

KINNERLEY PARISH COUNCIL
Meeting of the Council
Held at Maesbrook Village Hall
At 7.00pm on Monday 23rd February 2015

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 and Cllr David Slaughter

IN ATTENDANCE: Cllr A Walpole

CLERK: Mrs Kate Sanderson

Three members of the public were present

24.15 APOLOGIES FOR ABSENCE

Cllr R Bright & Cllr Sharon Quayle – Personal reasons
Cllr M Jones – unwell

25.15 DECLARATIONS OF INTEREST AND DISPENSATIONS

- i. Cllr C Green declared a personal interest in the Cross Keys agenda items as a member 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 C Green declared a personal interest in the pre-application consultation for Land at Llwyn-y-Go. He declared that he was previously the land owner and the applicant is a relation. Cllr Green asked that it be noted that he would make a statement and then leave the meeting.

26.15 PUBLIC PARTICIPATION SESSION

David Parker, as agent, spoke on the proposal to build an affordable house at Llwyn-y-Go for a local couple. He confirmed that pre-application discussions had taken place with Shropshire Council but the actual position of the house was still being considered. Feedback from the Parish Council was requested. Information on the two proposed sites for the house was provided and additional information on each one given.

27.15 MINUTES OF COUNCIL

The minutes were submitted and circulated as read.

Following an amendment to 8.15 ii, to remove "*as the applicant is a friend*", and replace with "*as he and the applicant both serve on a local committee*" it was

RESOLVED that the minutes of the Council meetings held on 26th January 2015 be approved and signed as a correct record

28.15 REPORTS

- i. Police – no report but Cllr Slaughter reported that speed checks had been undertaken recently in Maesbrook.
- ii. Cllr A Walpole (Shropshire Councillor) gave a report which included details about the full Council meeting on Thursday which will look at all financial matters for 2015/16. There are still savings to be made across the board, including the Council Tax Support Grant. Cllr Walpole reported that he had tabled a motion requesting the support of the Members of Shropshire Council, to reaffirm the Council's objection in principle to a 400kV High Voltage overhead power line crossing Shropshire to connect Windfarms in mid-Wales to the existing national grid. Cllr Walpole had received a number of letters from local residents on planning application decisions and he had recently met with members of the community and Parish Councillors and reported back to Ian Kilby at Shropshire Council, who had written to the Parish Council. Cllr Walpole had been looking into the cost to convert the KPNP into a full Neighbourhood Plan, including the cost of a referendum.

29.15 PLANNING DECISIONS

- i. 12/02976/FUL - Erection of 2 no. affordable dwellings each with detached garage/store and green house - Quarry Cottage Knockin Heath Oswestry SY10 8DT – Permission granted
- ii. 14/05574/FUL - Erection of single storey side extension to form kitchen/utility and day room - The Cottage Kinnerley Oswestry SY10 8DF – Permission granted
- iii. 14/05330/FUL - Erection of a detached car port - Laburnum House Argoed Kinnerley Oswestry Shropshire SY10 8DJ – Permission granted

NOTED

30.15 PLANNING APPLICATIONS

The following planning applications were considered

- i. **15/00031/PMBPA - Application for prior approval under part 3, class MB of the town & country planning (general permitted development) (Amendment & consequential provisions) (England) order 2014 for the change of use from agricultural use to residential use of a barn - Barn South Of Kynaston House Kynaston Kinnerley Shropshire**

RESOLVED to object to this planning application as this is not a barn conversion, but a complete 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 been 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 and that consideration of it should be via the Northern Area Planning Committee and not under any Officer delegated powers.

ii. 15/00454/OUT - Outline application for the erection of 2 no. detached houses and associated garages to include means of access - Proposed Residential Development To The South Of Knockin Heath Shropshire

Cllr S Bruce asked that it be minuted that she had abstained from this vote.

