

SOUND & DISTRICT PARISH COUNCIL

Minutes of the Meeting of the above Council, held on Tuesday 17th December 2019
at Broomhall Chapel at 7.00 p.m.

Present: D. Tomlinson (Chairman), A.G. Lawrence (Clerk), P. Griffiths, Mrs E. Hollinshead, Mrs J.R. Park, R. Blackburn, F. Wright, L. Wright, M. Hartland, M. Wright Ms N. Watson, Ms H. Paterson, and 5 members of the public.

1. **Apologies:** R. Brassington, 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.
3. Co-option to vacancies Sound & District Parish Council
On the prop., D. Tomlinson, sec., Mrs J.R. Park
the following members of the public were co-opted to fill the vacancies as below
Austerson: one vacancy
Baddiley: Michael Hartland
Baddington: one vacancy
Broomhall: no vacancy
Coole Pilate: Heather Paterson
Sound: Nicola Watson
 - a. Declaration of Acceptance of Office: Declaration of Acceptance form was returned to the Clerk, and he will file these, display on website and send to Cheshire East Council
 - b. Code of Conduct for Members: Code of Conduct form have been distributed to all Parish Councillors, and they were advised that they must follow this Code at all times in relation to Parish Council business. By completing their Declaration of Acceptance form all Parish Councillors state that "I undertake to observe the code as to the conduct based on the Cheshire East Council Model" as per item 3 above.
 - c. Register of Members Interest: General Notice of Registrable Interest forms were returned to the Clerk, and he will file these, display on website and send to Cheshire East Council
 - d. GDPR: GDPR form was duly completed and given to Clerk for filing
4. **Minutes** of last Parish Council Meeting held on 9th October 2019 were unanimously confirmed as a true and correct record on the prop., of P. Griffiths, sec., Mrs J.R. Park with the note that the name of Heather Paterson was missed from item 3, as above.
5. **Matters arising:**
 - a. **Entrance and lighting from A530 to Amberon site:** email received from Ms N. Watson:-
"Have spoken to Amberon directly, & been informed that the lights to the premises actually belong to the landlord, & not to Amberon, who have no control over when they are switched on.

The manager of Amberon is already aware that there has been a problem in the past, with the light shining down the A530. The lights have subsequently been swivelled away from the road, to cause less distraction. They have only very recently been turned on again, as you know.

The proposal is to change those lights for much softer orange ones, which could not be mistaken for oncoming headlights, & should be much less distracting. He is going to speak to the landlord today, & request the change in colour. Other Amberon sites already use the orange lights.

I am hoping that this will solve the problem, & they will implement the change asap"
Letter also from D&R Jones, Bramble Cottage re this matter.
It was reported that the light has been changed to orange and turned from the road direction. It is however very visible still when approaching from Nantwich, but it is an improved situation.

- b. Concern over footpath adjacent to the A530 being overgrown, especially with nettles, which makes its use difficult. Clerk reported this Cheshire East and received the following reply from Roy Cook, Local Highway Officer | Cheshire East Highways
 "Leave this with me I will get the area inspected and arrange for the vegetation to be cut back".
 Reported that this work has been undertaken.
- c. Oakbarn Barn – it was reported that there has still been no planning application (retrospective) for some of this site, not enforcement action – Clerk to follow up with C. Wilshaw – Cheshire East.

6. Highway matters:

- a. Mickley Hall Lane – reported there are many problems on this stretch of road – Clerk to report
- b. 30MPH and speed derestriction signs have disappeared on A530 on approach to Nantwich – Clerk to report
- c. Flooding – the dreadful weather has acerbated this problem with flooding through many areas of the Parish. This is made worse by the drainage situation whereby landowners are responsible for the drain which exits the highway onto their property – often drains which are decades old.

