

DATE	REF NO	DETAILS OF APPLICATION	ADDRESS	PARISH COUNCIL OBSERVATIONS	DECISION
09/01/24	23/03933/FUL	Two story rear extension, alterations to roof of existing rear extension	Hillcrest Wrexham Road Malpas	Email 26/01/24: The Council would make the observations as documented below: Background Factors: Open countryside Relevant Malpas and Overton Neighbourhood Plan Policies BE3 Relevant Local Plan Part 2 Policies: DM21 DM46-48 Potential benefits to the community: None identified Potential impact on neighbours: Very little impact on the neighbours Potential impact on wider community: Very little impact on the community <i>The Council like CWaC, has declared a climate emergency and would expect all proposals for new developments, extensions or alterations to recognise this, specifically by ensuring properties are at least carbon neutral, avoiding the use of fossil fuels and have facilities for the charging electric vehicles.</i>	30/01/24 PENDING
13/02/24	24/00109/FUL	Conversion and extension of the former village hall to create 2 semi-detached dwellings	Former Village Hall Church Street Malpas	Email 04/03/24:- The Council objects to this application because: If CWaC is minded to approve the application the Parish the Council would request that the following conditions be included: 1/ The inclusion of two electronic vehicle charging points. 2/ If development work has not begun by May 2024, another Ecological Appraisal should be undertaken. 3/ An Archaeology Assessment be undertaken. 4/ Cycle storage bin storage be provided. 5/ That the recommendations listed in section 7.8 of the Preliminary Ecological Appraisal are carried out. 6/ That the recommendations listed in Tree Survey are carried out. Background Factors: Within settlement boundary, Conservation area, Tree Preservation Orders Relevant Malpas and Overton Neighbourhood Plan Policies: H1, LC2, LC3, BE1, BE2, BE4, BE5, SF2 Relevant Local Plan Part 2 Policies: DM19, DM2, DM3, DM44, DM45, DM46, DM47, DM48, DM50, ENV5, R1 Potential benefits to the community The restoration of a near derelict building that is currently an eyesore in the conservation area. Potential impact on neighbours: Potential restriction of access to the OxHeys field complex Development on this site has the potential to impact on the settings of the adjacent listed buildings, (St Oswald's Church, The Old Rectory, the Tithe Barn, Glebe Farm and Glebe Cottage) and the scheduled ancient monument of Castle Hill.	05/03/24 PENDING

				<p>Potential impact on wider community: Impact on local wildlife; Impact on the Malpas Conservation Area; Impact on the public realm from the frequently used footpath - Malpas FP9.</p> <p>Other relevant information</p> <p>In principle the Parish Council and the wider Malpas Community would like to see the former Parish Hall which currently is an eyesore in the conservation area brought back into use.</p> <p>However the council does have a number of concerns with this application as follows.</p> <p>Planning History:</p> <p>The application Planning Statement at paragraph 4.1 states that there is no planning history for the site.</p> <p>This is incorrect. As the following text illustrates.</p> <p>The Parish Hall had a change of use to class B1 approved on Application 10/04074/FUL on 5th April 2011; this to convert the building into Office accommodation. The application included an annex extension and parking spaces for 12 cars.</p> <p>The permission was valid for 3 years providing no work was started on the foundations. So it is thought that this planning permission is now void.</p> <p>However, a change of use may be require from the buildings previous use hosting Sunday School classes and youth clubs under the authority of St Oswald's Church.</p> <p>04/00342/FUL for Change of use, alteration and extension of hall to form 2 no. dwellings. This application was refused on 23rd April 2004 by <i>"virtue of its design, size, sitting and mass together with its poor relationship to the surrounding land uses would if approved provide insufficient landscaped private amenity space within the site to serve unit 2 .</i></p> <p><i>As a consequence, this would lead to an unacceptable degree of over development of the site to the detriment of residential amenity."</i></p> <p>Preliminary Ecological Appraisal: (Page 46)</p> <p>There is no mention of Barn Owls in the Preliminary Ecological Appraisal which have been observed and officially recorded to the BTO on numerous occasions in the Species Search Report area.</p> <p>The conclusion states <i>" that If works have not begun by May 2024, an updated site visit will be required to assess the habitats within the site;"</i></p> <p>Given the current planning review timescales, the council would request that the Planning authority does require another Ecological Appraisal to be undertaken.</p> <p>Application form errors:</p> <p>The application form asks if there <i>"Are there any new public rights of way to be provided within or adjacent to the site?"</i> Answer no.</p>	
