



# Minutes of Tattenhall & District Parish Council Meeting Barbour Institute, 3<sup>rd</sup> September 2018

## **PRESENT**

### Councillors

Chairman – I. Keeping.

P. Black	S. Chapman	D. Haynes	L. Jones	J. Kershaw
N. Matthews	E. Saddler Williams	N. Sharp	G. Spencer	C. Weaver

### Non-Parish Councillors

Public – 10

CW&C Councillor Mike Jones

PCSO Jon Hurst

## **PRESENTATION OF AWARDS**

PC Ged Gigg and Cllr Iain Keeping presented awards and certificates to Jake Attwood, Mitchell Dutton, Edward Mitchell and Lauren Weaver in recognition of the young people's actions on finding a number of items in the village. PC Gigg commented that the young people had showed wisdom and common sense beyond their years.

The Chairman thanked Cllr Sharp for donating the awards.

## **APOLOGIES**

Apologies were received from the following Councillors:

G Blackhurst – family commitment

A Pritchard – family commitment

A Scarratt – family commitment

L White – family commitment

## **DECLARATION OF INTERESTS**

No interests were declared.

## **POLICE REPORT**

PCSO Jon Hurst reported that the police had paid a lot of attention to the Keysbrook area and had received no further complaints regarding anti-social behaviour. Operation Shield kits were continuing to be rolled out, if anyone has not yet received their kit there will be further drop-in sessions when kits can be collected and areas will be revisited where houses not yet received kits. He confirmed that a letter would be going out to all Clerks regarding dogs worrying livestock. He also confirmed he is now the named PCSO for Tattenhall and that PCSO McKeivitt was now covering the Farndon and Huntington Wards. PCSO Hurst reported that there had been some improvement to 101 call response times.

The Chairman thanked PCSO Hurst for his report.

## **HOUSING NEEDS SURVEY**

John Heselwood from Cheshire Community Action gave a presentation on the Housing Needs Survey for Tattenhall which was completed during the summer, he highlighted the following key points:

Cheshire Community Action which is a rural support charity have undertaken housing needs surveys in 5 different rural communities in the CW&C area in an effort to find suitable methodology for identifying housing need rather than following national guidelines based on local authorities' predictions which do not tend to suit rural areas.

The survey had been based on 3 sources of information:



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i) Household Survey which was delivered to every home and received a good response rate of 25% (average response rate is around 20%). This survey identified that 42% of people were looking to downsize as in some cases due to health and maintenance issues. 15% of respondents were looking to move to a bigger property and 11% were looking to move due to affordability issues.

The survey identified a full spectrum of need.

The vast majority of respondents, 73%, were interested in private purchase, 22% affordable rent and 12% discounted market value properties.

87% of respondents supported the concept of a Community Land Trust.

61% of respondents knew someone who had had to leave the village in the last 5 years many for affordability reasons.

ii) Business Survey which was sent to circa 140 businesses in the area but only received very limited responses as such not enough data was collected to analyse the results. Although it was noted that one business highlighted concerns regarding housing supply and needs.

iii) Long Term Secondary Data which identified that over the last 15 years the number of people over 65 in the area had doubled which is greater than in other areas in CW&C.

Over factors which were distinct about Tattenhall included:

Fuel poverty is double the average for CW&C.

The median dwelling price in Tattenhall was around £120k more expensive than the CW&C area, which is 9x average income, illustrating a clear mismatch between earnings and affordability in Tattenhall.

The survey does not include specific housing numbers as this is included in the Local Plan.

It does illustrate an aging population and need to balance the population to support local businesses and services.

The survey also evidences a chronic need for 1 bedroom accommodation.

It is now up to the Community, Community Land Trust and Parish Council how the information is used for example to review the Neighbourhood Plan, and to encourage the right mix of housing in future developments.

The Housing Needs Report will provide robust evidence for the next 3 to 5 years, the Household and Business Survey Report will provide strategic evidence over a longer period.

### Questions and Discussion:

It was suggested that National Policy has an impact of the delivery of affordable housing locally. It was stated that with the number of new houses being built the number of households is increasing more quickly than reported, it was noted the survey was carried out about 12 months ago.

