

**MINUTES OF ORDINARY MEETING OF BUNBURY PARISH COUNCIL
AT THE PLAYING FIELDS PAVILION, BUNBURY ON 13 MARCH 2019**

PRESENT: Councillor R Pulford Chairman
Cllr M Ireland- Jones Vice Chairman
Councillors, M Thomas, C Green, N Parker, G Griffith, T Greco, L Potter and P Brookfield

IN ATTENDANCE: Marilyn Houston, Clerk to the Parish Council. 27 members of the public and one member of the press.
Cllr Green was also attending in his position as the Cheshire East Bunbury Ward Councillor.

OPEN FORUM

RESOLVED: to suspend standing orders so that the time for speakers could be extended and that Members could comment on points raised, for information.

A resident referred the PC to the planning matters on the agenda objecting to planning application **19/0803N Outline application seeking the erection of up to seven residential dwellings (Use Class C3) on Land at Wyche Lane. There were further speakers also objecting to this application. Objections included the following issues:-**

- Impact on Wildlife corridor
- Speed limit of 60mph on Birds Lane
- Splays – hedge way will be removed
- Poor access for delivery/refuse vehicles
- Lack of parking within the site
- Overdeveloped – 2 recent developments in area
- Construction vehicles will have to park on site as no room on lane
- Does not mirror housing opposite
- Footpath across the land

The PC noted the objections. Cllr Pulford answered questions and provided points of information.

Residents asked Cllr Green to call this in as the ward councillor. Cllr Green explained the process of call-in, which can be requested, but may not be approved and undertook to put a request in.

A resident had emailed a query about a comment made in the planning application by the developer about a meeting with PC representatives. Cllr Pulford had responded at the time and repeated his response - that the developers requested the meeting and it is normal in these circumstances for Councillors to meet with them, not to signify any approval or otherwise, but to provide advice about whether a potential proposal complies with the Bunbury Neighbourhood Plan. Cllr Pulford gave an assurance that the words used by the developers in the application, i.e. "the Parish Council regarded the proposed development favourably, noting how in principle it would be supported by Neighbourhood Plan Policies" is an interpretation that he did not agree with. Councillors would never use the word "favourably," or anything like it because that would imply that they may have predetermined support for the application. When Councillors consider this application, at this PC meeting, they will do so with open minds and will only make a decision after having listened to anything that residents have to say and after having debated the issue.

Other residents made further comments objecting to the application and Cllr Greco commented in general to responses from residents on planning applications.

13.03.01 APOLOGIES

Cllr. G McCormack.

13.03.02 DECLARATIONS OF INTEREST/REQUEST FOR DISPENSATION

Members were invited to declare any personal interest (non-pecuniary) or disclosable pecuniary interest which they had in any item of business on the agenda, the nature of that interest, and in respect of disclosable interests, to leave the meeting prior to the discussion of that item.

Cllr Pulford declared a personal non pecuniary interest in 16.1.

13.03.03 MINUTES

(ORDINARY MEETING HELD ON 13 FEBRUARY)

RESOLVED: to approve the minutes of the meeting held on 13 February 2019 subject to amendments:-

Speakers: Elaine Croy should read Elaine” Croy.”

Local Forum: “When Police did speed monitoring....” Should read “When Cheshire Highways did speed monitoring”” We have an advisory 20 mph which is not enforstable” add “- its advisory”.

13.03.04 LOCAL POLICING ISSUES

There were no Police representatives in attendance. They have a standing invitation to attend when available. There is a cluster meeting in three weeks.

13.03.05 HIGHWAYS ISSUES

PARISH COUNCIL HIGHWAYS REVIEW

To clarify the status of the Committee.

The Clerk had responded to recent enquiries from residents confirming that this was a Working Group that made no decisions. Cllr Pulford explained that it had been set up to enable a smaller number of Councillors, to identify the issues and possible solutions, as part of the highways review that came out of the Parish Plan and Neighbourhood Plan. It provides in-depth discussion time that is not possible at Parish Council meetings. All decisions are made by the Parish Council.

Proposed Cllr C Green Seconded Cllr Thomas

RESOLVED: that the title the Highways Working Group should be used from now on.

Update Report from Cllr Pulford

Cllr Pulford reported that the working group had met that day and minutes/summary notes of the meeting would be presented at the April PC meeting. At the request of the Parish Council, Cheshire East Highways had provided advice, through a visit by a highways engineer, to assist the parish council in preparing an action plan in relation to issues raised at the February PC meeting.