7. Correspondence: Noted to members for their inspection and interest as follows:-

- a. **Cheshire East:** -
 - i. Community Governance Review
 - ii. Pre Budget Consultation Report 2020-2024
 - iii. Christmas & New Year 2019 – Homelessness Services Provision
- b. **Councillors:-**
 - i. Website: P. Griffiths raised about improving this. He agreed to report back to the next meeting with some ideas. He would then liaise with Rocketmedia.
- c. **Parishioners :-** none
- d. **Other**
 - i. Glasdon Guide to village signs etc
 - ii. Clerks and Councils Direct

8. Accounts

I. Income since last meeting:-

- | | | |
|----|------------|--------|
| 1. | VAT refund | £28.98 |
|----|------------|--------|

II. Accounts paid since last meeting – none

**III. Accounts to pay at this meeting
Parish Council**

- | | | |
|----|--|---------|
| 1. | Chq No 500053
Broomhall Chapel – Room Hire | £15.00 |
| 2. | Chq No 500054
A.G. Lawrence – Clerk Salary – Oct - Dec 2019 | £371.88 |
| 4. | Chq No 500055
HMRC – Oct - Dec 2019 | £93.00 |
| 5. | Chq No 500056
A.G. Lawrence – Clerk Expenses – Oct - Dec 2019 | £30.09 |

Neighbourhood Plan

- | | | |
|----|---|---------|
| 6. | Chq No 500057
Cheshire Community Action | £787.50 |
| 7. | Chq No 500058
RLH Print – Questionnaires | £300.00 |
| 8. | Chq No 500059 | |

The above accounts were unanimously approved for payment on the prop., D. Tomlinson, sec., P. Griffiths.

V. Precept 2020/21

An estimated budget for the Financial Year 2020/21 was presented to the Meeting by the Clerk/RFO as follows:-

Room Hire	150.00
Insurance	350.00
Annual Audit	00.00
Assoc of Parish Councils	320.00
Clerk Salary: National Assoc of Local Councils LC1/SPC16	1895.40
Clerk Expenses	590.00
Internal Audit	190.00
Website	<u>350.00</u>

Total £3845.40

These budgeted expenses were approved on the prop., D. Tomlinson sec., R. Blackburn.

Further - on the prop., D. Tomlinson, sec., R. Blackburn.

it was agreed to make the following donations, this was a unanimous decision.

1. Baddiley Church for Churchyard Maintenance
it was agreed to donate £100

2. Broomhall & Sound Methodist Church
it was agreed to donate £100

= £200

Therefore total estimated expenditure = £4045.40

Further, it was reported

1st December 2019 – Bank Balances = Current A/C £9267.96, Bus Reserve A/C £181.80 = total £9449.76

Represented by:

Parish Council Balance

1st December 2019 – Bank Balances = Current A/C £2052.96 Bus Reserve A/C £181.80 = total £2234.76

- u/c cheques

None

= cleared Bank Balance of **£2234.76**

Still to pay in this financial year (estimated):-

Broomhall Chapel	60.00
Clerks Salary	743.72
HMRC	186.00
Clerks Expenses	140.00
	= £1129.72

Therefore = c/f on 31st March 2020 approx. of £1105.04

This figure is approx. the same to the previous year due to the Parish Council Precepting for the approx., estimated budget given for 2019/20.

Neighbourhood Plan Balance

- u/c cheques

None

= cleared Bank Balance of **£7215**

Still to pay in this financial year (estimated):-

Cheshire Community Action	787.50
RLH Print – Questionnaires	300.00
Broomhall Chapel	330.00

= £1417.50

Therefore = c/f on 31st March 2020 approx. of £5797.50

(Also for information the Precept for the last year financial year had been £3700)

The Clerk declared an interest with respect to the Clerks Salary & Expenses and this was duly recorded. Clerks Salary @ LC1/SPC16 is equivalent grade within new grading structure and this will rise to SPC17 in subsequent years. Figures as National Joint Council for Local Govt Services new pay scales – was agreed on the prop., D. Tomlinson, sec, P. Griffiths.
– Minutes 18th December 2018 7/V

To summarise:- Sound & District Parish Council estimated in Bank (31/3/20) £1105.04 costs (2020/21) estimated @ £4045.40
= shortfall of **£2940.36**

In addition it was on the prop., P. Griffiths, sec., Mrs J.R. Park, agreed to allocation £130 towards Training Courses which Councillors may wish to attend.

