# MINUTES OF MALPAS PARISH COUNCIL HELD ON MONDAY 14<sup>TH</sup> NOVEMBER 2019 IN THE JUBILEE HALL AT 7 PM

	DDECENT	1				
	PRESENT Clira Adrian Waddalaya (Vica Chairman), Tina Barnott, Mika Bayall					
	Cllrs. Adrian Waddelove (Vice Chairman), Tina Barnett, Mike Boxall, Roma Hancock, Charles Higgie, Michelle Lloyd, Karen Meredith, John Webb,					
	Chris Whitehurst, Michael Williams.					
		f the public attended the meeting.				
169	APOLOGIES					
	Cllrs Richard Charlton (Chairman), Enric Sabia Picton Hughes.					
170						
	Cllr Whitehurst applied to the Council for dispensation to speak and take part in					
171	item 191 of the minutes. The dispensation was granted.  APPROVAL OF THE MINUTES					
17 1	Resolved: - Amendments were agreed to three items and they were then					
	agreed to be a true and accurate record. These corrected Minutes will be					
		at the December meeting. The amendments are to				
	be made and Vice Chairman is to sign the minutes of the Parish Council					
	meeting that was held on 14 <sup>th</sup> October 2019 as a true and proper record.					
172	Proposed by Cllr Webb and seconded by Cllr Waddelove.  Proposed by Cllr Webb and seconded by Cllr Waddelove.					
172	There was no consideration of this item.					
173						
175		ollowing police report for crimes reported in				
	September:-	onowing poince report for crimes reported in				
	Offence	Details				
	TFMV Malpas	Electrical tools stolen from van				
	Burglary dwelling Ebnal	Farm building broken into, damaged caused to				
	Burgiary aweiling Ebriar	property, nothing taken				
	Theft other Malpas	Ear Pod stolen from school premises				
	Criminal damage Malpas	Damage caused to former village hall				
	PCSO Jon Hurst sent his a	apologies as he was unable to attend the meeting.				
	<ul> <li>Residents are urged to</li> </ul>	report any incidents of anti-social or criminal				
	behaviour by calling 101.					
174	REQUEST FOR A DONA	TION				
	The Council considered a	request received from a member of the Malpas				
	Garrison Explorer Scouts to attend the Eurojam 2020 Jamboree in Gdansk,					
	Poland.					
	Resolved: - The Council	agreed to contribute £195.00 towards costs for				
	first aid kits and training. Proposed by Cllr Webb and seconded by Cllr					
	Meredith.					
175	CASUAL VACANCIES					
	Clirs Mifsud and Darlington have resigned from their role as parish councillor.					
	CW&C have been informed and a notice to advertise the two casual vacancies					
	has been posted on the we	ebsite and on the Council noticeboard.				
176	ACCOUNTS					

#### 176.1 To authorise expenditure for Christmas event:-

The Co-op have made a grant of £250.00 which is to be used towards costs for the Christmas Event / grotto. There is also a balance of approximately £145.00 in the Council's bank account that has been ring-fenced for the Christmas event. The Christmas Working Group have requested that the £395.00 be used to pay for gifts; batteries for the Christmas lights and the cost of the posters.

Resolved: - The Council agreed to authorise expenditure of £395.00 towards costs for gifts; batteries for the Christmas lights and the cost of the posters. The Council are to write a letter of thanks to the Co-op for the grant. Proposed by Cllr Webb and seconded by Cllr Higgie.

#### 176.2 To approve accounts, payments & bank reconciliation:-

## 176.2.1 Payments Approved:-

Chq No	Payee	Statutory Power	Amount
282	Running Costs / Christmas Costs	s.111	£ 172.64
283	Victoria Jubilee Hall (rent)	s.111	£ 94.00
284	Well Farm Estate Joinery (repairs and	LGA 1972	£ 100.00
	painting of Chester Road Bus Shelter)	S.144	
285	Key Deposit Returned:- S Hopley	s.111	£ 50.00
286	Key Deposit Returned:- D Rowlands	s.111	£ 50.00
287	Key Deposit Returned:- J Shone	s.111	£ 50.00
288	DONATION:-Royal British Legion	s.137	£ 100.00

The Clerk's salary was paid by standing order.

