

**MINUTES OF THE ASHTON HAYES and HORTON-cum-PEEL
EXTRA-ORDINARY PARISH COUNCIL MEETING
Monday 26th September 2016 at 7pm.
In The Parish Room, West End, Ashton Hayes.**

PRESENT

Cllr Jane Colville - Chair

Cllr Lisa Allman (Joined 7.15pm)

Cllr Richard Kinsey

Cllr Eleanor Johnson - CWAC

Cllr Ian Dossett

Cllr David Rounthwaite

Cllr Dave Lee

Members of the public: 5

Clerk: Kirsty Lowe

1. APOLOGIES FOR ABSENCE.

Cllr S Davenport – Illness

Cllr N Deynem – Illness

Cllr David Wilson – Away

The Chair thanked Councillors for attending an extra meeting in September.

2. DECLARATION OF INTERESTS.

Cllr D Lee declared an interest in the Ashton House Nursery Planning Application 16/03038/FUL on account of his two daughters being employees of the nursery.

3. ACCEPTANCE OF MINUTES.

It was RESOLVED unanimously to accept the minutes of the meeting 12th September 2016 as a true and accurate record.

4. PLANNING.

- 16/03038/FUL Land at Ashton House Nursery, Church Road, Ashton Hayes. The provision of additional car parking and landscaping in association with existing children's nursery.

The nursery planning application was discussed at length. The applicant Mr Jack Sheppard and his agent were present at the meeting and were invited to answer questions during the discussion.

The Chairperson had collated comments from the local community, the police, the highways officer and members of the Parish Council who had observed the trial period when cars had been allowed to park in the field to test the hypothesis that this would improve safety on Church Road.

It was RESOLVED unanimously to submit the following comments to the Planning Department at Cheshire West and Chester Council

Comments in respect of Ashton House Nursery

16/03038/FUL

Provision of additional car parking and landscaping in association with existing children's nursery

The Parish Council held an extraordinary meeting on Monday 26th September in order to consider the most recent planning application for Ashton House nursery. It is the third time that a planning application of this nature has been put forward by the nursery and both previous applications have been withdrawn by the applicant. This third application differs from the previous two in that it relates to car parking and landscaping only and no additional buildings or an increase of numbers.

A lengthy discussion of the application took place including the discussion on the outcomes of a trial use of the field for staff parking which had taken place and which lasted for 6 working days. It is noted that this application is very contentious in the Ashton Hayes community and the main concerns relate to:

- A dangerous traffic situation currently on Church Road
- Number of parking spaces needed to accommodate staff and parents safely
- A previously anticipated risk of increased traffic on Pentre Lane, Duck Lane and Kelsall Road
- The use of presently undeveloped greenbelt
- That there could be other options that the nursery manager could seriously consider regarding solutions to the current parking and traffic problem.

It was noted that during the trial that there seemed to be a considerable improvement as far as the Church Road traffic problems during peak times were concerned. It is questionable as to why the application is for space for 30 staff cars when a maximum of only 24 were noted in the field at any one time during the trial. The local Police Officer and the Highways Department Cheshire West and Chester were both aware of the trial as were local residents.

In respect of the existing car park off Church Road information was received that from the observations conducted over the 6 days by various people there was one occasion when the numbers of those using the car park reached 20. The rest of the time, even at peak times, the car park was being used by a lesser number of parents dropping off and collecting their children.

The Parish Council were concerned that the numbers of spaces required for parking by both staff and parents was overstated and that the current demand could have been accommodated had the applicant been prepared to seriously consider extending the existing car park rather than moving into what is green belt land.

The Parish Council express regret that the applicant at no stage seems to have been willing to seriously consider other potential options. On the basis of needing to make a decision between road safety, (there is undoubtedly potential for a major incident with the present situation) and the use of green belt land. They reluctantly support the application put forward this time as it seems to be the only option on the table which addresses the safety issues. The Parish Council would however, have favoured further exploration into alternative options and also much clearer data on numbers of car parking spaces required than has been offered.

The Proprietor of the nursery and his agent sought to reassure the Parish Council and members of the public present that this proposed scheme is purely to assuage the current impact of traffic congestion on Church Road created by the present numbers in attendance at

the nursery and is not a means to further increase the numbers at the nursery and any further encroachment on greenbelt in the village.

Following the information gathered and the observations from the trial, the view of the Parish Council was to reluctantly support the application but on a conditional basis with the agreed and requested conditions as follows:

