

**MINUTES OF AN EXTRA-ORDINARY MEETING OF STAPELEY & DISTRICT PARISH COUNCIL
HELD ON 10 AUGUST 2015 AT STAPELEY COMMUNITY HALL, PEAR TREE FIELD, STAPELEY**

PRESENT: Councillor S Gwinn-Freemantle Chairman
Councillor M Docker
Councillor J Hillman
Councillor M Malbon

APOLOGIES: Councillors S Clough, J Davenport, P Groves, K Nord and M Theobald

50 DECLARATION OF INTERESTS

Members were invited to declare any disclosable pecuniary interest or non-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.

No declarations were made.

**51 APPEAL REFS: APP/R0660/A/13/2197532 and APP/R0660/A/132197529
TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78
APPEALS BY MULLER PROPERTY GROUP: (A) LAND OFF AUDLEM ROAD/BROAD LANE,
STAPELEY, NANTWICH, and (B) LAND OFF PETER de STAPELEIGH WAY, NANTWICH**

The Department for Communities and Local Government had issued a letter on 17 July 2015 to all interested parties in respect of the appeals by Muller Property Group.

On 3 July 2015, following a S.288 challenge by Muller Property Group, a Consent Order had been issued by the High Court quashing the decision of the former Secretary of State (Eric Pickles) as set out in his letter of 17 March 2015, in which he had refused planning permission for the above.

The matter was now to be re-determined by the current Secretary of State (Greg Clark).

As an interested party, the Parish Council was able to submit written representations by 13 August in respect of the following:

- (a) The emerging Cheshire East Local Plan Strategy;
- (b) The current position regarding the 5-year supply of deliverable housing sites in the Council's area;
- (c) The implications, if any, of the judgement in the case of *Woodcock Holdings Ltd –v- Secretary of State for Communities and Local Government and Mid-Sussex District Council [20125] EWHC 1173 (Admin)*; and
- (d) Any other material change in circumstances, fact or policy, which may have arisen since the Secretary of State's decision of 17 March 2015 was issued and which the parties considered to be material to the Secretary of State's further consideration of the appeals.

The Council also had the option of requesting that the Inquiry be re-opened.

Members agreed to make written representations to include the following:

- The development of the Neighbourhood Plan was being formulated wholly from local public opinion and the emerging Plan was in conflict with the planning applications which were the subject of the S.288 challenge.
- The current number of completions and commitments in Nantwich were now such that the area was only two short of the requirement, and for this reason, Members agreed that the obligation to providing housing to the required level had been met.

- The Parish Council was preparing a housing needs assessment to inform the Neighbourhood Plan and no decision should be made in respect of housing until this had been completed and incorporated into the Plan.
- Re-affirm the Parish Council's previous stance in respect of the applications and comment that the issues which had been raised previously were now compounded by the additional development which had already taken place since the decision was made and was continuing.

RESOLVED: (a) That the Clerk, in consultation with Councillor M Malbon, be authorised to submit written representations to the Department for Communities and Local Government to reflect the issues discussed at the meeting; and

(b) That prior to issue of the letter, the Clerk forward the letter to each Member present, for confirmation of the content.¹

Draft

.....Chairman

The meeting commenced at 7.30 pm and concluded at 8.15 pm

¹ A copy of the letter issued to DCLG is attached as an appendix.

STAPELEY & DISTRICT PARISH COUNCIL

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Clerk

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12 August 2015

sent by e-mail only
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Ms C Symes
Planning Casework Division
Department for Communities and Local Government
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London SW1P 0DF

Dear Ms Symes

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78
APPEALS BY MULLER PROPERTY GROUP: (A) LAND OFF
AUDLEM ROAD/BROAD LANE, STAPELEY, NANTWICH, and
(B) LAND OFF PETER de STAPELEIGH WAY, NANTWICH
(CHESHIRE EAST COUNCIL) APPLICATION REF: 12/3747N**

APPEAL REFERENCES APP/R0660/A/13/2197532 and APP/R0660/A/13/2197529

I refer to your letter of 17 July 2015 and append below the Parish Council's representations in respect of this matter. The Parish Council ('the Council') considers that the representations relate to part (d) of your letter, viz. '*Any other material change in circumstances, fact or policy, that may have arisen since his decision of 17 March 2015 was issued and which the parties consider to be material to the Secretary of State's further consideration of the appeals*'.

(i) Development of Neighbourhood Plan

The Council is currently developing a Neighbourhood Plan and the principles are derived wholly from public opinion. A public consultation meeting was arranged where residents were asked for their views on the following:

- Description of Stapeley and Batherton as it is. (Note: Batherton forms the 'and District' part of the administrative area of the Parish Council.)
- Vision for the parish in five or 10 years' time.
- What is positive about –
 - (i) Living in the parish
 - (ii) Working in the parish
 - (iii) Visiting the parish
- What do residents dislike/fear about the parish?

The results of this first consultation formed the basis of a second consultation which was carried out by means of a questionnaire delivered to each household in the parish. Over 500 responses (hard copy and electronic) were received. A summary of the results is available on the Parish Council's website at the following address:

<http://www.stapeleyparishcouncil.gov.uk/documents/other/Second%20Consultation%20Results%20.pdf>

(ii) Housing Needs Assessment

As part of the Neighbourhood Plan process, the Council is due to commission a Housing Needs Assessment (HNA). This is an independent piece of work which will take into account the current housing in the area, as well as future housing need. The Council is adamant that there should be no decision made in respect of housing until this has been completed and incorporated into the Neighbourhood Plan.

(iii) Nantwich Housing Numbers

As a result of the recommendations made by the Inspector during the Cheshire East Local Plan examination, Cheshire East Council has increased the housing number target for the borough for the life of the Local Plan (2010-2030) to 36,000. This figure was reported to the Cheshire East Cabinet meeting on 21 July 2015. The report to Cabinet shows that the proposed housing number for Nantwich has risen from 1900 to 2050. The report also indicated that on 31 March 2015 there were 2048 completions and commitments for Nantwich, which is two short of the target for the entire period of the Local Plan.

Since 1 April 2015, there have been a total number of 138 housing application approvals in Nantwich (Planning applications Nos. 14/5854N, 13/4656N and 14/5841N). The current number of completions and commitments stands at 2186 and exceeds the requirement of 2050. The Council is therefore of the view that this demonstrates that Nantwich has met its obligation to provide housing to the required level.

In addition to the current representations, the Council reaffirms its previous stance in respect of these two applications which the former Secretary of State will have considered in reaching his decision in 2014. Members consider that the issues raised previously are now compounded by the additional development which has already taken place since then, and development which is currently taking place.

The Council hopes that the Secretary of State will take into account the above matters when he re-determines the appeals.

Yours sincerely

[original letter signed]

Clerk