

Reference: 12/01880/OUT  
Address: Land at Flat Lane, Kelsall, Tarporley, Cheshire  
Proposal: Residential development for up to 90 new dwellings with open space, access and associated infrastructure  
Applicant: Taylor Wimpey

---

## Kelsall Parish Council Revised Objections to Taylor Wimpey Flat Lane Planning Application

Kelsall Parish Council (KPC) has revised objections to the following Planning Application:

Reference:	12/01880/OUT
Address:	Land at Flat Lane, Kelsall, Tarporley, Cheshire
Proposal:	Residential development for up to 90 new dwellings with open space, access and associated infrastructure
Applicant:	Taylor Wimpey

This follows from further information passed to KPC by CWAC prepared by HOW Planning LLP referenced CC/779 and dated 13 June 2013 [sic]. The information presented here does not detract from anything said previously by KPC and should be read in conjunction with the original objections.

The applicants "rebuttal" is based upon a childish tit-for-tat and attempted spurious undermining of our original 19 objections and seeks merely to discredit KPC. KPC are not going to sink to the depths that the applicant has descended to provide a similar rebuttal, since we consider that the 19 objections still stand; all are of merit and are fundamental material issues to consider. All significantly affect whether Kelsall will have a "strong, vibrant and healthy communit[y]" as we consider if residential planning permission is given on this site then this will not occur. Little stated by the applicant over the "major" issues (Objections 1-6, 8-12, 14-16 and 18) changes the matter that the site cannot be seen to be sustainable and so should not be given planning permission. The fact that the applicant has taken to responding in such a matter merely emphasises how little they respect KPC and Kelsall residents and merely shows the contempt the applicant has for the community. In addition, it highlights the patronising way they handled the consultation taking little attention of any concerns, so strengthening our original Objection 17.

Notwithstanding this, KPC considers that certain elements do require a response, as follows:

### **Revised Objection 1. Previous refusals and grounds ruling subject site is not suitable for residential development.**

Several new developments in the local area are mentioned by the applicant as reasons why permission should be granted. However, we mention these in our Objection 6 (Character of proposed development) as many of the properties within these developments have not sold and at any one time the majority of houses for sale in Kelsall are 'luxury' properties and most have been on the market for some time. Therefore, as the applicant rightly states, plans should be "market" driven, this indicates that the market is not in place to support the applicants development. As a result it is unsustainable (see also original Objection 3).

As a result, the planning application should be refused.

Reference: 12/01880/OUT

Address: Land at Flat Lane, Kelsall, Tarporley, Cheshire

Proposal: Residential development for up to 90 new dwellings with open space, access and associated infrastructure

Applicant: Taylor Wimpey

---

### **Revised Objection 3. The proposed development is unsustainable.**

The proposed residential development in this location is unsustainable for Kelsall. The one feature of Kelsall that gives it local distinction and makes it vibrant (both fundamentals of the NPPF) over other locations is its 'green centre', which the village has indicated for many years the intent to expand into the subject site (including in our Landscape and Design Statement SPD), which will be lost. This is echoed with the subject site, which has been identified for many years to be able to assist to create a strong and vibrant and healthy community, address shortfalls in infrastructure and road safety issues, and also assist the expansion of the school, since they will be crucial users although the facilities would be open for longer hours and at the weekend. Appendix 1 provides an overview plan of what the village community would see as a far more sustainable use for the site that offers real development for Kelsall and would allow for better residential provision in other areas and make Kelsall more desirable, so helping any future developers.

A series of sports and youth facilities has been earmarked for the site, including:

1. Sports facilities to promote cricket and football (including new requirements for smaller pitches for children) and changing rooms;
2. Facilities that youths and children can use, so supporting dynamic, popular and successful initiatives like the Duke of Edinburgh's Award and 'Yadult';
3. Potentially public toilets;
4. Drop-off/pick-up facilities to relieve the congestion on Flat Lane;
5. Parking for users of the sports and youth facilities;
6. Improved connections to prevent people having to use the Flat Lane pavement, as well as potentially with the existing Kelsall Green facilities and ideally Chester Road/Church Street (South) junction, so improving safety;
7. Ecological habitat safeguarding and expansion including educational features of the existing Great Crested Newt habitat and further wooded areas creating a green corridor to improve the country feel of Eddisbury Way; and
8. Noise protection through the use of a planted tree/bush lined 'bund' to local residents of Hallows Close and Hallows Drive created from excavated materials from terracing of the site, which will double as spectator seating.

### **Revised Objection 8. Traffic / pedestrian issues.**

The applicant presents significantly different proposals for highways than they included within their application. The views of the wide community should be considered for such fundamental differences and hence our New Objection 20.

Notwithstanding this, KPC considers the proposals are shocking and emphasises the lack of consideration by the applicant in the dangers associated with Flat Lane and, especially, its junction with Chester Road. Fundamental issues have already been raised by CWAC Highways and all concerns so far raised by both parties have either been ignored or, worse still, blatantly disregarded. This also emphasises the contempt that the applicant has to the long term viability of Kelsall, and to the views of CWAC, and that the applicant wants to consider short term profiteering only.