It was suggested that old people rely more heavily on local businesses as they are less mobile than younger people.

It was asked how robust the evidence was in terms of planning. It was noted the survey and its findings had been heavily scrutinized by planning, housing and research and intelligence at CW&C and as such was seen as being robust. It was noted the evidence is the most up to date housing needs evidence for Tattenhall that exists.

The Chairman thanked Mr Heselwood for giving the presentation and answering questions.



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## **PUBLIC PARTICIPATION**

### Proposed Speed Limits

A resident reported that he had contacted CW&C making a freedom of information request for the mean speeds recorded on the various roads and also the calculations they had made to recommend the speed limits they had. He had received a response that CW&C did not have and had not used this information as such he argued that the speed limits proposed did not conform with the Department of Transport guidance as cited by CW&C. He suggested there was no case to support the proposed speed limits, they would not achieve reduced speeds, and they would create sign clutter and would make no real difference.

He also confirmed he had requested the same information for the proposed 20mph speed limits.

### Chester Road Development

A resident provided evidence that a planning application (6/3914) in 1977 had been refused for a bungalow off Chester Road as it was in the rural area and due to vehicle access.

### Rural Growth Board

Matthew Morris reported that the Rural Growth Board of which he is a member will be speaking at the Local Plan Part 2 examination against the plan as the Board believes the policies relating to Local Service Centres will result on smaller communities losing their much needed services.

### Friends of Tattenhall

It was noted that friends of Tattenhall will be speaking at the Local Plan examination on housing number.

## **MINUTES**

**RESOLVED 18/074** - that the Chairman signs, as a correct record the circulated minutes of the Parish Council meeting on the 6<sup>th</sup> August and the extraordinary meeting held 20<sup>th</sup> August 2018.

## **CLERK'S REPORT**

Councillors noted the Clerk's report, pages 56 and 57 of the Minutes.

## **PLANNING**

### i) Planning Register

Councillors noted the planning register, page 5, as circulated and noted application 17/04645/OUT, outline planning application for up to 30 dwellings with all matters reserved except access had been granted permission.

It was agreed that application 18/03187/FUL – Demolition of existing conservatory & erection of part 2 storey, part single storey side & rear extension & front porch – 22 Covert Rise, Tattenhall, CH3 9HA would be dealt with by email.

### ii) Planning Enforcement

It was noted that the Clerk had now spoken to the enforcement officer regarding the fence at Castlefields, who had confirmed the matter had not been a priority and would now be investigated. The Clerk will continue to monitor the matter.

It was reported that complaints had been received regarding the heights of the phase 2 of the Redrow development particularly in relation to the ground levels being built on. The matter had been reported to enforcement, it was agreed the Clerk should report the matter again and request that enforcement look at the approved topographical surveys.

It was noted that the height issue had been raised during the phase 1 construction and that it had caused severe flooding issues for residents on Harding Avenue.



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Concerns were raised regarding construction taking place at the Old Police House, Tattenhall Road, it was agreed the clerk should ask enforcement to confirm the building works were as permitted.

### iii) Planning Procedure

It was agreed that all Councillors would be notified on planning applications by the Clerk and that if applications could not be dealt with at a regular meeting the application would be reviewed and recommendations circulated by email, the Clerk would then submit these comments to CW&C if they received majority support from Councillors, the submitted comments would then be confirmed at the Council's next meeting. It was agreed additional meetings would be called when necessary particularly for larger or more controversial applications.

### CANAL CORRIDOR CONSERVATION AREA

Councillors noted the notes of the meeting with CW&C officers, pages 58 to 59 of the Minutes, who had apologised for the fact that the Parish Council had not been consulted as part of the process to create the conservation area. It was noted by Matthew Morris of the Bolesworth Estate that despite what had been reported at the meeting the matter was not yet resolved with the Estate, they had received a draft guidance note but had not yet commented on it. It was noted the matter had highlighted that CW&C officers do not understand how to communicate with rural areas.

### HOUSING NUMBERS

Councillors noted the notes of the discussion with Fiona Hore, pages 59 to 60 of the Minutes, regarding housing numbers in Tattenhall and confirmed the below submission which was made to the CW&C Local Plan Part 2 examination.

Reference: 1150349.