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20/02/24	24/00534/TPO	Reduce crown by 5-6m	The Old Rectory Church Street Malpas	<p>Email 04/03/24:-</p> <p>The Council objects to this application because:</p> <p>If CWaC is minded to approve the application the Parish Council would request that the following conditions be included: That this Oak tree only has its canopy reduced by 2-3 metres as is the norm in cases regards health mature trees</p> <p>Background Factors: Open countryside; Conservation area; Tree Preservation Orders</p>	12/03/24 PENDING

				<p>Relevant Malpas and Overton Neighbourhood Plan Policies: LC4</p> <p>Relevant Local Plan Part 2 Policies: DM44 and DM45</p> <p>Potential benefits to the community: None identified</p> <p>Potential impact on neighbours: The removal of any part of a living tree will result in a reduction of carbon capture capability.</p> <p>Potential impact on wider community: Reduction in the carbon capture capability; Loss of wildlife habitat; Potential impact on the setting of the Old Rectory; a listed building.</p> <p>Other relevant information:-</p> <p>Proposal is to carry out work by a company on a tree which is actually owned by a neighbour of the applicant.</p> <p>The Oak Tree is not owned by the applicant and the council would like assurance that the applicant has the permission of the tree/land owner before work commences.</p> <p>No integral reasons have been given of the need to reduce the size of this mature Oak tree.</p> <p>The proposed statement of reasons for work by the Canopy Tree Care Company is only a costs estimate covering two possible options.</p> <p>The council would like to understand the reasons for the need to carry out work on the oak tree that does not pose a threat to life or damage top property</p> <p><i>Malpas Parish Council like CWaC, has declared a climate emergency and would expect all proposals for new developments, extensions or alterations to recognise this, specifically by ensuring properties are at least carbon neutral, avoiding the use of fossil fuels and have facilities for the charging electric vehicles.</i></p>	
22/02/24	24/00089/FUL	The erection of one detached dwelling at land to the rear of Church Walk	Church Street Malpas	<p>Email 04/03/24:-</p> <p>The Council objects to this application because:</p> <p>If CWaC is minded to approve the application the Parish Council would request that the following conditions be included:</p> <p>1/ If development work has not begun by May 2024, another Ecological Appraisal should be undertaken.</p> <p>2/ An Archaeology Assessment be undertaken.</p> <p>3/ Cycle storage bin storage be provided .</p> <p>4/ That the recommendations listed in section 6 of the Biodiversity Report are carried out.</p> <p>5/ That the recommendations listed in Tree Survey are carried out.</p> <p>Background Factors: Within settlement boundary; Conservation area; Tree Preservation Orders</p> <p>Relevant Malpas and Overton Neighbourhood Plan Policies: H1, LC2, LC3, BE1, BE2, BE4, BE5, SF2</p>	14/03/24 PENDING

				<p>Relevant Local Plan Part 2 Policies: DM19, DM2, DM3, DM44, DM45, DM46, DM47, DM48, DM50, ENV5, R1</p> <p>Potential benefits to the community: None identified</p> <p>Potential impact on neighbours: Overlooking of near neighbours amenity space. Development on this site has the potential to impact on the setting of the adjacent listed building, (The Tithe Barn).</p> <p>Potential impact on wider community: Impact on local wildlife; Impact on the Malpas Conservation Area.</p> <p>Other relevant information:-</p> <p>The Parish Council have a number of concerns with this application as follows. previous application 04/00342/FUL for Change of use, alteration and extension of the adjacent Parish Hall was refused on 23rd April 2004 by <i>“virtue of its design, size, sitting and mass together with its poor relationship to the surrounding land uses would if approved provide insufficient landscaped private amenity space within the site to serve unit 2 .