

KINNERLEY PARISH COUNCIL
Meeting of the Council
Held at Kinnerley Parish Hall
At 7.30pm on Monday 20th April 2015

PRESENT

Cllr Sheila Bruce (Chair), Cllr Betton Cambidge (Vice-chair), Cllr Rick Bright, Cllr Charles Green, Cllr Bill Jones, Cllr Maurice Jones, Cllr Alan Lewis, Cllr John Pinder, Cllr Sharon Quayle and Cllr David Slaughter

IN ATTENDANCE: Cllr A Walpole

CLERK: Mrs Kate Sanderson

Four members of the public was present

62.15 APOLOGIES FOR ABSENCE

Cllr N Barclay – previous commitment

63.15 DECLARATIONS OF INTEREST AND DISPENSATIONS

- i. Cllr C Green & Cllr S Quayle declared personal interests in the Cross Keys agenda items as members of the Cross Keys Action Committee.
- ii. Cllr C Green – National Grid Mid Wales Connection project (Dispensation granted 17th June 2013 Minute Ref 104/13)
- iii. Cllr D Slaughter declared a personal interest in the planning agenda item for 15/01671/HHE – Ruslydan, Maesbrook, as a neighbour.
- iv. Cllr C Green declared a personal interest in the request for confirmation of local connection for Land at Llwyn-y-Go. He declared that he was previously the land owner and the applicant is a relation.
- v. Cllr R Bright declared a personal interest in the agenda item 5b(iii) – 15/01205/FUL Trafford Lodge, Dovaston and he stated that he did not intend to join in or vote on any matters relating to SAMDev.

64.15 PUBLIC PARTICIPATION SESSION

A member of the public raised local concerns about the proposal to purchase Windsor House, Pentre and use it as a specialist children's home. There are concerns that there is a lack of information including information about how it will be used as a specialist children's home and the levels of supervision. The proposal is of concern in a rural area where there are no amenities for children. The problem of flooding in the area is an issue as if there are children with disabilities, they will be potentially cut off from emergency care. The member of the public stated that the Clerk's advice that the Parish Council could not comment was not correct, as Shropshire Council had advised the member of the public that the Parish Council could comment and make representations. The Parish Council was asked to take the local concerns on board.

The Chairman advised that this was an agenda item.

65.15 MINUTES OF COUNCIL

The minutes were submitted and circulated as read.

RESOLVED that the minutes of the Council meetings held on 23rd March 2015 be approved and signed as a correct record

66.15 PLANNING DECISIONS

- i. 14/02372/OUT - Outline planning application for the erection of two detached dwellings and associated garages (to include access) - Maple Cottage Kinnerley Oswestry SY10 8DS – Application refused

NOTED

67.15 PLANNING APPLICATIONS

The following planning applications were considered

- i. **15/01279/FUL - Erection of two-storey extension and alterations to existing dwelling - Chapel House Pentre Shrewsbury Shropshire SY4 1BS**

RESOLVED to support this application.

- ii. **15/01232/OUT - Outline application for the erection of a detached dwelling (all matters reserved) - Walnut Tree Cottage Dovaston Oswestry Shropshire SY10 8DP**

Cllr R Bright asked that it be minuted that he had abstained from this vote.

RESOLVED to object to this planning application.

The proposed site is very small and not suitable for a new dwelling. The plans submitted are misleading because the footprint of Walnut Cottage only shows the original stone cottage and not the actual size that it is now. There is a public right of way to the right hand side of the proposed site, which is also not shown on the plans. The proposed development fails to comply with the aims and aspirations of the Kinnerley Parish Neighbourhood Plan (which has been adopted by Shropshire Council as a material consideration for development management purposes) as it lies outside of the development boundary for Dovaston. As such it is in open countryside, where new development is strictly controlled under policy CS5 of Shropshire Council's Core Strategy and only limited types of development, such as accommodation for essential countryside workers and other affordable housing, is permitted.

Given that the site is outside the development boundary, the proposal for housing development is also contrary to LP policy H7 and CS policy CS4, KPNP and the emerging Site Allocations DPD. This site is not identified in SAMDev for housing and is not in a sustainable location.