### Policy R2 – Meeting the outstanding housing requirement in Tattenhall

Tattenhall & District Parish Council wishes to draw to the Inspectors attention that the Parish Council strongly believes the housing numbers for the Parish of Tattenhall are unsound as demonstrated by the below table.

Figures calculated by Cheshire West and Chester have failed to include the 56 dwellings approved at Frog Farm. Please note the original application for this site in 2012 was for 71 care rooms. These have been replaced, by subsequent applications in August 2017, by 56 dwellings, currently under construction, with an increase in the floor space by 30%.

	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	Expected 2018-2019	Future Scheme	Totals
Early years delivery	15	0	1	0	0						16
Chestnut Grange (Redrow)					16	43		1			60
Laurel Bank						1					1
Frog Farm							48		47		95
Hse next Red Hse incorrectly classified as Rural							1				1
Bolesworth Redrow								2	28		30
Hse next Lion House								1			1
2 at Keysbrook adj to Briery House								2			2
Low Ridge										3	3
Chester Road (Barrett's)										30	30
Conversion to house - Eliz hair										1	1
Coach House, Burwardsley Road										1	1
Portico, conversion 1 to 7										6	6
Currently Frog Fm has 21 close care, 36 care beds, 14 linked care (71 in total) - number will be self-contained as result from changes made										56	56
<b>Annual totals</b>	<b>15</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>16</b>	<b>44</b>	<b>49</b>	<b>6</b>	<b>75</b>	<b>97</b>	<b>303</b>



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Tattenhall & District Parish Council submit that Policy R2 is unsound because it is based on erroneous figures and viable land supply for 250 dwellings has already been achieved.

**RESOLVED 18/075** – that Cllr Iain Keeping speak on behalf of the Council at the Local Plan examination on housing numbers.

It was suggested that Tattenhall had massively overachieved in its delivery of housing numbers even with the lack of clarity around the Frog Farm develop and that CW&C itself has also overachieved and now has over 8 years housing supply.

### **TATTENHALL ROAD BUS SHELTER**

The Clerk reported she had been advised that the officers were waiting for CW&C highways officers to install the hard standing for the shelter once that had been completed the shelter can be installed. As the hard standing is going down between two trees the CW&C Tree officer will be in attendance when this work is done to ensure the trees are not damaged.

### **FLASH FLOODING**

It was noted the Clerk and Chairman had met with representatives from Welsh Water who had discussed the drainage system in the village. They confirmed that the sewers and been desilted back to the treatment plant and that Highways had also cleared their drains. It was noted during the walk that the brook at the entrance to Newall and Breens Closes was obstructed by plants and natural detritus, as such the Clerk had written to the landowner, he had stated he did not think the land was his but was going to contact the Clerk again with more information. It was agreed the Clerk would continue to pursue this matter.

It was noted that Welsh Water are in contact with the owners of Old Mill Place as surface water is flowing off the site into the sewers which is not permitted and can overload the drains in heavy rain.

### **HIGHWAYS MATTERS**

#### **CHESTER ROAD PARKING RESTRICTIONS**

The Highways Officer communicated that he had not yet been able to look at the suggested changes to the scheme but stated that section of double yellow lines was proposed to keep the crossing point clear at all times (cars have a tendency to park across dropped kerbs outside of restricted time when a single yellow line is introduced) and provide some visibility to oncoming vehicles. Highways department could move the double yellow lines at the crossing point to an access protection marking (white h-bar) to the section the school entrance, but had concerns about this as the double yellow lines would then be at the end of the restricted length and their primary purpose would then be to enable access off highway, not movement of traffic or visibility along it.

It was agreed the Clerk should request a site meeting preferably at around 3pm to discuss the matter on site.

#### **PROPOSED SPEED LIMITS (not 20mph)**

Highways Officers reported there had been 80 responses to the informal consultation which had ended at the end of July, 65 had supported the speed limits (81%) and 15 had opposed them (19%). It was noted that some residents had commented that speed limits should be reduced further e.g. where a 50mph was proposed they suggested it should be 40mph, however the proposed speed limits were based on department for transport guidance and the lower speed limits would not be supported.