</i></p> <p><i>As a consequence, this would lead to an unacceptable degree of over development of the site to the detriment of residential amenity.”</i></p> <p>The Council would contest that this proposed back land development by nature of its size and massing will impact on the setting of the listed buildings and character buildings in Church Street.</p> <p>The Council is also concerned about the proposed access with the lack of visibility onto Church Street.</p> <p>Biodiversity / Preliminary Ecological Appraisal: (Page 46)</p> <p>There is no mention of Barn Owls in the Preliminary Ecological Appraisal which have been observed and officially recorded to the BTO on numerous occasions in the Species Search Report area.</p> <p>The conclusion states <i>“ that If works have not begun by May 2024, an updated site visit will be required to assess the habitats within the site;”</i></p> <p>Given the current planning review timescales, the council would request that the Planning authority does require another Ecological Appraisal to be undertaken.</p> <p>The planning statement contains no mention of cycle or waste bin storage facilities.</p> <p>There is also no mention of an Archaeology Assessment for the site and its immediate surroundings given that the area was the site of the 11TH Century Motte and Bailey Castle.</p> <p>Application form errors:</p> <p>The application form asks: <i>Is the site currently vacant?</i></p> <p>The explanation given states: The land formerly used by former village hall. This is incorrect. The land was previously the garden area of the Tithe Barn on Church Street and was never in use to support the Parish Hall.</p>	
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11/03/24	24/00462/FUL	Erection of two storey and part single storey rear extension. Alterations to windows and doors, new front porch, re-rendering elevations with partial cladding to rear and side elevations. Alterations to existing rear detached garages	The Hollies Old Hall Street Malpas	<p>Email 02/04/24:-</p> <p>If CWaC is minded to approve the application, the Parish Council would request that the following conditions be included:</p> <p>1/ the provision of two Bat Boxes.</p> <p>2/ The provision of a Barn Owl box. This should face Northeast to mitigate against the prevailing west winds. See additional note in other relevant information.</p> <p>Background Factors: Open countryside; Conservation area; Tree Preservation Orders</p> <p>Relevant Malpas and Overton Neighbourhood Plan Policies: BE3</p>	03/04/24 PENDING

				<p>Relevant Local Plan Part 2 Policies: ENV 2, ENV 4, ENV 6, DM 3, DM21, DM 44 and DM46</p> <p>Potential benefits to the community: None identified</p> <p>Potential impact on wider community: Visibility from the public realm I.e. Malpas Footpath FP4; Impact on the Malpas Conservation Area.</p> <p>Other relevant information:</p> <p>As the site is in the Malpas conservation area, the Parish Council would like re-assurance that the County Conservation Officer is happy with the proposed development.</p> <p>The Cheshire Ecology report recommends the provision of two Bat Boxes, and the Parish Council would ask that this is conditioned if the application is granted permission.</p> <p>The Cheshire Ecology report summary also states:</p> <p><i>“A barn owl box should be placed on a mature tree. The barn owl box should be installed at least 5m above the ground and be constructed using the design published by the Barn Owl Trust.</i></p> <p><i>It should face towards the open countryside.”</i></p> <p>A representative of the Broxton Barn Owl Group who is also a Parish Councillor, would comment that the box should face the open countryside in a north or easterly direction, this to mitigate against the prevailing westerly winds.</p> <p>If there is no mature or suitable tree in an open situation, then a Barn Owl box could be mounted on a recovered telephone pole.</p> <p>In addition, a provision height of 4 metres would suffice as this would facilitate a safe inspection by certificated officials should a Barn Owl decide to use the box as a roost or breeding nest.</p> <p>It is noted that the proposed front elevation does not include the Triangle and Diamond designs on the front of the building as is present in the drawing of the existing elevation.</p> <p>The Parish Council would want to see this feature retained.</p> <p><i>The Council like CWaC, has declared a climate emergency and would expect all proposals for new developments, extensions or alterations to recognise this, specifically by ensuring properties are at least carbon neutral, avoiding the use of fossil fuels and have facilities for the charging electric vehicles.</i></p>	