Therefore = shortfall of £3070.36

Therefore on the prop., of Mrs J.R. Park, sec., P. Griffiths, to keep the balance approx. as of this year it was unanimously agreed that Sound & District Parish Council should Precept for £4000 for the Financial Year 2020/21

VI. Internal Audit: the Meeting on the prop., of R. Blackburn, sec., P. Griffiths, it was unanimously agreed to ask JDH Business Services to continue with this.

9. Planning Applications:

I. Applications received since last meeting :-

a.

Application No: **19/5225N**
Proposal: **Retrospective application for demolition of existing stables and erection of outbuilding forming garage and agricultural implement store**
Location: **Sandford Bank, SLAUGHTER HOUSE LANE, BROOMHALL, CW5 8BZ**
National Grid Ref: **362194 347148**

No representation

b.

Application No: **19/4519N**
Proposal: **Conversion and extension of existing building to dwelling**
Location: **Barn at Holly Bank, HEATLEY LANE, BROOMHALL, CW5 8BA**
National Grid Ref: **362718 347196**

No representation

c.

Application No: **19/2779N**

Proposal: **Change of use from agricultural land to equestrian/food production. New stable building, New garden store and new building to house an artisan gin making facility with the growing of botanical plants**

Location: **BARNCROFT, HEATLEY LANE, BROOMHALL, NANTWICH, CW5 8BA**

National Grid Ref: **362552 346716**

No representation

**d.
APPEAL**

Application No: **19/2813N**

Location: **Daisy Bank Farm, Mickley Hall Lane, BROOMHALL, Broomhall, Cheshire East, CW5 8AJ**

Proposal: **Erection of a single storey agricultural workers dwelling**

Previous comments will be submitted

II. Results of previous applications;

a.
19/4185N
1, Chapel Cottage, COOLE LANE, COOLE PILATE, Nantwich, CW5 8AU
Extension of existing 20 x 40 m riding arena to 20 x 60 m
approved with conditions
b.
19/4639N
FIELDS VIEW, COOLE LANE, AUDLEM, CW3 0ER
Non Material Amendment to approved application - ref: 18/0035N
refused
c.
19/4383T
Corner Cottage, NEWTOWN ROAD, SOUND, CW5 8BG
Tree works to sycamore tree to crown lift by 14 feet
Consent for wrks in TPO with conditions

III. Applications/Planning Matters before this meeting:

a.

Application No: **19/5261N**

Proposal: **Extension to existing Gypsy and Traveller site to provide 6 No. additional Gypsy Traveller pitches comprising 6 no. mobile homes, 6 no. touring caravans, 6 No. semi-detached utility blocks and associated works including allocation for parking and hardstanding.**

Location: **Baddington Park, BADDINGTON LANE, BADDINGTON, CW5 8AF**

National Grid Ref: **364705 350484**

After a consideration of the application it was unanimously agreed, on the prop., D. Tomlinson, sec., P. Griffiths, that Sound & District Parish Council would object to the above application, for the following reasons – as per previous application