1. That the present entrance to the existing car park be widened and the hedging trimmed back to allow for greater visibility to allow for better visibility and use by two cars at the same time. Although it is technically considered by some that the present entrance allows for two cars, in practice this seems to be extremely tight and in itself causes delays particularly when two large cars attempt to pass one another.
2. That the new car park, situated in greenbelt be subject to limits that are enforceable by the planning department:
 - a. That it be for staff car parking only
 - b. That the number of spaces not exceed 30
 - c. That the new car park is to deal with the present capacity and numbers of children at the nursery and not related to any future applications to further develop this area of greenbelt land.
3. That the new car park is fully screened and that the screening consists of native hedging that is of an appropriate height consistent with the village character and in line with guidance from the emergent Neighbourhood Plan
4. That the lighting is not visible to neighbours and that any lighting in the car park or on the new footpaths reflects downwards
5. That any alterations installed on greenbelt land have the potential to be removed should circumstances at the nursery change. This includes the surfacing of the car park and the footpaths and the lighting.
6. That adequate drainage is in place and that drainage onto Pentre Lane is evaluated, particularly the run-off from the field and the drainage capacity of materials used for the development of the car park. It is suggested that drainage to a watercourse be preferable to a soak away solution due to the land being clay based.
7. The Parish Council were concerned that they have reassurances from the Highways Department at CWAC to the inclusion of Pentre Lane onto the gritting and snow plough route during the winter season in adverse weather conditions.
8. That the road surface on Pentre Lane be examined by the Highways Department and if necessary upgraded to ensure the safety of increased number of cars accessing daily.

The Parish Council support the application only on condition that ALL the above considerations are met. If that is not possible then they would not support the application owing to the serious concerns expressed by them and by many in the community regarding encroachment on greenbelt land and the reluctance of the applicant to seriously consider all alternative options.

- Delamere Forest Application 16/03550/FUL

Re-organisation of the existing visitor hub facility to provide a replacement visitor centre; new parking; change of use of existing cafe and bike hire building to offices; change of use of existing workshop to bike hire building; landscaping; improved internal access roads and

signage/barriers; natural play areas; a bike storage compound; a bike skills area; new and improved pedestrian/bike/multi-user trails; off-site road and footpath improvements; a new health and wellbeing fitness play and interpretation trail; and the erection of 67 timber holiday cabins with associated infrastructure.

It was noted that a very similar application had been turned down at the Court of Appeal in 2015. It was further noticed that there had been a change in response from the Forestry Commission and that the current application if approved would not see ground rents from the holiday park ring fenced for development of the local area. One Councillor expressed his support for the application on the basis that increased trade would support local businesses and that there would be additional jobs provided.

Councillor David Rounthwaite proposed that the Parish Council OBJECT to the planning application and this was seconded by Councillor Ian Dossett, there were 4 votes in support of placing an objection to the application with planning and one against.

It was RESOLVED to submit the following comments to the Planning Department:

Ref: 16/03550/FUL – Delamere Forest - objection to planning application

This is a response from Ashton Hayes and Horton cum Peel Parish Council to the latest application submitted to the Council by Forest Holidays and the Forestry Commission.

The Parish Council discussed this application and whilst there were different views expressed, a majority view and subsequent vote was that the application not be supported for the following reasons.

It was felt that the position which the Parish Council had taken in 2013 [see below] at the time of the last application remained valid and that little if anything had changed which would to alter that position. Indeed there was concern expressed about the fact that it appeared from the latest application that if approval was given to this then the potential for the local area benefitting financially was more precarious than it had been before. For those individuals who have always been torn between the advantages of there being the prospect of more local employment, more local trade and an improved Visitors Centre against all the disadvantages of developing on a significant area of a site of natural beauty this is disappointing.

In addition to the position the Parish Council had taken in 2013[see below] being upheld the Parish Council are mindful and supportive of the detailed comments and arguments made by Manley Parish Council in respect of this latest application and would wish it to be noted that they support the views expressed by Manley Parish Council .

Comment submitted date: Sun 28 Jul 2013

The Ashton Hayes Parish Council have considered the application carefully being conscious that the development if approved would have significant impact of various kinds on the local community. The most obvious concerns for the Parish Council is the increased traffic which would undoubtedly arise from vehicles travelling through the village from the A54 en route to and from the lodges/ holiday accommodation. Traffic using this existing road already creates major concerns for those living in and around the village as vehicles speed through

the village despite there being speed limits and slow signs and the occasional use of speed cameras by the Police.

We would therefore expect that as part of the Section 106 negotiations and agreements a series of appropriate traffic calming measures would be put in place on the affected route which includes Ashton Hayes village .i.e. the approach road to it from the A 54 Junction , the road through the village itself and the exit road heading out towards Delamere Forest . The Parish Council are very concerned about the plan to build an entirely new road off Ashton Road and within the forest so that those arriving or leaving can access or exit the lodges taking a long scenic route in order to achieve what has been quoted as being a `forest experience` .This seems to the Parish Council to be a good example of sacrificing nature and the environment for something cosmetic and superficial and it is alarming that this significant aspect of the proposal hasn't been addressed and modified already through the process.

The Parish Council have been able to see that the development proposal might have had some long term benefits for those living and working in the locality including additional employment for local people including the young , additional custom for local businesses and the protection of the remainder of the forest in the longer term by ensuring its economic survival.