**Reference:** 12/01880/OUT  
**Address:** Land at Flat Lane, Kelsall, Tarporley, Cheshire  
**Proposal:** Residential development for up to 90 new dwellings with open space, access and associated infrastructure  
**Applicant:** Taylor Wimpey

---

The revised proposals consist of a new substantial traffic island on the same side as the development that is opposite the track that leads to Back Lane. 'Give Way' signs will be positioned for both directions of travel. KPC consider that this 'solution' is worse than any yet presented by the applicant and indicates that the applicant doesn't have any grasp of the issues this part of Kelsall faces.

First off, this proposal actually creates a peculiar three way junction, with traffic exiting from the proposed development taking the opportunity to pass out when traffic is oncoming from Chester Road. This is potentially dangerous and will create confrontation, as users of the proposed development seek to nip-out into the face of oncoming traffic on the 'wrong side' of the road.

Secondly, as already stated within our original objections, the traffic issues at school pick up and drop off time are severe (see details of unfortunate incident recently below). Morning drop-off (08:55 specifically) was when the photographs included in our main objections were taken, which clearly shows the typical chaos surrounding Flat Lane, especially when parents are inevitably running late and rushing their children to school. This extends almost the entire way between the Chester Road and Church Street (South) junctions, whilst also including Rookery Close, The Wynd and Pasture Close. Having such a traffic island will worsen the situation. In effect, the entire area becomes a single lane highway with obvious safety issues this causes.

Thirdly, this feature will exacerbate the issue at Chester Road junction and increase the likelihood as a vehicle rounding the blind bend to face a standing queue of traffic, so increasing the chances of collision.

Although parking issues are important, the third item above concerning the Chester Road junction is of most importance. The applicant flippantly dismisses the dangers associated with this blind junction. Numerous near misses occur on a daily basis, which are not reported in any traffic accidents. Under H&S you should learn and consider these near misses to improve matters. Failure to consider these matters whilst at the same time introducing several hundred new cars per day using this junction, as the applicant intends, is incredulous and only shows their short-term interest in the site. Since the 'traffic island' is so close to this junction, it is considered highly likely that standing traffic will spill onto Chester Road frequently so impeding the flow of traffic over a much wider area than at present.

KPC continues to assert that the proposed development will create far more vehicle movements than the applicant proposes due to the large properties for affluent large families being proposed (so having many more cars) and the poor public transport offer provided to the village. Extensive car usage will be created. In addition, this will be exacerbated as parents will drive from their houses in the proposed development to either the junction with Flat Lane or closer to the school to drop off their children. This currently happens with parents from The Wynd and Pasture Close now. Therefore, the assertion that it is "inconceivable" that this will happen shows that the applicant has little understanding of human nature on a cold and/or wet day that the UK appears to be experiencing more of. In addition, as the school is at capacity (see original Objection 9) more traffic will be created as parents have to take their children elsewhere when they inevitably fail to get their child into the school.

The credulity that the applicant dismisses the "odd agricultural vehicle" again shows that they fail to understand that this is a rural area and that the size of the vehicles can by the norm be very large and wide. To affect their flow, or even create a situation where they are unable to use the road, will be affected by the proposal traffic island, so affecting the farmers legitimate

Reference: 12/01880/OUT  
 Address: Land at Flat Lane, Kelsall, Tarporley, Cheshire  
 Proposal: Residential development for up to 90 new dwellings with open space, access and associated infrastructure  
 Applicant: Taylor Wimpey

business activities. The disagreeable alternative will be that such large equipment having to go past the shops/doctors on Church Street (South) and then the shops/Lord Binning on Chester Road, two consistently busy areas of Kelsall.

The applicant also fails to understand how their proposed 'improvements' will actually have the opposite affect. A short widening of Flat Lane to 5.00m past their proposed unsustainable development will simply cause "pinch-pints" where the relative width decreases further than it does now, so increasing the chances of collisions. In addition, road widening will create an illusion of safety and so will cause an increase in vehicle speeds. This, coupled with the school, will increase the chances of fatality or serious injury when, not if, a child is struck. The narrowness of Flat Lane is one of the principal 'safety features' of the lane as it limits the speed vehicles can travel at.

The proposal to install a pavement near Chester Road junction is welcomed. However, as the photographs below clearly shows, the width of the road here is only 4.17m wide. This, coupled with the near vertical historical walls on both sides, is barely enough width for two cars to pass, as already shown in our photographs supplied previously. It is not clear how a pavement of any width would be able to fit, let alone one as wide as that proposed by the applicant. Therefore, the proposals by the applicant are ill thought out and illogical.



Photograph of the location of the minimum width of Flat Lane of 4.17m. It is not clear how this section could cope with the proposed pavement, no matter what width.

Close up of the tape measure clearly showing minimum Flat Lanes minimum width of 4.17m

Photographs clearly showing minimum Flat Lanes minimum width of 4.17m, taken on 18 July 2012

Since the applicant has submitted their planning application, the traffic and parking issues have unfortunately come to violent confrontation on 12 July 2012 and subsequent days. The Police were called to an incident surrounding parking at school rush hour due to inconsiderate parking that the applicant will make worse. Significant works to address the issue are now being drawn up by CWAC for the area around the school.

