposed to protect local residents will be ignored.
3. In Section 19 of the application GH states the proposed hours of operation are 0600 to 1900 Monday to Friday and 0600 to 1300 Saturday. This proposal sites the new batching plant closer than ever to residential properties. This is totally unacceptable in a residential area with properties so close to the site and is typical of the attitude of this company to the local community and the detrimental affect its operations have on residents.
4. In Section 20 of the application GH describes the process, the last two sentences state, "The whole process is designed to be enclosed from delivery through to end product in order to keep dust emissions to a minimum. All by product is recycled back into the mixing process so there is no waste produced". Both sentences are completely untrue. The whole process is not totally enclosed, the cement from the silo is the only enclosed bit, the sand and aggregate are loaded using mechanical diggers and the dust produced is enormous on a dry day and is wind borne off the site and also residue leaves the site on vehicle wheels on wet days. It is totally untrue to say that all by product is recycled, the main by product, apart from the dust, is the concrete residue in the cement trucks which are used to convey the mix to the pouring beds. This is removed from the vehicles using jack hammers, which is an extremely noisy process, and it is then stored in a bunker where it produces enormous clouds of dust on windy days and settles on our properties, and if it is on our properties it must also be in our lungs. The application does not include any reference to a dust management process.
5. In Section 21 of the application GH states that there are no hazardous substances used or stored. Cement powder is a hazardous substance, it is an irritant and a carcinogenic.
6. The application makes no reference to noise levels of the proposed new batching plant and there is no noise assessment. The existing batching plant and pouring beds are constantly being the subject of noise complaints from local residents.
7. The Design and Access Statement also contains misleading and untrue statements. See below.
8. Paragraph 2.10 states that Concrete Panel Systems have been producing pre-cast concrete products at their site at Wrenbury for almost 10 years, it is actually only 8 years. The original silo and batching plant were replaced in April 2015, photos available. There is no reference to removing the existing silo, aggregate bays and batching plant.
The new batching plant stands 10m high and has 2 vehicle bays, so the chance of South Cheshire Ready Mix being resurrected is a real threat.
Co incorporated Feb 2009 regardless of when they began production here - operating at Barthomley without planning permission before that.
There was an on site meeting 21st Sept to discuss the wall, water tank and aggregate bays that were already in place.
9. Paragraph 3.50 is also not true, the Appeals Officer did not agree to what has actually been constructed on the site, the main planning principals concerning concrete production were not agreed because the application did not include the use of pouring beds and no noise and vibration report was produced to reflect their use. The appeal decision also included conditions which are regularly breached.
10. Paragraph 4.20 states that a further 10 jobs will be created but the actual planning application states only 7 new jobs, which includes 2 part time jobs, will be created.
11. Paragraph 5.10 gives a much more accurate description of the production process and reflects my comments in my Paragraph 4 above.
12. Paragraph 7.20 the 3 meter high acoustic barrier does not work, come and have a listen. Quoting the dBA of the batching plant is all well and good, however, what isn't quoted is the noise of the mechanical diggers, HGVs and forklift trucks associated with the operation. A proper independent noise assessment is required before any decision can be made, not one provided by the applicant!

On the prop., P. Schofield, sec., Ms R. Spalding to was be a majority of 5 Object, 1 Not Object, 2 Declare and interest and therefore no vote that the Parish Council should object for the following reasons;-

1. Air pollution – a huge problem to health and businesses
2. Noise – increased production noise for extended hours and days in the week
3. HGV movements – noise, increased damage to roads, high risk to pedestrians
4. Road safety – vehicular and pedestrian

5. Employment - existing businesses moving away as a consequence of this plan being approved just as Ambit was when the original plans were approved.
6. Detrimental to the local economy and service industry as fewer employees equates to less spent in the area. Equally this rural area will see a fall in property values and tourism – including that associated with the CEC cycle route – will reduce due to increased HGV risk.
7. It is also important to reflect that Heath has started construction and the site is almost ready to commence production without planning permission. Indeed the application was only made after a Planning Officer visited recently.

R. Hibbert to restructure some of the above points adding more weight to the most salient areas.

c. Clerk reported that the following application – revised, has been brought to his attention by Clr Bailey

Application No: **20/2808N**

Proposal: **Prior approval for change of use from agricultural building to indoor sport training facility.**

Location: **Moorhall, Dodds Green Lane, ASTON, Aston, CW5 8DP**

E. Forshaw declared and interest in this item.

Objections sent to the Parish Council have been received as follows:-

Peter Driver:- I see that the applicants have recently submitted a supporting statement for this application which I feel the Parish council should be made aware of as well as the opinions of the local residents.

I fail to see anything in its content that in anyway supports the original application.

Yes, the current situation (namely C19 epidemic) has significantly effected many of us and this is a time when all neighbours should do their utmost to support each other.

