

TARVIN PARISH COUNCIL

The following is Council's response to the Local Plan Part 2 consultation:

Rural Area Settlement Boundaries

Question 22

The boundary has been drawn very tight around the current Tarvin settlement and therefore does not agree with the Council's current view. The Eastern boundary line should follow the public footpath (Tarvin FP18) from Tarvin churchyard south to the intersection with white lane immediately to the north of Brown Heath Farm (as per map attached).

Green Belt and Countryside

Question 27

Yes, the Parish Council agrees with the approach

Question 28

Yes, the Parish Council agrees with the approach

Question 29

Yes, the Parish Council agrees with the approach

Question 30

Yes, the Parish Council agrees with the approach

Key Settlement Gaps

Question 32

Yes, the Parish Council agrees with the approach and fully supports the settlement gap between Tarvin and Oscroft

Development Management Policies

Question 42

Yes, the Parish Council agrees with the approach

QUESTION 49

Yes, the Parish Council agrees with the approach

Policy DM19 Gypsy, traveller and travelling showpersons' accommodation

Question 60

CWaC is required to find suitable sites to provide for identified needs for Gypsy and Traveller accommodation.

CWaC consultants WYG have identified two potential sites in Tarvin Parish. The first is at Cross Lanes, near Oscroft, Tarvin and the second is at Tarporley Road, Tarvin, Holding Number 10.

The first site has been designated by WYG as "red" which means the site has been assessed as unsuitable in relation to the criteria with no scope to overcome the constraints. The second site is designated "amber" which means the site is considered to be suitable subject to further investigation or the introduction of mitigation measures.

The Parish Council agrees that the **Cross Lanes site is totally inappropriate** given its size, location and access problems. In addition, but not highlighted in the report from WYG, is that the site adjoins a stream, a tributary of the River Gowy, which often runs deep and is fast flowing. This represents a hazard to children living in direct proximity and also any waste entering the stream would have serious consequences for wild life and downstream users. This land should never be considered for any kind of development.

The Parish Council feels that the Tarporley Road site, Holding Number 10, is also wholly inappropriate as a potential site for the following reasons:

The location

1. Tarvin has been designated by CWaC as a Key Service Centre in the Local Plan (Part 1).
2. Part of that plan proposed 200 additional houses to be built in the parish area between 2010 and 2030. **That target will be met in 2016.** Nevertheless, if there were to be any further major housing development in Tarvin Parish – “major” being defined as 10 houses or more - both the Parish Council and the Neighbourhood Plan Steering Group feel that land east of Church Street/ Tarporley Road is the only suitable location remaining in the Parish. It is also the only area where much needed recreation facilities and public car parking could be provided. This is because it is the only sustainable location in terms of proximity to village amenities, services and transport.
3. Note that if some or all of these uses (housing, recreation, parking) were to be pursued, the views across the open countryside to Kelsall Hill and from Oscroft back towards Tarvin would need to be sensitively dealt with. The Neighbourhood Plan community surveys have shown strong support for preserving these views which would be at risk should the Gypsy and Traveller accommodation proposal go ahead.
4. It is for these reasons that the Parish Council, in answering question 22 of this consultation, reiterates its long held view that the Tarvin settlement boundary east of Church Street/Tarporley road should follow the line of the public footpath which runs from the back of the Church towards Brown Heath Farm.
5. Accepting the Parish Council's view on the desired settlement boundary would, it seems, also rule out Holding Number 10 as a **potential** site for travellers because, to reiterate WYG's report, one of the criteria for eliminating from further consideration would be “sites within an adopted designated city, town or Key Service Centre boundary.”
6. Notwithstanding the Parish Council view with regards to its preferred settlement boundary which under WYG's criteria would rule out the site (para 4.07 of the April 2016 WYG report eliminates "sites within an adopted designated city, town or key service centre boundary") the proposed site abuts the existing settlement boundary and it is at best disingenuous to allow a site to have been brought forward under such circumstances. The WYG criteria has to logically include a land gap between

any adopted designated city, town or key service centre boundary.