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Based on the majority support for the proposed speed limits Highways recommended that the proposals go to delegated decision and to formally advertise the proposed speed limits in their entirety.

It was noted the Clerk had requested more detail on the survey responses.

**RESOLVED 18/076** – That the Council as Highways to proceed with the process.

### **SPEED MANAGEMENT**

It was agreed to revisit this matter and look at setting up a Community Speedwatch Group in March 2019 when the nights are drawing out allowing more time for use of a Speed Indicator Device (SID).

### **WORKING GROUP UPDATES**

Item deferred to October, working groups were asked where possible to supply written updates for circulation with the agenda.

### **PLAY AREA RECYCLING BINS**

It was noted the recycling bins had now been delivered, it was agreed these would be installed near the existing bins.

### **DOCUMENTS & POLICIES**

**RESOLVED 18/077** – That the Council adopt the grants and donations policy, as circulated including the application form and agreed that grants would be considered annually at their March meeting.

### **WEBSITE & EMAIL**

It was noted that the Clerk was having issues with emails not reaching her this was partly because emails may be being downloaded by others logged onto the system as such there was a need to establish a dedicated email address for the Clerk. On trying to contact the website provider it was noted that the previous Clerk was the only person with authority to speak to the provider.

**RESOLVED 18/078** – That the Clerk write to DomainCheck confirming she had authority to access the site and that the letter be signed by the Clerk and Chairman.

### **ACCOUNTS & PAYMENTS**

**RESOLVED 18/079** – that the Council accept the accounts and payments as circulated on page 5 of the Cash Book:

Payment Type	Recipient	Item Purchased	VAT	Total
DD	Southern Electric	Festive Lighting A		10.55
DD	Southern Electric	Festive Lighting A		10.37
CHQ 1996	P. Marsden	Salary - Watering		108.00
CHQ 1997	Royal British Legion	Wreath & Poppies		190.00
Bacs	AB & MM Smith	Bespoke Wreath	198.40	1190.40
Bacs	ChALC	CofC Training (GB)		35.00



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Bacs	Shires Pay Services	Payroll		25.00
Bacs	A. Wright	Salary		666.38
Bacs	A & D Carnelley	Allotments Hedge	64.75	388.50

It was noted that A & D Carnelley could not be paid until a revised invoice was issued.

**RESOLVED 18/080** – that the Council approve payment of the following invoices received after publication of the agenda:

Payment Type			Total
Bacs	A. Wright	Reimbursement - Flags & Key	89.75
Bacs	I. Keeping	Reimbursement – Engraving	50.00
DD	ICO	Data protection Fee	40.00
Bacs	NWD Architects	Services to CLT	1344.00

It was noted that the payment to NWD Architects would only be issued once prove was received from the CLT that a risk management scheme was in place and that tenders had be received. The payment would be made from the CLT funds (£10k) held by the Parish Council.

**RESOLVED 18/081** – that the Council grant £350 to Tattenhall Music Society for supply of a piano for the Armistice concert on Sunday 11<sup>th</sup> November.

**RESOLVED 18/082** – that the Council pay Chalc £35 for Cllr Blackhurst to attend Code of Conduct Training.

Councillors noted the comments of the External Auditor as below:

“The balance brought forward from the previous year of £67,492 (Section 2, Box 1) does not agree to the prior year balance carried forward of £67,532 (Section 2, Box 7) by £40. Whilst the smaller authority has provided a full explanation for the difference, which was due an incorrect recording of a £40 payment (Cheque 1837) made in March 2017, the 2016/17 figures have not been restated in Section 2, Boxes 6, 7 and 8 of the prior year comparatives column, these figures should read £19,080, £67,492 and £67,492, respectively.”

Signed .....

Dated .....

