

## **CONSULTATION STATEMENT**

### **1. INTRODUCTION**

This Consultation Statement has been prepared to fulfil the legal requirements of Part 5, Regulation 15(1)(b) of the Neighbourhood Planning (General) Regulations 2012 by:

- (a) detailing the persons and bodies who were consulted about the proposed neighbourhood development plan;
- (b) explaining how they were consulted;
- (c) summarising the main issues and concerns raised by the persons consulted; and
- (d) describing how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.

The first part of the statement (section 2) sets out all the stages the Neighbourhood Plan Steering Group (NPSG) went through before the draft Plan was ready for the statutory Regulation 14 consultation that took place in August/September 2018. The results of the statutory consultation are set out in section 3 of the statement and fulfil the requirements of Regulation 15(1)(b).

The NPSG has kept the Parish Council (PC), the sponsor of the Plan, regularly updated on progress as the Plan developed and the PC has considered the draft Plan on three occasions. All meetings of the PC and the NPSG were open to the public and the public were able to ask questions at these meetings. Throughout the process the NPSG has kept residents “centre stage”.

### **2. HOW THE PLAN WAS PRODUCED**

- 2.1 In January 2015 every household and business in the Plan area received a leaflet explaining what a Neighbourhood Plan was, what it could do and what it could not do. Residents were invited to a public meeting where the mechanics of producing a Plan were explained. At the end of the meeting attendees voted to produce a Plan and some volunteered to join two Parish Councillors to form the NPSG that would produce the Plan on behalf of the PC.
- 2.2 Between April and June 2015, the NPSG developed a questionnaire designed to find out what residents thought about the Tarvin Plan area and what they believed were the most important issues that the Plan should address. The questionnaire was launched at the Summer Fete on 27 June. Just under 50 questionnaires were completed and analysed by the NPSG. Because of the low response it was decided that the questionnaire should be delivered to every household and collected a few weeks later. This approach produced a much more significant response which allowed the NPSG to identify the key issues to follow up.
- 2.3 In January 2016 the NPSG contacted by email parties who might have an interest in the Plan as it was developed. These were the owner of Pool Bank industrial site, the Chester Diocese and the health practices which operate from the Tarporley Health Centre, one of whom has a satellite surgery in Tarvin village. There was no response from the first two, but the response from the health practice of Dr. Campbell and partners helped the NPSG frame questions for the second community questionnaire.
- 2.4 The second community questionnaire was hand-delivered to every household and business in May 2016. This questionnaire was designed to identify what residents felt

about the key issues and what were their ambitions for the community in which they lived. Completed questionnaires were collected by the NPSG over several weeks and a response rate of over 50% was achieved. The analysis of this questionnaire became the key determinant of the final Plan that the NPSG has now produced.

- 2.5 The NPSG was concerned that, although the response had been good, it might not reflect the views of hard to reach groups, in particular, young people aged 11 to 16. To overcome this potential shortcoming the NPSG recruited two teenagers (one girl and one boy) to find out what their contemporaries think should be future recreation priorities.
- 2.6 On 3 November 2016 the NPSG wrote to the owner of land that was considered to be most suitable for extending the Tarvin Community Woodland, this being one of the emerging land-use issues. Although the owner felt that this land should remain for light grazing the NPSG felt the land would be of much greater benefit to the community if used to extend the Woodland.
- 2.7 On the 14 December 2016 an extraordinary meeting of the PC was held to discuss the Tarvin settlement boundary, an issue that had arisen as the draft Plan was being developed. The meeting also considered the first draft of the Plan. The PC noted the NPSG view on the settlement boundary, which agreed with the proposal in the draft Local Plan (Part 2) that had been produced by the planning authority, Cheshire West and Chester Council (CWaC), but which was different to the view of the PC. The PC felt that the draft Plan needed more work to justify the emerging land-use priorities. The NPSG agreed with this analysis and over the next few months the health, housing and economic development chapters were expanded and better justified. In addition, a more comprehensive set of maps and photographs were incorporated into the draft Plan. The PC agreed to the appointment of a professional planning consultant so that emerging policies could be framed in language that would be acceptable to CWaC's planners. The consultant did help in this regard but the Plan was delayed as a consequence.
- 2.8 In February 2018 the NPSG produced a four-page leaflet, which was delivered to every household and business in the Plan area. The leaflet summarised all the land-use policies in the draft Plan and invited residents to one of two public meetings which were held on 5 and 9 March. In addition, five hard copies of the Plan were left in locations in Tarvin village which were well used by residents: these were the Community Centre, the Health Centre, the Post Office, the Methodist Church and St. Andrew's Church. The NPSG used the feedback to fine-tune the Plan. By mid-July the Plan was ready for the statutory Regulation 14 consultation.