Shropshire Core Strategy 2011 (adopted 24 February 2011) retained Policy H7 of the Oswestry Borough Local Plan. Policy H7 does allow infill development but only within the development boundaries that were illustrated in the OBLP. The development boundary of the OBLP and that illustrated in the KPNP are exactly the same, as the overwhelming consensus

of locals chose to maintain the same boundary. This application is not infill and is outside the development boundary.

At a national level, paragraph 55 of the National Planning Policy Framework (the Framework) confirms that isolated new homes in the countryside should be avoided. In terms of its location therefore, the proposal would represent an incursion into the open countryside and is contrary to local plan and national policies which seek to restrict development in such areas.

Given that Shropshire Council has a five year housing land supply, the scheme is not necessary to meet the County's housing development requirements or the community's needs in terms of health, social and cultural well-being. It also fails to accord with and therefore undermines the strategy for the location of housing.

The proposal fails to satisfy the three dimensions to sustainable development in the NPPF: economic, social and environmental.

Economic - This application does not contribute to a strong, responsive and competitive economy. The proposal is clearly not for commercial or employment development.

Social - The social dimension seeks to support strong, vibrant and healthy communities. Paragraph 55 of the framework advises that housing should be located where it will enhance or maintain the vitality of rural communities to promote sustainable development in rural areas. Dovaston is one of the smaller settlements in the locality and is some distance from the settlements where existing service provision is found. The siting of a new dwelling at this location will not contribute to supporting services in higher level settlements such as Kinnerley.

Environmental - The environmental dimension of sustainability is concerned with protecting and enhancing the natural, built and historic environment. This location will not provide significant support for thriving communities within the countryside. Dovaston is a settlement with no services or facilities other than a church and small meeting room. The village of Kinnerley contains local amenities in the form of a shop, school, church and public house. The road leading to Kinnerley has no footways and is narrow in parts. Public transport options are limited and here is no bus service along this lane. The occupants of the houses would be reliant on the private motor car for much of their day to day needs.

iii. **15/01205/FUL - Erection of rear extension - Trafford Lodge Dovaston SY10 8DP**

RESOLVED to support this application.

iv. **15/01137/CPL - Windsor House , Molverley Road, Pentre, SY4 1BU - Certificate of lawful development for the continued use within C3 as a specialist childrens home for a maximum of four children**

RESOLVED to write to Shropshire Council. It was noted that the Parish Council is not being formally consulted on this application, but to ask for consideration of the Parish Council's comments by the applicant and the planning authority. The vague nature of this request has raised concerns from local residents who asked for further information from the Parish Council which we were not able to provide. The Parish Council supports local residents concerns that this is not the ideal place for a specialist children's home as it is isolated and in a part of the Parish which is without any amenities, especially for children. The property is in an area which is subject to regular flooding and therefore the most serious concern is that the access road floods meaning that the property is cut off in the event of an emergency. We understand that in extreme floods the actual property may flood. The Parish Council would welcome dialogue between the potential purchasers and the local residents to provide further information about the proposals for this property.

v. **15/01483/PMBPA | Application for prior approval under part 3, class MB of the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014 for the change of use from agricultural barn to residential dwelling | Barn South Of Kynaston House Kynaston Kinnerley Shropshire**

RESOLVED to object to this planning application. The building itself is not a heritage asset as it is a modern steel shed structure which needs substantial alterations in order to be converted into a habitable dwelling. Whilst the basic form and proportions of the building will remain unchanged, the works proposed would result in a significant departure of the original fabric and are considered unreasonable. The Parish Council does not consider this a barn conversion but effectively a rebuild on the footprint of a modern steel shed, which the Parish Council understands has not been used for agricultural purposes, but for lawn mowers.