13.03.06 CONSULTATIONS - To consider responding to any current consultations on the Cheshire East Website

Cllr Ireland-Jones reported that there was a consultation on the planning checklist but there didn't appear to be a need to comment on this.

13.03.07 PLANNING MATTERS

13.03.07.1 Planning applications, reserved matters and discharge of conditions applications received from Cheshire East since last meeting.

RESOLVED: to change the order of the agenda to discuss the second application first so that members of the public wouldn't have to wait.

19/0803N Outline application seeking the erection of up to seven residential dwellings (Use Class C3) on Land at Wyche Lane. All matters reserved for future determination Land adjacent Wyche House, WYCHE LANE, BUNBURY, CW6 9PS

Cllr Green stated that he would take no part in the discussion and comment on this application and at the suggestion of the Clerk moved away from the table.

Due to the complexity of this application the Chairman invited Cllr. Ireland-Jones to read out the notes he had made when undertaking an in depth analysis of the documents on the Planning website. The Clerk was also asked to read from the notes made of the objections from residents in the local forum and the email correspondence referred to in the local forum The Parish Council voted on a proposal to object to the application based on the points raised.

RESOLVED: Bunbury Parish Council objects to this application on the following grounds and would ask Cheshire East to also take the following comments into consideration: -

Comments on report from Optima, document titled Wyche Lane, Bunbury Proposed Residential Development Transport Note

2.1.10 The carriageway on Wyche Lane measures between 4.8m and 4.9m in width. With reference to Manual for Streets, this is wide enough for two cars to pass and a car to pass an HGV.

Object as this is incorrect, the width narrows to 3.2M in places, and this should be taken into account, not just the road at its widest point.

2.2.5 Table 2.1

Object as this implies 2 buses a day to and from Nantwich, it is one bus a day on each of the only three days a week that have a bus service. The bus leaves at 10.27 and returns at 14.22

2.2.8 and 2.2.9

The nearest rail station is Nantwich, which is 13km from the Site. Nantwich Station can be accessed via the bus service shown in Table 2.1 or via the dial a ride services.

Transport for Wales provides services to Manchester, Stockport, Crewe, Shrewsbury and South Wales. Major interchange opportunities are available at Crewe, which is located on the West Coast mainline and enjoys services to most areas of the country.

Object as this statement is untrue. Nantwich station is not accessible via the bus service. Buses only run 3 days a week, one per day and it is 1/2m walk from the bus to the train station. You can't get to and from anywhere since you only have 3 hours in Nantwich. For example to get from Bunbury to Crewe, take the 10.27 bus on a Tuesday, the 13.05 train and arrive in Crewe at 13.15, you then have to spend 2 nights in Crewe, on Thursday take a train back to Nantwich and the 14.22 bus back to Bunbury, at total of 52 hours.

The Little Bus service is only for older/disabled people not the general population. Quote from Cheshire East website: Flexible transport is a 'demand responsive' transport solution which provides an alternative means of travel for older and disabled people. All journeys must be pre-booked so that routes can be planned efficiently. The service works on a demand responsive basis.

3.2.2 Drawing 18128/GA/01, contained in Appendix C, illustrates the most desirable access option onto Wyche Lane. (Splays)

Object as this drawing only references the road access, the 2 drives at either end of the frontage are not accommodated and the splays cannot be adequate without significant removal of further hedging in front of Wyche House and the proposed garden/planting area.

3.3.4 Table of traffic based on TRICS

Object as these numbers appear to be wrong, but there is insufficient detail in Appendix D to challenge these conclusions and we request that CE ask for further backup. The low

number may be due to the assumption that people can walk or take public transport to work, see 4.1.4.

4.1.4 This report has provided a commentary on the existing Site and its conditions. It has demonstrated that the Site is in a relatively sustainable location, given its rural setting and that there is access by appropriate public transport and sustainable links to some services. This provides future residents with opportunities to travel via alternative modes of transport and minimise trips by the private car.

Object as this untrue, it is not possible to use public transport to commute to work outside Bunbury and as has been demonstrated there is no link to other services such as the train. You cannot access public transport on 4 days of the week.