13/3/24	24/00598/FUL	Proposed installation of 2no. external mobility scooter stores	Craddock Court Malpas	<p>Email 02/04/24:-</p> <p>The Council supports this application.</p> <p>Background Factors: Within settlement boundary</p> <p>Relevant Local Plan Part 2 Policies: DM21, DM46 – DM48</p> <p>Potential benefits to the community: Benefits to the residents of Craddock Court and any visitors who use mobility scooters</p>	05/04/24 PENDING

				<p>Potential impact on neighbours: This development should ensure there is no impact on the near neighbours' amenity space</p> <p>Potential impact on wider community: None identified.</p> <p>Other relevant information:- <i>The Council like CWaC, has declared a climate emergency and would expect all proposals for new developments, extensions or alterations to recognise this, specifically by ensuring properties are at least carbon neutral, avoiding the use of fossil fuels and have facilities for the charging electric vehicles.</i></p>	
27/03/24	24/00721/FUL	Replacement front storm porch	<p>South Barn Preston Hall Farm Mastiff Lane Malpas</p>	<p>Email 29/04/24:- The Council supports this application. Background Factors: Open countryside Potential benefits to the community: None identified Potential impact on neighbours: None Identified Potential impact on wider community: None identified Other relevant information: <i>The Council like CWaC, has declared a climate emergency and would expect all proposals for new developments, extensions, or alterations to recognise this, specifically by ensuring properties are at least carbon neutral, avoiding the use of fossil fuels and have facilities for the charging electric vehicles.</i></p>	20/04/24
18/04/24	24/00108/FUL	Erection of two dwellings	<p>Land At Church Walk Church Street Malpas</p>	<p>Email 29/04/24:- The Council objects to this application. The Council would make the observations as documented below: If CWaC Planning Authority is minded to approve the application, the Parish Council would request that the following conditions be included: 1/ Another Ecological report should be undertaken as stated on page 4 of the Biodiversity Report. (Reason = Work not begun by May 2024) 2/ An Archaeology watching brief to be conditioned. 3/ Recommendations in Section 6 of biodiversity report be carried out. 4/ Replacement of any felled trees with two others of similar maturity as per Local Plan Part 2 and the Malpas and Overton Neighbourhood Plan. Background Factors: Within settlement boundary; Conservation area; Tree Preservation Orders Relevant Malpas and Overton Neighbourhood Plan Policies: H1, LC2, LC3, LC4, BE1, BE2, BE4, BE5, SF2</p>	10/05/24

				<p>Relevant Local Plan Part 2 Policies: DM19, DM2, DM3, DM44, DM45, DM46 DM47 DM48 DM50 ENV5 R1</p> <p>Potential benefits to the community: None identified</p> <p>Material considerations against development (visual, noise, pollution etc.) - Potential impact on neighbours (Increased traffic and noise). Potential impact on wider community (Increased highway hazards when increased traffic is egressing from Church Walk on to Church Street. Impact on local wildlife and habitat.</p> <p>Adverse effect on the setting of Listed Buildings and Scheduled Monuments in the Malpas Conservation area.)</p> <p>Other relevant information:-</p> <ul style="list-style-type: none"> - The application is for 2 x 4-bedroom detached market houses. - The development site is located in the garden of the Tithe Barn. It is therefore not a brownfield site as stated in application form and would therefore constitute “Back Land” development. - This proposed development will therefore have an impact on the wildlife habitat and carbon capture in this area. - There is no mention of Barn Owls in the biodiversity report which have been observed and officially reported to BTO on numerous occasions. - The development is proposing to provide two car parking spaces per dwelling. This is contradictory to the Cheshire West Car Parking Supplementary Planning Document which quotes that dwellings of this size should have 3 parking spaces per dwelling. - The Application Planning statement quotes that these dwellings will help Malpas achieve its 200-dwelling allocation under CWAC local plan. This statement is irrelevant, because Malpas has already had over 400 new dwellings granted approval in the Local Plan qualifying period (2010 – 2030). Approximately 370 of that 400 + total have now been completed. - This proposed development site is surrounded by Grade 1, Grade 2 listed buildings and a scheduled accident monuments. This development if granted is therefore likely to have an adverse impact on the setting of this important buildings and structures. Given that the dwellings are proposed to be located in close proximity to site of 11th century Motte and Bailey Castle, and in the garden of the historical listed Tithe Barn, the Council would expect there to an Archaeology Assessment submitted with the 	
