

KNOCKIN PARISH COUNCIL

MINUTES of a meeting of **KNOCKIN PARISH COUNCIL** held in the Assembly Rooms, Knockin on Tuesday 2nd September 2014 at 19.30

Present, Cllr Lawson, Cllr Ward, Cllr Doyle, Cllr Keay, Cllr Donovan, Cllr Moseley,
Clerk: P. O'Hagan,
2 members of Knockin Assembly Rooms committee also present.

51/14 TO ACCEPT APOLOGIES FOR ABSENCE

RESOLVED to accept the following apology for absence
Cllr Roberts

52/14 DISCLOSABLE PECUNIARY INTERESTS

1. Declaration of any disclosable pecuniary interest in a matter to be discussed at the meeting and which is not included in the register of interests. – none declared
2. To consider dispensation applications. – none received.

53/14 Public Participation Session – a period of 15 minutes will be set aside for the public to speak on any items on the agenda (this may be extended at the discretion of the chairman)
Concerns were raised over the colour of the newly painted Knockin Shop, as it was felt that the colour was not in keeping with the conservation area. In addition to this the condition of The Old Post Office was also raised as a cause for concern and it was requested an item be placed on the November agenda to discuss these concerns as it was felt that the properties were impacting negatively on the village.
it was AGREED to add the item to the November meeting.

54/14 TO CONFIRM THE MINUTES OF THE MEETING HELD 1st July 2014

RESOLVED to accept the minutes of the meeting held on 1.7.14 and they were duly signed as a true record.

55/14 REPORTS –

Police – CSO Mabe presented the crime report which stated that since 1.6.14, 3 criminal activities have been reported, one of which was a burglary of a farm shed.

Shropshire Council – Cllr Walpole gave an update on activities at Shropshire Council including an update on the SAMdev process and the council's finances. The length of time it was taking for land search enquiries from Shropshire Council was raised, as it is currently taking 5 weeks.

RESOLVED to note both reports

56/14 PLANNING MATTERS

a) Planning applications for discussion none received at time of printing agenda

b) To consider applications received after the agenda has been sent out –

Appeal notification APP/L3245/A/14/2223748 – Ashford hall Knockin **RESOLVED to submit the following comments**

- 1 The appeal relates to condition 3 of planning permission 14/01018/FUL. This permission was granted following the dismissal of appeal ref APP/L3425/A/13/2205490, and in effect it regularized the extent of the change of use of agricultural land to garden which had previously taken place. This permission granted, amongst other things approval of railings to delineate the boundary of the site, in place of the walling which can be seen around the site at

present. It should be noted that the application for the railings included exterior lighting, for which control was necessary under Condition 5

2 The Inspector should note that the incomplete walling around the site at present was strongly objected to by both the Parish Council and local residents as being an inappropriate intrusion into the countryside. This position was firmly supported by the Inspector in paragraph 13 of his decision. This Inspector is requested to carefully read the Parish Council's and local residents submissions in that appeal, which set out the policy background, which was accepted by the previous Inspector.

3 Since that time the NPPF in paragraph 61 has reinforced the Parish Council's approach to development, as follows: *Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.* This policy lies at the heart of the Council's concern in this appeal

4 The present appeal seeks removal of a condition which removes the appellant's rights to carry out permitted development. To be clear, I reproduce the rights which are removed:

Schedule 2 Pt 1

E. Permitted development

The provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure.

The Schedule sets limitations on this right, such that buildings over 10cu m and in excess of 3m, or 4m to a ridge, are not permitted.

F. Permitted development

The provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such. Sched2 Pt 2

A. Permitted development - The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.

B. Permitted development - The formation, laying out and construction of a means of access to a highway which is not a trunk road or a classified road, where that access is required in connection with development permitted by any Class in this Schedule (other than by Class A of this Part).

C. Permitted development - The painting of the exterior of any building or work.

5 It appears that the appellant is now seeking relief from these restrictions on the grounds that they remove his discretion in designing his own garden. The Parish Council has considerable sympathy with that position, but is in this particular case very concerned that certain controls should be retained. The planning reason for the retention of control is to ensure that development within the land respects and enhances the rural setting of the area, and respects the amenity of nearby residents. Whilst this need is in some degree enhanced by the position of the site adjacent to the Conservation Area, the planning need for the condition flows from the policies of the Core Strategy applicable to any development in Shropshire villages and countryside.

6 The Parish Council would have no objection at all to the relaxation of the condition to remove schedule 2 part 1 F from the condition – it is not in their view a matter of public interest whether or not the appellant paves any part or all of his garden.

7 The Parish Council would have no objection at all to the relaxation of the condition to remove Schedule 2 Pt 2 B and C, and indeed B is irrelevant, since the only possible access within the site is longstanding.

8 The Parish Council would however have strong objection to the relaxation of the condition so far as it relates to Part 1 E and Part 2 A. These conditions do not prevent the applicant doing anything he wishes to, provided that the planning authority's permission is first obtained. It is an unfortunate fact that successive owners of this property have sought to develop it in a manner which makes external representation of their wealth which becomes visible well outside the site, intruding into the rural surroundings. So, for instance the Hall is floodlit at night, even though its architectural merit is, at the least, questionable. There is already a fountain within the grounds, and whilst any resident may have the same, in this case the fountain is clearly audible outside the site.