I am afraid however that that such positive views have been marred by a number of serious doubts and concerns now emerging thorough the plan detail about its robustness and value. The plans are judged as being seriously flawed in several key areas some of which have already been referenced above and certain of which we believe are material planning considerations which should be taken full account of and are set out in what follows ;

The absence of an environmental survey ;the plans actually state that this would not appear to be necessary but given the fact that the proposal if approved will see very significant areas of the forest lost in favour of the lodge development , a new road development and a new Visitors centre we cannot see that this omission can be justified on any grounds. We would assume that the Planning Officers would agree with the necessity of an environmental impact assessment being carried out and the outcomes considered seriously.

The absence of any credible argument justifying why it would be necessary to develop a new stretch of road for traffic through the Forest in order for holiday makers to access and exit the lodges when there are existing roads and routes close to the lodge site which might be used to minimise disturbance to the remainder of that forest area..

The failure of the proposals to demonstrate how as a result of the development the forest will become economically sustainable in the future which after all for most people would be the only reason for them to accept such a proposal . Outside of the plans themselves we understand that the Forestry Commission will obtain a per annum amount for renting the whole lodge site amounting to just over £300,000 p.a. This would seem to be a ridiculously low amount when one consider that the rental for each of the 78 lodges must average at least £100 per night and in truth probably more and that at what has been quoted as being 95% occupancy through the year gives an annual return of an estimated and basic £ 2.5 million plus.

There is no clarity about how or when the replacement Visitors Centre will be developed and

the absence of any such firm commitments creates severe doubts as to whether this proposal is anything more than an empty promise, a sop and something to placate potential objectors.

The plans as seen in respect of the design and materials to be used for the lodges provide no indication that they will be built in such a way as to provide a high level of energy efficiency or rely on sources of renewable energy. One would have expected such a focus and commitment given that the scheme if approved is to be built in a forest and also is located so close to Ashton Hayes which is well known for its efforts to become more energy aware and efficient.

Turning to that important matter of Planning Policy and Regulation we would be concerned that the Cheshire West and Chester Planning Officers and elected Members consider carefully whether the plans as presented are consistent with the National Planning Policy Framework or with the existing Local Plan.

- We would contend that the proposals as they stand do not fit with the NPPF [National Planning Policy Framework] core aim which is to presume in favour of Sustainable Development. In this case it is impossible to see how this might fit at all given the environmental impact, the impact on the whole range of people currently regularly using the whole forest and the reliance those staying in the development will have on private cars and vehicles during their stay.

- The scale of the proposed development means that the openness of the Greenbelt on which the lodges would be sited will be harmed. Delamere Forest is listed as an area of 'Special County Value' under Policy NE 11 and we would contend that this development would not conserve or enhance this area of the forest. Whilst Policy RT 24 in referring specifically to Delamere Forest does accept that 'low intensity developments' will be allowed, the proposal for 67 lodges could not in any way be described as being a 'low intensity development'.

- The financial detail and evidence necessary to justify how the Lodges will 'enable' the development of the new Visitors Centre is not at all transparent or clear and what figures have been referred to lead one to question strongly whether the new Visitors Centre would ever be built at all. Arguably it should be built first, prior to the Lodges and if the approval were given it should surely be conditional on the Visitors Centre being built. The Section 106 agreement which would cover this would also need to include the other schemes including traffic calming measures through our village and its surrounds.

- Within the application it is not possible to identify options which have been considered within the Design and Access statement either in respect of the siting of the lodges or the number proposed.

- The choice of site for the lodges within the Forest seems to have been linked to the planned intention of the Forestry Commission to fell trees in that area in 2022. This seems to be a fairly random approach and it overlooks the fact that the Forest is felled and replanted on a cyclic basis. Indeed we would expect that area to be replanted as forest after the 2022 felling in line with its national listing as deciduous woodland.

- We would argue that the development proposed could not be described as a 'low intensity

`development` which could then be considered within a conservation area

- We understand that neither the Design and Access Statements nor the Landscape and Visual Impact Assessment are written in a way that conforms to relevant guidelines .
- There is no specific assessment regarding the night time impact of the lodges, the Visitors Centre or any necessary infrastructure on the wildlife and residents of the area.
- There has been little or no consideration given to date to those living close to either site or to the current groups of regular users of the Forest.
- There seems to be no means through which the income generated through the scheme will be used exclusively in the local area including provision of the replacement Visitors Centre
- There seems to be a disregard for certain policy requirements including NE6[the protection of wildlife corridors and `Green wedges` , NE11[an area with special County Value , RT24[Low Intensity Developments] and E10 [Developments for employment in Greenbelt unless a listed site]

These constitute the main concerns held by members of Ashton Hayes Parish Council who determined that for these reasons they should oppose the application . As referenced earlier in the response though they were recognising of the potential benefits such a scheme might have for young unemployed people in the area were these significant concerns to be addressed and permission granted.

5. FEEDBACK FOR LOCAL PLAN PART 2

Cllrs discussed the Local Plan Part 2 with due reference to the emergent Neighbourhood Plan. It was felt by Councillors that the section headed, "Creation of a new green infrastructure should not have the words 'required' to install solar energy and that this should be softened to 'insofar as reasonably practicable'

The Meeting Closed at 9.10pm

The next meeting takes place 10th October 2016.

Signed:..... Dated:.....