

**Minutes of The Antrobus Parish Council Meeting  
on Monday 19 Feb 2018 at 7:30pm at Antrobus Village Hall**

Present

Mr S Barker (Vice-Chairman)

Mr S Batey

Mr P Pugh

Mr C Wright

Mrs H Metcalfe

Mr S Palmer (Clerk)

Cllr N Wright (Ward)

**Open forum.** 4 villagers attended. It was pointed out that the recent UU work at the Old Orchard was to fix sewer pipe damage. The rain water flood risk was resolved when a larger pipe outside the Post Office was installed in 2014. It was also said that pollution in Galebrook was due to oil and salt from the motorway.

**The meeting started at 7: 25pm**

**1. Apologies for unavoidable absence** were received from C Bunn, J Graty, P Harrison, Cllr L Gibbon (Ward), Cllr D Hammond (Ward).

**2. Members' Declarations of Interest** – H Metcalfe item 6.4

**3. Minutes of the Parish Council meeting held on 15 Jan 2018 - (18/06) RESOLVED** to accept the minutes as a correct record of the meeting.

**4. Matters Arising**

Playground Lease renewal - **(18/07) RESOLVED** to accept a £850 budget for solicitor costs. Responsibility for the tree will remain with the Village Hall and this will be stated in a side letter and the Village Hall minutes.

Ragwort article to be repeated in March village news	Land drainage – Galebrook to Arley is being dredged now. Work will continue on trying out mapping.
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**5. Casual Vacancy** – the proposal fill a vacancy is deferred to the next meeting on account of the low number of councillors present.

**6. Planning**

6.1. Consultee comments by the Clerk (Planning Working Group PWG) were noted and responses to planning applications were made (appendix 3). Clerk to ask CW&C for full disclosure on the allocation process and if there is a recognised waiting list

6.2. It is understood that the developer contribution of £23,839 from 15 Dwellings is fixed across the 5 categories (Green space, Play Child & Youth, Allotment and Parks). The clerk will propose that the monies are spent in green space: 75% Village Hall and 25% Park Moss Woodland Trust, in Allotment: 75% Great Budworth

and 25% Antrobus Community Kitchen Garden, and timed for when development starts (via a s106 agreement).

- 6.3. The proposition that a judicial review is sought with regard to the decision of CW&C for 15 Dwellings was withdrawn on the basis that the high costs don't make it a practical proposition
- 6.4. Enforcement – Concern was expressed about the impact of a livery that proposes to rent space. Land registry conditions will be investigated.

## 7. Highways

- 7.1. Old Orchard damaged sewer drains – The work has been completed by UU after 81 days. A letter with 4 questions was sent to UU who held a site visit with the Parish Council on 7 Feb and gave a thorough written response. Thanks to those who have helped in the process.
- 7.2. Parking at Manley Close – visibility on the junction – deferred
- 7.3. New Highways concerns - Lorrys getting stuck on Arley Road – a site meeting will be sought

## 8. Playground

- 8.1. Inspection, repairs & insurance – A Service Level Agreement with Northwich Town Council was agreed. An active detergent spray for the moss will be applied.

## 9. Consultations

- 9.1. Public Space Protection Order – to be supported.

## 10. Accounts & Finance

- 10.1. The accounts in Appendix 1 were noted.
- 10.2. **(18/08) RESOLVED** to approve the payments list Appendix 2.

## 11. General Data Protection Regulations – The regulations apply on 25 May. Documents and procedures will be drawn up once templates come through from Chalc/SLCC. The lawful bases for processing are under discussion. 'Consent' is the most onerous.

## 12. Open Forum, Representatives, Committees & Working Groups

- 12.1. Issues from the open forum - none
- 12.2. Reports from Committee and Working Groups – The Garden is busy building raised beds.
- 12.3. To receive representative reports

Rural Broadband – BT have agreed to a comprehensive survey to see the final cost.	Village Hall – new fire alarm has been installed. Grit bin to be purchased
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## 13. Notable Correspondence

Thanks for speaking at Planning Committee 6 Feb	CHAIN Anti incinerator network – latest amendment has been withdrawn.
Emails about Park Moss	Cheshire 10k run Saturday March 10 <sup>th</sup>
Bridgewater Hall tickets to be offered at 'Dambusters' event Village Hall, 6 May	

## The Meeting ended at 9:17pm

The next meeting of the Parish Council will be held on Monday 19 Mar at 7.30 pm at Antrobus Village Hall. Open Forum at 7:15 pm.

