

KINNERLEY PARISH COUNCIL
Meeting of the Council
Held at Kinnerley Parish Hall
At 7.00pm on Monday 28th July 2014

PRESENT

Cllr Sheila Bruce (Chair), Cllr Betton Cambidge (Vice-chair), Cllr Nick Barclay, 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

Six members of the public were present

At the start of the meeting Carole Ryan-Ridout, Historic Environment Adviser to CPRE Shropshire, gave a presentation on the history of the centre of Kinnerley including the historic relationship of the Cross Keys Inn to the Church.

142.14 APOLOGIES FOR ABSENCE

Cllr Rick Bright – Work commitments.

RESOLVED to accept the above apologies

143.14 DECLARATIONS OF INTEREST AND DISPENSATIONS

- i. Cllr N Barclay declared a personal interest in planning application 14/02977/OUT as he lives near the site
- ii. Cllr B Jones declared a personal interest in planning application 14/03035/OUT as he owns property near the site.
- iii. Cllr S Quayle declared a personal interest in planning application 14/02864/FUL
- iv. Cllr S Bruce declared a personal interest in planning application 14/02864/FUL as she lives opposite the site and a personal interest in the Conservation Area agenda item as this may include her home.
- v. Cllr C Green – National Grid Mid Wales Connection project (Dispensation granted 17th June 2013 Minute Ref 104/13)

Cllr C Green asked if all Parish Councillors should declare interests in the Cross Keys planning application due to the current “Right to bid” for the Cross Keys Inn, as an asset of community value, which is also being considered.

RESOLVED, in the absence of legal advice from the Monitoring Officer at Shropshire Council that Councillors did not consider that they needed to declare an interest as the “Right to Bid” for the Cross Keys, will be made by a potential community group and not

the Parish Council. The Parish Council agreed to proceed with the agenda items relating to the Cross Keys.

144.14 PUBLIC PARTICIPATION SESSION

A member of the public raised her concerns about the planning application on land to the rear of Wayside, Kinnerley and the number of planning applications in general. She asked the Parish Council to consider all the applications as one entity as there are now sixty plus possible new homes planned for Kinnerley village. The cumulative effect of this development will cause road congestion and road safety issues. During a flood the only road access from parts of Edgerley/Pentre is via the road through Kinnerley and additional development may endanger this access. The Parish Council was asked to consider the future and the possible road congestion and additional surface water.

Cllr S Bruce responded that the Parish Council has to consider planning applications on an individual basis but the cumulative effect is being considered.

145.14 MINUTES OF COUNCIL

The minutes were submitted and circulated as read. Following a correction to remove the word "Annual" from the top of the first page it was

RESOLVED that the minutes of the Council meeting held on 23rd June 2014 be approved and signed as a correct record

146.14 REPORTS

- i. Police – no report
- ii. Cllr Arthur Walpole (Shropshire Councillor) - Cllr A Walpole gave a report which included an update on the SAMDev submission, which was approved at a recent Shropshire Council meeting. The submission is expected by the end of July and will include a recalculation of the five year land supply. Cllr Walpole had recently met with Owen Paterson MP following the loss of his Cabinet Office and he is still keen to help his constituents. Shropshire Councillors have received advice on how to deal with fracking applications. The financial end of year returns had been made available and there had been a small underspend by Shropshire Council. The format of LJC's is still being considered for the next year. There will be a new University for Shropshire in Shrewsbury which will start taking students from 2015.
- iii. Kinnerley School – no report

147.14 PLANNING DECISIONS

- i. 14/02159/FUL - Erection of a carport - Oak House Plasau Kinnerley SY10 8EE – Permission Granted
- ii. 14/01798/FUL - Erection of single detached garage - Woodlands Chapel Lane Knockin Heath SY10 8ED – Permission granted
- iii. 14/01997/OHL - Installation of an underground supply taken from an existing 11kv overhead line - Appledore Kynaston Kinnerley SY10 8EF – no objection

NOTED

148.14 PLANNING APPLICATIONS

The following planning applications were considered.

- i. **14/02864/FUL - Erection of 1No dwelling with detached garage (revised scheme) - Cross Keys Inn Kinnerley SY10 8DB**

Cllr S Quayle and Cllr S Bruce abstained from the vote due to declared personal interests

RESOLVED that the Parish Council objects to this planning application and the following comments were agreed.

