

CHELFORD PARISH COUNCIL

MINUTES OF THE EXTRAORDINARY PARISH COUNCIL MEETING HELD

THURSDAY 16TH FEBRUARY, 2017 at 7:00 p.m.

at ASTLE COURT COMMUNITY CENTRE, ELMSTEAD ROAD, CHELFORD.

PRESENT - Councillors: D. Wilson (Chairman), K. Chaudhuri, J. Leach, B. Brindley, A. Boon.
Members of Public (0).
Dr. E. M. Maddock - Clerk & Responsible Financial Officer.

1. APOLOGIES FOR ABSENCE - Councillor E. Michell - Unwell.

Decision a) To receive and approve the apologies for absence as listed above.

No apologies were received from Councillor S. Hampson who was absent from the meeting.

2. DECLARATIONS OF INTEREST - None.

3. PUBLIC FORUM -

No questions had been received from or were presented by members of the public.

4. PLANTING OF TREE AT CHELFORD ACTIVITY PARK -

Councillor D. Wilson reported that further information had been received relating to the request by Chelford Brownies to plant a tree within the play area at Chelford Activity Park. The Clerk circulated a risk assessment prepared in respect of the information available, however, it was noted that the precise location of the tree was still not known. Members discussed the content of the risk assessment (Appendix A) and considered that it would not be appropriate to locate a tree within the play area. It was suggested that it may be possible to offer an alternative location within the Chelford Activity Park area subject to further clarification of the mature height and spread of the proposed tree and a further risk assessment of the overall amended proposal.

- 10/17 **Resolved a)** That permission to plant a tree, of any size, within the play area of the Chelford Activity Park be refused.
b) That the Clerk seek further information from the Brownie leader about the mature height and spread of the proposed tree.
c) That the Clerk advise the Brownie leader that the Parish Council is willing to consider an alternative location, within the Chelford Activity Park, for the planting of a tree.
d) That the Clerk prepare a risk assessment in respect of revised information forwarded by the Brownie leader.

Proposed Councillor A. Boon

Seconded Councillor B. Brindley

All in favour

5. DEVELOPMENT AT FORMER EDDIE STOBART LTD. SITE -

Proposals regarding the names of new roads to be created within the residential development -

The Clerk reported that proposed road names had been forwarded to Cheshire East Council by Jones Homes (North West) Limited based on cattle breeds with the link being to the nearby Cattle Market on Dixon Drive. The suggested names were: Chillingham Place, Jersey Place, Galloway Road, Highland Croft Close and Dexter Bank Way. Members considered these suggestions and noted that they did not reflect either the history of the site nor the suggestions which had previously been made available to Jones Homes (North West) Limited.

- Decision a)** That an objection be submitted to Cheshire East Council in respect of the suggested road names on the grounds that the names do not reflect the history of the site.
b) That Cheshire East Council be requested to consider the road names previously suggested to Jones Home (North West) Limited as alternatives.

6. PLANNING APPEAL -

16/4678M - Small ground floor extension with first floor extension over this and an existing single storey extension built in 1964 - Cherry Trees, 2 Knutsford Road, Chelford. SK11 9AS - Members noted the appeal, however, as no comments were submitted in respect of the original application it was not considered necessary to submit a response to the appeal process.

Decision a) No observations.

7. PLANNING APPLICATION -

17/0510M - Delivery of watersports and outdoor activity centre on the north and south lake of the former Mere Farm Quarry, including new vehicular access, car parking and multi use building - Former Mere Farm Quarry, Alderley Road, Chelford. - Councillor D. Wilson gave an overview of the background to this planning application and Members discussed the content of this new application at length.

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Resolved a) That an objection be raised on the grounds of concerns relating to:

- i) Impact upon traffic.
 - ii) The visual impact of the proposed development.
 - iii) Impact upon local economy.
 - iv) Potential noise pollution.
 - v) Impact upon wildlife.
 - vi) Potential nuisance.
 - vii) Long term sustainability of the proposed facility.
 - viii) Impact upon the Green Belt.
- b) That the response include suggested conditions to reduce the impact of the above concerns should the application be approved by Cheshire East Council.
- c) That the representations for submission to Cheshire East Council be prepared by Councillor D. Wilson and circulated to Members for approval prior to forwarding by the Clerk.
- d) That Councillor D. Wilson be nominated to speak on behalf of the Parish Council at the Strategic Planning Board when this application will be considered.

Proposed Councillor D. Wilson

Seconded Councillor B. Brindley

All in favour

The meeting was declared closed by the Chairman at 9:25p.m.

Signed:

Approval Date - 9th March, 2017

[Note: Copy of submitted representation attached to Minutes at Appendix B]

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APPENDIX A

RISK ASSESSMENT - 16th February, 2017 PROPOSED TREE PLANTING IN CHELFORD ACTIVITY PARK PLAY AREA

Proposal: Planting of tree within Chelford Activity Park Play Area to mark Thinking Day by Chelford Brownies.

Proposed Tree: Either: *Prunus subhirtella* "Autumnalis" [Winter Cherry] or *Prunus subhirtella* "Autumnalis Rosea".