7. The Parish Council is of the view that development of Gypsy and Traveller accommodation at Holdings No. 10 would effectively sterilize the whole area east of Tarporley Road for such future use.

8. Some of WYG's reasons for designating the Cross Lanes site as "red" and therefore unsuitable were "... likely to have a negative impact on the amenity of the adjacent houses, the site would be visually intrusive, create noise and cause disruption through traffic movements." It is the Parish Council's view that all these reasons also apply to the Tarporley Road site. The site would be right on the main village through road and Tarporley Road is a very busy road.

9. The proposed site would adversely affect the character of Tarvin Conservation Area. It would result in environmental problems such as noise, nuisance, and disturbance which would be detrimental to the character of the area. It would impact on St Andrews Church, a grade 1 listed building, which has a prominent role as a landmark in Tarvin. It is important that views within, into and out of the conservation area are protected.

10. The proposed site is on the opposite boundary to two dairy cattle grazing meadows. Any loose or stray dogs from the site on these meadows could cause severe damage to the cattle.

11. The proposed site has high impact overlooking and privacy issues. This is both from looking in to the site from Tarporley Road and neighbouring residential properties and also looking out of the site towards the neighbouring properties. It has to be accepted that the significant overlooking is to an unacceptable extent and the proposed solution is mitigation. The mitigation proposed is bunding with no doubt extensive landscaping. To sufficiently screen the site from the two storey houses on the other side of Tarporley road would require a very high bund on three sides of the site and residing on such an enclosed site would be unacceptable to travellers, creating a "ghetto atmosphere" and immediately creating a "them and us". The same point made in the preceding paragraph also applies to the sites proposed use as having an unacceptable impact on the townscape and landscape within the immediate and wider area and any mitigation would cause an unacceptable intrusion in the open countryside with unacceptable and harmful landscape and visual impacts.

12. Finally the presence of a traveller site, given the nature of the type of businesses many travellers engage in, would constitute a significant change of use of the land i.e. from agriculture to semi-industrial and would therefore be inappropriate in the open countryside and in close proximity to existing village housing.

Surface water drainage

1. The proposed site boundary runs parallel at a distance of about 4 metres to the **Open Main Surface Water Drainage** channel that drains almost the whole of Tarvin village and part of the A51 by-pass. The water collection area is predominately from developed housing areas and has a very fast reaction to heavy rainfall, with the drainage channel rising by 0.5 metres within minutes.
2. This drainage system feeds into the River Gowy. Any water pollution in the ditch could endanger downstream water quality and fish and other aquatic life.
3. The ditch and adjoining bank would potentially provide a very attractive location for the illegal disposal of unwanted material either by travellers or by opponents to travellers.
4. The ditch would also be a magnetic attraction to small and not so small children sited nearby. This ditch has steep vertical sides and could prove to be extremely dangerous from falling, slipping, becoming trapped in the base, to the possibility of drowning in fast running water which can rise to over one metre depth during and after heavy rainfall.
5. The free flow of this surface water ditch is crucial to up-stream properties in the Hallfields Road area, in order to prevent drains surcharging with potential damage to property. This is already an issue for some properties in the area.
6. Furthermore the Parish Council has raised concerns regarding maintenance of this ditch with CWaC on a number of occasions. Maintenance of the ditch is currently the duty of the landowner (Church Farm). It would be grossly unfair and unworkable to expect any incidents of dumping or pollution from the adjacent Travellers site to be cleared by Church Farm at their expense. The Parish Council would expect this obligation to become the responsibility of CWaC but questions whether CWaC has the resources to police this effectively.
7. The A51 By-Pass road drainage system goes across the proposed site to reach the ditch. Rather surprisingly, this was not identified as a constraint in the WYG report.
8. In summary the location of this site, close to the drainage ditch, puts the future efficient working of this drainage system at **high risk** and it is disappointing that WYG did not identify this issue (in itself a key assessment criterion) in their report.

Impact on Neighbouring Uses.