### **3. Statutory Regulation 14 Consultation**

- 3.1 The statutory consultation period ran from 8 August to 26 September 2018, slightly longer than the specified minimum period because it fell in a holiday period. Five copies of the final draft Plan were placed in the same locations as specified in paragraph 2.8 above. In addition, the Plan was available on-line on both the PC website and Tarvinonline, the community website. Those consulted fell into three main groups:
  1. Residents and local businesses, each of whom had a letter delivered plus an invitation to one of two public meetings held on 12 and 14 September
  2. Relevant statutory consultees who were notified by email with a link to the on-line version of the Plan:
    - National Grid
    - Utilities - water, electricity, telecoms

Police  
Environment Agency  
Health and Safety Executive  
Highways England  
Historic England  
Natural England  
Sport England (NW Region)  
West Cheshire Clinical Commissioning Group  
Cheshire West and Chester Council (Planning, Highways, Community,  
Leisure, Public Health)

3. Landowners and other local bodies who may have an interest in the Plan:
  - Dr. Campbell and partners (by email)
  - Chester Diocese (by email)
  - Developers with a known interest in developing houses in Tarvin village - Gladman and Crabtree (by email)
  - Tarvin Community Woodland Trust (by email)
  - Tarvin Civic Trust (by email)
  - Owner of land which the Plan suggests could be used to extend the Community Woodland (by letter) (Note: CWaC Highways land would also be needed to make this aspiration a reality)
  - Owner of land in Oscroft that potentially has a community use (by letter)

3.2 The responses and how these have been reflected in the Plan are set out in the following table.

## Summary of the key issues and concerns

## How the issues are addressed in the Plan

### Housing Growth

#### CWaC

Policy HG1 could be amended to say “existing previously developed site” rather than “existing residential properties”. This would also fit better with policy ED1

NPSG agreed. Policy wording amended

Policy HG2 should be amended to add “sustainably located” before “previously developed sites”

NPSG agreed. Policy wording amended

Include in Policy HG2 or in the explanatory text that new housing on greenfield sites will not be acceptable unless it meets the requirements of Local Plan Policy Strategy 9

NPSG agreed. Wording of para.3.2.3 amended (Strategy 9 is set out in para.2.3.3)

Policy HG3 could be amended to include extensions to existing properties

NPSG agreed. Policy wording amended

Policy HG4 – better to show first paragraph as part of HG2

NPSG agreed. Plan amended

Policy HG5 – the settlement separation between Tarvin and Oscroft is greater than that included in the Local Plan (Part 2). This either needs to be justified *or* changed to conform to the Local Plan

NPSG agreed. Plan amended and justification strengthened (see para.3.2.4)

Policy HG6 dealt with traffic generated by larger Sites but, as the Plan does not allow for these, it would be better to develop Policy HG7

NPSG agreed new Policy HG6 and strengthened to comply with national guidance

May wish to consider whether there are sites within the village which could be allocated for housing within the Plan. These could be small previously developed sites which could accommodate one or more dwellings

NPSG did not wish to identify specific sites. Para.3.2.1 deals with this together with Policies HG1 and HG2

### United Utilities

Policy HG2 should make reference to designing in on-site retention of surface water

NPSG agreed. Paragraph added to Policy

## Leisure

### D & J Cotgreave

Comments re Appendix 5b (Site comparison table)

- Site 3 [Note: this is not the preferred site]

- |                                                                                                                        |                                                                                                                                                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (i) Accessibility (1.1 and 1.2) – there is no direct access for either vehicles or pedestrians                         | Accepted; table amended to read “Poor, no direct access”                                                                                                                                                                                   |
| (ii) Disturbance – Brown Heath Farm and houses 11 and 12 are near to the proposed site and would be adversely affected | Accepted; table amended to read “Acceptable, three houses nearby. Light pollution could be minimised by suitable design”                                                                                                                   |
| (iii) Impact on the village character and views out of the village are not acceptable                                  | Site is not close to the nearest point of public access. With suitable landscaping the views out of the village should be acceptable<br>No change<br>Note: The above changes do not alter the conclusion that Site 2 is the preferred site |

Eliminated sites should be removed from the final version of the Plan

Accepted. The supporting information including Appendix 5b will not be included in the final Plan. The information will be available on-line in the interest of open decision-making

### CWaC Public Health

Based on guidance from Public Health England (2017) Spatial Planning for Health:

- |                                                                                                                                                                                                                                                               |                                                                                                                                                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (i) Support for proposals for investment in footpaths and cycleways                                                                                                                                                                                           | Accepted. No change                                                                                                                                            |
| (ii) Provision of improved facilities for Increased physical activity for 11-16 year olds will have the following positive impacts: reduced risk of obesity; improved mental health; reduced risk of engagement in substance misuse and anti-social behaviour | Accepted. Reference to additional benefits included as part of case for improved leisure facilities. Reference to 2017 Public Health England document included |
| (iii) Support for access to Tarvin Primary School through Tarvin Community Woodland to avoid congestion on Heath Drive                                                                                                                                        | Accepted. No change                                                                                                                                            |
| (iv) Public realm improvements, in particular street lighting, should be considered in respect of Policy LS1                                                                                                                                                  | Noted. NPSG consider street lighting on Tarporley Road adjacent to the preferred site to be good. No change                                                    |

### Gladman

4.2.15 – what assessment has been carried out to suggest that the proposed location is the most appropriate?

