

Tarvin Neighbourhood Plan – Summary of Publicity Stage Representations

All representations including attachments are available to view in full on the Council's Consultation Portal at:

http://consult.cheshirewestandchester.gov.uk/portal/cwc_ldf/np/tarvin_pub

Full Name	Company / Organisation	Comments on neighbourhood plan
Ms Diane Clarke	Network Rail	Network Rail has no comments on the NP.
	Sport England	<p>Thank you for consulting Sport England on the above neighbourhood plan.</p> <p>Government planning policy, within the National Planning Policy Framework(NPPF), identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.</p> <p>It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 96 and 97. It is also important to be aware of Sport England's statutory consultee role in protecting playing fields and the presumption against the loss of playing field land. Sport England's playing fields policy is set out in our Playing Fields Policy and Guidance document. http://www.sportengland.org/playingfieldspolicy</p> <p>Sport England provides guidance on developing planning policy for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded. http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/</p> <p>Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 97 of the NPPF, this takes the form of assessments of need and strategies for indoor and outdoor sports facilities. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.</p> <p>Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what</p>

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		<p>provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with such work. http://www.sportengland.org/planningtoolsandguidance</p> <p>If new or improved sports facilities are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes. http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</p> <p>Any new housing developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.</p> <p>In line with the Government's NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.</p> <p>Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.</p> <p>NPPF Section 8: https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities PPG Health and wellbeing section: https://www.gov.uk/guidance/health-and-wellbeing Sport England's Active Design Guidance: https://www.sportengland.org/activedesign <i>(Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.)</i></p> <p>If you need any further advice, please do not hesitate to contact Sport England using the contact details below.</p>
	CLH Pipeline System Ltd	Thank you for your email to CLH Pipeline System Ltd dated 28 January 2018 regarding the above. Please find attached a plan of our client's apparatus. We would ask that you contact us if any works are in the vicinity of the CLH-PS pipeline or alternatively go to www.linerearchbeforeudig.co.uk , our free online enquiry service.
Mr Tim Bettany-Simmons	Canal & River Trust	Thank you for your consultation in relation to the Tarvin Neighbourhood Plan. The Canal & River Trust (the Trust) do not own or manage any waterway or assets within the Neighbourhood area to be covered by this plan. As such the Trust have no comment to make.
Mr Dewi Griffiths	Welsh Water	Thank you for consulting Welsh Water on the Tarvin Neighbourhood Plan. The area falls outside of our operational boundary, as such we have no comment to make.

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Mr Ben Laverick	Highways England	<p>Thank you for consulting Highways England in relation to the Tarvin Neighbourhood Development Plan.</p> <p>Highways England have no comment to make at this stage.</p>
Mr John Daines		<p>These comments are on behalf of Tarvin Community Woodland Trust (TCWT). <i>Please note that my page references are to the number in the footer of the page, not the pdf page number that regards the un-numbered cover sheet as page 1.</i></p> <p>I attempted to paste in the diagrams that are referenced below but your system doesn't permit that, so I have sent the document as an email.</p> <p>The maps indicate that the existing woodland covers the piece of land between the “corner” of Townfield Lane and the by-pass going towards the roundabout.</p> <p>Page 22 shows “existing”</p> <p>Page 25 shows a possible future extension as below</p> <p>The “existing” assumes that we already have the piece I've shown hatched in blue. In fact it belongs to CWaC highways.</p> <p>TCWT would like the whole “extension” to be the same sort of width as the piece that has “LE4” on it, perhaps as outlined in black below. Basically, the existing page 25 diagram doesn't show any use of the “Molyneux” field.</p> <p>This is an aspiration, as was Jim's vision that one day it might extend to Austin's Hill.</p> <p>There is a matching aspiration to extend the footway on the A54 as below, to form a link with the woodland.</p> <p>regards</p> <p>John Daines</p>
	Equality and Human Rights Commission	<p>Thank you for your email.</p> <p>The Commission does not have the resources to respond to all consultations, and it is not our practice to respond to consultations on local plans or infrastructure projects unless they raise a clear or significant equality or human rights concern.</p> <p>Local, Parish and Town Councils and other public authorities have obligations under the Public Sector Equality Duty (PSED) in the Equality Act 2010 to consider the effect of their policies and decisions on people sharing particular protected characteristics. We provide advice for public authorities on how to apply the PSED, which is the mechanism through which public authorities involved in the planning process should consider the potential for planning proposals to have an impact on equality for different groups of people. To assist, you will find our technical guidance here. (https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england)</p>

