

ASHTON HAYES and HORTON-cum-PEEL PARISH COUNCIL MEETING

Monday 12th September 2016 at 7.30pm.
In The Parish Room, West End, Ashton Hayes.

MINUTES

Present: Cllr J Colville – Chairperson
Cllr B Craven
Cllr I Dosset
Cllr R Kinsey
Cllr D Wilson
Cllr L Allman (joined the meeting later)

Clerk Kirsty Lowe
Members of the public: 5

1. APOLOGIES FOR ABSENCE

Cllr Dave Lee – Unwell
Cllr N Deynem
Cllr D Rounthwaite

2. DECLARATION OF INTERESTS.

Cllr Lisa Allman declared an interest in item 6, the Golden Lion planning application as Chairman of the Village shop committee
Cllr David Wilson declared an interest in item 6, the Golden Lion planning application as a member of the Pub Action Group.
Both Cllrs requested a dispensation in writing prior to the meeting via the Clerk.
It was RESOLVED unanimously to accept the request for dispensation.

3. ACCEPTANCE OF MINUTES.

It was RESOLVED unanimously to accept the minutes of the meeting held on 11th July as a true record. Two small type errors were corrected and signed by the Chair

4. PUBLIC PARTICIPATION.

- Planning applications

For both the Golden Lion and the Land adjacent to Spindleberry Cottage were raised – it was agreed that these would be covered under item 6 planning applications.

- Millenium Footpath

It has been raised by a member of the public that the area that an area on the Millenium Footpath had been subject to drainage works and that this had exposed soft earth which was now causing water to pool and may present a safety hazard to children playing. The Parish Council agreed to look into the cost of fencing the area.

- Horse Signs

Cllr Kinsey and Cllr Dossett had been to look at the new hazard signs for horses and concluded that the signs were in the wrong place. The Parish Council will contact Highways to ask them to move the signs.

- Pot holes

Were noted on Duck Lane, Kelsall Road and Shay Lane, the Parish Council will report them to Cheshire West and Chester

- Dog dirt

Dog dirt being tied to a fence in plastic bags has become a problem near the village Scout hut towards Peel Hall. A note will be put in Around Ashton regarding this matter

- Diversion road sign

A sign has been left behind on the corner of Delamere Road and it was thought that this would be confusing to drivers. The Parish Council will alert highways and ask them to collect it.

5. ACCOUNTS

It was RESOLVED unanimously to accept the Cash Book to date.

Cllr Wilson asked a question regarding the July bank reconciliation, the Clerk will investigate.

It was RESOLVED unanimously to accept the External Auditors report. The Chair thanked the Clerk for her work on the audit.

6. PLANNING.

Minor updates were made to the Planning Register regarding 1 Peel Hall Park and 2 Peel Hall Park. It was then RESOLVED unanimously to accept the Planning Register.

The following planning applications were discussed and comments made:

- i) 16/01476/FUL - Horton House

Cllrs Colville and Dossett had visited the applicants. The buildings seem to be appropriate for conversion and will improve a present eye-sore.

It was RESOLVED to respond to CWAC in support of this application.

Cllr Allman joined the meeting at 8.05pm

- ii) 16/03176/FUL – Land Adjacent to Spindleberry Cottage

Concerns were raised relating to an Ash Tree at the rear of the property, it is healthy but requires crowning and trimming. The closest neighbour have expressed a wish to not have the tree removed. A concern was expressed that the dimensions of the proposed dwelling are not clear on the plans and it looks as though the plans may exceed the current footprint. The neighbours have also queried the possible inclusion of a balcony on the plans for the dwelling, the neighbours strongly object to a balcony. Questions were raised about the environmental impact of the plans being submitted. It was discussed that the removal of the hedge and proposal to replace with a copper beech hedge was out of keeping with other properties along the road and not suitable in a conservation area. Concerns were raised about the exact location of the vehicular access, in particular whether this would be directly opposite the neighbours driveway opposite on what is a narrow lane. Neighbours from The Ranch House raised the issue of loss of privacy as their property is a single storey dwelling and the large upstairs windows overlook directly. The question was raised as to whether obscured glass will be used.