Appendix 5 includes an assessment of possible sites and was made available to Gladman. (As noted above this assessment

will not be included in the final version of the Plan). No change

4.2.16 – Gladman’s refused planning application included a proposal for improved leisure facilities

The all-weather training pitch included in the Gladman application would be too small for future needs. The Gladman application did not include the additional grass pitch which is needed. The Plan makes clear that all ways of implementing the proposal, including co-operation with developers, will be explored. No change

### **Tarvin AFC**

Support for provision of additional grass football pitch and all-weather training pitch. The club has 350 members including a “vets” team and a girls’ section. Teams need to travel as far as Winsford and Hartford, resulting in increased travel time and a higher carbon footprint. Additional facilities would reduce conflict with other organisations over use of the King George Playing Field

Supporting comments noted and considered when responding to comments by CWaC (see below)

### **CWaC**

Land proposed for recreational facilities is let on a long-term tenancy and unavailable for alternative use

NPSG was unable to identify any land in the Plan area not in either private or public ownership and not currently used for some other purpose. The proposed site represents the best option in the Plan area. Detailed discussions with landowners or tenants are outside the remit of the NPSG. No change

The proposal does not align with CWaC’s Playing Pitch Strategy (PPS)

CWaC’s PPS does not consider the needs of individual villages. The PPS has not assessed the specific needs of the Tarvin Plan area. At the consultation stage for the PPS, Tarvin PC requested the NPSG to submit comments on the draft PPS, drawing attention to the large number of youngsters playing football in Tarvin and the inconsistencies between the findings of the PPS and the problems faced by Tarvin AFC in finding suitable pitches. CWaC did not respond to these comments. Early in 2018 the NPSG asked to meet CWaC to discuss the proposal to improve leisure facilities in Tarvin. Despite offering alternative dates it was not possible to find one which was suitable for CWaC’s Green

Infrastructure Officer, and the issue was discussed with other CWaC Planning staff. The PPS has failed to take account of local needs and its findings do not provide a sound basis for rejecting the proposals in Plan. No change

The PPS lists two pitches in Tarvin as of poor quality, unused by the community and with spare capacity

The existing pitches are of poor quality; however, the statement that they are unused and have spare capacity is not consistent with the experience of those responsible for finding pitches on a weekly basis. The lack of suitable pitches is restricting the ability of Tarvin AFC to accommodate all those wishing to play football in the Plan area. No change

New 3G pitches are planned at Helsby High School

This is welcomed but will not address travel issues, which can cause particular difficulties for school-age children trying to fit training into the time slot between parents coming home from work and their bedtime. A facility in Tarvin would reduce traffic including on the congested A51/A54 (see Transport section). CWaC's objections fail to give consideration to the critical importance of ensuring that plans contribute to national and global targets for reducing carbon emissions from road traffic. No change.

New 3G pitches need to demonstrate financial sustainability

Tarvin AFC is confident it will be able to demonstrate financial sustainability All-weather tennis courts of a similar size to the proposed 3G pitch have been operated by Tarvin Tennis Club for a number of years without financial problems. No change

Cheshire FA held discussions with Tarvin AFC and agreed that the priority should be the improvement of the existing pitches

Agreed that priority needs to be given to improving the existing pitches, but the facilities proposed will be required even if the existing pitches are improved. No change

Football is only one sport and other sports also have a shortfall of facilities

The demand for additional facilities for other sports including cricket, rugby and hockey has been considered (see Appendix 6) and is less severe than for football. Facilities for these other sports are available

close to Tarvin in Great Barrow, Great Boughton, Vicars Cross, Christleton and Tarporley. Any potential need for additional facilities for these sports does not negate the need for improved facilities for football in the Plan area. No change

### **J & C Law (Oscroft residents)**

Policy LS2 – new cycle routes: support a proper safe cycle path/footpath between Tarvin and Oscroft. LS2.1 is not a practical option as it is not all-weather. LS2.2 makes more sense. LS2.3 is probably the best but would be too expensive to deliver

Para.4.4.3 which introduces the policy has been amended. NPSG concludes that a combination of LS2.2 and LS2.3 would be most cost-effective option but makes no recommendation. Policy LS2 remains unchanged

### **Tarvin PC**

Policy LS2 – LS2.1 bisects too many fields; LS2.2 Too narrow for a combined cycle way/footpath. Concern over cost of delivery and maintenance Issues