Details of Tree: Deciduous.

Grows in moderately fertile, moist, well drained soil in full sun.

A small, spreading tree which bears flowers in mild periods from November to March.

Reaches height and spread of 8m (26ft).

Subject	Risk(s) Identified	Who is at risk?	Risk*	Management/Control of Risk
Specific location of proposed tree planting.	Specific location has not been identified by applicant, therefore, impact of proposal cannot be adequately assessed.	Parish Council.	H	<ul style="list-style-type: none"> Secure precise details of planting location. Assess impact upon nearby buildings, play equipment, landscaping features and ongoing maintenance prior to granting permission to plant.
Species of tree.	Height and spread of tree poses potential structural risk (above and below ground level) to buildings on adjoining land.	Landowners adjacent to play area.	H	<ul style="list-style-type: none"> Assess impact on nearby buildings, in respect of the spread of the tree. Verification of statement by applicant that roots "go out from the tree about a metre and then downwards".
	Potential risk to users of the play equipment by way of overhanging branches interfering with equipment and/or users.	Parish Council. Users of site.	H	<ul style="list-style-type: none"> Assess impact on play equipment (having regard to heights achieved by moving play equipment) and users of the site.
	Serious risk of obscuring sunlight from play equipment area which may adversely affect play equipment and usage.	Parish Council. Users of site.	H	<ul style="list-style-type: none"> Assess shade area created by 8m (26ft) tree canopy within play area and impact on usage.
Ownership of tree.	Future ownership of tree and liability has not been specified by applicant.	Parish Council.	H	<ul style="list-style-type: none"> Secure precise details of future ownership and liability prior to granting permission to plant.
Future maintenance.	Details of maintenance required have not been specified by applicant.	Parish Council. Users of site.	H	<ul style="list-style-type: none"> Secure details of future maintenance required.
Play Area Maintenance.	Specific location has not been identified by applicant, therefore, an assessment of impact on accessibility to site cannot be made.	Parish Council. Maintenance Contractors. Users of site.	H	<ul style="list-style-type: none"> Assess impact on accessibility to site by maintenance contractors & mowing/hedge cutting equipment. Assess impact on achievable quality of maintenance against benefits of provision of tree.
	Impact upon access for and ability to undertake future hedge cutting cannot be established as specific planting location is not currently known.		H	
Insurance.	Liability for damage and personal injury caused by the tree and possible free standing commemorative plaque.	Parish Council.	H	<ul style="list-style-type: none"> Assess possibilities of damage/personal injury scenarios and quantify impact upon Parish Council's public liability insurance cover.

*Combined probability/severity risk.

Recommendation: That the Parish Council offers an alternative site, outside of the children's play area, within the Activity Park.

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APPENDIX B

17/0510M - Delivery of watersports and outdoor activity centre on the north and south lake of the former mere farm quarry, including new vehicular access, car parking and multi use building - Former Mere Farm Quarry, Chelford Road/Alderley Road, Nether Alderley.

Recommendation

Having reviewed previous documentation from the applicant not included in this submission and considered the current application, Chelford Parish Council remains steadfast and consistent in its decision to object to the proposals. Therefore we urge that the previous decision to refuse this development be upheld.

Main Comments

1. In spite of the various measures proposed by the applicant, these do not in any way alter the fact that this proposed development is unsuitable and inappropriate for greenbelt land. There is no evidence to support the view that this development represents exceptional circumstances as defined by NPPF and in our view, a decision to agree to this development, will set an unwelcome precedent, particularly for the Chelford area. There is no element of brownfield or previously developed land to justify exceptional circumstances for the granting of permission on this land. As a matter of major principle, Chelford Parish Council wish to make it clear that any attempt to diminish the importance of the greenbelt will be rigorously challenged.
2. Cheshire East Council formerly agreed to a restoration programme, supported by Manchester Airport and the Quarry Liaison Committee and chaired by the Chelford Ward Councillor. That programme was designed to protect and promote conservation across the whole area in a balanced way and 'for the land to revert back to a mixture of agriculture, woodland, nature conservation habitat and a series of lakes with an element of public access through the existing public rights of way network' (p.16 14/1944W). The restoration is already underway and achieving positive results. Agreeing to these proposals will not only disrupt the restoration and its aims, but will represent considerable inconsistency in decision making by Cheshire East Council.
3. Previous evidence has confirmed that the site is of county wide importance in terms of bio diversity. The NPPF reminds councils to protect and enhance valued landscapes by minimizing impacts on bio diversity and to provide net gains where possible. Whilst we note that the applicant has now introduced various mitigation measures in an attempt to meet these requirements, we remain sceptical that these will produce the results claimed by the applicant. In doing so, we note the previous comments from the Council Ecology Officer—'I advise that the impacts of the proposed development on birds are difficult to fully mitigate or compensate for'.
4. Specifically, we note that the mitigation predictions postulated by the applicant appear to rest on hope rather than any substantive evidence. It is our view that where the effectiveness of mitigation is uncertain, evidence should be provided to explain current understanding of their effectiveness and the extent to which success can be guaranteed. Information from similar projects should be used to support statements about the level of success that can be expected.
5. There is no indication of the degree of effectiveness of each measure or the level of uncertainty associated with them. Nor is there specified criteria against which outcomes may be judged. Also, there is no consideration given to the time frame within which these measures are expected to work. More significantly, there is no clear strategy for monitoring the proposed measures to provide evidence on effectiveness and no plan B should these measures fail (other than for Airport requirements). Whilst it is stated that the measures will bring a net gain in biodiversity, this appears to be more a statement of compliance than any quantifiable assessment. Measures on their own do not 'demonstrate that the proposed development will retain and enhance the nature conservation of the site' unless there is clear evidence to support this assumed effectiveness. We are therefore of the view that there is a high degree of uncertainty associated with the proposed mitigation and therefore the probability of measures failing is sufficiently high enough for this application to be refused.
6. Some individual measures have vague outcomes and we question the reasoning behind closing the south lake between October and March when in fact the main breeding season is March until August. We suspect that this is a business decision given water temperatures during that period, but conveniently cloaked in the guise of mitigation.
7. These proposals will have a significant negative impact on the landscape, which outweighs any benefits. Irrespective of the various arguments and assessments put forward by the applicant, it is irrefutable that the openness of the land and visual amenity will be negatively affected by a large car park, buildings, pylons, cables,