The Parish Council has supported previous applications for barn conversions but does not support this proposal to effectively build a new house in an unsustainable location. This application fails to comply with the aims and aspirations of the Kinnerley Parish Neighbourhood Plan (which has been adopted by Shropshire Council as a material consideration for development management purposes). It is in open countryside, where new development is strictly controlled under policy CS5 of Shropshire Council's Core Strategy. Approval of this development would lead to sporadic and unsustainable development that would undermine the "rural rebalance" approach to development. This site is not identified in SAMDev for housing and is outside any development boundary. The application site is some distance from the development boundaries of Dovaston and Knockin Heath. At a national level, paragraph 55 of the National Planning Policy Framework (the Framework) confirms that isolated new homes in the countryside should be avoided. In terms of its location therefore, the proposal would represent an incursion into the open countryside and is contrary to local plan and national policies which seek to restrict development in such areas. Given that Shropshire Council has a five year housing land supply, the scheme is not necessary to meet the County's housing development requirements or the community's needs in terms of health, social and cultural well-being. It also fails to accord with and therefore undermines the strategy for the location of housing. The KPNP explicitly defines Kinnerley Village as the Community Hub and that for sustainability reasons the main housing development in the Parish would be within Kinnerley village. There are a number of planning applications which are currently being considered and supported by the Parish Council which are in sustainable locations, close to the village facilities. The Council request that the application be formally refused by Shropshire Council.

vi. **15/01671/HHE | Erection of a single storey rear extension to detached dwelling 7.5 metres beyond rear wall, 4 metres maximum height, 4 metres high to eaves | Ruslyndan Maesbrook Oswestry Shropshire SY10 8QP**

RESOLVED that Parish Council does not object to this application.

c) **Planning application 13/03217/FUL - Development Land Rear of Maesercroft Kinnerley**

Kinnerley Parish Council considered the recent correspondence relating to the non-compliance of the planning condition that the junction at the end of Bankfields is improved before occupancy of the houses.

RESOLVED to write to Shropshire Council advising the planning officer that the Parish Council has serious concerns that Shropshire Council has decided that enforcement action is not currently considered to be reasonable. There is a clear condition in the planning approval which Shropshire Council is unwilling to enforce, which makes the Parish Council question the purpose of planning conditions. This is not a minor planning condition. Potentially allowing up to 22 extra cars to use this substandard junction, which is unsafe, is unacceptable and poses a serious safety risk. There are no timescales for the developer to make what are substantial improvements to this junction and no incentives for them to be put in quickly if Shropshire Council will allow further occupation without objection. Shropshire Council to be asked to urgently review this decision and support the Parish Council and local residents' serious concerns.

d) **Proposed single plot self build affordable dwelling – Land at Llwyn-y-Go, Maesbrook –**

A request for confirmation of local connection relating to the Shropshire Council affordable housing scheme was considered.

RESOLVED to confirm to Shropshire Council that John Davies has a strong local connection and confirmed that the criteria is fulfilled.

Cllr C Green requested that it be recorded that he had abstained from the above vote.

e) **Planning appeal - 15/02237/REF - Outline Application for a single detached residential dwelling and garage to include means of access - Proposed Dwelling To The West Of Dovaston**

RESOLVED to submit written representation to the Planning Inspectorate. It was agreed to delegate the final appeal response to the Clerk in liaison with Cllr C Green and Cllr S Bruce.

f) **Planning applications decided under delegated authority - 14/02372/OUT Maple Cottage Kinnerley SY10 8DS and 14/02659/OUT - Proposed Dwelling SW Of Old Farm Dovaston**

A response from Shropshire Council which had been circulated with the agenda was **NOTED**.

Information was given on proposed changes to the determination of planning applications including plans to further reduce the number of planning applications being considered by Shropshire Council's planning committees and proposals for a change to a single planning committee.

RESOLVED to write to Shropshire Council to strongly object to the proposals. It was agreed to delegate this letter to the Clerk in liaison with Cllr C Green and Cllr R Bright.

g) **CIL Neighbourhood Fund**

An update on how the amount received has been calculated was provided and **NOTED**.

68.15 FINANCE AND ACCOUNTS FOR PAYMENT

- a) Receipts - none
- b) Payments made before meeting - none
- c) Payments for Approval
 - i. Clerk's Salary for April 2015 - £659.81 – Chq no 010622
 - ii. Parish Online – Mapping software - £57.60 – Chq no 010623
 - iii. Highline Electrical Ltd – Street light repairs - £64.80 – Chq no 010624
 - iv. Scottish Power – Electricity – £104.71 – Chq no 010625
 - v. Kinnerley Parish Hall – Room Hire - £75.00 – Chq no 010626
 - vi. S Lawrence & Son Ltd – Printing/Stationery - £27.90 – Chq no 010627

RESOLVED to APPROVE & AUTHORISE the above payments

69.15 FINANCE REPORT AND ACCOUNTING STATEMENTS FOR 2013/14

The finance report and accounting statement were considered.