Since the Parish Council agreed comments for the previous planning application the Cross Keys Inn has been designated as a Grade II listed public house and registered as an asset of Community Value.

Also, detailed research has shown that Kinnerley was a Saxon village with houses grouped around a village green, and this pattern is reflected in today's village layout, including the green space next to the Cross Keys, which has been used for recreational purposes for many centuries. The council have agreed that this green space and the historic environment of the Cross Keys and must be protected, and that this proposed development would adversely affect the character of this Grade II listed public house.

This is not sustainable development i.e. one that is without adverse impacts. Sustainable is defined in the foreword of the NPPF document as being 'positive growth- making economic, environmental and social progress for this and future generations'. It talks about sustainable development being a change for the better. Also that 'Planning must be a creative exercise in finding ways to enhance and improve places in which we live our lives'.

The importance and significance of the pub, set in the heart of the village, is paramount and is recognised as a key community amenity. Any development that risks the viability of the pub must be deemed an adverse impact and thus any presumption in favour of development cannot then apply. We believe this development will effectively make the pub unviable. The garden allows external space for public house activities in a rural village setting. A full evaluation as to the viability must be made and is material to this decision.

In total the KPNP envisaged 54 additional houses across the Parish, and a further 18 houses are planned for a windfall brownfield site in Kinnerley village, along with 10 already being built at Maesercroft.

The cumulative effect of all these houses means that Kinnerley Parish has already made more than a fair contribution towards meeting housing demand through the measured considerations given when drawing up the KPNP following extensive public consultation. Accordingly it is felt that there is not a need for any additional houses, including this one next to the Cross Keys.

ii. 14/02977/OUT - Outline application for 3 no. dwellings to include means of access - Land at Sandyman Kinnerley SY10 8DS

Cllr N Barclay abstained from the vote due to a declared personal interest

RESOLVED that the Parish Council objects to this planning application and the following comments were agreed.

Kinnerley Parish Council objects to this planning application because the site is a green field site in an unsustainable location outside the development boundary and is contrary to Kinnerley Parish Neighbourhood Plan (KPNP).

This is a greenfield site previously used as agricultural land. The solar panel installation on the other part of this field was approved with the condition that the site is returned to a greenfield site at the end of its use.

The KPNP (as adopted by Shropshire Council) specifically states that Dovaston should retain its development boundary, enabling any development to be restricted to infill only; and that all other areas should be treated as open countryside. The application site is not within the development boundary, and does not fall within the KPNP's definition of infill (para 18 x). During the KPNP consultation period this field, DOV0001, was put forward for consideration as a potential building site but was rejected by the majority of respondents to the KPNP.

The Parish Council does not want any backland (backfill) development. The development pattern for the hamlets is linear and this should be maintained.

The proposed development is located within an area defined as open countryside for planning policy purposes and accordingly would lead to sporadic and unsustainable development that would undermine the "rural rebalance" approach to development.

Paragraph 49 of the NPPF requires that housing applications should be considered in context of the presumption in favour of sustainable development. The Parish Council does not consider that the proposed development on land at Sandyman is in a sustainable location suitable for new residential development, because: -

1. There are no facilities in Dovaston.
2. The centre of Kinnerley village is a mile away
3. The road to Kinnerley has no footpath to allow safe pedestrian use, and is particularly narrow along Dovaston Bank and in other parts, and has a number of blind bends.
4. The limited bus service is only 2 hourly
5. Mains sewer would not serve this development.

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.

In total the KPNP envisaged 54 additional houses across the Parish, and a further 18 houses are planned for a windfall brownfield site in Kinnerley village. The cumulative effect of all these houses means that the Parish Council is naturally concerned about the effect such a proportional increase will have on road safety through our narrow lanes. Access to this site is very narrow between two existing houses making access not easy.

There is no mains sewerage available to the proposed development. There are concerns that the proposed drainage will have problems due to the sandy soil in this environment. Also the site is higher than the other houses fronting the road and there are concerns that if the provision is not adequate then there may be problems experienced by these neighbouring properties.

It is also felt that Kinnerley has already made more than a fair contribution towards meeting housing demand through the measured considerations given when drawing up the KPNP following extensive public consultation.