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fencing and brightly coloured bird deflectors. Residents who live in the proximity of this development have expressed their strong objections to such impacts.

8. It is something of an irony, that having undertaken previous inadequate research; having misunderstood the role of restoration and having demonstrated reluctance over time to appreciate the fundamental ecological issues central to this application, including relevant legislation, the applicant now appears to be offering part justification for this development on ecological grounds.

‘... the continuation of a County value site is less certain without the development than with’. (p.22 Ecology Assessment)

This is indeed a surprising conclusion given the history of this application.

Additional Comments

Environmental Health

We note the objection from the Environment Agency regarding the proposed method of foul drainage, the concerns about lack of monitoring processes and the potential impact of lake water levels on drainage. Not only is the Parish Council seriously concerned about the potential health implications associated with these proposals, but such fundamental weaknesses in an application for water sport activities, does little to reassure us that appropriate rigour has been applied in drawing up these plans. This is not the first time that the question of sewage disposal has been raised. It is hard to square claims by the developer that this is a thoroughly researched application when confronted with such inadequate planning.

Travel

The previous traffic assessment, remains in our view, a confused piece of analysis built on questionable methodology. Consequently, our only conclusion is that this proposal will lead to increased traffic and pollution, which will impact negatively on local roads and the local environment. For a development, which it is claimed will generate demand from ‘huge numbers of local residents’ and beyond, it is somewhat difficult for us to understand how it will only ‘have minimal impacts on highways’.

The Travel Plan is a fanciful piece of analysis containing errors. We note that the railway station appears to move nearer to the development between pages 9 and 14 so that it meets the walking distance criteria. Also we note the reference to the Nat. West Bank, which does not exist. The reality is that people will use cars to access this proposed development given its location and this is because the site is difficult to access in most other ways.

We would add also, that a planning application should not be used simply as a means of introducing a revised speed limit on roads.

Economic Benefits

We have yet to see any convincing evidence to support the claims made by the applicant that this development will bring significant economic benefits. Whilst most of us could make similar assertions based on textbook reasoning, the applicant does little to provide substantive information. Consequently, this application relies more on marketing hype and exaggeration than genuine data. Information drawn from a sister site in East Fife, relatively close to the coast, with a different demography, geography and infrastructure is simply unconvincing and insufficient to support a business case. Chelford is not East Fife.

This development focuses on activities which have relatively low participation rates. Statistical surveys done in the last few years indicate that wakeboarding nationally, has a participation rate of about 0.6%-0.7% (this includes water skiing too) of all those engaged in watersport activities and this rate has remained relatively static. The regional distribution of wakeboarding shows that the North West has one of the lowest participation rates across the UK. It is therefore difficult to marry the statistics, with the claims made by the applicant that this development will bring visitors flocking from across the country, filling hotels and that it will act as an engine for local economic development.

Planning Statement

We note para. 4.5 on page 9 of the Planning Statement. We would respectfully remind the applicant that at the second meeting when the application was successful, that Committee had also changed some of its composition from the first meeting and not all members had visited the site. This appears to have been omitted in the Statement.

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Conclusion

Chelford Parish Council maintains its objection to this application. It is an inappropriate development for a greenbelt site, which is assessed as having county importance. Its negative impact on the bio diversity, the openness of the land and visual amenity, irrespective of mitigation, outweighs any proposed benefits. These proposals cannot be justified as an exceptional use of greenbelt land for activities, which have relatively low participation rates. There are sufficient sites for a wide range of water and non-water activities which are easily accessible by the population of Cheshire East and which already promote health and well being and allow participation across a broad spectrum of the population. We urge the Planning Committee to reject this application and protect the greenbelt from unwarranted development.