## 176.2.2 Receipts Received as at 30th September 2019:-

Hanging Baskets:- £380.00

Community Infrastructure Levy:- £11,278.75

Insurance Claim (to refund Barlows invoice paid):- £537.60

ATC (to refund difference that was paid by the Council for grant):- £72.14

#### 176.2.3 Bank Account:-

The reconciled balance in the current bank account as at 30<sup>th</sup> September 2019 was £74.454.73.

The funds are allocated as follows:-

Parish Council - £27,775.65

Christmas Lights Funding - £145.07

New Homes Bonus - £42,256.75

Allotments (balance of £3,600 transferred from NHB allocation) - £1,101.27

Allotment Deposits (ring fence in accounts) - £650.00

Neighbourhood Plan - £727.42

Insurance claim - £1,798.57

## Resolved: - The Council agreed to the above payments. Proposed by Cllr Webb and seconded by Cllr Higgie.

### 176.3 Business Priorities for the 2020 – 2021 financial year:-

Councillors were concerned by apparent slippage against the Priority Budget Setting Timescales. Assurances were given that the following items are to be considered at the December meeting:-

- Construct outline plans and draft budgets for proposed business priorities.
- Estimate final budgets and plans for proposed business priorities.
- Agree business priorities and projects for next financial year.

#### 177 NEIGHBOURHOOD PLAN

The Neighbourhood Plan Steering Group have met to discuss actions required to review the Neighbourhood Plan and to advertise in the Parish News for volunteers to join the Steering Group. It is planned to hold monthly meetings to complete the review within 12 months.

#### 178 INTERNAL PROCEEDURES

#### 178.1 Social Media policy:-

Resolved:- That the Council approve the Social Media policy. Proposed by Cllr Higgie and seconded by Cllr Webb.

#### 178.2 Message Handling Policy:-

Resolved:- That the Council approve the Message Handling Policy. Proposed by Cllr Higgie and seconded by Cllr Webb.

## 178.3 Malpas Cheshire Online Media Policy:-

Resolved:- That the Council approve the Malpas Cheshire Online Media Policy. Proposed by Cllr Higgie and seconded by Cllr Webb.

## 179 SURGERY ROTA

To receive update from September surgery:-

ISSUE	CONCERNS RAISED AND ACTION TAKEN
(i) Greenway Lane	Complaint about speeding traffic on Greenway Lane. PCSO informed at Surgery.
(ii) Chester Road speeding	Complaint about speeding traffic on Chester Road. PCSO informed at Surgery.
(iii) Bishop Heber School Parking	Complaint about traffic parking on the bend outside the Bishop Heber School. PCSO informed at Surgery.
(iv) Cars Parked with Engine Running	Questioned if engines kept running on parked cars was illegal.
(v) Landscaping on the Bovis Housing estate	Concerned that Bovis would not stick to the Landscaping Plan that had been approved for an area behind Dependent Close. Feedback provided in surgery.
(vi)Safety on Tilston Road	Concern raised for the safety of children outside the Alport School on the Tilston Road. Feedback provided in surgery.
(vii) Bovis Site	Resident has raised concerns regarding the state of the road at the entrance to the site at the bottom of Well Street which is a hazard for both pedestrians and vehicles. The Council are to write to Bovis Homes to request that the entrance roads to the site are cleaned on a more regular basis.
(viii) Boogles Barn	Complaint from new occupier regarding the finishing of the property.

#### 180 PLANNING

#### 180.1 Applications:-

Applications: -

19/03521/FUL - Residential development of 30 dwellings and proposed link road - amendment to application 17/04562/FUL at Land Opposite St Joseph's College Tilston Road Malpas

Observations:-

Following a second review of the Malpas settlement boundary, this application now lies within the village envelope. The latest information that the Council has is that 353 dwellings have been granted planning permission since 2010; this is against a village sustainability assessment to support Cheshire West and Chester Local Plan Part 1 of just 200 dwellings for Malpas as the Key Service Centre. With the number of dwellings on this site plus other live planning applications there is the potential that another 56 dwellings could be granted planning permission.