Cllr Allman has previously visited the applicant and sought views from the neighbours, her collated comments will be used as the basis of a response from Cheshire West and Chester on the basis that the Parish Council cannot support this application until further clarity is obtained.

- iii) 16/03176/FUL – The Golden Lion

The Chair noted that as a result of Public concern in the village a public meeting had been held Friday 9th September at the school. The following information

had been collated by the Chair based on public concern and the responses from Councillors so far.

Consultation with the community by the Parish Council over this planning application has taken the form of ensuring that local residents have had access to the plans and paperwork, through a display of these in a public location on 4 separate occasions, prior to a public meeting being held to which the applicant and his team were invited and attended. Over 112 local residents attended this meeting held on Friday 9 September, and they and members of the Parish Council were able to express their issues and gain a better understanding of the proposals. In addition the Parish Council has been able to consider the views being expressed by many of the residents of the parish and others with a connection to the community. These views are displayed on the CWaC planning webpages.

The comments of the Parish Council are as follows;

1. Current status of site

The whole site is listed as an asset of community value and at no point since this listing in 2013 has the Council [CWaC] had occasion to inform the Parish Council that the property was being placed on the market.

Any conversion of the site from a public house to residential use would constitute a change of use. It is our understanding that the Council would require that it is marketed for a significant period of time in order to test the theory that it is not saleable in the form as a pub.

The site is in a conservation area.

2. Design aspects

a] Major safety issues arising from proposed parking arrangements and in particular the access and exit for the unit [3] to the rear of pub and very close to the sharp blind bend by the pub.

b] A further safety issue arises from the proposal to create what appears to be a very narrow footpath from houses [1 and 2] at the other end of the site through to what is a proposed new access.

c] Inadequate parking for the houses 4 and 5 where the assumption seems to be that they will park on an area to the front of the pub. This area is outside of the boundaries of the pub and has been used by the public for many years to obtain access to the Post Office and Community Shop on Kelsall Road

d] Levels of the proposed two houses[1 and 2] located at the far end of the site remain high, overbearing and out of character with the rest of the nearby area, just as they were when the initial application was submitted and refused in 2012. Despite these units having been set back slightly they would as before tower above the adjacent bungalow and would be very visible and oppressive to those living there, to those living in the cottages opposite the site in Church Road together with the person whose garden is to the rear of these units and who would be overlooked by these houses. There is no suggestion in the plans submitted that there would be any excavation of the area undertaken to lower the existing ground level so that both houses would be less prominent and high.

3. Impact on community

a] The closure of the pub for close to 4 years has been the single most referenced issue during consultations for the Neighbourhood Plan. The level of concern and interest which exists locally is evidenced by the number of responses which have been made by members of the public to the application and from the numbers of people who attended the public meeting.

b] The Golden Lion is located in the heart of an attractive old Cheshire village which is well placed to receive the attention of tourists including cyclists, walkers, campers etc. It is very close to Delamere Forest and Manley Mere in addition to Chester and has the potential to attract good trade from these groups. Such trade can only further benefit the community including the local shop and play area plus the growing number of bed and breakfast and holiday let businesses in the vicinity.

c] Having a pub which is open and thriving gives those considering purchasing properties or establishing small businesses locally a confidence and further reason to do so. This then impacts in a positive way on the sustainability of the village as it ensures a healthy mix of age groups and it increases the viability of the school and local businesses that operate from the village.

4. The planning application in the context of the National Planning Policy Framework, the Local Plan, the Neighbourhood Plan and consideration of material considerations

A] **The National Planning Policy Framework** requires Councils to plan positively for the provision and use of community facilities (*including public houses*) to enhance the sustainability of communities and residential environments, and guard against the unnecessary loss of valued facilities, particularly where this would reduce the community's ability to meet its day-to-day needs. **This application runs counter to that requirement since it would involve the loss of such a community facility and thereby reduce the sustainability of the community.**

b] **Retained Policy CU1** of the Chester District Local Plan supports the retention of buildings which make an important contribution to the cultural, social, economic and street life of the (former) District.