1. The Application seeks planning permission for an extension of the current Gypsy and Traveller Site at Baddington Park.
2. The existing site has permission (No. 13/0798N) for **4** plots (each plot traditionally provides for a static / residential caravan, a touring caravan and parking), and permission (No. 14/3448N) for **3** amenity buildings which provide washing facilities for the occupants of the 4 plots. The plots were (and it is assumed) are occupied by the Applicant and members of his family.
3. The current layout of the site is inconsistent with the planning permissions referred to above and with the landscape design and lighting conditions imposed by Cheshire East Council on the granting of those permissions, such conditions being intended to mitigate the impact of the development on the open countryside.
4. The application site lies in open countryside.
5. The current application is for an additional **6** plots. Each plot would consist of a residential caravan, touring caravan and semi-detached bathroom block and parking. It is proposed that the 6 plots should be along the northern and eastern perimeters of the site and therefore some distance away from the existing site. It is suggested that, at some future date the Applicant may intend seeking planning permission for a further 5 plots. That future application, if made, will infill the open space between the current 4 plots and the 6 plots which are the subject of the current application. Preserving the open space in the centre of the site for the proposed future application simply means that the negative effects of the current application on the open countryside are greatly enhanced rather than mitigated. The current site is visible from the junction of Coole Lane and Baddington Lane which is about 300 metres away and the site can be seen from well before that junction by anyone driving away from Nantwich. There is no hedging between the junction of Coole Lane and Baddington Lane, only Cheshire railings and such railings continue down Baddington Lane towards the site. The current application, if granted, will extend the site by a further 100 metres towards Coole Lane and will thus make it even more visible to users of Baddington Lane and users of the Coole Lane / Baddington Lane junction.
6. In 2014, consultants, Peter Brett Associates, instructed by Cheshire East Council, prepared a Gypsy, Traveller and Travelling Showpeople Site Identification Study. That Study supports our contention that the proposed application will intrude into open countryside. In Appendix 3 to that Study, the following was stated by Peter Brett in relation to the site at Baddington Park:

"This is an existing Gypsy and Traveller site which needs to be safeguarded. The site is not suitable for further pitches as it would have an unacceptable impact on landscape character. This is an existing site which is locally prominent and incongruous within a moderately open and flat landscape; the elaborate new entrance walls draw attention to the site and there are clear views of the park homes and caravans from the road and the surrounding landscape. Further subdivision of the field north of the access is evident with a post and rail and close-boarded fencing. Any further extension of the site will increase the adverse effects of the development and should be avoided."

The view of Cheshire East's own consultants set out above supports the view that the proposal to extend the existing site further into open countryside is wholly inappropriate.

It is surprising, therefore, that the site is included in the Publication Draft Site Allocations and Development Policies Document as having an allocation of 8 [new] Gypsy and Traveller pitches. It is unfortunate, because it may lead to confusion in the mind of the public, that the consultation currently being carried out by Cheshire East in respect of that document refers to the site as 2 Railway Cottages rather than by its current name, Baddington Park.
7. Along the northern perimeter of the proposed site, which faces Coole Lane, there is some existing fencing which consists of tall wooden panels nearest to Baddington Lane but which soon reduces to post and rail fencing further to the east. There is no proposal in the Application to change this fencing or to provide landscaping in the form of trees or hedging so as to hide it from the views mentioned in 5 above. To replace the post and rail fencing with a continuation of the tall wooden panels would be out of keeping with the open countryside and any landscaping in the form of trees or hedgerows will take a long time to mature. . It is submitted that the appearance of the proposed development, even with landscaping, will cause unacceptable harm to the character and appearance of the open countryside.
8. Access to and from the site is straight onto Baddington Lane, immediately before (as you drive away from Nantwich) the hump-back railway bridge. There is no footway or street lighting in the vicinity. The bridge is in poor condition and there are traffic lights on either side of the bridge as it is only possible for single lane traffic to go over the bridge. During peak hours, traffic waiting at the lights to cross the bridge tails back beyond the Baddington Park access. The additional volume of traffic which would be generated by the proposed application would, given the highway layout in the vicinity of the site, constitute a risk to highway users. There have already

been a number of road traffic collisions in the vicinity of the bridge in the last 5 years and at least 2 of those have been serious accidents.

9. Policy H of the national Planning Policy for Traveller Sites stipulates that traveller sites should respect the scale of, and not dominate, the nearest settled community. The nearest settled community, being the houses on the other side of Baddington Lane from the site, will be dominated by the site if permission is granted for a further 6 plots.

10. It is submitted that there is a potential for protected species to be present on the site and therefore a habitats survey ought to be obtained by the Applicant before the Application proceeds further.

The application is factually incorrect as the existing site had a change of use to a residential caravan site on 11th September 2014 Ref: 14/3448N. This new application is for an extension to existing gypsy and traveller site. Which it is not, it is a residential caravan site. Therefore the application is invalid. Further the existing residents and expected new residents do not qualify as gypsy travellers as they do not lead a nomadic lifestyle according to the definition contained in Cheshire East, Cheshire West and Chester, Halton and Warrington Gypsy, traveller and travelling show people Accommodation Assessment. Final report (amended) August 2018. Further it is inappropriate to have a gypsy traveller site bordering a residential caravan site and dwarfing it.