Accordingly the Parish Council strongly opposes this application.

iii. 14/03035/OUT - Outline application for the erection of 8 no. dwellings to include means of access - Proposed Development Land West of Mayfields Kinnerley

Cllr B Jones abstained from the vote due to a declared personal interest

RESOLVED that the Parish Council objects to this planning application and the following comments were agreed.

Kinnerley Parish Council objects to this planning application because this site is a green field site outside the development boundary and is contrary to the Kinnerley Parish Neighbourhood Plan (KPNP).

In total the KPNP envisaged 54 additional houses across the Parish, and a further 18 houses are planned for a windfall brownfield site in Kinnerley village. The cumulative effect of all these houses means that the Parish Council is concerned about the effect such a proportional increase will have on road safety. There will be a significant increase in traffic using rural lanes and this site will also increase traffic using the Argoed Road junction where there are already safety concerns and occasional flash flooding.

It is also felt that Kinnerley has already made more than a fair contribution towards meeting housing demand through the measured considerations given when drawing up the KPNP following extensive public consultation.

iv. 14/03049/OUT - Outline application for the erection of 1No dwelling (to include access) - Proposed Residential Development Land at Edgerley Kinnerley

RESOLVED that the Parish Council objects to this planning application and the following comments were agreed.

Kinnerley Parish Council objects to this planning application because the site is a green field site in an unsustainable location outside the development boundary and is contrary to Kinnerley Parish Neighbourhood Plan (KPNP).

This is a green field site currently used as agricultural land. The KPNP (as adopted by Shropshire Council) specifically states that Edgerley should be classed as open countryside. The application site is not within the development boundary, and does not fall within the KPNP's definition of infill (para 18 x).

The proposed development is located within an area defined as open countryside for planning policy purposes and accordingly would lead to sporadic and unsustainable development that would undermine the "rural rebalance" approach to development.

Paragraph 49 of the NPPF requires that housing applications should be considered in context of the presumption in favour of sustainable development. The Parish Council does not consider that the proposed development on this site as in a sustainable location suitable for new residential development, because: -

1. There are no facilities in Edgerley.
2. The centre of Kinnerley village is a 1 ½ miles away
3. The road to Kinnerley has no footpath to allow safe pedestrian use, and is particularly narrow in places.
4. Mains sewer would not serve this development.

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.

In total the KPNP envisaged 54 additional houses across the Parish, and a further 18 houses are planned for a windfall brownfield site in Kinnerley village. The cumulative effect of all these houses means that the Parish Council is naturally concerned about the effect such a proportional increase will have on road safety through our narrow lanes. Access to this site is on a dangerous corner.

It is also felt that Kinnerley has already made more than a fair contribution towards meeting housing demand through the measured considerations given when drawing up the KPNP following extensive public consultation. There is no need for a single house in an unsustainable location.

Accordingly the Parish Council strongly opposes this application.

v. 14/03089/OUT - Outline planning application for the erection of a single dwelling including access - Proposed Dwelling Adjacent Plassey Cottage Plasau Kinnerley

RESOLVED that the Parish Council objects to this planning application and the following comments were agreed.

Kinnerley Parish Council objects to this planning application because the site is a green field site in an unsustainable location outside the development boundary and is contrary to Kinnerley Parish Neighbourhood Plan (KPNP).

The KPNP (as adopted by Shropshire Council) states that area outside of any development boundary should be classed as open countryside. The application site is some distance from the development boundaries of Dovaston and Knockin Heath, and does not fall within the KPNP's definition of infill (para 18 x).

The proposed development is located within an area defined as open countryside for planning policy purposes and accordingly would lead to sporadic and unsustainable development that would undermine the "rural rebalance" approach to development.

Paragraph 49 of the NPPF requires that housing applications should be considered in context of the presumption in favour of sustainable development. The Parish Council does not consider that the proposed development on this site as in a sustainable location suitable for new residential development, because: -

1. There are no facilities in Plasau.
2. The centre of Kinnerley village is a one and a half miles away
3. The road to Kinnerley has no footpath to allow safe pedestrian use, and is particularly narrow in places.
4. Mains sewer would not serve this development.

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.

In total the KPNP envisaged 54 additional houses across the Parish, and a further 18 houses are planned for a windfall brownfield site in Kinnerley village. The cumulative effect of all these houses means that the Parish Council is naturally concerned about the effect such a proportional increase will have on road safety through our narrow lanes.