Para.4.4.3 amended to reflect delivery and maintenance costs. Policy LS2 remains unchanged

### **Landscape and Environment**

#### **CWaC**

Policy LE1 – CWaC supports policy but wonders if any of the land identified is privately owned, and if so whether owners have been contacted

As far as NPSG is aware, the only sites in genuinely private ownership are LE1.1, LE1.6 and LE1.10. The owners were sent letters telling them about the Plan but no response were received

Policy LE2 – would be improved if it supported proposals to enhance them. Boundaries should be shown on a map

NPSG agreed. Policy wording amended. Maps improved

Policy LE3 – boundaries of the nature conservation site should be clearly identified on the map. Explanatory text should be added referring to the study which provides evidence for this policy. Proposals which have the potential to impact on the sites listed should require an ecological assessment

NPSG agreed. More detailed map at the end of Appendix5, p.69. Explanatory text added (see paragraph before Figure 8, p.24). Wording of Policy LE3 amended to include reference to ecological assessments

Policy LE4 (Community Woodland) – add text to justify proposal; remove final sentence of policy

NPSG agreed. Para.5.1.9 and Policy wording amended

Policy LE6 – by only identifying two assets of interest it could be argued that the Plan underplays the significance of other historical assets in the area

NPSG agreed. Appendix 3 now reprints the Tarvin Conservation Appraisal produced by Chester City Council in January 2008

**Tarvin Community Woodland Trust**

Support extension of the Woodland as proposed but point out that as well as a private landowner, some of land required is still owned by CWaC

Plan amended to refer to this ownership

**Mr JC Williams (private landowner)**

Objects to proposal for extension of the Woodland which he believes would adversely affect the land he owns

Comment noted but no change. NPSG believes an extension to the Woodland, together with a public footpath on the south side of the A54 from Tarvin roundabout eastwards would provide significantly greater benefit to the Tarvin community than the light grazing for which the land is currently used

**CWaC Public Health**

Incorporating an outdoor gym into the extension to the Woodland could be considered

NPSG felt the extension would not be large enough to deliver the requirement. Noted that the Tarvin PC's decision (October 2018) to provide outdoor gym equipment on the King George Playing Field would meet the need. No change

**Mr & Mrs R Turney (Tarvin residents)**

Figure 11 – the line of Townfield Lane needs to be extended to the Community Woodland

Agreed. Map amended

**Transport****CWaC**

The policies in the Plan need to be aligned with CWaC's adopted Borough-Wide Parking Strategy

Agreed. The Plan does this

Policy TR1 – any development of the Garden Field into a car park would need to take account of the potential impact on nearby heritage assets

Agreed. Para.6.2.1 strengthened to reflect this. The owner of this land (Diocese of Chester) was contacted by email but as is their habit there was no acknowledgement or response. The land is let for farming purposes to the owner of Church Farm

Policy TR3 (complementary funding) – the Regulation 123 list of infrastructure schemes to be funded through Community Infrastructure Levy (CIL) include Chester junction pinch point projects, including the A54/A51 Tarvin roundabout. In this way the requirements of Policy TR3 are already being met.

The NPSG is aware of this but believes that pinch point money will not solve the problem of congestion. No change

Parish Councils in areas with a made Neighbourhood Plan can claim 25% of CIL arising

Noted and Policy TR3 amended to reflect this

from developments in their areas, which can be spent on local priorities

**CWaC Public Health and member of the public at meeting on 12 September 2018**

Establishing a park and ride facility would improve connectivity and reduce traffic congestion

Such a facility was not part of the draft Plan which was consulted on. The NPSG has considered the issue and concluded:

- (i) The only suitable site would be immediately north-west of Tarvin roundabout, on land which is designated as Green Belt;
- (ii) The need for such a facility did not arise during earlier extensive public consultation;
- (iii) Any scheme is unlikely to benefit residents in the Plan area (this would need to properly tested)
- (iv) Congestion on the A51 from Tarvin roundabout to the A55 is so bad that any scheme is unlikely to reduce congestion, given the traffic which uses the road (see para.6.1.2)

No change

**Economic Development**

**CWaC**

Policy ED1 – various minor wording changes

All accepted

Policy ED2 – wording change required for compliance with Strategy 9 in the Local Plan. Maps confusing

Agreed and wording amended. Maps improved, including reference numbers

**Health**

**CWaC**

Policy HP1 – amend wording to read “protect against loss” rather than “allocate”

Agreed and wording amended

**Other matters**

**Member of the public at first public meeting**

What is the position re possible gypsy/traveller site?

The response to this was as follows: The draft Plan cannot reject any particular type of potential development. The Plan does not allocate or recommend any site for travellers, as there is no public support for such a development and Tarvin is not a traditional stopping point for travellers.