This application if approved would remove community access to a building which in the past has made a strong contribution to the cultural, social and economic life of this community.

c] **Policy ECON2 of the CWAC Local Plan (Part 1)** reflects the requirements of the NPPF. Overall, the policy tests' broadly' translate to:

1. Whether the proposal would result in the loss of a facility of value to the community;
2. Whether the site is capable of having a continued viable use as a public house;
3. Whether there is a need for the type of residential accommodation proposed; and
4. Whether the proposal would provide a building of equivalent value.

It is the belief of the Parish Council that in respect of tests 1 and 2 both are applicable and in respect of test 3 the recent independent housing need surveys undertaken through the neighbourhood planning process have identified some limited, specific needs, none of which would be met by the housing proposed on this site. In respect of test 4 there would be no building of equivalent value obtained through the proposal given that the original property is a community facility.

d) Local Plan [Part 1] Some further extracts from existing policies and strategies which seem relevant to this application

Social policy SO8

Create stronger, safer and healthier communities by enabling access to leisure, recreational and community facilities and promoting walking and cycling. **The proposal is directly contra to this policy.**

Strat 1 Sustainable Development

Locate new housing, with good accessibility to existing or proposed local shops, community facilities and primary schools and with good connections to public transport. **Although this provides new housing in the centre of the village it adversely reduces the amenities for all the residents.**

Strat 2 Strategic Development

An appropriate level of development will also be brought forward in smaller rural settlements which have adequate services and facilities and access to public transport. These local service centres will be identified in the Local Plan (Part Two) Land Allocations and Detailed Policies Plan

Strat 8 Rural area

The retention of rural shops and community facilities, and the provision of new facilities at an appropriate scale to the settlement, will be supported.

To help support the rural economy and sustainable communities the retention and development of local services and community facilities, such as village halls and public houses will be supported.

e) Local Plan [Part 2]

This is being consulted upon currently with a finish date in late September. To deliver the levels of development outlined a number of key sites have been identified.

Ashton Hayes has been identified as one of these local service centres partly on the basis of it having a pub. This proposal therefore goes against the designation.

e) The recent planning application for the demolition of the Centurion Pub in Chester offers some useful insights to what is considered to be important in planning terms. The decision report from the appeal that was turned down in large part on the matter of harm done to the cultural and social wellbeing of the community would seem to have relevance in this case too.

4. Summary and conclusions

- A prime planning concern is the design of the proposed development and its inherent problems of being out of character with its surroundings and the significant safety issues associated with it.
- In addition the planning application would it is felt cause significant harm to the cultural and social well-being of the local community and its replacement by five houses would not be of equal value. Consequently, it would be contrary to saved policy CU 1 of the Local Plan and paragraph 7 of the Framework. Whilst saved policy CF 3 of the Local Plan permits the loss of existing community facilities, when compensatory facilities of equivalent community benefit are provided, this is only when it is proven that there is no longer a need for the existing facility in the foreseeable future. We cannot see that this has been established and therefore the proposal would also be contrary to saved policy CF 3 of the Local Plan and would also run contrary to the emerging Neighbourhood Plan which identifies the need for more meeting places for the community and flags up the loss of the pub as a serious and much commented on matter.

The Ashton Hayes and Horton cum Peel Parish Council are not supportive of this application

It was RESOLVED unanimously that the Parish Council objected to the planning application.

Cllr Johnson reported that this application had been 'Called In' and would go to Planning Board at CWAC unless it was first refused by an officer under delegated powers.

7. COMMUNITY LAND TRUST

This item was deferred until the October meeting

8. ANNUAL REPORT

It was agreed to accept the annual report with the inclusion of the financial figures confirmed by the audit.

9. NEIGHBOURHOOD PLAN

It was RESOLVED unanimously to accept the Neighbourhood Plan and submit to Cheshire West and Chester. The next step is for CWAC to review the plan for compliance and to appoint an independent examiner. The Chair thanked Cllr Dosset and all members of the NDP working group as well as all those who had contributed to date

The meeting closed at 9.15pm

The next meeting takes place 26th September 2016

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