The meeting closed at 9.17pm

Ann Wright 04/09/2018

**The next scheduled PARISH COUNCIL MEETING is the  
on Monday 1<sup>st</sup> October 2018, 7.30pm  
Barbour Institute.**



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Action	Date	Comments	Completed
<u>Natwest</u> – Online payments	07 08 18	Payment access	August X Agenda
<u>Parking Restrictions</u> – propose refuge opposite school car park entrance	16 08 18	Emailed SB	
<u>Community Room Meeting &amp; Open Space</u> - confirm working group members	10 08 18	Emailed BB to confirm his nomination to the group. Emailed CW&C with nominations cc'ed Liz Oates and Head.	
<u>Canal Corridor</u>	21 08 18	Meeting.	September Agenda
<u>Enforcement</u> – Update on Castlefields Fence.	23 07 18 02 08 18 24 08 18	Requested update. Requested update. Phoned, KS holiday until 03 09 18	September Agenda
<u>Bus Shelter</u>	16 08 18 24 08 18 24 08 18	Requested update regarding installation. Emailed for update. Spoke to CW .	September Agenda
<u>Chester Road Flooding</u> – update on progress to resolve.	16 08 18	Contacted IK for update.	
<u>Gifford Lea</u> – request public update session.	20 08 18	Phoned - advised new lady due to start 5 <sup>th</sup> September who would email me.	
<u>Licensing</u> – Report scooter rally 3 <sup>rd</sup> & 4 <sup>th</sup> August	16 08 18	Emailed CW&C licensing.	
Allotments – letter of response	20 08 18 24 08 18	Letter posted Receipt of letter confirmed by phone call	20 08 18 24 08 18
<u>Flacca Path</u> – Contact CW&C cut path in May/June.	16 08 18	Emailed asking path cut in June.	16 08 18
<u>Youth Shelter</u> – hedge cut 1m height.	10 08 18	Spoke Grants- confirmed cut asap	
<u>Sportmans Bin</u> – confirm not want bin replacing.	07 08 18	Email KS not want bin changing.	07 08 18
<u>Glebe Meadow &amp; Barnfields</u>	09 08 18	Confirmed works, requested risk assessment and insurance by email. Cc'ed A. Hull	
<u>Spinney</u> – Received further tree report. Contact Amenity Tree Care for on-going maintenance scheme.	16 08 18	Emailed ATC asked for update on trees and cost of developing programme of maintenance.	
Letter to resident – over hanging branches	20 08 18	Sent letter by email.	20 08 18
<u>Annual Play Inspection</u> – book inspection	16 08 18	Confirmed play inspection.	
<u>Play Inspection training</u> – identify costs and circulate to councils	16 08 18	Emailed AP cost of food for training.	





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<u>Welsh Water</u>	14 08 18 20 08 18	Meet Welsh Water representatives with IK Sent letter by email to AD regarding clearing brook inc. photos	
<u>Bear &amp; Ragged Staff</u> – submit additional information.	16 08 18  20 08 18	Emailed additional info. Emailed syndicate for update for bid submission. Emailed info from syndicate	
<u>Planning</u>	21 08 18	Submitted comments	21 08 18
<u>20mph Speed Limit</u>	22 08 18	Emailed objection to KC & communityspeedmanagement@ Received reply will respond SEPT.	
<u>Missing 50mph Signs</u>	24 08 18	Reported to ENG ref: 2143034.	
<u>Housing Numbers</u>	21 08 18 22 08 18 24 08 18	Discussed with FH Draft submission to inspector LP2 Emailed submitted & IK delivered paper copies.	
<b><u>OTHER ITEMS</u></b> Street light 4 – cover open Play Area Inspection	15 08 18 06 08 18 14 08 18 20 08 18	Reported reference: 4841352	



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**Informal meeting regarding the Canal Conservation Area &  
Housing Numbers**

**Barbour Institute, 21<sup>st</sup> August 2018**

**PRESENT**

Councillors

Georgina Blackhurst, Iain Keeping, Norman Sharp, Graham Spencer, Carol Weaver, Ann Wright (Clerk).

CW&C Officers

Kirsty Henderson, Fiona Hore, Denise Snelson.

**Canal Conservation Area**

Councillors reported they were surprised when a representative of the Bolesworth Estate raised the conservation area at a meeting as they knew nothing about it and had not been notified of any consultation. Also the 2 industrial sites included in the conservation area did not seem to meet the criteria required for a conservation area.

It was confirmed that residents and business had also not been notified or informed, and it was confirmed letters had not been sent to individual properties.

Kirsty Henderson provided the following background:

The Chester Canal Heritage Trust have been asking for and working on this designation since 2008, and in 2016 it was decided to adopt this policy.