The Council is aware that this development abuts another proposed development for 57 dwellings on land off Chester Road (Cockfight Field). This application refers to a proposed Tilston Road-Chester Road link, the Council are aware that this could have the potential to mitigate the heavily congested and daily grid lock area around the keep left, High Street and the Alport School. However, for the link road to benefit the community, it would require both applications to be approved and the construction to be of a suitable specification to offer a viable alternative through route to bypass the village centre. The Council are concerned that there is no provision in this application to increase the width, splay or visibility of the road into the site from Tilston Road. The access is out onto a fast and narrow section of Tilston road and if this development is to go ahead then the volume of traffic using this junction is going to be greatly increase, Furthermore, if the link road is to be a reality then the junction as indicated on the plans will not provide adequate visibility. The Council draw your attention to the Neighbourhood Plan in particular policies H1, H3, H4, BE1, BE2, BE4, BE5, LC1, LC3, LC4 and SF4 The entrance to this site and the green space are within the conservation area. The green space is enclosed on all sides. The Council would like to see it open looking into the site.

The development is of low density and contains a mix of housing types. The bungalows are all dormer ones and some of the houses are 2.5 stories high. We are very concerned that this site is on a hill and in a dominate position in the landscape. These houses will obscure the Key Views into and out of Malpas (figure 5.1 and policy BE1 of the Neighbourhood plan). To protect the Key Views and retain the vista of open countryside on approaching the village from Tilston it is essential that a strong landscaping plan is approved and delivered. The Council is concerned that the development would increase the volume of traffic on Tilston Road and in particular create difficulties for traffic leaving the site. This will need to be addressed if the proposal is to be progressed. The site also contains an apartment block. The only other such buildings in Malpas are for the elderly and we would suggest that it is not in keep with the Character of Malpas. There is no provision for affordable housing (Policy H3). (Apartments at St Josephs)

The site layout should be revised to ensure that the bungalows are placed on the highest parts of the site and the 2.5 storey houses on the lowest point to mitigate the impact on the key views into and out of Malpas and the surrounding countryside. (Policy LC3)

The dwellings to the rear of Brookbank Cottages have been designed so that they front onto Tilston Road. The rear of these properties face the fronts of this development. This layout has the potential to deliver a small community of individuals that are isolated from the wider site development. The Parish Council would suggest that this development should be redesigned to ensure that the back gardens and rear parking spaces back onto the existing cottages.

The Council draw the Planning Authority's' and the developer's attention to Policy BE5 of the Neighbourhood Plan. Just because the developer's Beeches site, across the road revealed little archaeology this doesn't mean that there is none on the site. The 1836-1841 Tithe Maps record the development site was named the Windmill Field. In addition, Malpas High Street was previously named Windmill Street. With the likelihood that the area was the site of a historic post mill the Council would want to ensure that there is adequate provision for archaeology surveys with test pits being dug, followed by a watching brief on the site. The Council would also like to see an invitation extended to the Parish Council representative to attend.

Due to the dominant position of this site on the edge of the Sandstone Ridge we would want to ensure that there is sufficient screening to reduce the visual impact on the landscape. In addition, if approved we would want to see the inclusion of planning conditions that mitigate against further light pollution in the open countryside.

Malpas Parish Council has declared a climate emergency as has CWAC and we would therefore like to see renewable sources of heating, low-level lighting and electric car charging points as part of this development.

To conclude this application does not comply with the Neighbourhood Plan. The Council cannot support it in its present form.