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Miss Ellie Levenson	United Utilities	<p>Thank you for email and links to the draft neighbourhood plan.</p> <p>United Utilities works closely with Cheshire West Council to understand future development sites and impact on our infrastructure.</p> <p>With regards to policies within the neighbourhood plan, United Utilities is pleased to see the inclusion of surface water comments in policy HG2 – Small scale development . As stated in our previous response dated 17th September 2018, we would like to see the following text incorporated in the policy wording or supporting text:</p> <p><i>“Surface water should be discharged in the following order of priority:</i></p> <ul style="list-style-type: none"> • <i>An adequate soakaway or some other form of infiltration system.</i> • <i>An attenuated discharge to watercourse or other water body.</i> • <i>An attenuated discharge to public surface water sewer.</i> • <i>An attenuated discharge to public combined sewer.”</i> <p>We wish to stress the importance of surface water discharge in accordance with the surface water hierarchy.</p> <p><u>Summary</u> Moving forward, we respectfully request that Tarvin Parish Council continue to consult with United Utilities on all future planning documents. We are keen to continue working in partnership with you and Cheshire West Council to ensure that all new growth can be delivered sustainably.</p> <p>In the meantime, if you have any queries or would like to discuss this representation, please do not hesitate to contact me.</p>
Mr Christopher Telford	The Coal Authority	<p>Thank you for consulting The Coal Authority on the above.</p> <p>Having reviewed your document, I confirm that we have no specific comments to make on it.</p> <p>Should you have any future enquiries please contact a member of Planning and Local Authority Liaison at The Coal Authority using the contact details above.</p>
Ms Dawn Hewitt	Environment Agency	<p>Thank you for submitting the above document to the Environment Agency.</p> <p>We would like to make the following comments.</p> <p>With regard to flood risk matters, the Tarvin Neighbourhood Plan will have to comply with Cheshire West & Chester Councils planning policies and the National Planning Policy Framework (NPPF).</p>
Mrs Rosie Morgan	Cheshire West and Chester Council	Please see attached letter.

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Ms Lucy Bartley	Wood Plc on behalf of National Grid plc	<p>National Grid has appointed Wood to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.</p> <p>About National Grid</p> <p>National Grid owns and operates the high voltage electricity transmission system in England and Wales and operate the Scottish high voltage transmission system. National Grid also owns and operates the gas transmission system. In the UK, gas leaves the transmission system and enters the distribution networks at high pressure. It is then transported through a number of reducing pressure tiers until it is finally delivered to our customers. National Grid own four of the UK's gas distribution networks and transport gas to 11 million homes, schools and businesses through 81,000 miles of gas pipelines within North West, East of England, West Midlands and North London.</p> <p>To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets.</p> <p>Specific Comments</p> <p>An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high-pressure gas pipelines, and also National Grid Gas Distribution's Intermediate and High-Pressure apparatus.</p> <p><i>National Grid has identified that it has no record of such apparatus within the Neighbourhood Plan area.</i></p> <p>Key resources / contacts</p> <p>National Grid has provided information in relation to electricity and transmission assets via the following internet link:</p> <p>http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/</p> <p>Electricity distribution</p> <p>The electricity distribution operator in Cheshire West & Chester Council is SP Energy Networks. Information regarding the transmission and distribution network can be found at: www.energynetworks.org.uk</p> <p>Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database:</p> <p>Lucy Bartley, Consultant Town Planner Spencer Jefferies, Development Liaison Officer, National Grid</p> <p>I hope the above information is useful. If you require any further information, please do not hesitate to contact me.</p>

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Mr Roland Hunt	Crabtree Homes	Please see attached document.
Ms Jacqui Salt	Natural England	<p>Thank you for your consultation regarding the Tarvin Neighbourhood Plan Publication dated 28th January 2019.</p> <p>Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals.</p> <p>We have reviewed the attached plan however Natural England does not have any specific comments on this neighbourhood plan.</p> <p>If the Neighbourhood Plan changes and there is the potential for environmental impacts, Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening exercises may need to be undertaken.</p>
Mr John Williams		<p>I should like to comment on the proposals contained in the top of the neighbourhood development plan consultation.</p> <p>I own a piece of land that I inherited from my late father (the piece of land approximately three acres) at the junction of the a 51 and a 54 roads at the approach to Tarvin from the direction of Chester.</p> <p>Essentially, I feel that the area covered by the consultation is too wide, given that the plan extends into areas not currently developed as part of the Tarvin developed area.</p> <p>I wish to comment in particular on the following two proposals :-</p> <p>LS 3 public footpath</p> <p>LE 4 Extension of the Tarvin community woodland walk</p> <p>In particular, I feel that proposals LE 4, proposed extension of the community woodland walk, and proposal LS 3, the proposed public footpath, would seriously adversely affect the piece of land that I own.</p> <p>I wish to state my objection to these proposals put forward for the Tarvin neighbourhood development plan, on the basis that I have already engaged with a local developer, Crabtree Homes Limited, who has put forward a suggested scheme which takes into consideration the extending of the woodland walk by alternative means.</p> <p>The value of the land is essentially my retirement fund and the proposals put forward to take a good area of my land is therefore not something which I can agree unless a financial compensation were to be agreed.</p> <p>I do hope that my objections can be fully taken into consideration.</p>