The designation of the area was a long drawn out process as the area covered is approximately 28 linear miles long running from Ellesmere Port to Nantwich in Cheshire East.

In 2017 to mark the 50 years celebrations of the existence of conservation areas there was a national drive to promote and celebrate conservation areas and the commitment was made by CW&C to move this designation forward.

This proved to be a mammoth task which initially included a 12 week consultation period which was extended further due to a lack of responses.

Kirsty Henderson confirmed that Tattenhall & District Parish Council had not been omitted from the consultation deliberately and apologised for this omission.

She confirmed there had been a number of press releases and also 2 member's briefing which had been circulated to CW&C ward councillors.

It was confirmed the inclusion of sites in a conservation area would not have a massive impact on planning policy in those areas, it would have a slight impact on permitted development rights and that work on trees required a 6 weeks notification process (dependant on the size of the trees trunk).

Planning policy in conservation areas is intended to preserve and enhance development not to stifle it.

It was noted many of the bridges in the area were already listed.

It was reported that the Chester Canal Heritage Trust are delighted with the designation and were considering enter it in a national competition run by the 'Civic Voice'. It was noted as a voluntary organisation they had done a huge amount of detailed work to get this designation and the process had been driven by them rather than CW&C.



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Kirsty Henderson agreed she was happy to meet with businesses in the area if they were not aware of the new designation.

It was noted that in most areas only the canal and towpath are included in the conservation area but some buildings were also included, much of the designation had also been based on historical maps.

It was agreed that in the future it was important that the Parish Council is consulted and that this should be done by emailing or writing to the Clerk, who could disseminate the information.

It was agreed due to the length of the area some places and sites had a greater significance than others.

It was confirmed that the report provided details not only of the character of different areas but also took into account views including those to Beeston and Peckforton Castles. It was agreed these details could be useful for the review of the neighbourhood plan.

It was stated that all conservation areas should be reviewed from time to time, however there are 97 conservation areas in CW&C some of which have no character assessment, and that this was a huge amount of work which needs to be prioritised. It was suggested that this area could be reviewed as part of a 5 year rolling programme or in line with Neighbourhood Plan reviews.

### **Housing Numbers**

Fiona Hore confirmed she was aware of issues relating to the numbers of C2 (care) and C3 (residential) dwellings on the retirement village and that also further phasing applications were likely.

She confirmed that these numbers would be reviewed as part of the housing monitor for 2019, and that due to issues raised particular attention would be paid to housing categories supplied at the retirement village.

She confirmed the continuous amendments to large applications is extremely frustrating for planning officers as well as Parish Councils and residents, but local authorities have no powers to stop this.

She also stated that the difference between C2 and C3 was a very grey area.

It was stated that in the original application there were 71 care rooms however as a result of subsequent applications these had now gone and the care element had been all but removed.

It was noted that developers could build any of the proposals which had been approved, not just the latest approved application.

Fiona Hore confirmed she would ask the planning officer dealing with the application, Gail Nixon, to produce a mini report of what has been built and what had permission, although she confirmed this may not be 100% accurate due to the difficulties discussed.

It was highlighted that the Parish Council has 2 issues:

1) That the Local Plan Part 2 which is currently at examination states Tattenhall has a shortfall of 43 houses on its allocation and as such it proposes to extend the settlement boundary in 2 places.



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2) The on-going appeal for the development of 30 houses off Tattenhall Road.

To tackle these issues the Council needed the support and backing of CW&C.

It was agreed the Parish Council should submit comments to the Local Plan Inspector and would be able to speak at the enquiry in September by which time the figures relating to the Retirement Village would be available.

It was noted that it was now too late to add further comments to the Tattenhall Road appeal even by CW&C as it was a written appeal.

It was noted that 'granny annexes' are C3 dwellings but permissions should include a condition that they are incidental to the enjoyment of the main dwelling to prevent them becoming a separate dwelling.

It was noted the new NPPF (National Planning Policy Framework) has now changed the onus for developers to prove that outline permissions are not deliverable in five years to authorities having to prove they are.

The Chairman and Councillors thank Fiona Hore and her colleagues for attending the meeting.

Ann Wright 21/08/2018