KPC would welcome the fact of a wide pavement along the length of Flat Lane, but the applicant fails to consider the significantly increased dangers this facility brings which, together with the proposed road widening, will cause increasing speeds, together with their other proposed

**Reference:** 12/01880/OUT  
**Address:** Land at Flat Lane, Kelsall, Tarporley, Cheshire  
**Proposal:** Residential development for up to 90 new dwellings with open space, access and associated infrastructure  
**Applicant:** Taylor Wimpey

---

'solutions' that will increase confrontation and minimise the ability of traffic to pass each other or flow with any sense of normality, even outside the busy periods. Therefore, as the applicant points out, Para 32 of the NPPF states that refusal should be given if "cumulative impacts of development are severe". KPC has shown in the above, and that included within our original objection, issues that easily amount to this through pure disruption and increased chances of potentially fatal incidents to all road and pavement users. As a result, the planning application should be refused.

#### **New Objection 20. Material factors raised outside of widespread consultation.**

Of particular concern to KPC is the fact that the applicant has provided significantly different details from that previously supplied, mostly concerning highways. The applicant has not provided any information direct to KPC or any Kelsall resident or other interested party. KPC has serious reservations about these issues and discusses these further in Revised Objection 8.

However, concerned Kelsall residents have told KPC that they feel that the applicant is seeking to fundamentally alter their planning application without full consideration of the views of the community and since the community consultation has ended and the date for comments from residents has passed, there is no way for people to inform CWAC of their views. KPC supports this view and consider that the applicant is seeking to circumvent the planning system to their own gain.

As a result, the planning application should be refused until proper consultation has been carried out.

#### **New Objection 21. Applicant seeks much larger development.**

It has come to the attention of KPC that the applicant has an undisclosed interest in the adjacent "orchard site" (see Figure 1) and was fundamental in instructing the felling of all historical and productive orchard trees at the site. KPC considers that if the applicant is successful in this outline planning application (red site within Figure 1), they will include the adjacent land as one large application (red and blue site within Figure 1), so increasing the housing supply and increasing the intensity of all impacts outlined within our objections. As CWAC know, the harmful precedent will have been set and the applicant will argue "150 houses is little different than 90 houses" in their subsequent detailed application.

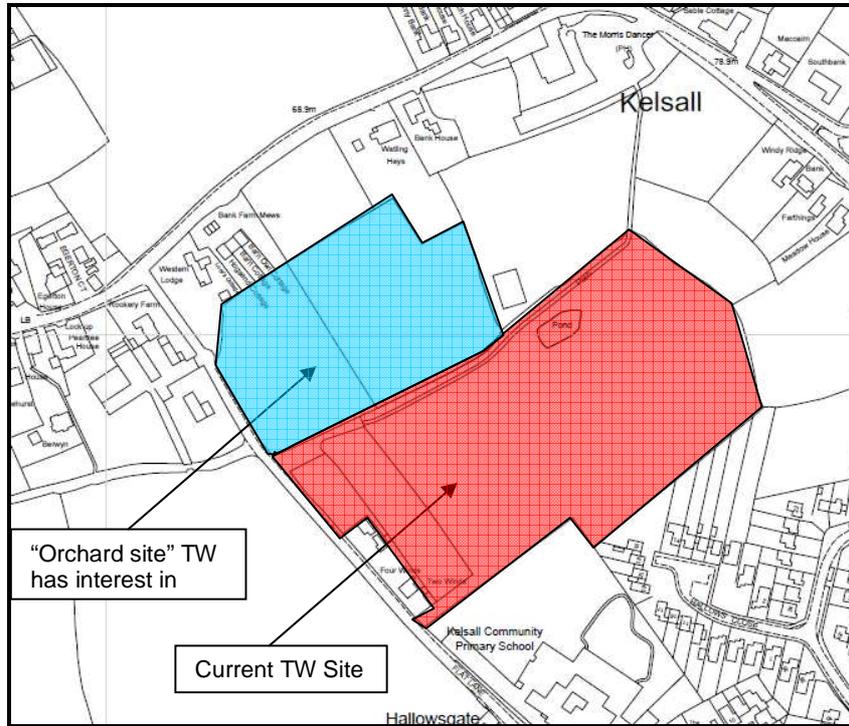
As a result, the planning application should be refused until proper consultation has been carried out and the intents of the applicant are fully disclosed.

Reference: 12/01880/OUT

Address: Land at Flat Lane, Kelsall, Tarporley, Cheshire

Proposal: Residential development for up to 90 new dwellings with open space, access and associated infrastructure

Applicant: Taylor Wimpey



**Figure 1:** Adjacent sites KPC believes the applicant has interest in and will also bring forward for development, increasing cumulative effects of development.

**Reference:** 12/01880/OUT

**Address:** Land at Flat Lane, Kelsall, Tarporley, Cheshire

**Proposal:** Residential development for up to 90 new dwellings with open space, access and associated infrastructure

**Applicant:** Taylor Wimpey

---

## **Appendix 1: Alternative Community Aspirations for Subject Site**