Comments on Planning, Design and Access Statement - Savills

- 1.10. Savills met with the Parish Council on the 10th October 2018 to discuss the development proposals prior to the submission of this application. At the meeting, the Parish Council expressed their general support for the principle of the development.
- 1.11. The Parish Council viewed the proposals in the context of the adopted Neighbourhood Plan, in particular Neighbourhood Plan Policy H2 which supports small scale development of greenfield sites which are located immediately adjacent to the village and below 15 units in scale.
- 1.12. The pre-application advice also provided the following comments:
- There would be no policy conflict with the Neighbourhood Plan in Principle;
 - There is a need for intermediate / small scale housing which the illustrative layout shows can be delivered on site;
 - Access and highways would need to be reviewed in detail; and,
 - Whilst a number of other sites have been approved and the housing need is considered generally met, this should be seen as a minimum figure and new sites can be supported commensurate with the size of the village to support its long term sustainability.
- 1.13. In conclusion, during the pre-application discussions, the Parish Council regarded the proposed development favourably, noting how in principle it would be supported by Neighbourhood Plan Policies.
- 1.14. In short, there were no insurmountable issues raised which would prevent the principle of developing the Land at Wyche Lane, Bunbury.

Object to 1.10 - 1.14 as this is a mis-representation of what the PC representatives said when they met with Savills (WHICH WAS NOT ON 10 OCTOBER BUT ON 24 OCTOBER).

The Parish Council did not meet with Savills on 10th October 2018.

There was a meeting on 24 October following a request from Savills to meet. This request was considered at the Parish Council meeting on 10 October. The minutes clearly set out the protocol for a meeting which is recorded in the following Minute note:-

10.10.07.3.2 Requests received from developers to meet with the PC at pre-planning stage.

- **Savills - To consider a request to meet with the Parish Council to discuss development principles for residential dwellings on a Greenfield site adjacent to the development limits in Lower Bunbury.**
- **Fisher German LLP – To consider a request to meet with the Parish Council to discuss the development potential for a parcel of land just north of Oakfield, Bunbury Lane.**

RESOLVED: to authorise Cllrs Pulford and Ireland-Jones to meet with the developers following the established protocol – they will listen and ask questions but not comment and in reply to any questions will only quote the Neighbourhood Plan.

This protocol was communicated to Savills in an email on 12 October as follows:-

“The PC agreed that the Chairman Ron Pulford and Vice Chairman Mark Ireland-Jones can meet with you. The PC has a protocol for meeting with prospective developers. The PC representatives will listen and ask questions but do not comment. Cllr Pulford can refer the developers to the Neighbourhood Plan and quote the plan in answer to questions.”

At the start of the meeting on 24 October Cllr Pulford stated that he and Cllr Ireland-Jones could not “give a view” this was repeated throughout the meeting and stressed again at the end giving the reason why.

Bunbury Parish Council strongly disagrees with the words used in the Statement “the Parish Council regarded the proposed development favourably” and “there were no insurmountable issues raised”. A Parish Councillor would never use the word “favourably,” or anything like it because that would imply that they may have predetermined their support for the application. When Councillors considered this application, at the PC meeting on 13th March, they did so with open minds and have only made a decision after having listened to anything that residents had to say and after debating the issue. Other than making references to the Neighbourhood Plan the PC representatives were not there to “raise issues”.

2.2 The site is currently undeveloped and has no planning history.

Object as this statement is incorrect, planning has previously been refused in 1965 4/5/5020 and 1989 7/16940.

2.7. Splays

Object as per comments on the Optima report.

2.8 Bunbury, a Local Service Centre, is considered to be a sustainable location for development, with a range of services and facilities to meet the needs of local people, including those living in nearby settlements. Bunbury benefits from a supermarket, a post office, a church and a number of coffee shops, all located within a 400-800m walking distance of the site.

Object: There is nothing within 400M, there is only one coffee shop and the distances are 700-800m

2.11 Bunbury is located directly east from the A49, meaning it is accessible by public transport links. To detail the site’s closest bus stop located circa 0.5 miles from the site. The existing number 70 provides sustainable travel options to Nantwich with a frequency commensurate with its rural location.

Object as the A49 is 0.9 miles away and there is no accessible public transport on the A49. See <https://www.cheshireeast.gov.uk/pdf/public-transport/cheshire-east-borough-public-transport-map-29th-october-2018.pdf>. You would need to walk to the Red Fox, 3 miles and 1 hour walk to access a bus.

Regarding the bus service see comments on Optima Transport policy where Service 70 does not offer sustainable travel options.

2.13. To detail, the local Co-Op store, butcher and fish and chip shop are located 750m from the site, the local primary school (Bunbury Aldersey Church of England Primary School) is located within 1km of the site and is accessible by foot and by cycle, and the nearest bus stop is located 700m from the site.

Object the wording should read: the only accessible bus stop which only has buses on 3 days a week.