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Ms Sarah Howard	Historic England	<p>Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Digital, Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.</p> <p>Your Draft Neighbourhood Plan includes a number of nationally designated heritage assets including the highly designated grade I Church of St Andrew, and grade II* The Flaggs and Hamilton House, Tarvin Hall and Hockenhull Hall, the latter of which is missing from your list of heritage assets included within the plan. It will be important that the strategy you put together for this area safeguards those elements which contribute to the importance of those historic assets. This will assist in ensuring they are enjoyed by future generations of the area and make sure it is in line with national planning policy.</p> <p>We have the following detailed comments to make on the Draft Neighbourhood Development Plan for Tarvin:-</p> <p>Policy LE6 – Sites of archaeological/historic significance</p> <ul style="list-style-type: none"> • Historic England does not support this policy as it is currently drafted. • The justification and evidence section references section 12 of the NPPF which should be section 16 - Conserving and enhancing the historic environment. • I recommend that the policy is renamed to 'Heritage Assets' to reflect the diversity of heritage asset types. • The heritage asset policy needs to be clearer. It should cover both the appraisal of significance required to understand how a proposed development might impact upon a heritage asset, but it should also cover the possibility that some proposals might result in potential harm that needs to be mitigated. It would be worth indicating within the justification and evidence section that additional heritage assets might be designated or non-designated archaeological heritage identified through investigation ahead of development (i.e. the lists might change or be updated through the duration of the neighbourhood plan). I recommend replacing the current text with three bullet points worded along the lines of: <ul style="list-style-type: none"> ○ Developments should set out a positive strategy for the conservation of and enjoyment of the historic environment through the preservation and enhancement of heritage assets as set out in the NPPF. ○ Proposals for development will take into consideration their potential effect upon the significance of a heritage asset through a desk-based assessment that appraises an asset's significance, including the contribution of their setting, and how proposals might harm that significance. ○ Any proposals that lead to partial or complete loss or harm to a heritage asset will be required to make clear and evidenced justifications through an assessment of viability for all development options, including conservation and retention, with any loss or harm balanced against securing substantial public benefits. • I suggest that the site specific details currently located within the policy box are moved into the justification and evidence section. • There are a number of designated heritage assets that we have identified as being located within the Tarvin Neighbourhood Plan area that currently missing from the list provided in the draft plan. These include: <ul style="list-style-type: none"> ○ Laurel House (List Entry No. 1312551) ○ Holme Street Hall (LEN 1312554) ○ Holme Bank (LEN 1330305) ○ G Gunnery and Son (LEN 1390941) ○ Tarvin War Memorial (LEN 1439584)

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		<ul style="list-style-type: none"> ○ Roade House (LEN 1330304) ○ Hockenhull Hall (LEN 1130525) • I suggest that within the list of heritage assets the List Entry Nos or Historic Environment Record (HER) numbers are included to help clearly identify assets. <p>The historic buildings conservation officer at Cheshire West and Chester Council is the best placed person to assist you in the development of your Neighbourhood Plan. They can help you to consider how the strategy might address the area's heritage assets.</p> <p>We would also recommend that you speak to the staff at the Cheshire Archaeology Planning Advisory Service (APAS) who look after the HER and give advice on archaeological matters to ensure that your list of non-designated heritage assets is up-to-date. It may also be useful to involve local voluntary groups such as the local Civic Society, local history groups, building preservation trusts, etc. in the production of your Neighbourhood Plan.</p> <p>Your local authority might also be able to provide you with general support in the production of your Neighbourhood Plan. National Planning Practice Guidance is clear that where it is relevant, Neighbourhood Plans need to include enough information about local heritage to guide planning decisions and to put broader strategic heritage policies from the local authority's local plan into action at a neighbourhood scale. If appropriate this should include enough information about local non-designated heritage assets including sites of archaeological interest to guide decisions.</p> <p>We have produced further information and guidance on how heritage can best be incorporated into Neighbourhood Plans. This signposts a number of other documents which your community might find useful in helping to identify what it is about your area which makes it distinctive and how you might go about ensuring that the character of the area is retained. These can be found at:-</p> <p>http://www.historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood</p> <p>If you have any queries about this matter or would like to discuss anything further, please do not hesitate to contact me.</p>
Mr Richard Agnew	Gladman Developments Ltd	In response to the above consultation please find attached representations submitted by Gladman.