It is also felt that Kinnerley has already made more than a fair contribution towards meeting housing demand through the measured considerations given when drawing up the KPNP following extensive public consultation. There is no need for a single house in an unsustainable location.

Accordingly the Parish Council strongly opposes this application.

vi. 14/03114/FUL - Erection of new two storey side extension following removal of existing garden room - Orchard House Kinnerley SY10 8DP

RESOLVED that the Parish Council did not wish to make a comment.

149.14 CROSS KEY INN COMMUNITY RIGHT TO BID

The Parish Council considered the notice, (Section 95(2) of the Localism Act 2011), that the six week interim period commenced on 25 June 2014 because the current owner of the Cross Keys Inn, Kinnerley has given notification that the above asset is to be disposed of through a sale of freehold. Kinnerley Parish Council is an eligible body within the legal definitions of the Localism Act.

RESOLVED to write to Shropshire Council, in response to the notice dated 25 June, requesting the full moratorium (ending 25 December 2014) to allow the potential bid to be organised.

RESOLVED to suspend Standing Orders to allow Carole Ryan-Ridout to provide information and answer Councillors questions on the next agenda item.

150.14 CONSERVATION AREA

Carole Ryan-Ridout Historic Environment Adviser to CPRE Shropshire gave an overview of why a conservation area designation is needed for the centre of Kinnerley and answered questions.

RESOLVED to resume Standing Orders

Following further discussion it was

RESOLVED to consider this request at October's meeting.

151.14 FINANCE AND ACCOUNTS FOR PAYMENT

i. **Receipts** – none

ii. **Payments made before meeting** – none

iii. **Payments for Approval**

- a. P&W Maintenance Contracting Ltd – Ground Maintenance (June) - £253.90 – Chq 010581
- b. P&W Maintenance Contracting Ltd – Ground Maintenance (July) - £253.90 – Chq no 010582
- c. Shropshire Design & Print Solutions – PVC Banner (Cross Keys) - £36.00) – reimbursed to Clerk – Chq no 010583
- d. Kinnerley Parish Hall – Room Hire - £30.00 – Chq no 010584
- e. Scottish Power – Street light energy – Apr-Jun - £105.84 – Chq no 010585
- f. Clerk's Salary for July 2014 - £569.35 – Chq no 010586

- g. Clerk's Salary for August 2014 (payable 18th August 2014) - £569.35 – Chq no 010587
- h. Playsafety Ltd – RoSPA inspection - £156 – Chq no 010588

RESOLVED to APPROVE & AUTHORISE the above payments

152.14 FINANCE/BUDGET REPORT

The finance and budget report for quarter one was received and **NOTED**

153.14 PEELS PLANTATATION

A request for a donation to Peels Plantation towards their insurance costs was considered.

RESOLVED to approve a donation of £79.50 to Peels Plantation to assist with the insurance costs for this year, on a one off basis, and payment was authorised – Chq no 010589

154.14 KINNERLEY PARISH NEIGHBOURHOOD PLAN

Cllr N Barclay gave a verbal report on the KPNP implementation.

155.14 NATIONAL GRID - MID WALES CONNECTION

Cllr C Green gave a verbal update, as the SNAP representative.

156.14 OTHER REPORTS

- a) **Emergency planning meeting** – a written report had been circulated with the agenda papers. It was agreed to forward a request to Shropshire Council and the Environment Agency to undertake a feasibility study on the provision of a groundwater pump following a request from the Emergency planning working party.
- b) **SALC – Area committee meeting** – no report – the meeting had been cancelled

157.14 HIGHWAYS

The following was reported:

- i. The hedge on the left hand side before the bridge on the Kinnerley/Knockin road is overgrown and restricting visibility.
- ii. The Judas tree in the Churchyard in Kinnerley needs emergency work as it is hanging out into the highway.

The Clerk was asked to report the above.

158.14 CORRESPONDENCE

The following correspondence was received and NOTED

- i. Powys County Council-Prior notification e-mail - Powys Local Development Plan - Deposit Consultation.
- ii. Monday 28th July - Monday 8th September 2014
- iii. Corbet School-July newsletter
- iv. SALC-Information Bulletins