RESOLVED that the Parish Council **objects** to this planning application as 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 Knockin Heath. 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. Permission has been granted for two affordable houses adjacent to this site, but this approval is not relevant to this application as this is an outline application for two open market housing, not affordable housing. Reference is made in the Design and Access statement to the proposed size/design of the houses, but as this is an outline application, this information is also not relevant.

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.

The proposed development also represent an undesirable form of backland development, behind Quarry Cottage, which is out of keeping with the linear form and layout of the existing settlement pattern and character. The proposed development fails to comply with the requirements policy CS6 of the Shropshire Core Strategy, the Kinnerley Parish Neighbourhood Plan and the National Planning Policy Framework.

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. Knockin Heath is one of the smaller settlements in the locality and is some distance from the settlements where existing service provision is found. In reality it is little more than an isolated ribbon of houses in the open countryside. The siting of a housing development 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. Knockin Heath is a settlement with no services or facilities other than a garage and a plant hire company. The village of Kinnerley, some 1.5 miles distant, 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. The bus service runs every two hours and not in the evenings. The occupants of the houses would be reliant on the private motor car for much of their day to day needs.

The Council request that the application be formally refused by Shropshire Council and that consideration of it should be via the Northern Area Planning Committee and not under any Officer delegated powers.

- c) **Pre-application consultation** – for informal comment – Land at Llwyn y Go, Maesbrook – proposed single plot affordable dwelling

Cllr C Green spoke to give some background to this proposal and then left the meeting and took no part in further discussion and the vote.

Following a discussion it was RESOLVED that the Parish Council supports in principle a suitably sited single-plot self-build affordable dwelling for a qualified local person (John Davies) and agreed that Llwyn-y-Go is a recognisable settlement for the proposed dwelling. The Parish Council supports the applicant's preference for site B over site A because Llwyn-y-Go has a scattered settlement pattern and plot A would restrict existing views.

Cllr C Green returned to the meeting.

- d) **Planning applications decided under delegated authority (14/02372/OUT - Outline planning application for the erection of two detached dwellings and associated garages (to include access) - Maple Cottage Kinnerley SY10 8DS and 14/02659/OUT - Outline Application for a single detached residential dwelling and garage to include means of access - Proposed Dwelling SW Of Old Farm Dovaston**

A letter sent to Shropshire Council was noted and the response from Ian Kilby at Shropshire Council was considered. There were still concerns about the inconsistency of planning decisions and the lack of democracy with many applications being approved under delegated authority.

RESOLVED to respond on the basis of the above concerns and it was delegated to the Clerk in liaison with Cllr C Green and Cllr N Barclay to prepare and send a response to Shropshire Council.

31.15 CROSS KEYS INN

- i. **Cross Keys Action Committee** – Cllr C Green gave a verbal update on CKAC activities and the Parish Council was asked to agree the installation of a temporary notice board on the Village Green.

RESOLVED to agree that a notice board can be installed on the Village Green in Kinnerley but that it would be reviewed in six months' time.

- ii. **Place Plan**

The Parish Council was asked to update the list of potential local projects for CIL Funding following a request from the Agent of the potential purchaser of the Cross Keys Public House. The Parish Council was asked to consider whether the list of local projects for potential CIL funding in the Place Plan should be amended to include a project for an element of match-funding towards the possible refurbishment of the Cross Keys by the local community.

RESOLVED that the Parish Council supported in principle the proposal to use CIL money for an element of match-funding towards the possible refurbishment of the Cross Keys by the local community, subject to a lease being obtained by the local community to operate the pub, and subject to detailed consideration by the Parish Council of all other potential local projects put forward for CIL funding. It was agreed to write to Shropshire Council to request that this is included in Kinnerley's Place Plan.