1. WYG consider that there is one farm within the site, one to the immediate south, and three residential properties closely related to the site boundary. In fact there are approximately 70 residential properties within a radius of 150 metres from the centre of the indicated settlement location and approximately 360 properties within a radius of 350 metres.
2. Table 6.1 in the April 2016 report from WYG indicates inconsistencies in scoring sites. For example:
Site 13 "faces existing housing. Could be potentially screened. Water treatment

works adjacent but no apparent odour issues." Scored red.
Site 15 "Potential impact on existing houses...". Scored red.
Site 17 "Potential impact on houses on Mates Lane.....". Scored red.
The question has to be asked why the Tarporley Road site has not been scored similar red for the impact on adjoining residential properties?

Contamination Issues

The WYG report states that there are no known contamination issues, and are considered unlikely due to greenfield nature of site. This leads one to ask the question as to whether this claim has in any way been substantiated. For example, it has been suggested to the Parish Council that the land may be contaminated due to the burial of carcasses following foot and mouth disease in the 1960s.

Availability

WYG consider that "the site is considered to be available for development". However, the local resident who currently has a life-time tenancy on the land in question stated in an Open Forum of the Parish Council meeting that he had no intention of giving up the tenancy, nor had he been informed of the inclusion of the land within the consultation.

Other relevant concerns

1. One of the reasons for locating a traveller site in an existing community is ready access to existing services. The impact on the local primary and secondary **schools** would have to be assessed and if necessary CWaC would need to invest to accommodate any additional children should there be a shortfall.
2. With regard to **health provision** CWaC has no direct influence on the ability to meet increased need, except to lobby Health England to invest in additional services as required. This is important because Tarvin health provision is considered by Tarvin residents to be grossly inadequate to meet current needs, opening for only a few hours each week.
3. However, it would appear that Health England is more likely to be investing in Tarporley and Kelsall in the near future. The practice in Tarvin, which is administered from Tarporley, has no plans to increase provision in the village. Supporting information is available to evidence these points.
4. The local community has made it overwhelmingly clear during their attendance at the two most recent Council Meetings (when the Local Plan Part 2 was an agenda item) that they do not want a Gypsy and Traveller Site forced on them. Approximately 160 attended the first meeting and over 400 attended the second meeting. The Open Forum at both meetings was extended to approximately 1.5 hours in order for comments to be made. No one spoke in favour of a possible Gypsy and Traveller site being established in the village.

5. Gypsy and Traveller families are known to prefer sites located in areas where they have historically resided and have a network of local family support. There is no evidence to suggest that any gypsy family has historically resided at, or near the proposed site in Tarvin. There is no evidence that local family support exists in the Parish or immediate surrounding areas and there is no evidence of any demand.

Conclusion

1. In the opinion of the Parish Council a traveller site on land off Tarporley Road would sterilize the site for any possible future recreational or suitable residential expansion. The Parish Council suggests that the site is re-assessed in the light of the above submission, and calls on CWaC to look at the reality of such a provision, which would adversely impact the future deliverability of market housing and recreation space. Land east of Tarporley Road is the only viable location in the village that could deliver these facilities for current and future Tarvin residents.

2. Finally the Parish Council notes that the “Next Steps” section of WYG’s report states, in direct reference to the Tarporley Road site, that “The Council should review the tenancies of their Farm Holdings with a view to delivering sites as **early wins**”. The Parish Council considers that this statement is a direct encouragement to CWaC, the planning authority, to predetermine any future planning application for a traveller site in this location. It also demonstrates the illogicality of the situation, that is, just because a site is owned by the Council does not make it the best place to house the travelling community. The Parish Council submits that its reasoned response to Policy Proposal DM19 fully supports this view.

3. The Parish Council trusts that the above response informs the Borough Council of the potential future value of its Tarporley Road landholdings - both financially for CWaC as owner, and importantly as **the sole potential future** growth point for Tarvin Parish.

Alternative sites

Question 61

It is not the job of the Parish Council to propose alternative sites but it does feel that sites should, ideally, be on previously developed land (brown field), be adjacent to the motorway network and meet the aspirations of the travelling community who have no recent history of occupying unofficial sites within the Tarvin Parish area.

DM 30 Community Facilities

Question 71

Yes, the Parish Council agrees with the approach