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				<p>application and an Archaeology watching brief conditioned if permission is granted.</p> <ul style="list-style-type: none"> - The council notes that there is no planning notice on the site. - The Tree Survey indicates that all trees on the site are in a healthy condition. The Parish Council notes that for this development to take place up to 10 trees may have to be felled. If application is subsequently approved, then the council would like to see a condition of replacing every tree felled with two new ones of similar maturity as per policies of the Local Plan Part 2 (DM45) and the Malpas and Overton Neighbourhood Plan (LC4). - This is just one of a number of applications submitted at the same time. (See 24/00089/FUL and 24/00109/FUL). - The cumulative effect of approving all these developments in this area has the potential to have a major impact on traffic egressing from Church Walk on to the narrowest section of Church Street where visibility is already severely compromised. - The developments will also have an adverse effect on the settings of the historic Buildings/monuments, quiet public footpath, and overall tranquillity of the location. - <i>The Council like CWaC, has declared a climate emergency and would expect all proposals for new developments, extensions, or alterations to recognise this, specifically by ensuring properties are at least carbon neutral, avoiding the use of fossil fuels and have facilities for the charging electric vehicles.</i> 	
18/04/24	24/01080/TPO	2x oak (Quercus Sp) - dead-wood and crown reduce by 2-3 metres	Hillcrest Wrexham Road Malpas	<p>Email 29/04/24:- The Council objects to this application. If CWaC Planning Authority is minded to approve the application the Parish Council would request that the following conditions be included: That this Oak tree only has its canopy reduced by 2-3 metres as is the norm in cases regards health mature trees Background Factors: Open countryside; Tree Preservation Orders Relevant Malpas and Overton Neighbourhood Plan Policies: LC4 Relevant Local Plan Part 2 Policies: DM44 and DM45 Potential benefits to the community: None identified Material considerations against development (visual, noise, pollution etc.) –</p>	10/05/24

				<p>Potential impact on neighbours (The removal of any part of a living tree will result in a reduction of carbon capture capability) and Potential impact on wider community (Reduction in the carbon capture capability. Loss of wildlife habitat.)</p> <p>Other relevant information:-</p> <ul style="list-style-type: none"> - The application is to reduce the two trees by 15%. - The Council note that this is an extremely poor application with errors and missing information as required in the Application form. Even the accompanying sketch plan is too large a scale to identify exactly which trees are to be reduced in size. - The trees are not diseased, in danger of breaking off or falling nor do they pose a threat to property. - The proposal is to carry out works on trees that are not owned by the applicant. The Council would like assurance that the owner of the trees is aware of this application and has given their consent before work commences. - The reduction of any part of a living tree will result in a reduction of carbon capture and loss of wildlife habitat. - The council does not condone the removal, cutting back of any healthy living tree unless it poses a threat to life or essential development. These trees do not fall into that category and is seemingly only being done to enhance the property owner's views. - <i>The Council like CWaC, has declared a climate emergency and would expect all proposals for new developments, extensions or alterations to recognise this, specifically by ensuring properties are at least carbon neutral, avoiding the use of fossil fuels and have facilities for the charging electric vehicles.</i> 	