4.18 Neighbourhood Plan Policy H1 seeks to accommodate a minimum of 80 new homes in Bunbury over the Plan period. The same policy outlines that development in the Neighbourhood Plan Area will be focussed on sites within or immediately adjacent to Bunbury Village, in order to achieve the aim of enhancing its role as a sustainable settlement whilst also protecting the surrounding countryside.

Object: Bunbury PC would ask CE to consider that they have already approved 108 properties and this is to cover the period up to 2030 and this should have been referred to in the Design Statement.

4.21. The Emerging Local Plan Site Allocations and Development Policies document is currently being prepared by Cheshire East Council. The Local Development Scheme suggests that it may be adopted in early 2020. The council consulted on their first draft Site Allocations document until October 2018. Whilst the scheme has been considered in the context of this emerging document where appropriate, it is considered that given its early stage of development, limited weight will be attributed to any policies or allocations within this document.

4.22. Within the Adopted Local Plan Strategy, Local Service Centres such as Bunbury are expected to provide 2,500 houses through the plan period as whole. Within draft policy PG8 this equates to a minimum of 110 properties in Bunbury over the years 2010 to 2030, taking into account completion rates.

Object as this is not a minimum, but the number allocated so as CE meet their national target and Bunbury has 108 already built or in plan. The period runs until 2030 so Bunbury is ahead of the plan and this should be taken in to account.

4.29. Paragraph 73 of the NPPF states that housing delivery figures should be considered as a minimum and there should be no cap on sustainable development.

Object to term 'no-cap' as this infers to there is no upper limit. The minimum of 80 was considered to be a number that was consistent with national and local plans and allow reasonable growth, no-cap implies this number has no validity, currently 108 have been approved and the PC would ask CE to consider this in their deliberations.

5.5 Object as this repeats the number of 110 see response to 4.22

5.6. With their being no ceiling figure to each of these policies the proposals would be in accordance with this need, subject to it not impacting the core shape and form of the settlement. Further, discussions with representatives of the Parish Council made clear that this development could be in direct response to Bunbury's housing need, with the applicant working with the Parish Council to revise the illustrative layout and demonstrate a greater proportion of smaller / intermediate scale units to meet the specific housing need of the Parish.

Object as the PC does not believe there is 'No ceiling'. It is also attributing a role to the PC that is incorrect. The PC does not work on layout, this is CE Planning responsibility and the PC could not work with the developer as the PC would not then be able to comment on an application without pre-determination.

5.23 Object see comments on Optima report 2.1.10 (width of road)

5.26. The site is in a sustainable location, within close proximity to existing shops and services within Bunbury. The development of this site would achieve strategic Priority 4 by reducing the need to travel by building homes that are close, or easily accessible to where people work, shop, and enjoy recreational activities.

Object as the site is not within walking distance of where people work and as shown elsewhere there is no viable public transport. The only accessible employment is in retail or pub/restaurants e.g. Co-op or a small number of family retail outlets or the local pubs. There is no commercial land identified in Bunbury for future commercial development. There are limited recreational facilities within walking distance e.g. there is no swimming pool, fitness club, cinema or theatre.

Additional comment Bunbury PC would ask CE Planning to consider the potential presence of fuel tanks in Phase II. To note that in the response from Regulatory Services and Health, Cheshire East Council there is a paragraph:-

Campbell Reith Consulting Engineers report PTK13097-040119-DS-F1.docx (Geotechnical and Geoenvironmental Desk Study, dated January 2019) was submitted in support of the application. The report recommends that a Phase II investigation is undertaken to appraise the potential issues of ground contamination at the site.

19/0371N Revised Description - Erection of x8 dwellings and revised access following approval ref 16/5637N Land at VICARAGE LANE, BUNBURY for comment by 6 march (planning has given the PC an extension for comments)

It was noted that the PC had previously not objected to this application which the CEC officer had put out to consultation again because the description had changed

RESOLVED: No comment

13.03.07.2 Decisions made by Cheshire East Council

None received.

13.03.07.3 New Housing Developments - Update from Cllr Pulford

13.03.07.3.1 General update

Cllr Pulford reported that Duchy homes are still hoping to complete in April on the Grange site. The problem of works vehicles parked on Wyche Lane is being reported.

13.03.07.3.2 Cheshire East Local Plan – Site Allocations and Development Policy

Cllr Pulford reported that the Cheshire East planning officer had informed the PC that the process was continuing and a meeting will be arranged to consult with parish councils in the spring.