## Proposed by CIIr Meredith and seconded by CIIr Higgie.

19/03740/FUL - Erection of detached barn at Alport Farm Overton Heath Lane Overton Malpas

#### **Observations:-**

The barn is for agricultural use and the storage of tractors and farming implements. As the barn will be visible from the public realm, the Council would welcome the addition of some suitable screening

## Proposed by Cllr Higgie and seconded by Cllr Barnett.

19/03783/FUL - Erection of a Wardens hut, toilet block, service road and low level lighting at Caravan Site Alport Farm Overton Heath Lane Overton Malpas **Observations:-**

The Council welcomes any proposal which will encourage rural diversification and tourism. The Council also commend the use of solar panels as the Council along with CWAC have declared a climate emergency. The Council would like to see electric car charging points be provided as part of the site upgrade. The Warden's hut will be visible from the by-way/bridle path which runs along the side of the site. To mitigate against this the Council would like to see some landscaping which is in keeping with the local area. The Council acknowledges that the ground in this area is boggy, but we do have some concerns about the site road width and construction on this site as it is in a green field. The Council is pleased to note that the caravan pitches remain as grass. The Council draw your attention to the Neighbourhood Plan in particular policies LE2, BE1 and LC3.

## Proposed by CIIr Meredith and seconded by CIIr Higgie.

19/03841/FUL - Demolition of existing farmhouse and erection of a replacement dwelling, conversion of agricultural buildings to four dwellings and ancillary works at Woodhouse Farm Dymocks Mill Lane Oldcastle Malpas **Observations:**-

This is in open countryside. This development is a significant increase in terms of scale, and massing on the site. It represents an overall increase in the footprint of 18%.

The Council welcome the inclusion of bike sheds and ample car parking facilities however the Council would like to see electric car charging points. In line with the Council's policy on climate change the Council would also expect to see solar panels and alternative forms of heating incorporated into this design. Para 5.6 of the Biodiversity Survey and Report for this application, states that the site does not support suitable habitat for Barn Owls. The Council would highlight that there is a Barn Owl Nest Box located within 300m of the site, and the adjacent area of the Wych Valley is perfect for the species. In addition, the open aspects of the disused barns on the site could provide suitable habitat for the roosting Barn Owls. The Council would like a survey for Barn Owls to be undertaken. The local Broxton Barn Owl Group covers this particular area and could undertake the survey. The Council would therefore like to have this conditioned if the Planning Authority is minded to grant this application. We draw your attention to the Neighbourhood Plan in particular polices H2, BE3, BE2, BE 4 and LC3

The Council are also concerned about the cumulative impact of this and the development at Dog lane Farm and the effect on the traffic in Mastiff Lane and the amenities in Malpas.

The Parish Council are mindful that Daresbury Estates, Oliver Greenhall Stables and Lord Daresbury have invested heavily in improving local properties and creating employment opportunities. The developments when taken individually are modest but cumulatively they have a great impact on the local infrastructure. The Parish Council is of the view that it would be entirely appropriate to see some contribution for the village, for example sponsoring the refurbishment of the Cross and/or funding for a much needed bus shelter in the centre of the village.

## Proposed by Cllr Meredith and seconded by Cllr Higgie.

19/03842/FUL - Demolition of existing farmhouse, erection 3no. detached dwellings and conversion of agricultural barns to 3no. dwellings with ancillary accommodation at Dog Lane Farm Dog Lane Oldcastle Malpas

#### **Observations:-**

This is in open countryside and the Council would draw your attention to the neighbourhood plan and polices H2, BE2, BE3 BE4 and LC3.

This site has been the subject of many planning applications:-

14/0145/FUL permission to extend the farmhouse

17/04436/PDQ application to convert the barns into 3 dwellings with car parking being provided in the courtvard

17/04948/LDC permission to extend the farmhouse gardens.

18/00279/FUL Extension to the existing farmhouse and to subdivide it to create two semi-detached dwellings

19/00760/FUL single story extension to stable block and relocation of horse walker.

19/01426/PDQ Conversion of barn into 5 dwellings.

This application seeks to reconfigure the site and align all the planning applications into one.

Where the development is visible it would be appropriate to provide adequate screening to reduce the impact on the countryside and the public realm. This is a sizable development and will have a cumulative impact on Malpas its roads and amenities especially when taken in conjunction with the proposed development to Woodhouse Farm. These developments along with the other developments in the vicinity have added considerably to the number of vehicles using Mastiff Lane. Mastiff Lane is often flooded; in places it is in effect a single

track road with very soft verges in places. Greater attention to its maintenance by CWAC is required.