32.15 FINANCE AND ACCOUNTS FOR PAYMENT

- a) **Receipts** – none
- b) **Payments made before meeting** – none
- c) **Payments for Approval**
 - i. Clerk's Salary for February 2015 - £569.35 – Chq no 10614
 - ii. SLCC Membership (38% share of fee with Pontesbury) - £63.00 – Chq no 10615
 - iii. Maesbrook Village Hall – Room Hire - £10.00 – Chq no 10617

RESOLVED to APPROVE & AUTHORISE the above payments

33.15 STREET LIGHT CONTRACTS

The Clerk advised that two quotes had been received.

RESOLVED to accept the quote from Highline Electrical Ltd to maintain the street lights on a repair only basis for twelve months.

34.15 GROUND MAINTENANCE FOR 2014/15

The Clerk advised the meeting that P&W Contracting had reviewed their fees for year two of the three year contract and had agreed to not increase its fees for the next financial year.

RESOLVED that the grass cutting contract should be renewed for another year with P&W Contracting.

35.15 INTERNAL AUDITOR

RESOLVED to appoint JDH Business Services as Internal Auditor for 2014/15.

36.15 COMMUNITY EMERGENCY PLANNING

Cllr N Barclay gave an overview of the report which had been circulated with the agenda. It was noted that it is the Environment Agency and not Melverley Drainage Board who is responsible for the argaes.

RESOLVED to approve the recommendations from the Emergency Planning working party and adopt the simplified approach to dealing with an emergency. It was agreed that the Emergency Contact List should be made available on the website and The Telescope (subject to approval from the Telescope team). Shropshire Council to be asked to review the Multi Agency Flood Plan to include specific information about the parishes of Kinnerley and Meverley.

37.15 NATIONAL GRID - MID WALES CONNECTION – update from Cllr C Green

Cllr C Green gave a verbal update which included thanking Cllr Walpole for the motion to be tabled at the next Shropshire Council meeting, which the Parish Council fully supported. An update was given on the responses to the recent National Grid project consultation. It was noted that no decision has been made on the windfarms yet.

38.15 STANDING ORDERS

The draft revised NALC Standing Orders which had been circulated with the agenda were considered.

RESOLVED to approve and adopt the Standing Orders as circulated.

39.15 FINANCIAL REGULATIONS

The draft revised NALC Financial Regulations which had been circulated with the agenda were considered.

RESOLVED to approve and adopt the Financial Regulations as circulated.

40.15 DATA PROTECTION

A data protection policy which had been circulated with the agenda was considered.

RESOLVED to approve and adopt the data protection policy and approve registration payment of £35 to Information Commissioner's Officer (Chq no: 10616)

41.15 HIGHWAYS

The following was reported:

- i. Cllr A Lewis reported that BT had installed new poles on the large verge by the BT phone box in Maesbrook. He had concerns that the new wires would be installed over the top of the Millennium Oak which would mean that it would need to be cut back when it is larger. It was agreed to write to BT to ask them to reconsider the position of the wires and poles or install the line underground so that the Millennium Oak is not affected.
- ii. Cllr D Slaughter reported that there are pot holes in Field Lane.
- iii. The recent accident at the Knockin Heath junction was discussed and it was agreed to write to Knockin Parish Council to ask them to include this as a community concern in their next Road Safety Policy return.

The Clerk was asked to report the above.

42.15 CORRESPONDENCE

The following correspondence was received and NOTED

- i. The Corbet School-Newsletter – Feb 2015
- ii. Shropshire Rural Hub-February newsletter
- iii. Shropshire Council-Proposed temporary road closure – Maesbrook Jct PO – Whip Ln End of Woolston, Maesbrook, Shropshire – 16 March 2015 – 1 day (8.00 – 16.00) – Resurfacing
- iv. Shropshire Council-Monthly alterations to electoral register
- v. SALC-Information Bulletins
- vi. Shropshire Council-Details of next Helicopter Noise Liaison Group meeting (3/3/15) and notes from October 2014 meeting.

43.15 DATE AND TIME OF NEXT MEETING

23rd March 2015 – Kinnerley Parish Hall (after Annual Parish Meeting)

The meeting closed at 9pm

Signed
Chair

Date