### Appendix 1 Accounts 5 Feb 2018

Current account	£ 14,892.59	Reserve a/c 5 Dec	£ 9,411.29	Income: nil
Cash book	£ 14,717.66	Reconciliation:	3 cheque(s)	

### Appendix 2 Payments

Clerk – expenses & 3.75hrs webinar overtime	£ 59.22	1088	LGA 1972 s 111
SLCC Enterprises Ltd – Webinar on GDPR	£ 36.00	1089	LGA 1972 s 111

### Appendix 3 Recent planning decisions by CW&C

17/04912/FUL - Model Cottage Hollins Lane CW9 6NL - Change of use from garage/office to self-contained accommodation. <i>no objection (PWG - 18/12/17)</i>	Withdrawn 17 Jan
18/00540/FUL Land At Model Cottage Hollins Lane CW9 6NL - Conversion of a garage into a new dwelling (see 17/04912) – <i>No objection (Feb 2018)</i>	
18/00266/DSM   The installation of a future 'back up' generator and an emerson battery cabinet as show per attached plans.   Land Beside National Grid Pylon No.ZO071 Brownslow Farm Warrington Road Comberbach CW9 6HN – ( <i>noted, not a consultee</i> )	
17/05056/FUL Brow Farm Brow Lane CW9 6JP - Change of use from agricultural barn to lavender processing and retail unit (see also 17/4883). – <i>No objection, subject to Environmental Protection Team's assessment of smell/air quality. Traffic impact OK.</i>	
17/01666/FUL Land At Knutsford Road - Erection of 15 Dwellings – (Amended plans). <i>1<sup>st</sup> response - 25 May. 2<sup>nd</sup> response 11/12/17. Planning Committee 6 Feb: The Parish Council attended and spoke against, as did L Gibbon (Ward). N Wright (Ward) proposed against. The developer said houses would be available by Christmas 2018 and the lowest price would be £132,000. The final voting was 7 for approval, 3 against, 1 abstention. Some councillors voted for as they felt this would be successful on appeal</i>	Approved 6 Feb CW&C Planning Cttee
a) 17/04729/FUL Park Moss Farm Arley Road CW9 6NS - Conversion of steel framed barn into a function room and single storey extensions – ( <i>See objection 28/11/17</i> ). b) A license application was made in Dec (reported as successful) c) New planning application 12 Feb. See Appendix 4.	
17/02067/LDC ...   The White House Hollins Lane CW9 6NL – <i>no comment (June 2017)</i>	
18/00109/LBC Gale Moss Arley Road CW9 6NS – Replacement windows to west gable. – <i>No objection (Feb 2018)</i>	
18/00584/FUL Land adjacent to Foxley Brow farm, School lane – Timber field gate access from School Lane to existing agricultural field. – <i>No objection (Feb 2018)</i>	

### Appendix 4 17/04729/FUL Park Moss Farm continued

Antrobus Parish Council. Date: 26 February 2018

Dear Sirs

#### **17/04729/FUL - Park Moss Farm Arley Road Antrobus Northwich CW9 6NS -Conversion of buildings to a wedding venue and single storey extensions to steel framed barn.**

The Parish council's objections on the first application (10 Jan 2018) remain applicable to this second application. We also object on the desirability of preserving the setting of such listed buildings.

The Parish Council has sought the views of the Conservation Officer but today have had no response so we cannot comment on his assessment and conclusion. The buildings that are the subject of the application are a Heritage asset and so there is a statutory duty on CW&C to consider their significance in the planning application

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process. We briefly set out the issues but recognise the Conservation officer is to make a full assessment in accordance with *The setting of Heritage Assets Historic Environment Good Practice Advice in Planning: 3 (2015) and the 2<sup>nd</sup> Edition of December 2017.*

### Material consideration

Park Moss Farm is a listed building. Given the proposed use under this Planning Application, and the new building form, it is the opinion of Antrobus Parish Council that the **desirability of preserving the setting of such listed buildings** is a significant material consideration that should be added to the ones the PC has already raised. Where harm is considered likely then there is a presumption against development.

### Background information

On the Historic England Register and indeed the farmhouse and the two 'barns' are all separately listed Grade II. The farmhouse is listed because it is 17th C substantially altered by Arley Estate later in the 19th C. It was listed in 1986. In 1988 the two barns or outbuilding between the road and farmhouse were listed separately and included for the group value of all three buildings. **As a result the listing is more comprehensive than one building and creates a special architectural and historic interest to the wider setting of these listed buildings.**

The listing of buildings is covered by the Planning (Listed Buildings and Conservation Areas Act) 1990. Section 66 of that Act imposes a "*General duty as respects listed buildings in exercise of planning functions.*" Subsection (1) provides:

*"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

This means the Local Planning Authority must give 'considerable importance and weight' to assessing the application in this regard in order for it to comply with its statutory duty. There is planning guidance on this point. Case law has established the Act "**requires considerable weight to be given by decision makers to the desirability of preserving the setting of all listed buildings, including Grade II listed buildings.**" (ref 1 below)

The Historic England entry is as follows:

Park Moss Farmhouse Arley Road CW9 6NS entry ref 1329836

Farm Building 10 Metres South of Parkmoss Farmhouse CW9 6NS entry ref 1116058

Farm Building 10 Meters East of Parkmoss Farmhouse CW9 6NS entry re 1139169

(ref 1) *par. 28 Barnwell Manor Wind Energy Ltd and Northamptonshire District Council 18th February 2014 Cit No [2014] EWCA Civ 137 Lord Justice Sullivan giving the judgement the other two appeal judges agreeing.*

Yours sincerely,

Simon Palmer, Clerk to Antrobus Parish Council