However Moorhall Farm is as the name suggests an agricultural establishment not a sports & leisure establishment.

Dodds Green Lane is already a much overused country lane, recent years have seen a dramatic increase in both the size & frequency of vehicles using it, resulting in the erosion of the verges, damage to the road surfaces & drains not to mention the hazard these vehicles present to pedestrians & horses using the lane. There is no pavement or street lighting to help with safety. Not to mention the disturbance to the peace & quiet of the area

The envisaged increase of traffic, namely at least 80+ vehicles movements per day in addition to the current traffic levels is an unacceptable risk.

The current usage of the outbuildings, namely storage of marquee equipment, vehicles & now the proposed opening of a leisure sports facility are much better to suited nearer to centres of population or brownfield sites both of which exist in the neighbouring centres of Whitchurch, Nantwich & Crewe

In closing I trust that this matter is raised in the forthcoming council meeting & the feelings & opinions of local residents made clear not just brushed to one side as a NIMBY attitude.

Tim Robinson:- this is a very difficult time for everybody, we are All significantly effected, and the local residents want to help and support a local business, but it would be unfair to ask residents to burden the load with, loss of rural quality of life, higher traffic volumes, reduced safety, industrialisation of historical farm buildings etc

Dodd Green Lane is unsuitable for business attracting further footfall or business traffic

There are already business on the small lanes that have significant traffic. Salesbrook Farm traffic, HJ Lea Oakes Aston Mill , Lord Grantchester Estates Farm traffic, Horses and Ponys from local stables, the Farrier at Salesbrook Smithy Forge, the Steel fabricators at Salesbrook Smithy and the Dance Academy.

The supporting statement clearly states significant increases in traffic due to a new business. This proposal is on a single carriageway country lane "Dodds Green Lane" (A small lane with no pedestrian paths) (these lanes are often used by horses, local residents and walkers)

(New traffic will come from all directions not just from A530 onto Dodds Green Lane) (Assumptions on sports users being grouped together on buses cannot be taken for granted / sustainable)

The highways authority should be consulted on such a business proposal which expects to change planning permission from "Farming" on a country lane to "Leisure sports centre" with engaging sports traffic, schools traffic, children, and the public in general.

Community wise: Local councillors and planners are clearly aware good sports and leisure facilities are available in both Nantwich and Whitchurch, both are able to provide high standard sports cricket practice services, similar to what has been described in the application (if there is demand shown)

We should all note: The facilities in Nantwich and Whitchurch have all the services expected/ required when dealing with children and the general public, such as good highways, pathways, car parks, safety systems, changing rooms, hygiene and washing facilities, drinks and food services.

(Nantwich and Whitchurch local sports facilities also have employees who are keen to maintain their employment at this troubled time)

Supporting comments from applicant:- The Clerk has received the following points from the applicant to outline their plans and to alleviate concerns raised re the application

- Existing Barn to be refurbished into an indoor, insulated, lit and heated space.
- It will create new and protect existing local jobs firstly in the development and then day to day running of the facility.
- When complete the main use is one to one cricket training.
- 'In term' time safe indoor space available for local primary schools where they can hire the hall and / or with our expert coaches if required.
- Required Access for average 5 cars per hour plus 4 minibus trips per day.
- Low carbon footprint. Repurposed barn heated by Ground source and powered by Solar.
- Create new space to promote active lifestyle, improve the standard of local sport and bring the community together.

After much discussion, on the prop., J. Batho, sec., R. Hibbert it was agreed by a majority of 6 for and 1 against that the Clerk should write to the Planning Officer to raise the following points;-

- Highways should give a full appraisal of the access road and consider whether that, and the junction to the A530, are suitable for the extra traffic that will be generated.
- Access to the site, if permission is granted, should be only from A530 and should be added a condition.
- The Parish Council ask for assurance that the potential conversion of the barn does not alter the classification of the site.

d. Clerk reported from:- Julia Cooper, Planning Assistant, Cheshire East Council

Your Parish Council will be due a sum of the neighbourhood portion of Community Infrastructure Levy (CIL) monies collected in relation to development that has commenced within your parish between 01 April 2020 and 30 September 2020.

In order that payment can be made to you, please could you advise me of the following:

Newhall Parish Council's bank account details:- sort code, full bank branch address, account number, name of account to be credited, and

The full correspondence address of Newhall Parish Council.

Further information regarding this payment and how you may spend the money can be found in the spending pages of the [CIL Government Guidance](#) .

Should you have any queries relating to this matter please do not hesitate to contact me either.

IV Neighbourhood Plan: R. Hibbert reported that the stalwart group are keeping things ticking over in these difficult times

9. Police Matters: J. Batho reported that it is not currently possible to hold meetings but he is in regular contact with the local Officer.

10. Next meeting of the Parish Council – December

Meeting Closed