9 Thus, although the Appellant feels entitled to exercise his freedom to develop without restriction, it is a sad fact that should he do so, it is likely to have an impact outside the site, which has been shown to fail to enhance the rural surroundings of the locality, and in some cases to potentially impact on local amenity, due to the scale of the features involved. The necessity for control is illustrated by the fact that the application for the railings included lighting which could have had external visual effects - a matter which was dealt with by a condition on the approval. Such a condition could not be applied to any similar future proposals should the condition appealed against not be in place.

10 Thus, the Parish Council is of the view that parts of the condition appealed against have a legitimate and real planning purpose.

11 In addition, removal of the condition, so far as it relates to Schedule 2 Pt 2 A would permit development which retained the greater part of the columns on the boundary of the site, a treatment which was rejected as inappropriate by the previous Inspector. Whilst the Council are sure that the Appellant is not trying to retain the works disapproved of "by the back door", that could be the effect of allowing this appeal.

Conclusion

12 It is the Parish Council's view that this appeal ought to be allowed but only to the limited extent that the condition in dispute should be amended as follows:

Except for the development hereby approved, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no development relating to Schedule 2 Part 1 Class E or Schedule 2 Part 2 Class A shall be erected, constructed or carried out within the area of domestic curtilage identified by this application, unless first approved by the local planning authority.

c) National Planning Policy Framework 5 year land supply - for update of the position in Shropshire and to consider proposed policy MD3 – Managing Housing Development – **RESOLVED to note**

57/14 FINANCE AND ACCOUNTS FOR PAYMENT

a) Income – to note income received

b) Outstanding Payments for Approval

RESOLVED to APPROVE the following payments

Payee	Amount	Chq number
ALC training	20.00	10246
Penny O'Hagan Salary 30.9.14		10249
HMRC		10250
Scottish Power	25.58	10248
Shropshire Council election fee	100.00	10247

c) To consider other payments received after the agenda has been sent out – none received

d) 6 month budget report – for consideration RESOLVED to note

e) Annual return – to note completion RESOLVED to note the completion of the Annual Return with no comments

58/14 PARISH MATTERS

a) Knockin Assembly Rooms – to consider a report prepared by Cllr Ward which outlines the estimated financial costs of the Parish Council taking on the future management of the Assembly Rooms and to consider how to consult with the community on the proposals. (taken after item 55) A discussion took place on the report produced by Cllr Ward and the response from Shropshire RCC. Councillors felt it was important to discuss the matter in more detail with local residents as if the Parish Council were to take the hall on then there could be a significant increase in the precept. In addition to this it would give residents who were unable to attend the June meeting the opportunity to find out more about the options available.

It was RESOLVED to hold another public meeting on 7th October 2014 to discuss the problems and to invite all residents of the parish to see if a way forward can be found.

All councillors agreed to circulate a flyer to every household concerning the meeting.

b) Tree planting in the parish – for discussion, Cllr Ward proposed that a group of 5 donated horse chestnut trees be planted on the Kinnerley Road where the public footpath crosses the road and that a small group of 5 Rowen trees are planted near the entrance to the parish on the Maesbury Road. He stated that he had sought permission for the planting from neighbouring landowners who had raised no objections and that he would seek a quote for the purchase Rowen Trees to be considered at the November meeting. **RESOLVED to approve the horse chestnut planting and to consider the Rowen planting quote at the November meeting.**

c) Amenity area – to consider quotes for replacement goal posts. Two quotes were presented but it was felt that the goals were too large for the site. **RESOLVED to request quote for smaller goals be considered at the November meeting.**

d) Standing Order amendment – to note that following an amendment to the 1960 Public Bodies (Admission to Meetings) Act to the law standing order 3l *Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not*

*permitted without the Council's prior written consent. Is no longer legal and must be removed. **RESOLVED to approve the removal standing order 3l***

59/14 HIGHWAYS

- a) **Rights of Way** -To receive an update on the Parish Paths Partnership project - no update
- b) **Road Safety improvements** – to consider concerns

RESOLVED to submit the following concern

Single track road passing places only signage is needed along Whip Lane, Osbaston. In addition there is a need to improve the visibility for those turning from Whip Lane onto the Llynclus Road Junction

60/14 CORRESPONDENCE

To consider list of correspondence received since last meeting

RESOLVED to note the following correspondence

Request for comments on the Mid Wales Connection Project Scoping Report – deadline passed

Shropshire Council – notification of Free trees for planting in Shropshire

Shropshire Council notification of temporary road closure B4396 Morton cross roads - Whip Lane x-rds llynclys 29.9.14 for 4 weeks

Notification of Shropshire Women and Children's Centre opening 29.9.14

Shropshire Local Flood Risk Management Strategy Consultation – deadline 30.9.14

Shropshire Council Outdoor Recreation newsletter – online only

The Corbet News - July Edition

Submission of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan to the Secretary of State

Notification of Oswestry Area Committee meeting 7.00 pm on Tuesday 16th September 2014 in the Council Chamber, Guildhall, Oswestry – Cllr Lawson to attend

NALC legal briefing L07-11 The Bribery Act 2010 – Impact On Local Councils

61/14 DATE AND TIME OF NEXT MEETING – to note. Tuesday 4th November 7.30, meeting ended at 21.06

At the end of the meeting Cllr Ward tendered his resignation and he was thanked by the council for all his work over the last 10 years.