RESOLVED to APPROVE the Financial Statement for 2014/15 and the Chairman and Clerk was INSTRUCTED to sign Section 1 of the Local Councils in England Annual Return for the year ended 31 March 2015.

70.15 INSURANCE RENEWAL

The insurance policy cover was reviewed.

RESOLVED to approve the annual premium for the second year of a three year long term agreement at a cost of £249.92 to Zurich Municipal – Chq no 010628

71.15 MEMBERSHIP OF SALC/NALC

Membership of SALC/NALC for 2015/16 was considered.

RESOLVED to approve affiliation fees of £401.10 for 2015/16 – Chq no 010627

72.15 CONSERVATION AREA

The Clerk gave a verbal update and it was agreed to reschedule the consultation event to a date that can be advertised in the Telescope.

73.15 SHROPSHIRE COUNCIL ROAD SAFETY POLICY

The Shropshire Council Road Safety Policy was considered

RESOLVED to submit the following community led concerns.

- i. Maesbrook – reduction of speed limit – strong community concern about speeding traffic exceeding current 40mph speed limit.
- ii. Kinnerley – concerns about speeding traffic through the village and particularly passing the school. Lack of visibility on the church bend junction with Vicarage Lane.

- iii. Kinnerley – concerns about speeding traffic on Coly Anchor (housing estate) which will be made worse when the estate is extended (currently being built). Local residents have requested speed calming measures (speed cushions).
- iv. Maesbrook – road safety for walkers at either end of the village. Request to extend the footpath in Maesbrook to the Llwyn-y-Go turn/Chapel and between the Black Horse and Fields Lane

74.15 CHURCHYARD WALL REPAIRS

The Clerk gave a verbal update which confirmed that CIL cannot be used for the Churchyard Wall repairs.

NOTED

75.15 INCREDIBLE EDIBLE SHROPSHIRE GRANT FUNDING

It was agreed not to proceed with this.

76.15 OTHER REPORTS

- i. Cross Keys Action Committee – Cllr C Green gave a verbal report which include an update on recent CKAC activities.
- ii. National Grid - Mid Wales Connection - Cllr C Green gave a verbal report which include information on the delay to the Windfarm inquiry decision, that the National Grid planning application is not expected until Q2 or 3 of 2016 and that local planning officers were having a site visit to look at the design of new pylons.
- iii. Local Joint Committee meeting – Cllr S Bruce gave a verbal update on the recent meeting.

77.15 HIGHWAYS

The following were reported:

- i. Cllr D Slaughter reported that the direction sign for Whip Lane on the Llyncllys road has been turned around.
- ii. Cllr C Green reported that the planned resurfacing in Maesbrook had not taken place.
- iii. Cllr J Pinder reported that the sign at the end of the Meverley Road in Pentre is damaged and the arrows on the road are faded by Brook Cottages and slow signs are needed.
- iv. Cllr A Lewis reported that the footpath in Maesbrook needs clearing.

The Clerk was asked to report the above.

78.15 CORRESPONDENCE

The following correspondence was received and NOTED

- i. SALC-Information Bulletins
- ii. Shropshire Rural Hub-Newsletter – April 2015
- iii. Shropshire Council-Election notices
- iv. Shropshire Council-Helicopter Noise Liaison Group draft notes from 3/3/15
- v. Shropshire Community Health NHS Trust -Community Health News March 2015
- vi. Police Crime Commissioner-Quarterly newsletter

- vii. Shropshire Council-Detail of Emergency Planning annual seminar for Parish Councils – 3/6/15 6.30pm at Shirehall (Cllr Pinder – to attend)

79.15 DATE AND TIME OF NEXT MEETING

18th May 2015 – Kinnerley Parish Hall at 7pm

The meeting closed at 9.10pm

Signed

Date

Chair