The Council are mindful that Daresbury Estates, Oliver Greenhall Stables and Lord Daresbury have invested heavily in improving local properties and creating employment opportunities. The developments when taken individually are modest but cumulatively they have a great impact on the local infrastructure. The Council is of the view that it would be entirely appropriate to see some contribution for the village, for example sponsoring the refurbishment of the Cross and/or funding for a much needed bus shelter in the centre of the village. **Proposed by Clir Webb and seconded by Clir Higgie.** 

19/03618/OHL - Chowley 11KV Overhead Electricity Line rebuild scheme at Overhead Lines From Duckington To Chowley

#### Observations:-

None were made.

180.2 To consider any applications received after the agenda has been distributed:-18/02090/FUL - Erection of two bungalows (open market properties) on land to the rear of The Sycamores and single-storey extension to The Sycamores (AMENDED PROPOSAL) at Land At The Sycamores Old Hall Street Malpas.

#### **Observations:-**

The Planning Committee are to prepare a report based on the previous comments that were submitted by the Council.

## 180.3 Recent decisions by CW&C:-

#### Approved:-

19/00318/FUL - Land Rear of Old Police House Chester Road Malpas 19/01903/FUL - Kidnal Hill Farm Kidnal Hill Lane Overton

#### 180.4 To receive planning updates:-

CW& figures state that since 2010 there have been 216 houses completed; permission grated for 153 and 60 are in the pipeline.

## 180.5 Bovis Development:-

The Clerk has received the following reply from Bovis regarding a request an update regarding the drainage at the site:-

The extremely wet weather is causing the site team issues on site. The site is very cramped in the bottom corner which is unhelpful and the fact that the team are currently digging the last pod of foundations is also adding to the issue at the moment. Bovis expect very shortly to be beginning the final connection of the surface water drainage which will be a short term inconvenience to neighbours at Malpas but a long term solution to the issue.

## 180.6 Chester Road Development:-

No progress to report.

#### 181 BUS SHELTER ON OLD HALL STREET

The Council considered the location and the option of either a wooden or plastic bus shelter to go on Old Hall Street.

#### Resolved:- The Council agreed to the following:-

- To install a wooden bus shelter at the new site on Old Hall Street (subject to Highways and Conservation);
- To obtain three quotes for the bus shelter;
- To contact Co-op to request a financial contribution:
- To contact ward councillor Rachel Williams to request a financial contribution:
- To contact McCarthy Stone to request a financial contribution;

- To enquire about having a solar panel on the wooden bus shelter. Proposed by Cllr Williams and seconded by Cllr Barnett.

#### 182 ALLOTMENTS

## 182.1 Update:-

- The allotment policy has been updated as agreed at the last meeting and sent to allotment holders
- Invoices have been sent to allotment holders with amended allotment policy and request for copy of insurance policy.
- Three allotment holders have decided not to renew their tenancy agreement.
- The Clerk is to contact the next three people on the list to see if they are still interested in having an allotment.

## 182.2 <u>To agree to take legal advice regarding the legal status of The Mosslands and the allotment policy and tenancy agreement:-</u>

Cllrs Whitehurst, Waddelove and the Clerk met with a local solicitor to seek legal advice regarding the process. Notes from the meeting have been circulated and action is being taken to progress the matter.

## 183 APPEARANCE OF MALPAS

Concerns were raised regarding the overflowing bins in the village, a request has been sent to CW&C for an extra collection.

#### 184 WEBSITE ACCESSIBILITY

Cllr Whitehurst updated the meeting regarding compliance regulations for websites. He has since spoken with the website designer for Malpas's website who has agreed to migrate the website in January at no cost to the Council. There are new features that the Council may wish to consider to be included on the website which will incur additional costs.

#### 185 CHRISTMAS EVENT

Cllr Williams updated the meeting regarding the arrangements for the Christmas event on 30 November.