13.03.08 LAND OFF WYCHE LANE OWNED BY THE PC ON BEHALF OF THE COMMUNITY- to receive an update from Cllr Pulford on the development of the land as a community woodland including fruit trees

Cllr Pulford reported that a site meeting had taken place with the technical manager of the Duchy. The stakes have been put in the ground where the trees are to be planted. A mix of species and looking at improving soil quality and tidying the hedges.

To consider access/restrictions for dog walking.

RESOLVED: No dogs on the land.

It was noted that garden waste from adjoining properties appeared to have been deposited on the land. Access by local residents to be on the April agenda.

13.03.09 PEDESTRIAN ISSUES WITHIN THE VILLAGE

13.03.09.1 Cheshire East's Sustainable Modes of Travel to Schools Strategy Consultation - To receive an update on the journey to School safety issues and possible funding for pavements if the school has a travel plan.

Cllr Ireland-Jones reported that he had arranged to speak with the Headteacher on this matter the next day. A Member raised a query about land that was being used by pedestrians to the school on an informal basis. Cllr Pulford replied that to make this an official access path land would need to be purchased. This is to be added to the list of issues on the travel plan.

13.02.09.2. Footpaths/Public Rights of Way – to consider any current issues

An issue was raised about residents having difficulty where a stile rather than a kissing gate was put on a footpath at Wyche Rd Cllr Brookfield will enquire about this.

13.03.10 PARISH COUNCIL ELECTION 2 May 2019 – to receive a report from the Clerk on the process, procedures and how to submit candidate nomination papers as explained at the Cheshire East Briefing session.

The Clerk reported that back from the briefing session organized by the elections team at Cheshire East on the upcoming elections for all Town and Parish Councils. All 10 seats on Bunbury PC are up for reelection. Candidate packs are being given out by CE Elections team and need to be returned to them by 3 April.

13.03.11 NEW HOMES BONUS - UPDATE

Cllr Pulford reported that the bids that Bunbury PC put in had not been successful but can try again next year in Phase 2. Cllr Green commented that the fund had been massively oversubscribed.

Due to the length of some items on the agenda the meeting was running out of time so Members were mindful to keep their contributions short

13.03.12 PLAYING FIELDS - Report from Playing Fields Committee Chairman Cllr Parker

- **General Update** - Deferred.
- **Playing Fields Lease** – Deferred.
- Salvation Army clothing recycling bin – Going ahead

13.03.13 BOROUGH COUNCILLOR'S REPORT

Deferred.

13.03.14 PARISH COUNCILLORS' REPORTS

Councillors reported:-

There is a new kissing gate on the footpath off school lane and the land has been cleared.

Willowbank on school lane Overgrown hedge to be reported on the Highways website.

Parked vehicles with engines running on school lane. Add to ideas that came up today at Highways working group

Gully clearance. – had a schedule from Highways Members can report to CE on website for residents.

Large vehicles being directed by sat navs by the Church and down Wyche Lane then getting stuck.

Road signs to be checked

Cllr Potter reported on events around the village.

13.03.15 CORRESPONDENCE

The Clerk had circulated emails received. One concerned the Highways repair on Bowes Gate Rd was referred to Cllr Green in his capacity as ward Member. In addition, an email had been received from a resident with questioned on a planning issue and the Clerk's prompt reply had been gratefully received. A letter had been received from a resident concerning levels of rubbish and was noted.

13.03.16 FINANCIAL MATTERS

13.03.16.1 Village Day – Request for funds

Further information on the funds required for the art project for Village Day had been received that included £300 for a workshop at the school.

RESOLVED: to contribute to Village Day with £300 for the workshop.

13.03.16. Parish Clerk's out of pocket expenses Oct 18 to March 19

The Clerk tabled an expense claim.

RESOLVED: to approve payment by BACS

13.03.16.3 Authorisation of Cheques to be signed - None.

Part Two

Confidential matters - members of the press and public will be excluded from the meeting under the provision of the Public Bodies (Admission to Meetings) Act 1960, Section 1

13.03.17 To appoint a Committee to handle a formal complaint

RESOLVED: A committee of three Members was appointed. The Clerk will arrange a panel hearing.

13.03.18 Review of Lengthman's Contract 2019/20

RESOLVED: To agree a 5%increase in the payment terms

13.03.19 Review of Parish Clerk's Salary 2019/20

Members noted the increase agreed nationally on the NALC LSCC salary scale and that the Clerk's pay would increase in line with this in accordance with the contract of employment.

..... Chairman