12. The present and proposed entrance is on an accident black spot, too close to the blind spot formed by the crest of the bridge. There is the potential for many commercial vehicles, cars and towed caravans entering and exiting at this point. A visibility splay will not help as the blind spot on the bridge is too close. When the residential barns opposite were converted it was a precondition that the existing farm entrance, that was opposite where the Baddington Park entrance now is, had to be removed. This has I believe set a precedence which cannot be ignored.

13. Sustainability. No bus route stops here other than the school bus which is provided only because the road is deemed too dangerous to walk on. There is no footpath in either direction or indeed room for one. Extra school buses would be required for such an increase in population. Every journey made by the existing and new residents would require a motor vehicle. Cycling is not an option, as there has already been at least one death of a cyclist at this location. Therefore sustainability is unproven and environmental impact huge.

Nantwich is a town which relies on its attractive appearance to host various events and businesses. There will be a significant economic impact on these events and businesses by placing a gypsy/travellers site in this location and drastically changing the appearance of one of the main roads into Nantwich. The existing site has never been adequately screened and there can be no expectation they will with this one. Whatever screening is provided it will always be visible from the bridge. Thus it contravenes the councils intention to maintain the character of the countryside whilst supporting the livelihoods of those who live and work there. (Draft Site Allocations and Development Policies Document East Cheshire

Great crested newts are present in the pond opposite their present development adjacent to a culvert/ditch which passes under the road and exists in the vicinity of Baddington Park. It is highly likely they exist in the pond adjacent to the proposed site. There are also grass snakes present in the area and seen on both sides of the road. Therefore on environmental grounds there is a net loss of habitat that is avoidable. (Draft Site Allocation and Development Policies Document East Cheshire)

16. Drainage has been an increasing issue since the present units arrived exasperated by the runoff from the existing structures. I soak away is inadequate and would pollute surrounding land and adjacent pond. Mains drainage and sewage is required for such a large development. Overloading of present utilities should be considered. Part of the present electrical supply comes from the empty cottage owned by the applicant for which we can find no wayleaves.

17. The Site Allocation Development Plan requires local authorities to use their own sites before considering private sites for Gypsies and Travellers. The East Cheshire Gypsy and Traveller Study Report lists numerous Council owned potential development sites

18. DRMB sightlines for road with a 60mph speed limit are recommended to be 215 metres, and 160 metres for an HGV to stop safely (excluding the 2 second reaction time). The access point to the site fails these sightline tests

b.

Application No: **19/5482N**

Proposal: **Single storey rear extension (Renewal of Approved 16/4987N)**

Location: **Smithy Lodge, HEATLEY LANE, BROOMHALL, CW5 8BA**

National Grid Ref: **362740.3 347440**

Ms H. Paterson and Ms N. Watson both declared an interest with regard to this application. After consideration of the application it was unanimously agreed, on the prop., P. Griffiths, sec., L. Wright, to offer No Representation.

C.

Application No: **19/5544N**

Proposal: **Proposed side and rear single-storey extension**

Location: **ROSE COTTAGE, COOLE LANE, COOLE PILATE, CHESHIRE, CW5 8AU**

National Grid Ref: **364926 346439**

After consideration of the application it was by a majority agreed, on the prop., D. Tomlinson, sec., R. Blackburn, to Support the application.

10. Sound Common report:-

- i. Concern was expressed over the roadway across the site, with gate at the end. The meeting wishes clarification that this does not belong to the owner of the old abattoir – Clerk to try and ascertain this information.
- ii. Hedge removal – there has been no further follow up since this was undertaken, Clerk to follow up for a response.

11. Police Report: next meeting in January

12. Next Meeting: - proposed date

- i. Parish Council Meeting – Tuesday 28th January 2020

Meeting closed.