#### 186 CLIMATE EMERGENCY

## 186.1 'Play your Part' consultation:-

The Council considered how to respond to the 'Play your Part' consultation and agreed not to take part because it was CW&C's budget consultation exercise and not a climate emergency one

#### 186.2 Purchase of Equipment:-

The Council considered the purchase of Pinboard on which to display 'recycling challenge' which bin should different items be put in; Litter pickers and Hi-Viz vests.

Resolved:- The Council agreed to purchase a Pinboard, Litter pickers and Hi-Viz vests. Proposed by Cllr Boxall and seconded by Cllr Webb.

## 187 CLERK'S REPORT

(i) Street Furniture	The following works are required:-
	Bench at Jubilee Hall:- Repair required for a
	loose wooden slat on the wooden bench located
	outside of the Jubilee Hall. Work in progress.
	Bench at Chester Road (next to the
	Almshouses) varnish requires touching up and
	there is graffiti to the arm of the bench. Work in

progress.

(::) Des Obeltes Obeltes	Deleteral, in a called a least and a sectorial
(ii) Bus Shelter Chester Road	Paintwork is peeling is places, repainting required – instructed Well Farm Joinery to repaint – work
	now completed.
(iii) Dog waste bags Dispensers	No further update.
(iv) Poppy Wreath	Order placed and wreath delivered.
(v) Grit Bins	The Clerk has followed up the order placed
` '	with CW&C and is waiting for a reply.
(vi) Recognition	The Clerk has responded to the request with
	details of the process to recommend certain
	local individuals in recognition of their service
	to the local community
(vii) Lines in High Street	Requested sent to Highways that the lines in
Car	the High Street car park be repainted.
(viii) Property Hedges on	Complaint about overgrown hedges on Chester
Chester Road	Road has been reported to Highways.
(ix) Insurance claim	Claim now settled and works are to be carried
	out to repair the damaged chimney.
(x) Request for H bars	CW&C have advised that the cost is £90 inc.
	VAT payable by the applicant (usually the
	resident).
(xi) Jubilee Clock	Annual service has been booked for
	December.
(xii) Community	Form completed and returned to CIL Team at
Infrastructure Levy -	CW&C and posted on the Council website.
neighbourhood	
payments for parishes	
2018 – 19	
(xiii) Complaint re	Responded to complaint made by resident
Planning comments	regarding planning application.
(xiv) Highways	Worn out road markings Dog Lane, Malpas -
	reported to Highways (to be repainted and new
	Give Way signs)
(xv) Highways	Blocked gulleys reported:-
	Moss House, Whitchurch Road, Malpas
	Mastiff Lane, Malpas
	1
	CW&C they have inspected and raised a job for these to be cleaned out and jetted.

## 188 EXTERNAL CORRESPONDANCE INCLUDING SUGGESTION BOX List previously circulated to Cllrs.

## 189 UPDATES FROM OUTSIDE ORGANISATION REPRESENTATIVES

- 189.1 Recreation Ground:- Cllr Whitehurst informed the meeting that the shelter has been reinstated at the Recreation Ground.
- 189.2 CHALC Annual Meeting:- Cllr Waddelove attended the meeting and presented the following motion on behalf of the Council which was passed unanimously:"This meeting calls upon the Cheshire Association of Local Councils, Cheshire West and Chester Borough Council, Cheshire East Council and the Local Government Association, following the declaration by Parliament of a Climate Emergency, to demand that the Government reviews, as a matter of urgency, its

	definition of "Sustainable Development" which underpins the current National	
	Planning Policy Framework - because this has facilitated a massive increase in	
	homes in Cheshire's rural communities that require more commuting by car with	
	the inevitable detrimental effects on people's carbon footprints."	
190	190 PRESS AND PUBLIC Resolved:- To resolve to exclude the press and members of the public as	
	the items to be discussed relate to contractual matters and employee	
	matters. Proposed by Cllr Webb and seconded by Cllr Waddelove.	

The meeting closed at 8.55 p.m.

NB copies of the attachments can be obtained from the Parish Clerk Website:- <a href="http://www.malpascheshire.org/">http://www.malpascheshire.org/</a>