

UPTON BY CHESTER AND DISTRICT PARISH COUNCIL



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Minutes of the Upton by Chester and District Parish Council's Planning Committee Meeting held on Monday 4 December 2023, 5.30pm, at Upton Pavilion, Wealstone Lane, Upton, Chester.

Present: Cllr S Akhtar, Cllr C Jeffery, Cllr A Lingard, Cllr S Stanley and Mr D Evans.

In attendance: Suzi Bull (Clerk/Proper Officer), 7 members of the public.

1. APOLOGIES FOR ABSENCE.

No apologies for absence were reported to the clerk.

Resolved: noted.

2. DECLARATIONS OF INTEREST.

Cllr Stanley declared a personal interest in planning application 23/03522/FUL due to her association with neighbours affected.

Resolved: noted.

3. MINUTES.

Resolved: The Chairperson signed the Minutes of the meeting held on 20 November 2023.

4. PLANNING APPLICATIONS.

The committee considered the following planning applications and resolved to submit the comments as noted:

23/03590/TPO Arderne House Woodlea Avenue Upton Chester.

5x Apple trees (G1) and 3x Apple trees (G3) - Crown lift to clear public footpath and reduce height by 2m.

Resolved: No objections, no comments.

23/03568/FUL Upton Golf Club Upton Lane Upton Chester CH2 1EE.

Erection of ball stop fence.

Resolved: No objections, however, the Parish Council will point out the possible requirement of a bat and bird flying survey.

At this point the Chairperson requested that Standing Orders be suspended to allow for a member of the public to join the meeting.

Resolved: agreed.

All members of the public in attendance at the meeting were given the opportunity to speak. All comments were discussed and noted.
At this point Standing Orders were reinstated.

23/03522/FUL Land Opposite 84 Upton Park Upton Park Upton Chester.
Erection of two-storey detached residential dwelling on a vacant plot of land.

Resolved: The following comments will be submitted:

Upton-by-Chester and District Parish Council (the Council) strongly objects to the proposal.

The applicant has attempted to address a number of policies set out in the CW&CC Local Plan including those pertaining to sustainability. The Council would draw to the attention of the applicant to the Upton Neighbourhood Plan Policy S1 - Sustainable Construction and it is commendable that this proposal appears largely to meeting the requirements of that policy.

However, The Council has serious concerns that no reference has been made to other policies within the Neighbourhood Plan (NP).

The Council refers to the NP for its principal reasons to objection and these are set out below. The applicant should be made aware that the NPPF (National Planning Policy Framework) places great weight on conservation assets and this application does nothing to preserve or enhance the appearance of the Upton Park conservation area, within which the property is situated.

The relevant NP policies are:

- PC1 – Preserving and enhancing heritage assets.
- PC2 – Conserving local character and distinctiveness.
- PC4 – Protecting trees and hedgerows.

PC1 – due to the size and scale of the proposed dwelling, the council is of the opinion it that this proposal neither preserves nor enhances the character and setting of the Upton Park Conservation Area.

PC2 – requires that the design must respond to the character area by taking one or more of 3 approaches laid out.

It is the view of this Council that the proposed dwelling does not in any way harmonise with the existing characteristics of the Upton Park conservation area, which is described as having an almost 'rural feel' (Ref: Upton Park Conservation Area 2008), it would fail to add to the overall character in terms of appearance, as it is very dominant on the plot and cannot be considered to be a good example for others to follow.

ENV 38 of the CWACC Local Plan requires that the views within a Conservation Area be retained. This is not being met. Therefore, it contravenes NP Policy PC2 and the Design Code (NP Appendix 8, Area 13 Upton Park Conservation Area).

PC4 – the planned development will result in the loss of and deterioration in the quality of an important feature, namely a stretch of old hedgerow - likely to date from the 19th century when Upton Park was first developed - that extends across the frontage of the site. The removal of the hedge is avoidable by changing the planned development to allow more space at the front.

In addition, Upton Park is between two designated Green Spaces, namely the QE II Playing Field (also a Local Green Space) and Upton Golf Club. The site of the proposed development is currently a site where wildlife is undisturbed and the impact of building on such as site it terms of biodiversity and a biodiversity corridor between the two Green Spaces need to be considered (Local Plan DM44/45).

Council also has concerns about planned offsite parking provision being very limited and potentially causing the owner and/or visitors to use this private road for that purpose. The report of the highways officer is noted, but council has concerns about safety should additional traffic movement be required due to shortcomings in the parking arrangement proposed, and the situation of the garage entrance adjacent to the blind bend and where the road narrows.

Additionally, the position of the proposed dwelling will sit forward of the existing building line of the neighbouring properties and the impact of the proposed use of hard standing materials on surface water management must be considered.

Council also has concerns about the loss of light/privacy to a neighbouring property, 18 Upton Park.

The council has no objection in principle to the construction of a dwelling on this site, but any such application must take into account the Upton Neighbourhood Plan with particular regard to size and scale, as well as the other requirements relating to the Conservation Area.

5. DATE AND TIME OF THE NEXT MEETING.

Resolved: The date and time of the next meeting of the Planning Committee is to be confirmed.